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Drexel GPS – “Outside the Wire” The Facebook Outage – “Dawn of reshaping for a giant?”



Photo Credit: Kelsey McClellan - The New York Times

What happened to Facebook yesterday? What caused the outage which lasted approximately 6 hours and included Facebook’s other platforms Instagram and WhatsApp? Well, the jury is still out and the knee-jerk reaction from many is to use the ‘term’ *“they were hacked”*. "Hacked" is often used these days to describe cyber-events, however, it is important to point out that a hack is in essence an intrusion into a system and denotes that it was “broken into” in some manner. Hacking is in many cases followed by the insertion of a malicious code or some other form of system manipulation to exploit the entry into a system. In many instances, the result of this is an unauthorized open “door” to the system and no further actions are taken for a variety of reasons. This can be achieved and or initiated by an individual or group that exists outside of an organization via a virtual connection i.e., “cyber” intrusion, to a network or system and in most cases the pathway followed to achieve the initial entry to the system is the internet. Internet origination is not always, but in many incidents, where the malicious act originates.

In the case of this recent outage at Facebook, the insider threat scenario and the possibility the harm caused was in fact the work of an inside-actor/employee or person who possesses legitimate access to Facebook’s servers cannot be ignored. While there has been no evidence that publicly states this was the result of a traditional “hack” or was even nefarious in nature, Facebook has publicly stated that this was not a hack and was simply an internal error made during a system update to their BGP (Border Control Gateways). The timing of this outage-event directly on the heels of the “60 minutes” (CBS) Facebook whistleblower’s (Frances Haugen) interview - in which a former employee made accusations against Facebook and its policies regarding its business practices, ethics, and safety standards – could not have been worse. To say that the interview and the subsequent system outage yesterday were not connected would be to say at the least- wildly coincidental.

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At the other end of the causation spectrum- the outage being an intentional malicious act by an individual or group of individuals from within Facebook itself considering the latest whistleblower's accusations and her scheduled congressional testimony against Facebook, is also a very plausible theory when what is currently known is taken into consideration and analyzed.

If this was indeed a malicious act timed to correlate with the "60 Mins" (CBS) interview, then the next question is "Why?" What could be the reason for causing such an outage? For quite some time there have been calls from advocacy groups and others to regulate Facebook for perceived violations of its editorial standards or more accurately- its lack of them. There have also been calls to force a breakup of Facebook under existing antitrust laws due to its business-model being viewed and regarded by many as a monopoly. Regarding being held responsible editorially for hate-speech, misinformation, etc. which is shared across its platform- in many cases in the form of news- Facebook has often cited Section 230 of the Communications Decency Act (USC 230) which states: "**No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider**". USC 230 was written in 1996 during the relative infancy of the internet and was done so in order to provide legal protections from liability to ISP's (internet service providers) and other computer service providers with the intent to spur and promote innovation.



Photo Credit: Reuters

However, it is unlikely that the framers of USC 230 could have envisioned the amount and scope of commerce and information sharing which takes place on the internet today. If they did, they certainly did not conceive the idea of social-media, its effect on society, and that a behemoth social-media based company like Facebook would exist in 1996. Fast forward to 2021 and many proponents against Facebook will state that it is not only a monopoly, but is operating as a utility and at the very least should be regulated as such.

Circling back to the hypothetical "why" (under an intentional/malicious, insider-threat- theory/scenario) the timing of yesterday's outage, the Facebook whistleblower's accusations, and congressional testimony could be looked at as correlated. While the whistleblower's accusations would have been impactful without this event, yesterday's outages enable them to carry more weight. The outages significantly highlight not only the high degree of vertical integration among the Facebook-owned platforms affected (Facebook, Instagram, WhatsApp), but also the scope of business and commerce that takes place on them in what is now an unregulated platform. Yesterday's outage may go a long way towards a revisit to 1974 and *United States v. AT&T* which was the suit filed which led to the settlement and subsequent breakup of AT&T in 1982.

Drexel GPS will continue to monitor this evolving situation.

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