

CITIZENS FOR RESPONSIBILITY & ETHICS IN WASHINGTON

April 21, 2022

Tim Cook CEO, Apple, Inc. One Apple Park Way Cupertino, CA 95014

Dear Mr. Cook:

In light of former President Donald Trump's history of undermining democracy and promoting violent extremism, his prior abuse of social media platforms to do so, and his apparent desire to continue doing so through the recently launched Truth Social platform, Citizens for Responsibility and Ethics in Washington ("CREW") urges you to remove the application from the Apple App Store. The events of January 6, 2021 highlighted not only democracy's vulnerabilities, but also the risks associated with the current ecosystem of online speech. As threats to democratic institutions continue to roil the United States and other countries, it is incumbent on all companies to choose not to support those who undermine democracy, and your company, in particular, is well placed to combat disinformation and protect democracy against imminent risk. Removing the Truth Social platform from the App Store is consistent with Apple's pledge to "stand for democracy" and prevent the promotion of extremist content.

It is now well established that Donald Trump engaged in prolonged and multi-faceted efforts to overturn the 2020 election and prevent the peaceful transition of power. Indeed, a federal judge recently ruled that, through these efforts, former President Trump likely committed crimes.¹ His repeated assertion of the lie that he won the 2020 election and that it was stolen from him, together with his encouragement of efforts to stop Congress from certifying the election, played a key role in inciting the violent insurrection of January 6, 2021, which resulted in the death of law enforcement officers and shook the faith of Americans in the security of our democratic system. Every company that now enters into business with Trump must recognize that it is essentially endorsing this dangerous and anti-democratic conduct. That alone should be enough reason to remove the Truth Social platform from the App Store. But the reasons to take this action go much deeper because the distribution of this platform reinforces the very means that Trump used to undercut our democratic system.

At its core, our democracy depends on access to the accurate information needed "to participate in government, civic, and corporate decision-making."² Unchecked threats to reliable information imperil our civic institutions, social stability, and democratic norms. Rising tensions between

¹ Luke Broadwater, Alan Feuer and Maggie Haberman, <u>Federal Judge Finds Donald Trump Most Likely Committed Crimes Over</u> <u>2020 Election</u>, *New York Times*, March 28, 2022, <u>https://www.nytimes.com/2022/03/28/us/politics/trump-election-</u> <u>crimes.html</u>.

² Eric Rosenbach and Katherine Mansted, <u>Can Democracy Survive in the Information Age</u>, *The Belfer Center for Science and International Affairs, Harvard Kennedy School*, October 2018, <u>https://www.belfercenter.org/publication/can-democracy-survive-information-age</u>.

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democratic and autocratic systems place an even greater burden on information technologies. Misuse of social media, for this reason, constitutes a major challenge that must be met with decisive action.

According to public reporting regarding the application's "soft launch," the Truth Social platform, a Trump Media & Technology Group product, will likely have "a lenient approach to content moderation."³ Recent history demonstrates that this lack of oversight can translate into the spread of dangerous disinformation, the coordinated mobilization of anti-democratic groups, and even the threat of violence.

While in office, President Trump and his senior administration officials' consistent abuse of social media caused widespread concern. Using technology platforms in a quasi-governmental capacity while often failing to abide by the basic requirements for government conduct, the Trump administration repeatedly abused digital communications technology. From "stoking misinformation" to "spreading unproven treatments for the coronavirus," President Trump himself played an instrumental role in disseminating disinformation during times of crisis.⁴

The events leading up to, and including, the attack on the U.S. Capitol on January 6, 2021, make the potential danger of former President Trump's abuse of social media platforms more apparent. Emboldened by Trump's social media actions, rioters persisted in their attempts to disrupt a peaceful transfer of power by violent means. At the height of the attack, Trump posted a video to social media in which he "doubled down on his claim that the election was fraudulent," thereby providing rioters with a rationale for their continued actions.⁵ Worse still, January 6 insurrectionists, including members of vigilante groups, relied on social media platforms like Facebook, Twitter, and Parler to organize their activities to overturn a legitimate election and to mobilize like-minded individuals who otherwise would have remained uncoordinated in their actions.⁶ As we saw on that day, the results were deadly.

Even as a private citizen banned from social media, former President Trump has attempted to jeopardize the stability of our democratic institutions, promoting election fraud lies to energize his supporters. Trump's promotion of the "big lie" false claims of election fraud during the 2020 presidential election that stole the race from Trump has provided "a constant drumbeat for the former President since he left office" and a rallying cry to his supporters.⁷ These baseless conspiracy theories have taken a firm hold, and social media has played a determinative role in making that happen.⁸ A recent U.S. Department of Homeland Security advisory on terrorism threats to the U.S. warned that "widespread online proliferation of false or misleading narratives regarding unsubstantiated widespread election fraud" constitutes a decisive factor "contributing to the current heightened threat environment" across

 ³ Lauren Feiner, <u>Trump-Backed Truth Social Tops Apple's App Store Charts</u>, *CNBC*, February 22, 2022, <u>https://www.cnbc.com/2022/02/22/trump-backed-truth-social-tops-apples-app-store-charts.html</u>.
⁴ Shira Ovide, <u>Trump Isn't the Only One</u>, *New York Times*, January 8, 2021,

https://www.nytimes.com/2021/01/08/technology/trump-misinformation-superspreaders.html.

⁵ Kimberly Dozier and Vera Bergengruen, <u>Incited by the President, Pro-Trump Rioters Violently Storm the Capitol</u>, *Time*, January 6, 2021, <u>https://time.com/5926883/trump-supporters-storm-capitol/</u>.

⁶ Adrienne LaFrance, <u>History Will Not Judge Us Kindly</u>, *The Atlantic*, October 25, 2021,

https://www.theatlantic.com/ideas/archive/2021/10/facebook-papers-democracy-election-zuckerberg/620478/.

⁷ Chris Cillizza, <u>Here's the Terrible Reality: Trump's Election Lie is on the March</u>, CNN, February 11, 2022,

https://www.cnn.com/2022/02/11/politics/trump-big-lie-2020-election-poll/index.html.

⁸ Justin Hendrix, <u>The Big Lie is a Reality</u>, *Just Security*, February 23, 2022, <u>https://www.justsecurity.org/80324/the-big-lie-is-a-reality/</u>.

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the country.⁹ The role that Truth Social might play in providing a platform for those who seek to spread misinformation is no mere abstraction. For instance, individuals such as Donald Trump Jr. and Roger Stone, who have faced scrutiny for their roles in the events of January 6 and spreading election falsehoods, are already using the application.¹⁰

Fortunately, there is a strong precedent for taking action in response to security threats. In the wake of the attacks on the Capitol in 2021, major social media platforms—including Twitter, Facebook, and YouTube—banned President Trump for fear that his online presence would incite further violence.¹¹ This mass removal set the standard that even a sitting president could be barred from social media activities if warranted to prevent violence and protect our democratic system. Moreover, after right-wing extremists migrated from platforms such as Twitter or Facebook to Parler, technology giants including Google took swift action to remove Parler from its Google Play Store immediately following the Capitol riots.¹² Your company quickly followed suit,¹³ only agreeing to reinstate Parler after the company put enhanced moderation infrastructure in place.¹⁴

In addition to inviting wider harms and effectively endorsing former President Trump's antidemocratic conduct, keeping the Truth Social platform available in the App Store could pose significant reputational risks to your business. Your company has not only a demonstrated record of imposing needed limitations on would-be bad-faith actors in digital spaces, but also an affirmed public commitment to combating harmful online content. Notably, your App Store Review Guidance disallows objectionable content including, "defamatory, discriminatory or mean-spirited content, including references or commentary about religion, race, sexual orientation, gender, national/ethnic origin, or other targeted groups, particularly if the app is likely to humiliate, intimidate, or harm a targeted individual or group."¹⁵ Your actions on this front have been consistent. In 2018, Apple took a stand to remove conspiracy theorist Alex Jones' InfoWars application from the App Store when it became apparent that platform users were operating in violation of Apple's rules against "objectionable

⁹ <u>National Terrorism Advisory System Bulletin</u>, *U.S. Department of Homeland Security*, February 7, 2022, https://www.dhs.gov/ntas/advisory/national-terrorism-advisory-system-bulletin-february-07-2022.

¹⁰ See Drew Harwell and Josh Dawsey, <u>Trump's Truth Social in Trouble as Financial, Technical Woes Mount</u>, *Washington Post*, April 5, 2022, <u>https://www.washingtonpost.com/technology/2022/04/05/trump-truth-social-media-failure/</u>; Zachary Petrizzo, <u>Roger Stone Claims He's Being 'Censored' on Trump's Free-Speech App</u>, *The Daily Beast*, April 3, 2022, https://www.thedailybeast.com/roger-stone-claims-hes-being-censored-on-trumps-truth-social.

¹¹ Jeanine Santucci, <u>Donald Trump Announces New Social Media Platform, Truth Social, After Being Banned from Major Apps</u>, USA Today, October 20, 2021, <u>https://www.usatoday.com/story/news/nation/2021/10/20/donald-trump-announces-new-media-platform-truth-social-after-twitter-ban/6113559001/</u>.

¹² Kif Leswing, <u>Google Removes Parler, Popular with Trump Supporters, from App Store for Android</u>, *CNBC*, January 8, 2021, <u>https://www.cnbc.com/2021/01/08/google-removes-parler-app-from-google-play-store.html</u>.

¹³ Kelsey Vlamis, <u>Apple Has Banned Parler from its App Store for Failing to Remove Content that Promotes Violence</u>, *Business Insider*, January 9, 2021, <u>https://www.businessinsider.com/apple-bans-parler-from-app-store-over-content-promotes-violence-2021-1</u>.

¹⁴ Alison Durkee, <u>Parler is Back on Apple's App Store Following Post-Jan.6 Ban</u>, *Forbes*, May 17, 2021, <u>https://www.forbes.com/sites/alisondurkee/2021/05/17/parler-is-back-on-apples-app-store-following-post-jan-6-ban/?sh=5fc664bf7693</u>.

¹⁵ <u>App Store Review Guidelines</u>, *Apple, Inc.*, accessed on February 24, 2021, <u>https://developer.apple.com/app-store/review/guidelines/</u>.

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content" and disseminating false information.¹⁶ Looking to the future, without proactive intervention, the Truth Social platform will likely lead to violations of Apple's policies.¹⁷

Today, Apple is once again positioned to set a positive example and to lead in corporate responsibility. Now is the time to uphold your public commitments and the values they represent. Speaking as a non-profit, non-partisan organization dedicated to ensuring transparency and accountability, CREW respectfully requests that you take action to distance your company from those who undermine democracy and to keep dangerous misinformation from spreading unchecked and from providing cover to those who wish to harm democracy.

Thank you for your attention to this critical matter. We look forward to your response.

Sincerely,

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Noah Bookbinder President

¹⁶ Isobel Asher Hamilton, <u>Apple Permanently Banned InfoWars from the App Store—But it's Still Alive on Android</u>, *Business Insider*, September 10, 2018, <u>https://www.businessinsider.com/apple-permanently-banned-infowars-from-the-app-store-but-its-still-on-android-2018-9</u>.

¹⁷ Kayla Gogarty, <u>Trump's Truth Social App Launched on Apple's App Store. If His Behavior is Any Indication, the App will Violate Apple's Policies</u>, *Media Matters for America*, February 22, 2022, <u>https://www.mediamatters.org/truth-social/trumps-truth-social-app-launched-apples-app-store-if-his-behavior-any-indication-app</u>.