

**Congress of the United States**  
**Washington, DC 20515**

February 27, 2020

Mark Zuckerberg  
Chairman and Chief Executive Officer  
Facebook, Inc.  
1 Hacker Way  
Menlo Park, California 94025

Dear Mr. Zuckerberg:

We write to express concern that despite Facebook’s ban of gun sales on its platforms, users are nonetheless able to facilitate firearm transactions in private Facebook groups specifically designed to skirt Facebook’s ban on firearm sales.<sup>1</sup> In light of troubling reporting, we request information on the steps Facebook is taking to combat gun sales facilitated through private Facebook groups.

When Facebook banned the sales of firearms on its platforms in 2016, your company took a powerful stand against unlicensed gun sales. A 2017 study estimated that 22 percent of firearm owners obtained their most recent firearm without undergoing a background check.<sup>2</sup> Another study found that the private market for gun sales “has long been recognized as a leading source of guns used in crimes.”<sup>3</sup> As an industry leader, Facebook “shut down a key avenue that criminals and minors used to arm themselves and put lives in danger”.<sup>4</sup> This is exactly the type of common sense gun policy that enjoys broad support with the American public.

Unfortunately, it is not enough to simply ban such sales. Effective monitoring, including the suspension of accounts in violation of these policies, is essential. As reported in *Protocol* earlier this month, “[w]hile Facebook’s policy led to the removal of some high-profile groups that hosted these discussions, many simply moved to unlisted settings that made tracking the behavior more difficult.”<sup>5</sup> Even more troubling is the assertion from a former Facebook engineer that the “sheer volume of content” made it difficult to enforce the firearm sales ban, and Facebook simply sought to “get [the content] down to a level that was acceptable.”<sup>6</sup>

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<sup>1</sup> [https://www.protocol.com/facebook-gun-sales-ban?share\\_id=5268564](https://www.protocol.com/facebook-gun-sales-ban?share_id=5268564)

<sup>2</sup> <https://annals.org/aim/fullarticle/2595892/firearm-acquisition-without-background-checks-results-national-survey>

<sup>3</sup> <https://lawcenter.giffords.org/gun-laws/policy-areas/background-checks/universal-background-checks/>

<sup>4</sup> <https://everytown.org/press/moms-demand-action-everytown-applaud-facebook-for-bolstering-efforts-to-end-unlicensed-gun-sales-arranged-on-its-platforms/>

<sup>5</sup> [https://www.protocol.com/facebook-gun-sales-ban?share\\_id=5268564](https://www.protocol.com/facebook-gun-sales-ban?share_id=5268564)

<sup>6</sup> *Id.*

While we understand that in November 2018 Facebook instituted proactive measures to better identify accounts that violate its gun sale policy<sup>7</sup>, we have concerns that those measures fall short. Thus, we request answers to the following questions no later than March 12, 2020:

1. On average, how many private group accounts does Facebook suspend each month for violating the firearm sale policy?
2. On average, how many users within private groups does Facebook suspend each month for violating the firearm sale policy?
3. What measures does Facebook have in place to ensure that if it permanently suspends a private group for violating the gun sale policy, users from that group cannot create another private group under a different name?
4. What proactive measures is Facebook taking to ensure that users in private groups are not able to skirt Facebook's ban on gun sales, including by referring potential buyers to apps such as WhatsApp, Snapchat, Wickr, or any alternative communication platform?
5. What policies does Facebook have in place to alert law enforcement to instances of gun trafficking on its platforms? Specifically, in those states where peer-to-peer sales without a federal firearm licenser are illegal, does Facebook refer such attempted sales to state and local law enforcement?
6. Facebook claims that over 93% of the firearm sales content removed from its platform is done proactively.<sup>8</sup> Thus Facebook relies on user reports to make up the difference. How does Facebook expect users to report on violations within private groups?

Thank you in advance for your attention to this matter.

Sincerely,



Robert Menendez

United States Senator



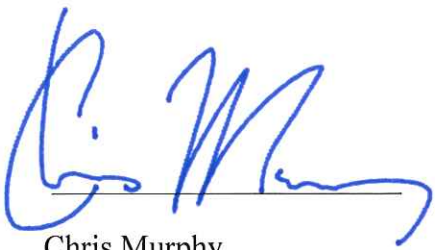
Edward J. Markey

United States Senator

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<sup>7</sup> *Id.*

<sup>8</sup> <https://www.protocol.com/facebook-gun-sales-ban>



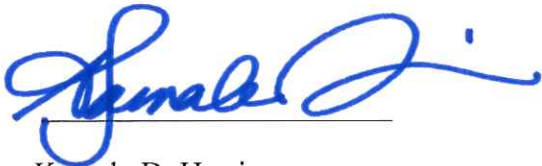
Chris Murphy

United States Senator



Richard Blumenthal

United States Senator



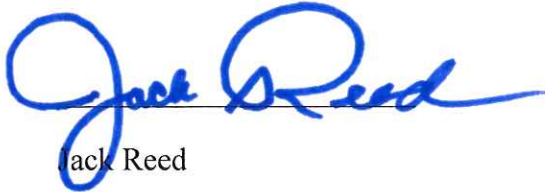
Kamala D. Harris

United States Senator



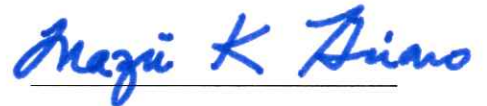
Elizabeth Warren

United States Senator



Jack Reed

United States Senator



Mazie K. Hirono

United States Senator



Sheldon Whitehouse

United States Senator



Patty Murray

United States Senator



Richard J. Durbin

United States Senator



Amy Klobuchar

United States Senator

A handwritten signature in blue ink, appearing to read 'C. A. B.', is positioned at the top left of the page. The signature is fluid and stylized, with a large initial 'C' and a long horizontal stroke extending to the right.

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Cory A. Booker

United States Senator