United States Senate

WASHINGTON, DC 20510

April 27, 2010

Mark Zuckerberg
Co-founder, CEO and President, Facebook
1601 S. California Avenue
Palo Alto, CA 94304

Dear Mr. Zuckerberg,

We are writing to express our concern regarding recent changes to the Facebook privacy policy and the use of personal data on third-party websites. While Facebook provides a valuable service to users by keeping them connected with friends and family and reconnecting them with long-lost friends and colleagues, the expansion of Facebook – both in the number of users and applications – raises new concerns for users who want to maintain control over their information.

The following three changes have raised concerns:

1. **Publicly available data**. Facebook's expansion of publicly available data to include a user's current city, hometown, education, work, likes, interests, and friends has raised concerns for users who would like to have an opt-in option to share this profile information. Through the expanded use of "connections," Facebook now obligates users to make publicly available certain parts of their profile that were previously private. If the user does not want to connect to a page with other users from their current town or university, the user will have that information deleted altogether from their profile. We appreciate that Facebook allows users to type this information into the "Bio" section of their profiles, and privatize it, but we believe that users should have more control over these very personal and very common data points. These personal details should remain private *unless* a user decides that he or she would like to make a connection and share this information with a community.

2. **Third-party data storage**. Previously, Facebook allowed third-party advertisers to store profile data for 24 hours. We are concerned that recent changes allow that data to be stored indefinitely. We believe that Facebook should reverse this policy, or at a minimum require users to opt in to allowing third parties to store data for more than 24 hours.

3. **Instant personalization.** We appreciate that Facebook is attempting to integrate the functionality of several popular websites, and that Facebook has carefully selected its initial partners for its new "instant personalization" feature. We are concerned, however, that this feature will now allow certain third-party partners to have access not only to a user's publicly available profile information, but also to the user's friend list and the

publicly available information about those friends. As a result of the other changes noted above, this class of information now includes significant and personal data points that should be kept private unless the user chooses to share them. Although we are pleased that Facebook allows users to opt-out of sharing private data, many users are unaware of this option and, moreover, find it complicated and confusing to navigate. Facebook should offer users the ability to opt in to sharing such information, instead of opting out, and should make the process for doing so more clear and coherent.

We hope that Facebook will stand by its goal of creating open and transparent communities by working to ensure that its policies protect the sensitive personal biographical data of its users and provide them with full control over their personal information. We look forward to the FTC examining this issue, but in the meantime we believe Facebook can take swift and productive steps to alleviate the concerns of its users. Providing opt-in mechanisms for information sharing instead of expecting users to go through long and complicated opt-out processes is a critical step towards maintaining clarity and transparency.

Sincerely,

Senator Charles E. Schumer

Senator Michael F. Bennet

Senator Mark Begich

Senator Al Franken