

United States Senate

WASHINGTON, DC 20510

July 7, 2022

Mark Zuckerberg
Chief Executive Officer
Facebook
1 Hacker Way
Menlo Park, CA 94025

Adam Mosseri
Head of Instagram
Instagram
1 Hacker Way
Menlo Park, CA 94025

Dear Mr. Zuckerberg and Mr. Mosseri:

We write to express our concern about reports that Facebook and Instagram are censoring posts containing accurate information about abortion in the wake of the Supreme Court’s decision in *Dobbs v. Jackson*. As a result of the Court’s decision, it is more important than ever that social media platforms not censor truthful posts about abortion, particularly as people across the country turn to online communities to discuss and find information about reproductive rights.

Last month the Supreme Court overruled *Roe v. Wade*, stripping away constitutional protections for abortion.¹ In the aftermath of the decision, many took to social media to share stories about the impact of the decision, let others know how to legally obtain abortion services, and to discuss their personal experiences. Posts about abortion spiked across social media in the days following the decision.²

As people across the country took to the internet to discuss the *Dobbs* decision, both Facebook and Instagram removed posts about abortion. Reports indicate that multiple posts providing accurate information about how to legally access abortion services were removed, often within minutes after the information was posted.³ Others reported that posts mentioning abortion were taken down or were tagged with “sensitivity screens” and warnings, including a post promoting an abortion documentary,⁴ a posting entitled “Abortion in America How You Can Help,”⁵ and a

¹ See *Dobbs v. Jackson Women’s Health Org.*, No. 19-1392, slip op. (U.S. June 24, 2022), available at https://www.supremecourt.gov/opinions/21pdf/19-1392_6j37.pdf.

² See The Associated Press, *Instagram and Facebook begin removing posts offering abortion pills*, Nat’l Public Radio (June 28, 2022), <https://www.npr.org/2022/06/28/1108107718/instagram-and-facebook-begin-removing-posts-offering-abortion-pills>.

³ *Id.*

⁴ Caleb Ecarma, *Facebook and Instagram are Cracking Down on Users Offering Abortion Pills*, Vanity Fair (June 28, 2022), <https://www.vanityfair.com/news/2022/06/facebook-instagram-cracking-down-abortion-pills>.

⁵ Amanda Seitz, *Instagram hides some posts that mention abortion*, Associated Press, June 29, 2022, <https://apnews.com/article/technology-ac5da9efe2e200f26ff7702df1496e38>.

post from a healthcare worker describing how people were already being harmed by laws banning abortion.⁶ One organization dedicated to informing people in the United States about their abortion rights temporarily had its account suspended.⁷ Users reported similar issues last fall when Texas's law banning abortions after six weeks went into effect.⁸

Last week, Meta spokesperson Andy Stone pointed to Facebook's policy banning attempts to buy, sell, trade, gift, or request pharmaceuticals on its platform as the reason for the posts being removed.⁹ Stone acknowledged, however, that Facebook and Instagram have had problems applying the policy to posts about abortion.¹⁰

Accordingly, we write to ask for additional information about what Meta is doing to address problems applying company policies. We ask for you to answer the following questions by July 15, 2022:

1. What measures, both automated and manual, do you employ on Facebook and Instagram to flag posts about abortion in the United States?
2. How many abortion-related posts have been removed from Instagram and Facebook in the United States since June 24, 2022 for an alleged violation of Meta's policies?
3. How many abortion-related hashtags have been removed or blocked from Instagram and Facebook posts in the United States since June 24, 2022 for an alleged violation of Meta's policies?
4. What steps do Facebook and Instagram have in place for users to contest a violation of Meta's policies?
5. Have any abortion-related posts been reinstated after further review? If so, how many?
6. What steps is Meta taking to ensure that posts about abortion that do not violate Meta's policies are not removed in error?
7. Please provide a copy of all training materials or guidance provided to your content moderation teams about abortion posts in the current calendar year. For each, identify the document's main author and who approved the document.

⁶ See, e.g., Marlow Stern (@MarlowNYC), Twitter (Jun 28, 2022, 5:52 AM), <https://mobile.twitter.com/marlownyc/status/1541721228771176448>.

⁷ See Kara Alaimo, Opinion, *What Facebook and Instagram's restricting abortion pills posts so fast should tell*, NBC News (June 28, 2022), <https://www.nbcnews.com/think/opinion/facebook-instagram-restricting-abortion-pills-posts-fast-after-roe-end-rcna35834>.

⁸ See Claire Goforth, *As Texas' abortion ban goes into effect, Instagram and Facebook block hashtags for 'abortion pills'*, Daily Dot (Sept. 1, 2021), <https://www.dailydot.com/debug/facebook-instagram-block-posts-abortion-pills-texas-law/>.

⁹ Andy Stone (@Andymstone), Twitter (Jun 27, 2022, 2:30 PM), <https://twitter.com/andymstone/status/1541489203434897408>.

¹⁰ See *id.*

Thank you for your attention to this matter.

Sincerely,



Amy Klobuchar
United States Senator



Elizabeth Warren
United States Senator