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United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

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VIA ELECTRONIC TRANSMISSION

Mark Zuckerberg
Chief Executive Officer
Facebook, Inc.
1 Hacker Way
Menlo Park, California 94025

Dear Mr. Zuckerberg:

Since you appeared before the Senate Judiciary and Commerce Committees on April 3rd, new reports have shown further that Facebook implemented a separate application programming interface (“API”) with various device manufacturers from the third-party app developer API utilized by Cambridge Analytica and was a major focus of the hearing.¹

It appears this device-integrated API allowed device manufacturers, including Chinese companies Huawei, Lenovo, Oppo, and TCL, to access significant amounts of user information, including information from those users’ friends.² The terms and conditions of this device-integrated API, how user consent was obtained, and how Facebook conducted oversight over the device manufacturers appear to differ significantly from the third-party app developer API.

Based on these new reports, please provide a response in writing no later than June 15, 2018, to the following list of questions:

1. Why wasn’t the existence of the device-integrated API and the collection of Facebook data by device manufacturers previously disclosed to the Committee?
2. What are your current policies and procedures with respect to the sharing of data with device manufacturers, including how you notify users of such sharing and/or request their consent? How have these policies and procedures evolved/changed since 2010?
3. Did/do you limit the ability of device manufacturers to collect data through the device-integrated API? If so, what were/are those limitations and how were/are they enforced?
4. How much “friend” data was/is collected from users by device manufacturers? How and when did this type of collection change/stop?

¹ Gabriel J.X. Dance, Nicholas Confessore, & Michael LaForgia, *Facebook Gave Device Makers Deep Access to Data on Users and Friends*, N.Y. Times, <https://www.nytimes.com/interactive/2018/06/03/technology/facebook-device-partners-users-friends-data.html> (last visited June 6, 2018).

² Michael LaForgia & Gabriel J.X. Dance, *Facebook Gave Data Access to Chinese Firm Flagged by U.S. Intelligence*, N.Y. Times, <https://www.nytimes.com/2018/06/05/technology/facebook-device-partnerships-china.html> (last visited June 6, 2018).

5. Did/do you put any restrictions on how device manufacturers, including foreign entities, could use or transfer data collected through the device integrated API?
6. What limitations or restrictions were/are placed on how device manufacturers can store collected data, i.e., on the device vs. stored on manufacturer's servers? Did you distinguish between foreign and domestic manufacturers?
7. How did/do you ensure that user data shared with device manufacturers through the device integrated API are not improperly transferred or used?
8. Did/do you have protocols built into your device-integrated API to monitor data usage or access?
9. Have device manufacturers breached your device integrated API terms/agreements in the past, and what remedies have you taken?
10. What foreign device manufacturers have/had access to your device integrated API?
11. How many device manufacturers still have access to your device integrated API and what are you specifically doing to wind down access to the device integrated API?
12. Are you requiring device manufacturers, including foreign entities, who no longer utilize the device integrated API to remove or delete any data collected? If so, how are you ensuring compliance?

Thank you in advance for your prompt attention to these matters. Should you have any questions, please contact Ryan Dattilo of my staff at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary

Cc:

The Honorable Dianne Feinstein
Ranking Member
Senate Committee on the Judiciary