

# United States Senate

WASHINGTON, DC 20510

October 2, 2019

Jeff D'Onofrio  
Chief Executive Officer  
Tumblr, Inc.  
12 E 49<sup>th</sup> Street, 11<sup>th</sup> floor  
New York, NY 10017

Dear Mr. D'Onofrio:

We write to express our concern over the growing threat posed by “deepfake” and related technologies enabling audio-visual fabrication that may then be spread via social media as part of a disinformation campaign. Given your company’s role as an online media platform, it will be on the front lines in detecting deepfakes, and determining how to handle the publicity surrounding them. We believe it is vital that your organization have plans in place to address the attempted use of these technologies. We also urge you to develop industry standards for sharing, removing, archiving, and confronting the sharing of synthetic content.

Deepfake technology employs machine learning and data analytics techniques to create audio or visual files that give the impression that people have done or said something that they did not. This technology is widely available, becoming easier to use and more difficult to detect. Even easily identifiable fabricated videos, can effectively be used as disinformation when they are deliberately propagated on social media.

As concerning as deepfakes and other multimedia manipulation techniques are for the subjects whose actions are falsely portrayed, deepfakes pose an especially grave threat to the public’s trust in the information it consumes; particularly images and video and audio recordings posted online. If the public can no longer trust recorded events or images, it will have a corrosive impact on our democracy.

According to the Pew Research Center, over two-thirds of Americans now get their news from social media sites.<sup>1</sup> Increased reliance on social media will require your company to assume a heightened set of obligations to safeguard the public interest and public’s trust. Despite numerous conversations, meetings, and public testimony acknowledging your responsibilities to the public, there has been limited progress in creating industry-wide standards on the pressing issue of deepfakes and synthetic media.

Having a clear strategy and policy in place for authenticating media, and slowing the pace at which disinformation spreads, can help blunt some of these risks. Similarly, establishing clear policies for the labeling and archiving of synthetic media can aid digital media literacy efforts and assist researchers in tracking disinformation campaigns, particularly from foreign

---

<sup>1</sup> Katerina Eva Matsa & Elisa Shearer, “News Use Across Social Media Platforms 2018,” *Pew Research Center* (Sept. 10, 2018), available at <https://www.journalism.org/2018/09/10/news-use-across-social-media-platforms-2018/>.

entities and governments seeking to undermine our democracy. Therefore, we respectfully ask you to respond to the following questions:

1. What is your company's current policy regarding whether users can post intentionally misleading, synthetic or fabricated media?
2. Does your company currently have the technical ability to detect intentionally misleading or fabricated media, such as deepfakes? If so, how do you archive this problematic content for better re-identification in the future?
3. Will your company make available archived fabricated media to qualified outside researchers working to develop new methods of tracking and identifying such content? If so, what partnerships does your company currently have in place? Will your company maintain a separate, publicly accessible archive for this content?
4. If the victim of a possible deepfake informs you that a recording is intentionally misleading or fabricated, how will your company adjudicate those claims or notify other potential victims?
5. If your company determines that a media file hosted by your company is intentionally misleading or fabricated, how will you make clear to users that you have either removed or replaced that problematic content?
6. Given that deepfakes may attract views that could drive algorithmic promotion, how will your company and its algorithms respond to, and downplay, deepfakes posted on your platform?
7. What is your company's policy for dealing with the posting and promotion of media content that is wholly fabricated, such as untrue articles posing as real news, in an effort to mislead the public?

We appreciate your interest in these matters and your prompt reply to these questions. The threat of deepfakes is real, and only by dealing with it transparently can we hope to retain the public's trust in the platforms it uses, and limit the widespread damage, disruption, and confusion that even one successful deepfake can have.

Sincerely,



Mark R. Warner  
United States Senator



Marco Rubio  
United States Senator