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March 19, 2020

Hon. William Barr, Attorney General of The United States of America
U.S Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Re: Fraudsters and Opportunists Exploiting the Coronavirus Epidemic enabled by Facebook

Dear Attorney General Barr:

We write to you, today, on your efforts to prioritize investigations of fraudsters and opportunists exploiting the coronavirus pandemic. We applaud you for protecting this nation's citizens and to share new evidence of potential bad actors utilizing Facebook to target unsuspecting Americans.

New research from the Digital Citizens Alliance (DCA) and Coalition for a Safer Web (CSW) finds Facebook enabling, and possibly even promoting, sellers to market and sell N95 and other medical masks at a time when they are in short supply for medical professionals and not recommended for consumers.

To be blunt, Facebook is not fulfilling the promise it made to American and global users on March 6th, 2020, which was articulated by Rob Leathern, Facebook director of product management:

“We’re banning ads and commerce listings selling medical face masks. We’re monitoring COVID19 closely and will make necessary updates to our policies if we see people trying to exploit this public health emergency.”

Since that promise was made, researchers identified and documented dozens of Facebook and Instagram posts, videos, and paid ads (which the company profits from) through searches on the platforms. Some of these posts and advertisements are still up and circulating, despite being publicly outed by CSW to NBC News and delivered directly to Facebook.

Additionally, DCA and CWS investigators found:

- Advertisements for coronavirus test kits and even vaccines have begun to emerge in recent days.
- An initial search for ‘N95 masks’ or ‘coronavirus masks’ or ‘medical masks’ leads to ads for mask sellers coming in waves, even when a user is not looking for mask sellers

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anymore. These ads are then fueled by Facebook’s algorithms, which aid sellers in finding consumers.

- Sponsored advertisements for questionable coronavirus products running adjacent to Facebook user news feeds. These often juxtapose dubious ads running next to posts for legitimate businesses. For example, an advertisement for “N95 Protective Masks” appears next to a post in the news feed from a legitimate urgent care center in New York.
- What CWS investigators call “algorithmic amplification.” In short, Facebook’s advertising platform will repeatedly deliver ads based on your previous searches and what its analytics believes you could be most interested in purchasing.
- Sellers who, in spite of the Justice Department’s warning, are brazen enough to share WhatsApp contact information on their posts. Some sellers asked for payments with gift cards or bitcoins – typically a tell-tale sign of a scam.

NOTE: All screen captures taken during searches are available in the slideshow which accompanies this letter.

What concerned citizens need now is accurate information and certainty. Facebook’s services are more critical than ever in a world of social distancing, quarantines and “stay in place” orders. Facebook can be a communications lifeline for literally billions of people. Inevitably in times of crisis bad actors attempt to take advantage of societal fear. Facebook shouldn’t facilitate them.

Digital Citizens is sharing this information in the hopes your Justice Department will act swiftly to hold bad actors, who take advantage of the coronavirus, accountable. In this crisis, strong action will deter others from engaging in criminal or illicit acts that harm consumers or add to confusion and anxiety. We remain available should your office wish to meet with us at any time to share in depth our analysis and findings.

Thank you for your attention to this matter.

Very truly yours,

Digital Citizens Alliance



Tom Galvin
Executive Director

About Digital Citizens Alliance

The Digital Citizens Alliance is a nonprofit, 501(c)(6) organization focused on educating the public and policymakers on the threats that consumers face on the Internet. Digital Citizens wants to create a dialogue on the importance for Internet stakeholders— individuals, government and industry—to make the Web a safer place. Based in Washington, DC, the Digital Citizens Alliance

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counts among its supporters: private citizens, the health, pharmaceutical and creative industries as well as online safety experts and other communities focused on Internet safety. Visit us at www.digitalcitizensalliance.org.