Congress of the United States

Washington, DC 20515

October 28, 2011

Mr. Mark Zuckerberg
Founder and Chief Executive Officer
Facebook
1601 S. California Avenue
Palo Alto, CA 93404

Dear Mr. Zuckerberg:

An October 24, 2011 article in the Wall Street Journal ("Facebook Fights Back on Privacy Accusations") reports that an Austrian consumer asked Facebook for all the data the company has collected about him. Facebook responded by sending the consumer around 1,200 pages of log file data. According to this article, Facebook kept information such as chat conversations; all instances of when the "Like" and "Poke" functions were used; and even the various IP addresses used to log in to Facebook. The log provided by Facebook also included actions the user had taken to delete certain information from his profile, including those he "defriended" from his personal page. We are concerned that although the user was under the impression that this information was deleted at the user's request, Facebook continued to retain the information.

As members of the Congressional Bi-Partisan Privacy Caucus, we are concerned about Facebook's consumer data collection and storage practices. Accordingly, we request responses to the questions that follow.

1. Please describe all personally identifiable information that Facebook collects from its consumers.

2. How is user information collected (i.e. initial sign-up process, usage of mobile phone application, etc.)?

3. Please explain how Facebook stores this information (i.e., in a form that is encrypted or otherwise indecipherable to unauthorized persons)? How long is it stored? How does your company dispose of the information if at all?

4. According to the article, it appears that Facebook does not delete information about a consumer when requested. What is Facebook's policy for deleting information after the request of a consumer? Does Facebook delete any information upon request? If so, what information? If not, why not?

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5. Please describe the technical challenges you face in responding to users' requests to remove data from the site.

6. Under what circumstances do you retain data after users request its deletion? How might consumers benefit from such retention?

7. How does Facebook address users who want to delete part of a conversation that happened in conjunction with other users on the site? Describe how shared interactions are treated when requests for deletion are made. What happens when a user demands the deletion of content created by others because it mentions them, includes their likeness, etc.?

8. First Amendment scholar Eugene Volokh famously described a certain view of privacy as the "right to stop people from talking about you." How does Facebook empower users to protect their privacy while protecting free speech values?

Please provide responses to these questions within 15 business days or no later than November 21, 2011. If you have any questions, please have a member of your staff contact Emmanual Guillory in Rep. Barton's office at 202-225-2002 or Joseph Wender in Rep. Markey's office at 202-225-2836.

Sincerely,

Joe Barton
Co-Chairman
Bi-Partisan Privacy Caucus

Edward Markey
Co-Chairman
Bi-Partisan Privacy Caucus

Carolyn B. Maloney

Marsha Blackburn