

Congress of the United States
Washington, DC 20515

February 2, 2011

Mr. Mark Zuckerberg
CEO
Facebook
1601 S. California Avenue
Palo Alto, CA 93404

Dear Mr. Zuckerberg:

We are writing to request information about Facebook's recently announced, and subsequently postponed, plan to make its users' addresses and mobile phone numbers available to third-party websites and application developers.¹

According to a recent Facebook blog post, Facebook decided to delay implementation of this new functionality, but will "be working to launch these updates as soon as possible... We look forward to re-enabling this improved feature in the next few weeks."² As Facebook adjusts this new feature in preparation for re-launch, we would appreciate answers to the following questions about the feature, Facebook's handling of its initial rollout, and the company's plans for its future.

- 1) Please describe whether any user information in addition to address and mobile phone number would have been shared with third party application developers under the feature as originally planned. Please also describe whether any of this information was shared prior to Facebook's announcement that it would suspend implementation of the feature.
- 2) Please describe what user information will be shared with third party application developers once the feature is re-enabled. Will it be the same information as previously announced prior to the suspension?
- 3) Please describe Facebook's process for developing and vetting the feature referenced above before the feature was suspended.
- 4) Please describe the process that led Facebook to decide to suspend the rollout of this feature.
- 5) Please describe the process Facebook is currently employing to adjust the feature prior to re-enabling it.
- 6) In its October 29, 2010 response to us following our October 18, 2010 correspondence on a related matter, Facebook described its internal policies and procedures for ensuring that third party applications satisfy Facebook's terms and conditions. Please describe your internal policies and

¹ Developer Blog, User Address and Phone Number, Friday, January 14, 2011, 6:00PM,
<http://developers.facebook.com/blog/post/446>.

² Developer Blog, Improvements to Permissions for Address and Mobile Number, Monday, January 17, 2011, 11:25PM,
<http://developers.facebook.com/blog/post/447>.

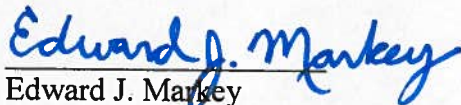
procedures for ensuring that new features developed by Facebook comply with Facebook's own privacy policy.

- 7) According to Facebook's Developer Blog Post referenced above, the new feature developed by Facebook would permit access to users' addresses and mobile phone numbers to third party application developers and websites. In its October 29, 2010 response to us, Facebook indicated that although it did not believe sharing Facebook User IDs ("UID") with third-party developers involved sharing any private user data, it nonetheless understood "the reasons the inclusion of a UID in a referrer URL might make people who use Facebook uneasy, which is why [Facebook is] in the process of making a technical change to address the issue[.]" Please explain why Facebook, while previously acknowledging in its letter to us that sharing a UID could raise user concerns, subsequently considered sharing of a user's home address and mobile phone number – even more sensitive personal information than a UID – to be information that should be more easily accessible to third parties.
- 8) If Facebook re-enables this feature, will users who initially opt in to sharing their home addresses and mobile phone numbers be able to have this information subsequently deleted by any third party application developer or website that holds it in the event the user no longer wishes to make this information available?
- 9) In an addendum to Facebook's October 29, 2010 response to us, Facebook included a copy of Facebook's privacy policy. In part, that policy stated, "If the changes [to the Privacy Policy] are material, we will provide [users] additional, prominent notice as appropriate under the circumstances." According to news reports, prior to its suspension, the new feature that is planned for re-launch would share user's personal addresses and mobile numbers.
 - a. Does Facebook consider this a material change to its privacy policy? If not, why not?
 - b. Facebook initially announced the new feature in a blog post meant for developers. Does Facebook consider that prominent notice to users? If not, please describe how Facebook intended to notify users of this new feature.
 - c. Would Facebook's privacy policy have been violated if this new feature had been enabled as originally conceived? If yes, how? If not, why not? If its privacy policy would not have been violated, why did Facebook suspend the rollout of this feature?
- 10) Before its decision to enable the new feature, did Facebook consider the risks to children and teenagers posed by enabling third parties to access their home addresses and mobile phone numbers through Facebook? What role did these considerations play in the decision about whether to proceed with the feature's rollout?
- 11) The January 17, 2010 Facebook Developer Blog Post, stated "As with the other information you share through our permissions process, you need to explicitly choose to share this data before any application or website can access it, and you cannot share your friends' address or mobile number with applications."

- a. Given the sensitivity of personal addresses and mobile phone numbers compared to other information users provide Facebook, does Facebook believe the opt-in should be clearer, more prominent, or otherwise distinct from other permissions, commensurate with the sensitivity of this personal information? If yes, please describe how this opt-in will be distinct from other opt-ins. If not, why not?

Please provide responses to these questions within 15 business days or no later than February 23, 2011. If you have questions, please have a member of your staff contact Mark Bayer in Rep. Markey's office at 202-225-2836 or Michael Weems in Rep. Barton's office at 202-225-2002.

Sincerely,



Edward J. Markey
Co-Chairman
Congressional Privacy Caucus



Joe Barton
Co-Chairman
Congressional Privacy Caucus