

Congress of the United States

House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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September 26, 2017

Mr. Mark E. Zuckerberg
Founder, Chairman and Chief Executive Officer
Facebook
1 Hacker Way
Menlo Park, CA 94025

Dear Mr. Zuckerberg,

The Committee on Science, Space, and Technology is continuing its oversight of what appears to be a concerted effort by the Russian government to influence the U.S. energy market. In light of Facebook's disclosure of over \$100,000 in social media advertising associated with Russian accounts focused on the disruption and influence of U.S. politics through social media, it is likely that Russia undertook a similar effort using social media to influence the U.S. energy market. To better understand the extent of Russia's involvement and influence, we request that Facebook provide the Committee with information similar to what it is providing the U.S. Senate regarding anti-immigration propaganda and advertising.¹ Specifically, the Committee is interested in any and all information Facebook has regarding Russian entities purchasing anti-fracking or any anti-fossil fuel advertisements or promotions on Facebook.

Russia's meddling in the U.S. energy market is well documented in the public domain. U.S. presidential candidates, European officials, and the U.S. intelligence community have all publicly noted evidence of Russia and its government corporations funding a covert anti-fracking campaign to suppress the widespread adoption of fracking in Europe and the U.S. – all in an effort to safeguard the influence of the Russian oil and gas sector.² *The New York Times*

¹ Scott Shane, *Purged Facebook Page Tied to the Kremlin Spread Anti-Immigrant Bile*, N.Y. TIMES (Sept. 12, 2017), <https://www.nytimes.com/2017/09/12/us/politics/russia-facebook-election.html>; Scott Shane & Mike Isaac, *Facebook to Turn Over Russian-Linked Ads to Congress*, N.Y. TIMES (Sept. 21, 2017), <https://nyti.ms/2yg8qsZ>.

² Office of the Director of National Intelligence, *Background to "Assessing Russian Activities and Intentions in Recent US Election": The Analytic Process and Cyber Incident Attribution 8* (Jan. 6, 2017), https://www.dni.gov/files/documents/ICA_2017_01.pdf (explaining the anti-fracking programming by RT American TV – a Kremlin-financed channel operated from within the U.S.); Eric Roston, *Putin's Other American Propaganda Effort: Anti-Fracking News*, BLOOMBERG (Jan. 9, 2017), <https://www.bloomberg.com/news/articles/2017-01-10/putin-s-other-american-propaganda-effort-anti-fracking-news>; Michael Bastasch, *Hillary's Leaked Speeches Confirm Russia Funded Anti-Fracking Groups*, DAILY CALLER (Oct. 10, 2016), <http://dailycaller.com/2016/10/10/hillarys-leaked-speeches-confirm-russia-funded-anti-fracking-groups/>; Fiona Harvey, *Russia 'Secretly Working with Environmentalists to Oppose Fracking'*, THE GUARDIAN (Jun. 19, 2014), <https://www.theguardian.com/environment/2014/jun/19/russia-secretly-working-with-environmentalists-to-oppose-fracking>.

reported, “Russia, as part of their sophisticated information and disinformation operations, engaged actively with so-called nongovernmental organizations – environmental organizations working against shale gas – to maintain dependence on imported Russian gas,” quoting Anders Fogh Rasmussen, then Secretary General of NATO.³ The desire for influence and power over the global energy market does not stop at the European borders as other officials have indicated the same scheme is unfolding in the U.S.

According to media outlets, a “U.S. intelligence community’s [Office of the Director of National Intelligence] report on Russian activities in the presidential election” details “clear evidence that the Kremlin is financing and choreographing anti-fracking propaganda in the United States.”⁴ The report found that “[*Russian Today News*] ran ‘anti-fracking programing, highlighting environmental issues and the impacts on public health,’ which is ‘likely reflective of the Russian government’s concern about the impact of fracking and the U.S. natural gas production on the global energy market and the potential challenges to [Russian energy companies’] profitability,” such as state-controlled Russian energy giant Gasprom.⁵ Other reports suggest that Russian funds have been funneled through off-shore corporations and passed on to U.S.-based environmental activist organizations with the intent to effect political change.⁶

Additionally, as further evidence of covert Russian attempts to spread propaganda in the United States, U.S. Department of Justice officials have demanded that the U.S. based affiliate of RT (formerly *Russian Today*), a Russian state-sponsored news agency, register as a foreign agent under the Foreign Agents Registration Act (FARA).⁷ FARA requires that agents representing the interests of foreign governments in any political or quasi-political capacity disclose public communications aimed at influencing American political debate or public policy.⁸ Through local programs all over the world, RT and other news agencies operate as a government-funded arm of Russia in its attempts to destabilize and disrupt democratic institutions and the free market. The American people have a right to know whether the information they are hearing, seeing, and reading is being presented on behalf of a foreign government.

³ Andrew Higgins, *Russian Money Suspected Behind Fracking Protests*, NY TIMES (Nov. 30, 2014), <https://www.nytimes.com/2014/12/01/world/russian-money-suspected-behind-fracking-protests.html>.

⁴ Drew Johnson, *Intelligence: Putin is Funding the Anti-Fracking Campaign*, NEWSWEEK (Jan. 29, 2017), <http://www.newsweek.com/intelligence-putin-funding-anti-fracking-campaign-547873>.

⁵ For extensive detail on the connections, see H. Comm. on Science, Space, & Tech. Subcomm. On Oversight, *Letter to Sec. Steven Mnuchin, U.S. Dep’t of Treasury: Kaspersky Lab*, 115th Cong. (Jul. 27, 2017); see also Kevin Mooney, *Putin Is Funding Green Groups To Discredit Natural Gas Fracking*, NEWSWEEK (Jul. 11, 2017), <http://www.newsweek.com/putin-funding-green-groups-discredit-natural-gas-fracking-635052>; John Sicilliano, *Hacking report: Russia engaged in anti-fracking campaign*, WASH. EXAMINER (Jan. 6, 2017), <http://www.washingtonexaminer.com/hacking-report-russia-engaged-in-anti-fracking-campaign/article/2611144>; Higgins, *supra* note 3.

⁶ Senate Comm. on Environment and Public Works, 113th Cong., *Chain of Environmental Command: How a Club of Billionaire and Their Foundation Control the Environmental Movement and Obama’s EPA* (Comm. Print Jul. 30, 2014).

⁷ Megan R. Wilson, *Russian network RT must register as a foreign agent in US*, THE HILL (Sept. 12, 2017), <http://thehill.com/business-a-lobbying/business-a-lobbying/350226-russian-network-rt-must-register-as-foreign-agent-in>.

⁸ U.S. DEP’T OF JUSTICE, *Foreign Agent Registration Act* (last visited Sept. 15, 2017), <https://www.fara.gov/>.

Social media platforms, such as Twitter and Facebook, have the ability to serve as an effective propaganda arm conveying specific messages to geographically targeted audiences.⁹ The Committee is concerned that divisive social and political messages conveyed through social media have negatively affected certain energy sectors, which can depress research and development in the fossil-fuel sector and the expanding potential for natural gas.¹⁰

To better understand whether Russia is using Facebook to influence public opinion on fossil fuels and the U.S. energy market, the Committee requests that Facebook produce the following documents and information, in electronic format, for the time period January 2010, to the present:

1. All documents and communications referring or relating to any Russian based or funded foreign entity involvement in the U.S. energy market detected on your social media platform.
2. All documents and communications referring or relating to the source of advertisements on Facebook related to the energy industry, both renewable and nonrenewable, including but not limited to a list of Russian based or funded companies or other entities purchasing advertising on Facebook.
3. All documents and communications referring or relating to the source of advertisements on Facebook advocating for so-called green initiatives.

In addition, the Committee requests that appropriate personnel at Facebook provide a briefing to Committee staff as soon as possible, but no later than October 10, 2017.

The Committee on Science, Space, and Technology has jurisdiction over environmental and scientific research and developmental programs and “shall review and study on a continuing basis laws, programs, and Governmental activities” as set forth in House Rule X. This request and any documents created as a result of this request will be deemed congressional documents and property of the House Science committee. An attachment to this letter provides additional information about responding to the Committee’s request.

We request that you provide the requested documents and information as soon as possible, but no later than 5:00 p.m. on October 10, 2017. When producing documents to the Committee, please deliver production sets to the Majority Staff in Room 2321 of the Rayburn House Office Building and the Minority Staff in Room 394 of the Ford House Office Building. The Committee prefers, if possible, to receive all documents in electronic format.

⁹ Alex Hern, *Facebook and Twitter are being used to manipulate public opinion – report*, THE GUARDIAN (Jun. 19, 2017), <https://www.theguardian.com/technology/2017/jun/19/social-media-proganda-manipulating-PUBLIC-opinion-bots-accounts-facebook-twitter>.

¹⁰ Elizabeth S. Mitchell, *STUDY: Social Media Is Winning PR War for Anti-Fracking Groups*, ADWEEK (Aug. 12, 2014), <http://www.adweek.com/digital/study-social-media-is-winning-pr-war-for-anti-fracking-groups/>; Christopher Helman, *An Investigation Of The Global-Anti-Fracking Movement*, FORBES (Jan. 2, 2013), <https://www.forbes.com/sites/energysource/2013/01/02/an-investigation-of-the-global-anti-fracking-movement/2/#666a79b64077>.

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If you have any questions about this request, please contact Travis Voyles of the Committee staff at 202-225-2171. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Lamar Smith". The signature is written in a cursive, flowing style.

Lamar Smith
Chairman

Encl.

cc: The Honorable Eddie Bernice Johnson, Ranking Member, House Committee on Science, Space, and Technology

Responding to Committee Document Requests

1. In complying with this request, you are required to produce all responsive documents, in unredacted form, that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data or information should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committees.
2. In the event that any entity, organization or individual denoted in this request has been, or is also known by any other name than that herein denoted, the request shall be read also to include that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, or thumb drive) in lieu of paper productions.
4. Documents produced in electronic format should also be organized, identified, and indexed electronically.
5. Electronic document productions should be prepared according to the following standards:
 - (a) The production should consist of single page Tagged Image File ("TIF"), or PDF files.
 - (b) Document numbers in the load file should match document Bates numbers and TIF or PDF file names.
 - (c) If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.
7. Documents produced in response to this request shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph in the Committee's schedule to which the documents respond.
9. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same documents.

10. If any of the requested information is only reasonably available in machine-readable form (such as on a computer server, hard drive, or computer backup tape), you should consult with the Committee staff to determine the appropriate format in which to produce the information.
11. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production. Failure to provide an explanation constitutes a waiver of any objections to the subpoena.
12. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
13. In complying with this request, be apprised that the U.S. House of Representatives and the Committee on Science, Space, and Technology do not recognize: any of the purported non-disclosure privileges associated with the common law including, but not limited to, the deliberative process privilege, the attorney-client privilege, and attorney work product protections; any purported privileges such as privileges over law-enforcement sensitive disclosures; or protections from disclosure under the Freedom of Information Act; or any purported contractual privileges, such as non-disclosure agreements.
14. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control.
15. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you are required to produce all documents which would be responsive as if the date or other descriptive detail were correct.
16. Unless otherwise specified, the time period covered by this request is from January 1, 2010 to the present.
17. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.
18. All documents shall be Bates-stamped sequentially and produced sequentially.
19. Two sets of documents shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee on Science, Space, and Technology, production sets shall be delivered to the Majority Staff in Room 2321 of the Rayburn House Office Building and the Minority Staff in Room 324 of the Ford House Office Building. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been

completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committees.

20. When representing a witness or entity before the Committee in response to a document request, request for transcribed interview, or subpoena from the Committee, or in connection with testimony before the Committee at a hearing, counsel for the witness or entity must promptly submit to the Committee a notice of appearance specifying the following: (a) counsel's name, firm or organization, and contact information; and (b) each client represented by the counsel in connection with the proceeding. Submission of a notice of appearance constitutes acknowledgement that counsel is authorized to accept service of process by the Committee on behalf of such client(s), and that counsel is bound by and agrees to comply with all applicable House and Committee rules and regulations.

Schedule Definitions

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email (desktop or mobile device), text message, instant message, MMS or SMS message, regular mail, telexes, releases, or otherwise.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
4. The terms “person” or “persons” mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.
5. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
6. The term “referring or relating,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is pertinent to that subject in any manner whatsoever.