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RPTR ZAMORA

EDTR SECKMAN

FACEBOOK: TRANSPARENCY AND USE OF CONSUMER DATA

WEDNESDAY, APRIL 11, 2018

House of Representatives,
Committee on Energy and Commerce,
Washington, D.C.

The committee met, pursuant to call, at 10:00 a.m., in Room 2123, Rayburn House Office Building, Hon. Greg Walden [chairman of the committee] presiding.

Present: Representatives Walden, Barton, Upton, Shimkus, Burgess, Blackburn, Scalise, Latta, Harper, Lance, Guthrie, Olson, McKinley, Kinzinger, Griffith, Bilirakis, Johnson, Long, Bucshon, Flores, Brooks, Mullin, Hudson, Collins, Cramer, Walberg, Walters, Costello, Carter, Duncan, Pallone, Rush, Eshoo, Engel, Green, DeGette,

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Doyle, Schakowsky, Butterfield, Matsui, Castor, Sarbanes, McNerney, Welch, Lujan, Tonko, Clarke, Loeb sack, Schrader, Kennedy, Cardenas, Ruiz, Peters, and Dingell.

Staff Present: Jon Adame, Policy Coordinator, C&I; Mike Bloomquist, Staff Director; Daniel Butler, Staff Assistant; Karen Christian, General Counsel; Kelly Collins, Legislative Clerk, Energy/Environment; Zachary Dareshori, Legislative Clerk, Health; Jordan Davis, Senior Advisor; Melissa Froelich, Chief Counsel, DCCP; Adam Fromm, Director of Outreach and Coalitions; Ali Fulling, Legislative Clerk, O&I, DCCP; Theresa Gambo, Human Resources/Office Administrator; Brighton Haslett, Counsel, O&I; Elena Hernandez, Press Secretary; Zach Hunter, Director of Communications; Paul Jackson, Professional Staff, DCCP; Peter Kielty, Deputy General Counsel; Bijan Koohmaraie, Counsel, DCCP; Ryan Long, Deputy Staff Director; Milly Lothian, Press Assistant and Digital Coordinator; Mark Ratner, Policy Coordinator; Austin Stonebraker, Press Assistant; Evan Viau, Legislative Clerk, C&T; Hamlin Wade, Special Advisor, External Affairs; Everett Winnick, Director of Information Technology; Greg Zerzan, Counsel DCCP; Michelle Ash, Minority Chief Counsel, Digital Commerce and Consumer Protection; Julie Babayan, Minority Counsel; Jeff Carroll, Minority Staff Director; David Goldman, Minority Chief Counsel, Communications and Technology; Lisa Goldman, Minority

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Counsel; Tiffany Guarascio, Minority Deputy Staff Director and Chief Health Advisor; Zach Kahan, Minority Outreach and Member Services Coordinator; Jerry Leverich, Minority Counsel; Jennifer Epperson, Minority FCC Detailee; Dan Miller, Minority Policy Analyst; Caroline Paris-Behr, Minority Policy Analyst; Kaitlyn Peel, Minority Digital Director; Tim Robinson, Minority Chief Counsel; Michelle Rusk, Minority FTC Detailee; Andrew Souvall, Minority Director of Communications, Outreach and Member Services; and C.J. Young, Minority Press Secretary.

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The Chairman. The Committee on Energy and Commerce will now come to order.

Before my opening statement, just as a reminder to our committee members on both sides, it is another busy day at Energy and Commerce. In addition, as you will recall, to this morning's Facebook hearing, later today our Health Subcommittee will hold its third in the series of legislative hearings on solutions to combat the opioid crisis. And remember, our Oversight and Investigations Subcommittee will hold a hearing where we will get an update on the restoration of Puerto Rico's electric infrastructure following last year's hurricane season.

So, just a reminder, when this hearing concludes, I think we have votes on the House floor. Our intent is to get through every Member before that point to be able to ask questions, but then after the votes, we will come back into our subcommittees to do that work. As Ray Baum used to say, the fun never stops.

The chair now recognizes himself for 5 minutes for purposes of an opening statement.

Good morning. Welcome, Mr. Zuckerberg, to the Energy and Commerce Committee in the House. We have called you here today for two reasons: One is to examine the alarming reports regarding breaches of trust between your company, one of the biggest and most powerful in the world, and its users; and the second reason is to widen our lens

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to larger questions about the fundamental relationship tech companies have with their users.

The incident involving Cambridge Analytica and the compromised personal information of approximately 87 million American users -- or mostly American users -- is deeply disturbing to this committee.

The American people are concerned about how Facebook protects and profits from its users' data. In short, does Facebook keep its end of the agreement with its users? How should we as policymakers evaluate and respond to these events?

Does Congress need to clarify whether or not consumers own or have any real power over their online data? Have edge providers grown to the point that they need Federal supervision?

You and your cofounders started a company in your dorm room that has grown to be one of the biggest and most successful businesses in the entire world. Through innovation and quintessentially American entrepreneurial spirit, Facebook and the tech companies that have flourished in Silicon Valley join the legacy of great American companies who build our Nation, drove our economy forward, and created jobs and opportunity. And you did it all without having to ask permission from the Federal Government and with very little regulatory involvement.

The company you created disrupted entire industries and has

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become an integral part of our daily lives. Your success story is an American success story, embodying our shared values of freedom of speech, freedom of association, and freedom of enterprise.

Facebook also provides jobs for thousands of Americans, including my own congressional district, with data centers in Prineville. Many of our constituents feel a genuine sense of pride and gratitude for what you have created, and you are rightly considered one of the era's greatest entrepreneurs.

This unparalleled achievement is why we look to you with a special sense of obligation and hope for deep introspection. While Facebook has certainly grown, I worry it may not have matured. I think it is time to ask whether Facebook may have moved too fast and broken too many things.

There are critical unanswered questions surrounding Facebook's business model and the entire digital ecosystem regarding online privacy and consumer protection: What exactly is Facebook? Social platform? A data company? An advertising company? A media company? A common carrier in the information age? All of the above or something else?

Users trust Facebook with a great deal of information: their name, hometown, email, phone number, photos, private messages, and much, much more. But in many instances, users are not purposely

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providing Facebook with data. Facebook collects this information while users simply browse other websites, shop online, or use a third-party app.

People are willing to share quite a bit about their lives online based on the belief they can easily navigate and control privacy settings and trust that their personal information is in good hands. If a company fails to keep its promises about how personal data are being used, that breach of trust must have consequences.

Today we hope to shed light on Facebook's policies and practices surrounding third-party access to and use of user data. We also hope you can help clear up the considerable confusion that exists about how people's Facebook data are used outside of the platform.

We hope you can help Congress, but more importantly the American people, better understand how Facebook user information has been accessed by third parties from Cambridge Analytica and Cubeyou to the Obama for America Presidential campaign.

And we ask that you share any suggestions you have for ways policymakers can help reassure our constituents that data they believe was only shared with friends or certain groups remains private to those circles. As policymakers, we want to be sure that consumers are adequately informed about how their online activities and information are used.

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These issues apply not just to Facebook but equally to the other internet-based companies that collect information about users online.

So, Mr. Zuckerberg, your expertise in this field is without rival. So thank you for joining us today to help us learn more about these vital matters and to answer our questions.

With that, I yield now to the gentleman from New Jersey, the ranking member of the Energy and Commerce Committee, my friend Mr. Pallone, for 5 minutes for purposes of an opening statement.

[The prepared statement of The Chairman follows:]

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Mr. Pallone. Thank you, Mr. Chairman.

And I also want to thank you, Mr. Zuckerberg, for being here today.

Facebook has become integral to our lives. We don't just share pictures of our families. We use it to connect for school, to organize events, and to watch baseball games. Facebook has enabled everyday people to spur national political movements. Most of us in Congress use Facebook to reach our constituents in ways that were unimaginable 10 years ago, and this is certainly a good thing.

But it also means that many of us can't give it up easily. Many businesses have their only web presence on Facebook. And for professions like journalism, people's jobs depend on posting on the site.

And this ubiquity comes with a price. For all the good it brings, Facebook can be a weapon for those like Russia and Cambridge Analytica that seek to harm us and hack our democracy.

Facebook made it too easy for a single person -- in this instance, Aleksandr Kogan -- to get extensive personal information about 87 million people. He sold this data to Cambridge Analytica who used it to try to sway the 2016 Presidential election for the Trump campaign. And Facebook made itself a powerful tool for things like voter suppression, in part by opening its platform to app developers with

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little or no oversight.

But it gets worse. The fact is no one knows how many people have access to the Cambridge Analytica data, and no one knows how many other Cambridge Analyticas are still out there. Shutting down access to data to third parties isn't enough, in my opinion. Facebook and many other companies are doing the same thing: they are using people's personal information to do highly targeted product and political advertising.

And Facebook is just the latest in a never-ending string of companies that vacuum up our data but fail to keep it safe. And this incident demonstrates yet again that our laws are not working.

Making matters worse, Republicans here in Congress continue to block or even repeal the few privacy protections we have. In this era of nonstop data breaches, last year, Republicans eliminated existing privacy and data security protections at the FCC, and their justification was that those protections were not needed because the Federal Trade Commission has everything under control. Well, this latest disaster shows just how wrong the Republicans are.

The FTC used every tool Republicans have been willing to give it, and those tools weren't enough. And that is why Facebook acted like so many other companies and reacted only when it got bad press.

We all know this cycle by now: Our data is stolen. The company looks the other way. Eventually, reporters find out, publish a

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negative story, and the company apologizes. And Congress then holds a hearing, and then nothing happens.

By not doing its job, this Republican-controlled Congress has become complicit in this nonstop cycle of privacy by press release. And this cycle must stop because the current system is broken.

So I was happy to hear that Mr. Zuckerberg conceded that his industry needs to be regulated, and I agree. We need comprehensive privacy and data security legislation. We need baseline protections that stretch from internet service providers to data brokers to app developers and to anyone else who makes a living off our data. We need to figure out how to make sure these companies act responsibly even before the press finds out.

But while securing our privacy is necessary, it is not sufficient. We need to take steps immediately to secure our democracy. We can't let what happened in 2016 happen again, and to do that, we need to learn how Facebook was caught so flat-footed in 2016. How was it so blind to what the Russians and others were doing on its systems? Red flags were everywhere. Why didn't anyone see them, or were they ignored?

So today's hearing is a good start. But we also need to hold additional hearings where we hold accountable executives from other tech companies, internet service providers, data brokers, and anyone else that collects our information.

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Now, Congresswoman Schakowsky from Illinois and I introduced a bill last year that would require companies to implement baseline data security standards, and I plan to work with my colleagues to draft additional legislation.

But I have to say, Mr. Chairman, it is time for this committee and this Congress to pass comprehensive legislation to prevent incidents like this in the future. My great fear is that we have this hearing today; there is a lot of press attention -- and, Mr. Zuckerberg, you know, appreciate you being here once again, but if all we do is have a hearing and then nothing happens, then that is not accomplishing anything.

And, you know, I know I sound very critical of the Republicans and their leadership on this -- on these privacy issues, but I have just seen it over and over again that we have the hearings and nothing happens. So excuse me for being so pessimistic, Mr. Chairman, but that is where I am.

I yield back.

[The prepared statement of Mr. Pallone follows:]

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The Chairman. I think I thank the gentleman for his opening comments.

With that, we now conclude with member opening statements. The chair would like to remind members that, pursuant to the committee rules, all members' opening statements will be made part of the record.

Today we have Mr. Mark Zuckerberg, chairman and CEO of Facebook, Incorporated, here to testify before the full Energy and Commerce Committee. Mr. Zuckerberg will have the opportunity to give a 5-minute opening statement followed by a round of questioning from our Members.

So thank you for taking the time to be here, and you are now recognized for 5 minutes.

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STATEMENT OF MARK ZUCKERBERG, COFOUNDER, CHAIRMAN AND CEO, FACEBOOK, INC.

Mr. Zuckerberg. Thank you.

Chairman Walden, Ranking Member Pallone, and members of the committee, we face a number of important issues around privacy, security, and democracy, and you will rightfully have some hard questions for me to answer. Before I talk about the steps we are taking to address them, I want to talk for a minute about how we got there.

Facebook is an idealistic and optimistic company. For most of our existence, we focused on all the good that connecting people can bring. And as Facebook has grown, people everywhere have gotten a powerful new tool for staying connected to the people they care about most, for making their voices heard, and for building community and businesses.

Just recently, we have seen the Me Too movement and the March for Our Lives organized at least part on Facebook. After Hurricane Harvey, people came together and raised more than \$20 million for relief, and there are more than 70 million small businesses around the world that use our tools to grow and create jobs.

But it is clear now that we didn't do enough to prevent these tools

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from being used for harm as well. And that goes for fake news, foreign interference in elections, and hate speech, as well as developers and data privacy. We didn't take a broad enough view of our responsibility, and that was a big mistake. It was my mistake, and I am sorry.

I started Facebook. I run it. And at the end of the day, I am responsible for what happens here. So now we have to go through every part of our relationship with people to make sure that we are taking a broad enough view of our responsibility.

It is not enough to just connect people; we have to make sure that those connections are positive. It is not enough to just give people a voice; we need to make sure that that voice isn't used to harm other people or spread misinformation.

And it is not enough to just give people control of their information; we need to make sure that the developers that they share it with protect their information too. Across the board, we have a responsibility to not just give people tools but to make sure that those tools are used for good.

It is going to take some time to work through all the changes we need to make, but I am committed to getting this right. And that includes the basic responsibility of protecting people's information, which we failed to do with Cambridge Analytica.

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So here are a few key things that we are doing to address this situation and make sure that this doesn't happen again. First, we are getting to the bottom of exactly what Cambridge Analytica did and telling everyone who may have been affected.

What we know now is that Cambridge Analytica improperly obtained some information about millions of Facebook members by buying it from an app developer that people had shared it with. This information was generally information that people share publicly on their profile pages, like their name and profile picture and the list of pages that they follow.

When we first contacted Cambridge Analytica, they told us that they had deleted the data. And then, about a month ago, we heard a new report that suggested that this was not true. So now we are working with governments in the U.S., the U.K., and around the world to do a full audit of what they have done and to make sure that they get rid of any data that they still have.

Second, to make sure that no other app developers are out there misusing data, we are now investigating every single app that had access to a large amount of people's information on Facebook in the past. And if we find someone that improperly used data, we are going to ban them from our platform and tell everyone affected.

Third, to prevent this from ever happening again, we are making

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sure developers can access as much information going forward. The good news here is that we made some big changes to our platform in 2014 that would prevent this specific instance with Cambridge Analytica from happening again today.

There is more to do, and you can find more of the details of the other steps we are taking in the written statement I provided.

My top priority has always been our social mission of connecting people, building community, and bringing the world closer together. Advertisers and developers will never take priority over that for as long as I am running Facebook.

I started Facebook when I was in college. We have come a long way since then. We now serve more than 2 billion people around the world, and every day people use our services to stay connected with the people that matter to them most.

I believe deeply in what we are doing, and I know that, when we address these challenges, we will look back and view helping people connect and giving more people a voice as a positive force in the world.

I realize the issues we are talking about today aren't just issues for Facebook and our community; they are challenges for all of us as Americans. Thank you for having me here today, and I am ready to take your questions.

[The prepared statement of Mr. Zuckerberg follows:]

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The Chairman. Thank you, Mr. Zuckerberg.

I will start out. When we go into the questioning phase, we go back and forth, as we always do. Remember, it is 4 minutes today so we can get to everyone.

Mr. Zuckerberg, you described Facebook as a company that connects people and as a company that is idealistic and optimistic. I have a few questions about what other types of companies Facebook may be.

Facebook has created its own video series starring Tom Brady that ran for six episodes and has over 50 million views. That is twice the number of the viewers that watched the Oscars last month. Also, Facebook has obtained exclusive broadcasting rights for 25 major league baseball games this season. Is Facebook a media company?

Mr. Zuckerberg. Thank you, Mr. Chairman.

I consider us to be a technology company because the primary thing that we do is have engineers who write code and build products and services for other people. There are certainly other things that we do too.

We do pay to help produce content. We build enterprise software although I don't consider us an enterprise software company. We build planes to help connect people, and I don't consider ourselves to be an aerospace company.

But, overall, when people ask us if we are a media company, what

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I hear is, do we have a responsibility for the content that people share on Facebook? And I believe the answer to that question is yes.

The Chairman. All right. Let me ask the next one. You can send money to friends on Facebook Messenger using a debit card or a PayPal account to, quote, "split meals, pay rent, and more," closed quote. People can also send money via Venmo or their bank app. Is Facebook a financial institution?

Mr. Zuckerberg. Mr. Chairman, I do not consider ourselves to be a financial institution although you are right that we do provide tools for people to send money.

The Chairman. So you have mentioned several times that you started Facebook in your dorm room, 2004. 15 years, 2 billion users and several, unfortunately, breaches of trust later, is Facebook today the same kind of company you started with a Harvard.edu email address?

Mr. Zuckerberg. Well, Mr. Chairman, I think we have evolved quite a bit as a company. When I started it, I certainly didn't think that we would be the ones building this broad of a community around the world. I thought someone would do it. I didn't think it was going to be us. So we have definitely grown.

The Chairman. And you have recently said that you and Facebook have not done a good job of explaining what Facebook does. And so, back in 2012 and 2013, when a lot of this scraping of user and friend

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data was happening, did it ever cross your mind that you should be communicating more clearly with users about how Facebook is monetizing their data?

I understand that Facebook does not sell user data, per se, in the traditional sense. But it is also just as true that Facebook's user data is probably the most valuable thing about Facebook. In fact, it may be the only truly valuable thing about Facebook.

Why wasn't explaining what Facebook does with users' data higher priority for you as a cofounder and now as CEO?

Mr. Zuckerberg. Mr. Chairman, you are right that we don't sell any data, and I would say that we do try to explain what we do as time goes on. It is a broad system. You know, every day, about 100 billion times a day, people come to one of our products, whether it is Facebook or Messenger or Instagram or WhatsApp, to put in a piece of content, whether it is a photo that they want to share or a message they want to send someone, and every time there is a control right there about who you want to share it with.

Do you want to share it publicly to broadcast it out to everyone? Do you want to share it with your friends, a specific group of people? Do you want to message it to just one person or a couple of people? That is the most important thing that we do, and I think that in the product that is quite clear.

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I do think that we can do a better job of explaining how advertising works. There is a common misperception, as you say, that is just reported -- often keeps on being reported -- that for some reason we sell data.

I can't be clearer on this topic: We don't sell data. That is now how advertising works. And I do think we could probably be doing a clearer job explaining that, given the misperceptions that are out there.

The Chairman. Given the situation, can you manage the issues that are before you, or does the Congress need to intercede? I am going to leave that because I am over my time. That and I want to flag an issue that Vietnam Veterans of America have raised too, and we will get back with your staff on that, about some fake pages that are up.

But I want to stay on schedule. So, with that, I will yield to Mr. Pallone for 4 minutes.

Mr. Pallone. Thank you.

Mr. Zuckerberg, you talked about how positive and optimistic you are, and I am -- I guess, I am sorry, because I am not. I don't have much faith in corporate America, and I certainly don't have much faith in their GOP allies here in Congress.

I really look at everything that this committee does, or most of what this committee does, in terms of the right to know. In other

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words, I always fear that people, you know, that go onto Facebook, they don't necessarily know what is happening or what is going on with their data.

And so, to the extent that we could pass legislation -- which I think we need, and you said that we probably should have some legislation -- I want that legislation to give people the right to know, to empower them, to, you know, provide more transparency, I guess, is the best way to put it.

So I am looking at everything through that sort of lens. So just let me ask you three quick questions, and I am going to ask you to answer yes or no because of the time. Yes or no, is Facebook limiting the amount or type of data Facebook itself collects or uses?

Mr. Zuckerberg. Congressman, yes. We limit a lot of the data that we collect and use.

Mr. Pallone. But, see, I don't see that in the announcements you have made. Like, you have made all these announcements the last few days about the changes you are going to make, and I don't really see how those announcements or changes limit the amount or type of data that Facebook collects or uses in an effective way.

But let me go to the second one. Again, this is my concern that users currently may not know or take affirmative action to protect their own privacy. Yes or no, is Facebook changing any user default settings

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to be more privacy protective?

Mr. Zuckerberg. Congressman, yes. In response to these issues, we have changed a lot of the way that our platform works so they way developers can't get access to as much information.

Mr. Pallone. But, see, again, I don't see that in the changes that you have proposed. I don't really see any way that these users' default settings -- or you are changing these user default settings in a way that is going to be more privacy protection -- protected.

But let me go to the third one. Yes or no, will you commit to changing all the user default settings to minimize to the greatest extent possible the collection in user -- in use of users' data? Can you make that commitment?

Mr. Zuckerberg. Congressman, we try to collect and give people the ability to share --

Mr. Pallone. But I would like you to answer yes or no, if you could. Will you make the commitment to change all the user -- to changing all the user default settings to minimize to the greatest extent possible the collection and use of users' data? I don't think that is hard for you to say yes to, unless I am missing something.

Mr. Zuckerberg. Congressman, this is a complex issue that I think deserves more than a one-word answer.

Mr. Pallone. Well, again, that is disappointing to me, because

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I think you should make that commitment. And maybe what we could do is follow up with you on this, if possible, if that is okay. We can do that follow up?

Mr. Zuckerberg. Yes.

Mr. Pallone. All right. Now, you said yesterday that each of us owns the content that we put on Facebook and that Facebook gives some control to consumers over their content, but we know about the problems with Cambridge Analytica.

I know you changed your rules in 2014 and again this week, but you still allow third parties to have access to personal data. How can consumers have control over their data when Facebook doesn't have control over the data itself? That is my concern. Last question.

Mr. Zuckerberg. Congressman, what we allow with our developer platform is for people to choose to sign into other apps and bring their data with them. That is something that a lot of people want to be able to do.

The reason why we built the developer platform in the first place was because we thought it would be great if more experiences that people had could be more social. So, if you could have a calendar that showed your friends' birthdays, if you could have an address book that had pictures of your friends in it, if you could have a map that showed your friends' addresses on it.

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In order to do that, you need to be able to sign into an app, bring some of your data and some of your friends' data, and that is what we built. Now, since then, we have recognized that that can be used for abuse too, so we have limited it so now people can only bring their data when they go to an app.

But that is something that a lot of people do on a day-to-day basis is sign into apps and websites with Facebook, and that is something that we are going --

The Chairman. We have to move onto our next question.

Mr. Pallone. Yeah, I know. I still think that there is not enough -- people aren't empowered enough to really make those decisions in a positive way.

The Chairman. The chair now recognizes former chairman of the committee, Mr. Barton of Texas, for 4 minutes.

Mr. Barton. Well, thank you.

And thank you, Mr. Zuckerberg, for being here. People need to know that you are here voluntarily. You are not here because you have been subpoenaed, so we appreciate that.

Sitting behind you, I have a gentleman that used to be counsel for the committee, Mr. Jim Barnett. And if he is affiliated with Facebook, you have got a good one. If he is not, he has just got a great seat. I don't know what it is.

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I am going to read you a question that I was asked -- I got this through Facebook. And I have got dozens like this. So my first question: "Please ask Mr. Zuckerberg, why is Facebook censoring conservative bloggers, such as Diamond and Silk? Facebook called them unsafe to the community. That is ludicrous. They hold conservative views. That isn't unsafe." What is your response to that?

Mr. Zuckerberg. Congressman, in that specific case, our team made an enforcement error, and we have already gotten in touch with them to reverse it.

Mr. Barton. Well, Facebook does tremendous good. When I met you in my office 8 years ago -- you don't remember that -- but I have got a picture of you when you had curly hair, and Facebook had 500 million users. Now it has got over 2 billion. That is a success story in anybody's book.

It is such an integral part of certainly young Americans' lives that you need to work with Congress and the community to ensure that it is a neutral, safe, and, to the largest extent possible, private platform. Do you agree with that?

Mr. Zuckerberg. Congressman, I do agree that we should work to give people the fullest free expression that is possible. That is -- when I talk about giving people a voice, that is what I care about.

Mr. Barton. Okay. Let's talk about children. Children can get

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a Facebook account of their own, I believe, starting at age 13. Is that not correct?

Mr. Zuckerberg. Congressman, that is correct.

Mr. Barton. Okay. Is there any reason that we couldn't have just a no-data-sharing policy period until you are 18? Just, if you are a child with your own Facebook account, until you reach the age of 18, you know, it is, you know, you can't share anything? It is their data, their -- it doesn't go anywhere. Nobody gets to scrape it. Nobody gets to access it. It is absolutely totally private for children. What is wrong with that?

Mr. Zuckerberg. Congressman, we have a number of measures in place to protect minors specifically. We make it so that adults can't contact minors who they aren't already friends with. We make it so that certain content that may be inappropriate for minors we don't show.

The reality that we see is that teens often do want to share their opinions publicly, and that is a service that --

Mr. Barton. Then we let them opt in to do that?

Mr. Zuckerberg. Yes, we do.

Mr. Barton. But don't -- you know, unless they specifically allow it, then don't allow it. That is my point.

Mr. Zuckerberg. Congressman, every time that someone chooses to share something on Facebook, you go to the app, right there, it says,

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"Who do you want to share with?" When you sign up for a Facebook account, it starts off sharing with just your friends. If you want to share it publicly, you have to specifically go and change that setting to be sharing publicly. And every time --

Mr. Barton. I am about out of time. I actually use Facebook. And, you know, I know if you take the time, you can go to your privacy and click on that and you can go to your settings and click on that. You can pretty well set up your Facebook account to be almost totally private, but you have to really work at it.

And my time has expired. Hopefully we can do some questions in writing as a followup.

The Chairman. Absolutely.

Mr. Barton. Thank you, Mr. Chairman.

The Chairman. The chair now recognizes the gentleman from Illinois, Mr. Rush, for 4 minutes for questions.

Mr. Rush. Thank you, Mr. Chairman.

Mr. Zuckerberg, welcome.

In the 1960s, our government, acting through the FBI and local police, maliciously tricked individuals and organizations into participating in something called COINTELPRO, which was a counterintelligence program where they tracked and shared information about civil rights activists, their political, social, civic, even

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religious affiliations, and I personally was a victim of COINTELPRO.

Your organization, your methodology, in my opinion, is similar. You are truncating the basic rights of the American promise of life, liberty, and the pursuit of happiness by the wholesale invasion and manipulation of their right to privacy.

Mr. Zuckerberg, what is the difference between Facebook's methodology and the methodology of the American political pariah J. Edgar Hoover?

Mr. Zuckerberg. Congressman, this is an important question because I think people often ask what the difference is between surveillance and what we do. And I think that the difference is extremely clear, which is that, on Facebook, you have control over your information. The content that you share, you put there. You can take it down at any time.

The information that we collect you can choose to have us not collect. You can delete any of it. And, of course, you can leave Facebook if you want. I know of no surveillance organization that gives people the option to delete the data that they have or even know what they are collecting.

Mr. Rush. Mr. Zuckerberg, you should be commended that Facebook has grown so big, so fast. It is no longer the company that you started in your dorm room. Instead, it is one of the great American success

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stories.

That much influence comes with enormous social responsibility on which you have failed to act and to protect and to consider. Shouldn't Facebook, by default, protect users' information? Why is the onus on the user to opt in to privacy and security settings?

Mr. Zuckerberg. Congressman, as I said, every time that a person chooses to share something on Facebook, they are proactively going to the service and choosing that they want to share a photo, write a message to someone. And every time, there is a control right there, not buried in settings somewhere, but right there when they are posting about who they want to share it with.

Mr. Rush. Mr. Zuckerberg, I only have a few more seconds. In November 2017, ProPublica reported that Facebook was still allowing housing advertisements to systemically exclude advertisements to specific racial groups, an explicitly prohibited practice. This is just one example where Facebook has allowed race to improperly play a role.

What has Facebook done, and what are you going to do to ensure that your targeted advertisements and other components of your platform are in compliance with Federal laws, such as the Civil Rights Act of 1968?

Mr. Zuckerberg. Congressman, since we learned about that, we

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removed the option for advertisers to exclude ethnic groups from targeting.

Mr. Rush. When did you do that?

The Chairman. The gentleman's time has expired. We need to go now to the gentleman from Michigan, Mr. Upton, for 4 minutes.

Mr. Upton. Thank you, Mr. Chairman.

And welcome to the committee.

A number of times in the last day or two you have indicated that, in fact, you are now open to some type of regulation. And we know, of course, that you are the dominant social media platform without any true competitor, in all frankness, and you have hundreds, if not thousands, of folks that are -- would be required to help navigate any type of regulatory environment.

Some would argue that a more regulatory environment might ultimately stifle new platforms and innovators some might describe as desperately needed competition, i.e., regulatory complexity helps protect those folks like you. It could create a harmful barrier to entry for some startups, particularly ones that might want to compete with you.

So should we policymakers up here be more focused on the needs of startups over large incumbents, and what kind of policy regulation -- regulatory environment would you want instead of

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managing maybe a Fortune 500 company if you were launching a startup to take on the big guy?

Mr. Zuckerberg. Congressman, thank you. And let me say a couple of things on this. First, to your point about competition, the average American uses about eight different apps to communicate and stay connected to people. So there is a lot of competition that we feel every day, and that is an important force that we definitely feel in running the company.

Second, on your point about regulation, the internet is growing in importance around the world in peoples' lives, and I think that it is inevitable that there will need to be some regulation. So my position is not that there should be no regulation, but I also think that you have to be careful about what regulation you put in place for a lot of the reasons that you are saying.

I think a lot of times regulation, by definition, puts in place rules that a company that is larger, that has resources like ours, can easily comply with but that might be more difficult for a smaller startup to comply with.

So I think that these are all things that need to be thought through very carefully when thinking through what rules we want to put in place.

Mr. Upton. To follow up on a question that Mr. Barton asked about

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Silk and Diamond, I don't know whether you know about this particular case. I have a former State rep who is running for State senate. He is the former Michigan lottery commissioner, so he is a guy of fairly good political prominence.

He announced for State senate just in the last week, and he had what I thought was a rather positive announcement, and I will read to you precisely what it was: "I am proud to announce my candidacy for State Senate. Lansing needs conservative west Michigan values. And as our next State senator, I will work to strengthen our economy, limit government, lower our auto insurance rates, balance the budget, stop sanctuary cities, pay down government debt, be a pro-life, pro-Second Amendment lawmaker," end.

It was rejected, and the response from you all was: It wasn't approved because it doesn't follow our advertising policies; we don't allow ads that contain shocking, disrespectful, or sensational content, including ads that depict violence or threats of violence.

I am not sure where the threat was based on what he tried to post.

Mr. Zuckerberg. Congressman, I am not sure either. I am not familiar with that specific case. It is quite possible that we made a mistake, and we will follow up afterwards on that.

Mr. Upton. Okay.

Mr. Zuckerberg. Overall, we have -- by the end of this year, we

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will have about 20,000 people at the company who work on security and content review-related issues, but there is a lot of content flowing through the systems and a lot of reports, and unfortunately, we don't always get these things right when people report it to us.

Mr. Upton. Thank you.

The Chairman. The gentleman's time has expired.

The chair recognizes the gentlelady from California, Ms. Eshoo, for 4 minutes.

Ms. Eshoo. Thank you, Mr. Chairman.

Good morning, Mr. Zuckerberg.

First, I believe that our democratic institutions are undergoing a stress test in our country. And I believe that American companies owe something to America. I think the damage done to our democracy relative to Facebook and its platform being weaponized are incalculable.

Enabling the cynical manipulation of American citizens for the purpose of influencing an election is deeply offensive, and it is very dangerous. Putting our private information on offer without concern for possible misuses, I think, is simply irresponsible.

I invited my constituents, going into the weekend, to participate in this hearing today by submitting what they want to ask you, and so my questions are theirs.

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And, Mr. Chairman, I would like unanimous consent to place all of their questions in the record.

The Chairman. Without objection.

Ms. Eshoo. So these are a series of just yes-or-no questions. Do you think you have a moral responsibility to run a platform that protects our democracy, yes or no?

Mr. Zuckerberg. Congresswoman, yes.

Ms. Eshoo. Have users of Facebook who were caught up in the Cambridge Analytica debacle been notified?

Mr. Zuckerberg. Yes, we were starting to notify people this week. We started Monday, I believe.

Ms. Eshoo. Will Facebook offer to all of its users a blanket opt-in to share their privacy data with any third-party users?

Mr. Zuckerberg. Congresswoman, yes, that is how our platform works. You have to opt in to sign into any app before you use it.

Ms. Eshoo. Well, let me just add that it is a minefield in order to do that. And you have to make it transparent, clear, in pedestrian language just once: "This is what we will do with your data. Do you want this to happen or not?" So I think that this is being blurred. I think you know what I mean by it.

Are you aware of other third-party information mishandlings that have not been disclosed?

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Mr. Zuckerberg. Congresswoman, no, although we are currently going through the process of investigating every single app --

Ms. Eshoo. So you are not sure?

Mr. Zuckerberg. -- that had access to a large amount of data.

Ms. Eshoo. What does that mean?

Mr. Zuckerberg. It means that we are going to look into every app that had a large amount of access to data in the past before we lock down the platform.

Ms. Eshoo. You are not aware?

Mr. Zuckerberg. I imagine that because there are tens of thousands of apps, we will find some that have suspicious activity, and when we find them --

Ms. Eshoo. All right. I only have 4 minutes.

Was your data included in the data sold to the malicious third parties, your personal data?

Mr. Zuckerberg. Yes.

Ms. Eshoo. It was? Are you willing to change your business model in the interest of protecting individual privacy?

Mr. Zuckerberg. Congresswoman, we have made and are continuing to make changes to reduce the amount of data that --

Ms. Eshoo. No. Are you willing to change your business model in the interest of protecting individual privacy?

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Mr. Zuckerberg. Congresswoman, I am not sure what that means.

Ms. Eshoo. Well, I will follow up with you on it.

When did Facebook learn that Cambridge Analytica's research project was actually for targeted psychographic political campaign work?

Mr. Zuckerberg. Congresswoman, it might be useful to clarify what actually happened here. A developer who is a researcher --

Ms. Eshoo. Well, no. I don't have time for a long answer though. When did Facebook learn that? And when you learned it, did you contact their CEO immediately, and if not, why not?

Mr. Zuckerberg. Congresswoman, yes. When we learned in 2015 that a Cambridge University researcher associated with the academic institution that built an app that people chose to share their data with --

Ms. Eshoo. We know what happened with them, but I am asking you.

Mr. Zuckerberg. Yes, I am answering your question.

Ms. Eshoo. Right.

Mr. Zuckerberg. When we learned about that, we immediately --

Ms. Eshoo. So, in 2015, you learned about it?

Mr. Zuckerberg. Yes.

Ms. Eshoo. And you spoke to their CEO immediately?

Mr. Zuckerberg. We shut down the app. We demanded --

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Ms. Eshoo. Did you speak to their CEO immediately?

Mr. Zuckerberg. We got in touch with them, and we asked them to -- we demanded that they delete any of the data that they had, and their chief data officer told us that they had.

The Chairman. The gentlelady's time has expired.

Ms. Eshoo. Thank you.

The Chairman. The chair now recognizes the gentleman from Illinois, Mr. Shimkus, for 4 minutes.

Mr. Shimkus. Thank you, Mr. Chairman.

Thank you for being here, Mr. Zuckerberg.

Two things: First of all, I want to thank Facebook. You streamlined our congressional baseball game last year. We have got the managers here. And I was told that, because of that, we raised an additional \$100,000 for D.C. literacy and feeding kids and stuff, so that is --

The other thing is, I usually put my stuff up on the TV. I don't want to do it very much because it is my dad, and he would be mad if he went international like you are. And he has been on Facebook for a long time. He is 88. It has been good for connecting with kids and grandkids.

I just got my mother involved on an iPad and -- because she can't handle a keyboard. And so -- and I did this last week. So, in the

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swirl of activity, I still think there is a positive benefit for my parents to be engaged on this platform. So -- but there are issues that are being raised today, and so I am going to go into a couple of those.

Facebook made, developed access to user and friend data back -- and your main update was in 2014. So the question is, what triggered that update?

Mr. Zuckerberg. Congressman, this is an important question to clarify. So, in 2007, we launched the platform in order to make it so that people could sign into other apps, bring some of their information and some of their friends' information to have social experiences.

This created a lot of innovative experiences, new games, companies like Zynga. There were companies that you are familiar with like Netflix and Spotify had integrations with this that allowed social experiences in their apps. But, unfortunately, there were also a number of apps that used this for abuse, to collect people's data.

Mr. Shimkus. So, if I could interrupt, you identified that there was possibly social scraping going on?

Mr. Zuckerberg. Yeah, there was abuse. And that is why, in 2014, we took the step of fundamentally changing how the platform works. So now, when you sign into an app, you can bring your information, and

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if a friend has also signed into the app, then the app can know that you are friends so you can have a social experience in that app. But when you sign into an app, it now no longer brings information from other people.

Mr. Shimkus. Yeah. Let me go to your announcement of audits. Who is going to conduct an audit when we are talking about are there other Cambridge Analyticas out there?

Mr. Zuckerberg. Yes, Congressman. Good question.

So we are going to start by doing an investigation internally of every single app that had access to a large amount of information before we lock down the platform. If we detect any suspicious activity at all, we are working with third-party auditors. I imagine there will have to be a number of them because there are a lot of apps, and they will conduct the audit for us.

Mr. Shimkus. Yeah. I think we would hope that you would bring in a third party to help us --

Mr. Zuckerberg. Yes.

Mr. Shimkus. -- clarify and have more confidence.

The last question I have is, in yesterday's hearing, you talked a little about Facebook tracking and different scenarios, including logged-off users. Can you please clarify as to how that works and how does tracking work across different devices?

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Mr. Zuckerberg. Yes, Congressman. Thank you for giving me the opportunity to clarify that.

So one of the questions is, what information do we track and why about people who are not signed into Facebook? We track certain information for security reasons and for ads reasons. For security, it is to make sure that people who are not signed into Facebook can't scrape people's public information.

You can -- even when you are not signed in, you can look up the information that people have chosen to make public on their page because they wanted to share it with everyone, so there is no reason why you should have to be logged in.

But, nonetheless, we don't want someone to be able to go through and download every single public piece of information. Even if someone chose to make it public, that doesn't mean that it is good to allow someone to aggregate it. So, even if someone isn't logged in, we track certain information, like how many pages they are accessing, as a security measure.

The second thing that we do is we provide an ad network that third-party websites and apps can run in order to help them make money. And those ads, similar to what Google does and what the rest of the industry does, it is not limited to people who are just on Facebook. So, for the purposes of that, we may also collect information to make

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it so that those ads are more relevant and work better on those websites.

There is a control that for that second class of information or an ad targeting anyone can turn off, has complete control over it. For obvious reasons, we do not allow people to turn off the measurement that we do around security.

The Chairman. The gentleman's time has expired.

We now turn to the gentleman from New York, Mr. Engel, for 4 minutes.

Mr. Engel. Thank you, Mr. Chairman.

Mr. Zuckerberg, you have roots in my district, the 16th Congressional District of New York. I know that you attended Ardsley High School and grew up in Westchester County. As you know, Westchester has a lot to offer, and I hope that you might commit to returning to Westchester County perhaps to do a forum on this and some other things. I hope you would consider that. We will be in touch with you. But I know that Ardsley High School is very proud of you.

You mentioned yesterday that Facebook was deceived by Aleksandr Kogan when he sold the user information to Cambridge Analytica. Does Facebook therefore plan to sue Aleksandr Kogan, Cambridge University, or Cambridge Analytica perhaps for unauthorized access to computer networks, exceeding access to computer networks, or breach of contract, and why or why not?

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Mr. Zuckerberg. Congressman, it is something that we are looking into. We already took action by banning him from the platform, and we are going to be doing a full audit to make sure that he gets rid of all the data that he has as well.

To your point about Cambridge University, what we found now is that there was a whole program associated with Cambridge University where a number of researchers, not just Aleksandr Kogan -- although to our current knowledge, he is the only one who sold the data to Cambridge Analytica.

There were a number of other researchers who were building similar apps. So we do need to understand whether there is something bad going on at Cambridge University overall that will require a stronger action from us.

Mr. Engel. You mentioned before in your remarks hate speech. We have seen the scale and reach of extremism balloon in the last decade, partially because of the expansion of social platforms, whether it is a white supremacist rally in Charlottesville that turned violent or to ethnic cleansing in Burma that resulted in the second largest refugee crisis in the world.

Are you aware of any foreign or domestic terrorist organizations, hate groups, criminal networks, or other extremist networks that have scraped Facebook user data? And if they have and if they do it in the

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future, how would you go about getting it back or deleting it?

Mr. Zuckerberg. Congressman, we are not aware of any specific groups like that that have engaged in this. We are, as I have said, conducting a full investigation of any apps that had access to a large amount of data, and if we find anything suspicious, we will tell everyone affected.

We do not allow hate groups on Facebook overall. So, if there is a group that their primary purpose or a large part of what they do is spreading hate, we will ban them from the platform overall.

Mr. Engel. So do you adjust your algorithms to prevent individuals interested in violence or nefarious activities from being connected with other like-minded individuals?

Mr. Zuckerberg. Sorry. Could you repeat that?

Mr. Engel. Do you adjust your algorithms to prevent individuals interested in violence or bad activities from being connected with other like-minded individuals?

Mr. Zuckerberg. Congressman, yes. That is certainly an important thing that we need to do.

Mr. Engel. Okay. And, finally, let me say this: Many of us are very angry about Russian influence in the 2016 Presidential elections and Russian influence over our Presidential elections.

Does Facebook have the ability to detect when a foreign entity

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is attempting to buy a political ad, and is that process automated? Do you have procedures in place to inform key government players when a foreign entity is attempting to buy a political ad or when it might be taking other steps to interfere in an election?

Mr. Zuckerberg. Congressman, yes. This is an extremely important area. After we were slow to identify the Russian information operations in 2016, this has become a top priority for our company to prevent that from ever happening again, especially this year in 2018, which is such an important election year with the U.S. midterms, but also major elections in India, Brazil, Mexico, Hungary, Pakistan, a number of other places.

So we are doing a number of things that I am happy to talk about or follow up with afterwards around deploying new AI tools that can proactively catch fake accounts that Russia or others might create to spread misinformation.

And one thing that I will end on here, just because I know we are running low on time, is, since the 2016 election, there have been a number of significant elections, including the French Presidential election, the German election, and last year the U.S. Senate Alabama special election.

And the AI tools that we deployed in those elections were able to proactively take down tens of thousands of fake accounts that may

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have been trying to do the activity that you are talking about. So our tools are getting better.

For as long as Russia has people who are employed who are trying to perpetrate this kind of interference, it will be hard for us to guarantee that we are going to fully stop everything. But it is an arms race, and I think that we are making ground and are doing better and better and are confident about how we are going to be able to do that.

The Chairman. The gentleman's time has expired.

Mr. Engel. Thank you.

The Chairman. The chair recognizes the chairman of the Health Subcommittee, Dr. Burgess of Texas, for 4 minutes.

Mr. Burgess. Thank you, Mr. Chairman.

And thanks to our witness for being here today.

Mr. Chairman, I have a number of articles that I am going to ask unanimous consent to insert into the record. I know I won't have time to get to all of my questions.

The Chairman. Without objection.

[The information follows:]

***** COMMITTEE INSERT *****

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The Chairman. And we put the slide up that you requested.

Mr. Burgess. And so I am going to be submitting some questions for the record that are referencing these articles: One is, "Friendened: How the Obama Campaign Connected With Young Voters," by Michael Scherer; "We Already Know How to Protect Ourselves from Facebook" -- and I hope I get this name right -- Zeynep Tufekci; and "It's Time to Break Up Facebook" by Eric Wilson, who, in the interest of full disclosure, is a former staffer.

The Chairman. Without objection.

Mr. Burgess. And I will be referencing those articles in some written questions.

I consulted my technology guru, Scott Adams, in the form of Dilbert. Going back 21 years ago, when you took the shrink wrap off of a piece of software that you bought, you were automatically agreeing to be bound by the terms and conditions. So we have gone a long way from taking the shrink wrap off of an app.

But I don't know that things have changed all that much. I guess, does Facebook have a position that you recommend for elements of a company's terms and conditions that you encourage consumers to look at before they click on the acceptance?

Mr. Zuckerberg. Congressman, yes. I think that it is really important for this service that people understand what they are doing

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and signing up for and how this service works. We have laid out all of what we do in the terms of service because that is what is legally required of us. But --

Mr. Burgess. Let me just ask you, because we are going to run short on time, have you laid out for people what it would be indicative of a good actor versus a less-than-good actor in someone who has developed one of these applications?

Mr. Zuckerberg. Congressman, yes. We have a developer terms of service, which is separate from the normal terms of service for individuals using the service.

Mr. Burgess. Is the average consumer able to determine what elements would indicate poor or weak consumer protections just by their evaluation of the terms and conditions? Do you think that is possible?

Mr. Zuckerberg. Congressman, I am not sure what you mean by that.

Mr. Burgess. Well, can you -- can someone -- can the average person, the average layperson look at the terms and conditions and make the evaluation, is this a strong enough protection for me to enter into this arrangement?

Look, I am as bad as anyone else. I see an app. I want it. I download it. I breeze through the stuff. Just take me to the good stuff in the app. But if a consumer wanted to know, could they know?

Mr. Zuckerberg. Congressman, I think you are raising an

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important point, which is that I think if someone wanted to know, they could. But I think that a lot of people probably just accept terms of service without taking the time to read through it.

I view our responsibility not as just legally complying with laying it out and getting that consent but actually trying to make sure that people understand what is happening throughout the product.

That is why every single time that you share something on Facebook or one of our services, right there is a control in line where you control who you want to share with. Because I don't just think that this is about a terms of service; it is contextual. You want to present people with the information about what they might be doing and give them the relevant controls in line at the time that they are making those decisions, not just have it be in the background sometime or upfront make a one-time decision.

Mr. Burgess. Yeah. Let me move onto something else.

Mr. Pallone brought up the issue of he wanted to see more regulation. We actually passed a bill through this committee last Congress dealing with data breach notification, not so much for Facebook but for the credit card breaches, a good bill.

Many of the friends on the other side of the dais voted against it, but it was Mrs. Blackburn's bill, and I think it is one we should consider again in light of what is going on here.

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But you also signed a consent decree back in 2011. And, you know, when I read through that consent decree, it is pretty explicit. And there is a significant fine of \$40,000 per violation per day, and if you have got 2 billion users, you can see how those fines would mount up pretty quickly.

So, in the course of your audit, are you extrapolating data for the people at the Federal Trade Commission for that -- the terms and conditions of the consent decree?

The Chairman. That is time.

Mr. Zuckerberg. That is -- I am not sure what you mean by extrapolating data.

Mr. Burgess. Well, you have referenced there are audits that are ongoing. Are you making that information from those audits available to our friends at the agency at the Federal Trade Commission?

Mr. Zuckerberg. Congressman, as you know, the FTC is investigating this, and we are certainly going to be complying with them and working with them on that investigation.

The Chairman. The gentleman's time has expired.

The chair recognizes the gentleman from Texas, Mr. Green, for 4 minutes.

Mr. Green. Thank you, Mr. Chairman.

And welcome to our committee.

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I want to follow up on what my friend from north Texas talked about on his cartoon. Next month, the general data protection regulation, the GDPR, goes into effect in the European Union. The GDPR is pretty prescriptive on how companies treat consumer data, and it makes it clear that consumers need to be in control of their own data.

Mr. Zuckerberg, Facebook has committed to abiding to these consumer protections in Europe, and you face large penalties if they don't. In recent days, you have said that Facebook intends to make the same settings available to users everywhere, not only in Europe.

Did I understand correctly that Facebook would not only make the same settings available but that it will make the same protections available to Americans that they will to Europeans?

Mr. Zuckerberg. Yes, Congressman. All the same controls will be available around the world.

Mr. Green. And you commit today that Facebook will extend the same protections to Americans that European users will receive under the GDPR?

Mr. Zuckerberg. Yes, Congressman. We believe that everyone around the world deserves good privacy controls. We have had a lot of these controls in place for years. The GDPR requires us to do a few more things, and we are going to extend that to the world.

Mr. Green. There are many requirements in the GDPR, so I am just

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going to focus on a few of them. The GDPR requires that the company's request for user consent to be requested in a clear and concise way, using language that is understandable, and be clearly distinguishable from other pieces of information including terms and conditions. How will that requirement be implemented in the United States?

Mr. Zuckerberg. Congressman, we are going to put at the top of everyone's app when they sign in a tool that walks people through the settings and gives people the choices and asks them to make decisions on how they want their settings set.

Mr. Green. One of the GDPR's requirements is data portability. Users must be able to permit it to request a full copy of their information and be able to share that information with any companies that they want to.

I know Facebook allows users in the U.S. to download their Facebook data. Does Facebook plan to use the currently existing ability of users to download their Facebook data as the means to comply with the GDPR's data portability requirement?

Mr. Zuckerberg. Congressman, I think we may be updating it a little bit. But as you say, we have had the ability to download your information for years now, and people have the ability to see everything that they have in Facebook, to take that out, delete their account, and move their data anywhere that they want.

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Mr. Green. Does that download file include all the information Facebook has collected about any given individual? In other words, if I download my Facebook information, is there other information accessible to you within Facebook that I wouldn't see on that document, such as browsing history or other inferences that Facebook has drawn from users for advertising purposes?

Mr. Zuckerberg. Congressman, I believe all of your information is in that file.

Mr. Green. Okay. GDPR also gives users the right to object to the processing of their personal data for marketing purposes, which, according to Facebook's website, includes custom microtargeting audiences for advertising. Will the same right to object be available to Facebook users in the United States, and how will that be implemented?

Mr. Zuckerberg. Congressman, I am not sure how we are going to implement that yet. Let me follow up with you on that.

Mr. Green. Okay. Thank you, Mr. Chairman.

And, again, as a small -- Facebook conducted a couple of years ago an effort in our district in Houston for our small businesses, and it was one of the most successful outreach I have seen. So I appreciate that outreach to helping small businesses use Facebook to market their products.

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Thank you, Mr. Chairman.

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RPTR TELL

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[11:00 a.m.]

The Chairman. I thank the gentleman. The chair now recognizes the gentlelady from Tennessee, Mrs. Blackburn for 4 minutes.

Mrs. Blackburn. Thank you, Mr. Chairman. Mr. Zuckerberg, I tell you, I think your cozy community, as Dr. Mark Jameson recently said is beginning to look a whole lot like the Truman Show where people's identities and relationships are made available to people that they don't know and then that data is crunched and it is used, and they are fully unaware of this.

So I have got to ask you I think what we are getting to here is who owns the virtual you? Who owns your presence online? And I would like for you to comment. Who do you think owns an individual's presence online? Who owns their virtual you? Is it you or is it them?

Mr. Zuckerberg. Congresswoman, I believe that everyone owns their own content online, and that is the first line of our terms of service, if you read, it says that.

Mrs. Blackburn. And where does privacy rank as a corporate value for Facebook?

Mr. Zuckerberg. Congresswoman, giving people control of their

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information and how they want to set their privacy is foundational to the whole service. It is not just kind of an add-on feature, it is something we have to comply with. The reality is if you have a photo -- if you just think about this in your day-to-day life --

Mrs. Blackburn. I can't let you filibuster right now. A constituent of mine who is a benefits manager brought up a great question in a meeting at her company last week, and she said, you know, healthcare you have got HIPPA, you have got Gramm-Leach-Bliley, you have got the Fair Credit Reporting Act, these are all compliance documents for privacy for other sectors of the industry. She was stunned, stunned that there are no privacy documents that apply to you all.

And we have heard people say that, you know, and you have said you are considering maybe you need more regulation. What we think is we need for you to look at new legislation, and you are hearing there will be more bills brought out in the next few weeks, but we have had a bill, the BROWSER Act, and I am certain that you are familiar with this. It is bipartisan, and I thank Mr. Lipinski, and Mr. Lance, and Mr. Flores for their good work on this legislation. We have had it for over a year, and certainly we have been working on this issue for about 4 years.

And what this would do is have one regulator, one set of rules

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for the entire ecosystem. And will you commit to working with us to pass privacy legislation, to pass the BROWSER Act, will you commit to doing that?

Mr. Zuckerberg. Congresswoman, I am not directly familiar with the details of what you just said, but I certainly think that regulation in this area --

Mrs. Blackburn. Okay. Let's get familiar with the details. As you have heard, we need some rules and regulations. This is only 13 pages. The BROWSER Act is 13 pages, so you can easily become familiar with it, and we would appreciate your help.

And I have got to tell you as Mr. Green just said as you look at the EU privacy policies you are already doing much of that. If you are doing everything you claim because you will have to allow consumers to control their data to change, to erase it, you have to give consumers opt-in. So that mothers know -- my constituents in Tennessee want to know that they have a right to privacy, and we would hope that that is important to you all.

I want to move on and ask you something else, and please get back to me once you have reviewed the BROWSER Act, I would appreciate hearing from you.

We have done one hearing on algorithms. I chair the Communications and Technology Subcommittee here. We are getting ready

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to do a second one on algorithms. We are going to do one next week on prioritization, so I would like to ask you do you subjectively manipulate your algorithms to prioritize or censor speech?

Mr. Zuckerberg. Congresswoman, we don't think about what we are doing as censoring speech. I think that there are types of content like terrorism that I think that we all agree we do not want to have on our service, so we build systems that can identify those and can remove that content, and we are very proud of that. We are --

Mrs. Blackburn. Let me tell you something right now. Diamond and Silk is not terrorism.

The Chairman. The gentlelady's time has expired. The chair recognizes the gentlelady from Colorado, Ms. DeGette, for 4 minutes.

Ms. DeGette. Thank you very much, Mr. Chairman.

Mr. Zuckerberg, we appreciate your contrition and we appreciate your commitment to resolving these past problems. From my perspective, though and my colleagues on both sides of the aisle in this committee, we are interested in looking forward to preventing this kind of activity not just with Facebook but with others in your industry, and as has been noted by many people already, we have been relying on self-regulation in your industry for the most part. We are trying to explore what we can do to prevent further breaches.

So I want to ask you a whole series of fairly quick questions.

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They should only require yes or no answers. Mr. Zuckerberg, at the end of 2017 Facebook had a total shareholder equity of just over \$74 billion. Is that correct?

Mr. Zuckerberg. Sorry, Congresswoman, I am not familiar --

Ms. DeGette. At the end of 2017 Facebook had a total shareholder equity of over \$74 billion. Correct?

Mr. Zuckerberg. Of over that?

Ms. DeGette. That is correct. You are the CEO.

Mr. Zuckerberg. The market cap of the company was greater than that, yes.

Ms. DeGette. Greater than 74. Last year Facebook earned a profit of \$15.9 billion on \$40.7 billion in revenue, correct? Yes or no.

Mr. Zuckerberg. Yes.

Ms. DeGette. Now, since the revelations surrounding Cambridge Analytica Facebook has not noticed a significant increase in users deactivating their accounts. Is that correct?

Mr. Zuckerberg. Yes.

Ms. DeGette. Now, since the revelations surrounding Cambridge Analytica, Facebook has also not noticed a decrease in user interaction on Facebook, correct?

Mr. Zuckerberg. Yes, that is correct.

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Ms. DeGette. Okay. Now, I want to take a minute to talk about some of the civil and regulatory penalties that we have been seeing. I am aware of two class action lawsuits that Facebook has settled relating to privacy concerns. Lane versus Facebook was settled in 2010. That case resulted in no money being awarded to Facebook users. Is that correct?

Mr. Zuckerberg. Congresswoman, I am not familiar with the details of that.

Ms. DeGette. You are the CEO of the company, correct?

Mr. Zuckerberg. Yes.

Ms. DeGette. Now, this major lawsuit was settled. Do you know -- do you know about the lawsuit?

Mr. Zuckerberg. Congresswoman, I get briefed on these.

Ms. DeGette. Do you know about this lawsuit, Lane versus Facebook, yes or no?

Mr. Zuckerberg. I am not familiar with the details.

Ms. DeGette. Okay. If you can supplement. I will just tell you there was this lawsuit, and the users got nothing.

In another case Fraley versus Facebook it resulted in a 2013 settlement fund of \$20 million being established with \$15 individual payment payouts to Facebook users beginning in 2016. Is that correct?

Mr. Zuckerberg. Congresswoman, I am not familiar --

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Ms. DeGette. You don't know about that one either. Okay. Well, I will tell you what happened.

Mr. Zuckerberg. I discussed that with our team but I don't remember the exact details.

Ms. DeGette. Okay. Now as the result of a 2011 FTC investigation into Facebook's privacy policy, do you know about that one?

Mr. Zuckerberg. The FTC investigation?

Ms. DeGette. Uh-huh.

Mr. Zuckerberg. Yes.

Ms. DeGette. Okay. You entered into a consent decree with the FTC, which carried no financial penalty for Facebook. Is that correct?

Mr. Zuckerberg. Congresswoman, I don't remember if we had a financial penalty.

Ms. DeGette. You are the CEO of the company. You entered into a consent decree, and you don't remember if you had a financial --

Mr. Zuckerberg. I remember the consent decree. The consent decree is extremely important to how we operate the company.

Mr. Zuckerberg. Yes. I would think a financial penalty would be, too.

Okay. Well, the reason you probably don't remember it is because the FTC doesn't have the authority to issue financial penalties for

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first-time violations. The reason I am asking these questions, sir, is because we continue to have these abuses and these data breaches, but at the same time it doesn't seem like future activities are prevented. And so, I think one of the things that we need to look at in the future, as we work with you and others in the industry, is putting really robust penalties in place in case of improper actions. And that is why I asked these questions.

The Chairman. The gentlelady's time has expired. The chair recognizes the gentleman from Louisiana, the whip of the House, Mr. Scalise, for 4 minutes.

Mr. Scalise. Thank you, Mr. Chairman, and, Mr. Zuckerberg, I appreciate you coming here. I know as some of my other colleagues mentioned you came here voluntarily, and we appreciate the opportunity to have this discussion because clearly what your company has been able to do has revolutionized the way that people can connect, and there is a tremendous benefit to our country.

Now it is a worldwide platform, and it has helped create a shortage of computer programmers, so as a former computer programmer I think we would both agree we need to encourage more people to go into the computer sciences because our country is a world leader thanks to your company and so many others, but it obviously raises questions about privacy, and data, and how the data is shared and what is a user's expectation

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of where that data goes. So I want to ask a few questions.

First, would you agree we need more computer programmers and people to go into that field.

Mr. Zuckerberg. Congressman yes.

Mr. Scalise. That is a public service announcement we just made, so I appreciate you joining me in that.

Mr. Shimkus' question, it was really a follow-up to a question yesterday that you weren't able to answer, but it was dealing with how Facebook tracks users especially after they log off. And you had said in relation to Congressman Shimkus' question that there is data mining, but it goes on for security purposes.

So my question would be, is that data that is mined for security purposes also used to sell as part of the business model?

Mr. Zuckerberg. Congressman, I believe that those are -- that we collect different data for those, but I can follow up on the details of that.

Mr. Scalise. All right. If you can follow up I would appreciate that.

[The information follows:]

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Mr. Scalise. Getting into this new realm of content review I know some of the people that work for Facebook, Campbell Brown said, for example, this is changing our relationship with publishers and emphasizing something that Facebook has never done before. It is having a point of view. And you mentioned the Diamond and Silk example where you, I think, described it as a mistake. Were the people who made that mistake held accountable in any way?

Mr. Zuckerberg. Congressman, let me follow up with you on that. That situation developed while I was here preparing to testify, so I do not know the details on that.

[The information follows:]

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Mr. Scalise. Okay. I do want to ask you about a study that was done dealing with the algorithm that Facebook uses to describe what is fed to people, through the news feed, and what they found was after this new algorithm was implemented that there was a tremendous bias against conservative news and content and a favorable bias towards liberal content, and if you can look at that, that shows a 16 point disparity, which is concerning.

I would imagine you are not going to want to share the algorithm itself with us, I would encourage you if you wanted to do that, but who develops the algorithm? I wrote algorithms before, and you can determine whether or not you want to write an algorithm to sort data, to compartmentalize data, but you can also put a bias in if that is the directive.

Was there a directive to put a bias in, and first, are you aware of this bias that many people have looked at, and analyzed, and seen?

Mr. Zuckerberg. Congressman, that is a really important question. There is absolutely no directive in any of the changes that we make to have a bias on anything that we do. To the contrary, our goal is to be a platform for all ideas. And --

Mr. Scalise. And I know we are almost out of time, so if you can go back and look and determine if there was a bias whoever developed that software you have 20,000 people that work on some of this data

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analysis, if you can look and see if there is a bias and let us know if there is and what you are doing about it because that is disturbing when you see that kind of disparity.

[The information follows:]

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Mr. Scalise. Finally, there has been a lot of talk about Cambridge and what they have done in the last campaign. In 2008 and 2012 there was also a lot of this done. One of the lead digital heads of the Obama campaign said recently, Facebook was surprised we were able to suck out the whole social graph, but they didn't stop us once they realized that was what we were doing. They came to the office in the days following the election recruiting and were very candid that they allowed us to do things they wouldn't have allowed someone else to do because they were on our side.

That is a direct quote from one of the heads of the Obama digital team. What would she mean by "they, Facebook, were on our side".

Mr. Zuckerberg. Congressman, we didn't allow the Obama campaign to do anything that any developer on the platform wouldn't have otherwise been able to do.

Mr. Scalise. So she was making an inaccurate statement in your point of view?

Mr. Zuckerberg. Yes.

Mr. Scalise. I appreciate the comments and I look forward to those answers. I yield back the balance of my time.

The Chairman. The chair now recognizes the gentleman from Pennsylvania, Mr. Doyle, for 4 minutes.

Mr. Doyle. Thank you, Mr. Chairman. Mr. Zuckerberg, welcome.

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Facebook uses some of the most advanced data processing techniques and technologies on the planet, correct?

Mr. Zuckerberg. Congressman we pride ourselves on doing good technical work.

Mr. Doyle. Thank you. And you use these technologies to flag spam, identify offensive content, and track user activity, right?

Mr. Zuckerberg. Among other things.

Mr. Doyle. But 2015 when the Guardian first reported on Cambridge Analytica using Facebook user data was that the first time Facebook learned about these allegations?

Mr. Zuckerberg. Congressman, in 2015 when we heard that the developer on our platform Aleksandr Kogan --

Mr. Doyle. Was that the first time you heard about it when it was reported by the Guardian?

Mr. Zuckerberg. That the Guardian reported to Cambridge Analytica?

Mr. Doyle. When the Guardian made the report was that the first time you heard about it?

Mr. Zuckerberg. Yes.

Mr. Doyle. Thank you. So do you routinely learn about these violations through the press?

Mr. Zuckerberg. Congressman, sometimes we do. I generally

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think that --

Mr. Doyle. Let me ask you this, you had the capability to audit developers' use of Facebook user data and do more to prevent these abuses. But the problem at Facebook not only persisted, it proliferated. In fact, relative to other types of problems you had on your platform it seems as though you turned a blind eye to this, correct?

Mr. Zuckerberg. Congressman, I disagree with that assessment. I do think that going forward we need to take a more proactive view of policing what the developers do. Looking back we have had an app review process. We investigate --

Mr. Doyle. But, Mr. Zuckerberg, it seems like you were more concerned with attracting and retaining developers on your platform than you were with ensuring the security of Facebook's user data.

Let me switch gears. Your company is subject to a 20-year consent decree with the FTC since 2011, correct?

Mr. Zuckerberg. Congressman, we have a consent decree, yes.

Mr. Doyle. And that decree emerged out of a number of practices that Facebook engaged in that the FTC deemed to be unfair and deceptive. One such practice was making Facebook users' private information public without sufficient notice or consent, claiming that Facebook certified the security and integrity of certain apps when, in fact, it did not,

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and enabling developers to access about a user and their friends. Is that correct?

Mr. Zuckerberg. Congressman, I am not familiar with all of the things that the FTC said, although I am very familiar with the consent order itself.

Mr. Doyle. But these were part of the FTC consent decree. So I think -- I am just concerned that despite this consent decree Facebook allowed developers access to an unknown number of user profiles on Facebook for years. Potentially hundreds of million, potentially more and not only allowed but partnered with individuals and app developers such as Aleksandr Kogan who turned around and sold that data on the open market and to companies like Cambridge Analytica.

Mr. Zuckerberg, you have said that you planned to audit tens of thousands of developers that may have improperly harvested Facebook user data. You also said that you planned to give all Facebook users access to some user controls that will be made available in the EU under the GDPR.

But it strikes me that there is a real trust gap here. This developer data issue is just one example, but why should we trust you to follow through on these promises when you have demonstrated repeatedly that you are willing to flout both your own internal policies and government oversight when the need suits you?

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Mr. Zuckerberg. Congressman, respectfully I disagree with that characterization. We have had a review process for apps for years. We have had reviewed tens of thousands of apps a year and taken action against a number of them. Our process was not enough to catch a developer --

Mr. Doyle. I see my time is almost over. I just want to say, Mr. Chairman, to my mind the only way we are going to close this trust gap is through legislation that creates and empowers a sufficiently resourced expert oversight agency with rule making authority to protect the digital privacy and ensure that companies protect our users' data.

With that I yield back.

The Chairman. The gentleman's time has expired. The chair recognizes the chairman of the Subcommittee on Digital Commerce and Consumer Protection, Mr. Latta of Ohio for 4 minutes.

Mr. Latta. Well, thank you Mr. Chairman and, Mr. Zuckerberg, thanks very much for being with us today.

First question I have is can you tell the Facebook users that the Russians and the Chinese have not used the same methods as other third parties to scrape the entire social network for their gain?

Mr. Zuckerberg. Congressman, we have not seen that activity.

Mr. Latta. None at all?

Mr. Zuckerberg. Not that I am aware of.

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Mr. Latta. Okay. Let me ask this question, you know, it has been going on when you made your opening statement in regards to what you would like to see done with the company and steps moving forward. There has been a couple questions, you know, about you are going to be investigating the apps. How many apps are there out there that you would have to investigate?

Mr. Zuckerberg. There are tens of thousands of apps that had access to a large amount of people's information before we locked down the platform in 2014. So we are going to do an investigation that first involves looking at their patterns of API access and what those companies were doing and then if we find anything suspicious then we are going to bring in third-party auditors to go through their technical and physical systems to understand what they did, and if we find that they misused any data then we will ban them from our platform, make sure they delete the data and tell everyone affected.

Mr. Latta. Just to follow up on that then, how long would it take then to investigate each of those apps once you are doing that because, again, when you are talking about tens of thousands and you are going through that entire process then how long would it take to go through each one of those apps?

Mr. Zuckerberg. Yes, Congressman. It is going to take many months to do this full process.

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Mr. Latta. Okay.

Mr. Zuckerberg. And it is going to be an expensive process with a lot of auditors, but we think that this is the right thing to do at this point. You know, before we had thought that when developers told us that they weren't going to sell data that that was -- that that was a good representation, but one of the big lessons that we have learned here is that clearly we cannot just take the developers' word for it, we need to go in and enforce that.

Mr. Latta. Okay. We are talking about audits. There has been some questions about this on the audits. In 2011 Facebook signed did sign that consent order with the Federal Trade Commission for the privacy violations. Part of that consent order requires Facebook to submit third-party privacy audits to the FTC every 2 years.

First, are you aware of the audits? And, second, why didn't the audits disclose or find these issues with the developers' access to users' data?

Mr. Zuckerberg. Yes, Congressman. I am aware of the audits that we do. We do audits every other year. They are ongoing. The audits have not found material issues with our privacy programs in place at the company. I think the broader question here is we have had this FTC consent decree, but we take a broader view of what our responsibility for people's privacy is, and our view is that

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this -- what a developer did that they represented to us that they were going to use the data in a certain way and then in their own systems went out and sold it we do not believe is a violation of the consent decree, but it is clearly a breach of people's trust, and the standard that we hold ourselves to is not just following the laws that are in place, but we also -- we just want to take a broader view of this in protecting people's information.

Mr. Latta. Let me we are just about out of time here. Are you aware that Facebook did provide the auditors all the information it requested when doing the FTC audits?

Mr. Zuckerberg. Sorry, can you repeat that?

Mr. Latta. Yes. Did Facebook provide the auditors all the information requested when preparing the audit for the FTC?

Mr. Zuckerberg. Congressman, I believe we do provide the audits to the FTC.

Mr. Latta. Okay. So all the information is provided. And were you ever personally asked to provide information or feedback in these audits to the FTC?

Mr. Zuckerberg. Congressman, not personally, although I am briefed on all of the audits by our team.

Mr. Latta. Okay. Mr. Chairman, my time has expired, and I yield back.

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The Chairman. The gentleman yields back. The chair recognizes the gentlelady from Illinois, Ms. Schakowsky, for 4 minutes.

Ms. Schakowsky. Thank you, Mr. Chairman. You know, you have a long history of growth and success, but you also have a long list of apologies in 2003. It started at Harvard. "I apologize for any harm done as a result of my neglect." 2006, "We really messed this one up." 2007, "We simply did a bad job. I apologize for it." 2010, "Sometimes we move too fast." 2011, "I am the first to admit that we have made a bunch of mistakes." 2017, this is in connection with the Russian manipulation of the election and the data that came from Facebook initially. "I ask for forgiveness. I will work to do better." So it seems to me from this history that self-regulation, this has proved to me that self-regulation simply does not work.

I have a bill, The Secure and Protect Americans Data Act that I hope you will take a look at, very simple bill about setting standards for how you have to make sure that the data is protected, deadlines on when you have to release that information to the public. Certainly it ought to go to the FTC, as well.

But in response to the questions about the apps and the investigation that you are going to do you said you don't necessarily know how long. Have you set any deadline for that because we know, as my colleagues said, that there are tens of thousands, there is

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actually been nine million apps. How long do we have to wait for that kind of investigation?

Mr. Zuckerberg. Congresswoman, we expect it to take many months.

Ms. Schakowsky. Years?

Mr. Zuckerberg. I hope not.

Ms. Schakowsky. Okay. I want to ask you, yesterday following up on your response to Senator Baldwin's question you said yesterday that Kogan also sold data to other firms. You named Eunoia Technologies. How many are there total and what are their names? Can we get that and how many are there total?

Mr. Zuckerberg. Congresswoman, we can follow up with you to make sure you get all that information.

[The information follows:]

***** COMMITTEE INSERT *****

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Ms. Schakowsky. Yes, but order of magnitude.

Mr. Zuckerberg. I don't believe it was a large number, but as we complete the audits we will know more.

Ms. Schakowsky. What is a large number?

Mr. Zuckerberg. A handful.

Ms. Schakowsky. Has Facebook tried to get those firms to delete user data and its derivatives?

Mr. Zuckerberg. Yes, Congresswoman. In 2015 when we first learned about it we immediately demanded that the app developer and the firms that he sold it to delete the data, and they all represented to us that they had. It wasn't until about a month ago that new reports surfaced that suggested that they hadn't, which is what has kicked us off needing to now go do this full audit and investigation and investigate all these other apps that have come up.

Ms. Schakowsky. Were derivatives deleted?

Mr. Zuckerberg. Congresswoman, we need to complete the investigation and audit before I can confirm that.

Ms. Schakowsky. You are looking into it?

Mr. Zuckerberg. What they represented to us is that they have, but we now need to get into their systems and confirm that before I want to stand up here confidently and say what they have done.

Ms. Schakowsky. So Mr. Green asked about the general data

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protection regulation on May 25th that is going to go into effect by the EU, and your response was -- let me ask, is your response that exactly the protections that are guaranteed not the -- what did you say? Yes, not to conduct the controls but all the rights that are guaranteed under the general data protection regulations will be applied to Americans, as well?

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RPTR TELL

EDTR HOFSTAD

[11:29 a.m.]

Mr. Zuckerberg. Congresswoman, the GDPR has a bunch of different important pieces. One is around offering controls over every use of people's --

Ms. Schakowsky. Right, that is one. Uh-huh.

Mr. Zuckerberg. That we are doing. The second is around pushing for affirmative consent and putting a control in front of people that walks people through their choices.

Ms. Schakowsky. Exactly.

Mr. Zuckerberg. We are going to do that too.

The second, although that might be different depending on the laws in specific countries and different places, but we are going to put a tool at the top of everyone's app that walks them through their settings and helps them understand what is --

Ms. Schakowsky. It sounds like it will not be exact. And let me say, as we look at --

The Chairman. The gentlelady's time --

Ms. Schakowsky. -- the distribution of information that who is going to protect us from Facebook is also a question.

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Thank you, and I yield back.

The Chairman. The gentlelady's time has expired.

The chair recognizes the gentlelady from Washington State, the Conference chairman.

Ms. McMorris Rodgers. Thank you.

And thank you, Mr. Zuckerberg, for joining us.

Today is clearly timely. There is a number of extremely important questions Americans have about Facebook, including questions about safety and security of their data, about the process by which their data is made available to third parties, about what Facebook is doing to protect consumer privacy as we move forward.

But one of the issues that is concerning me and I would like to dig a little deeper into is how Facebook treats content on its platform.

So, Mr. Zuckerberg, given the extensive reach of Facebook and its widespread use as a tool of public expression, do you think Facebook has a unique responsibility to ensure that it has clear standards regarding the censorship of content on its platform? And do you think Facebook adequately and clearly defines what these standards are for its users?

Mr. Zuckerberg. Congresswoman, yes, I feel like we have a very important responsibility to outline what the content policies are and the community standards are.

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This is one of the areas that, frankly, I am worried we are not doing a good enough job at right now, especially because, as an American-based company where about 90 percent of the people in our community are outside of the U.S., where there are different social norms and different cultures, it is not clear to me that our current situation of how we define community standards is going to be effective for articulating that around the world.

So we are looking at different ways to evolve that, and I think that this is one of the more important things that we will do.

Ms. McMorris Rodgers. Okay.

And even focusing on content for here in America, I would like to shift gears just a little bit to talk about Facebook's recent changes to its news feed algorithm.

Your head of news partnerships recently said that Facebook is, quote, "taking a step to define what quality news looks like and give that a boost so that overall there is less competition from news."

Can you tell me what she means by "less competition from news"? And, also, how does Facebook objectively determine what is acceptable news and what safeguards exist to ensure that, say, religious or conservative content is treated fairly?

Mr. Zuckerberg. Yes, Congresswoman. I am not sure specifically what that person was referring to, but I can walk you through what the

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algorithm change was, if that is useful.

Ms. McMorris Rodgers. Well, maybe I will just go on to my other questions then.

There is an issue of content discrimination, and it is not a problem unique to Facebook. There is a number of high-profile examples of edge providers engaging in blocking and censoring religious and conservative political content. In November, FCC Chairman Pai even said that edge providers routinely block or discriminate against content they don't like.

This is obviously a serious allegation. How would you respond to such an allegation? And what is Facebook doing to ensure that its users are being treated fairly and objectively by content reviewers?

Mr. Zuckerberg. Congresswoman, the principle that we are a platform for all ideas is something that I care very deeply about. I am worried about bias, and we take a number of steps to make sure that none of the changes that we make are targeted in any kind of biased way. And I would be happy to follow up with you and go into more detail on that, because I agree that this is a serious issue.

Ms. McMorris Rodgers. Over Easter, a Catholic university's ad with a picture of the historic San Damiano Cross was rejected by Facebook. Though Facebook addressed the error within days, that it happened at all is deeply disturbing.

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Could you tell me what was so shocking, sensational, or excessively violent about the ad to cause it to be initially censored? Given that your company has since said it did not violate terms of service, how can users know that their content is being viewed and judged accordingly to objective standards?

Mr. Zuckerberg. Congresswoman, it sounds like we made a mistake there, and I apologize for that. And, unfortunately, with the amount of content in our systems and the current systems that we have in place to review, we make a relatively small percent of mistakes in content review but that is too many, and this is an area where we need to improve.

What I will say is that I wouldn't extrapolate from a few examples to assuming that the overall system is biased. I get how people can look at that and draw that conclusion, but I don't think that that reflects the way that we are trying to build the system or what we have seen.

The Chairman. The gentlelady's --

Ms. McMorris Rodgers. Thank you. And I just -- this is an important issue in building trust.

Mr. Zuckerberg. I agree.

Ms. McMorris Rodgers. And that is going to be important. Thank you, and I yield back.

The Chairman. The gentlelady's time has expired.

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The chair recognizes the gentleman from North Carolina, Mr. Butterfield, for 4 minutes.

Mr. Butterfield. Thank you, Mr. Chairman.

And thank you, Mr. Zuckerberg, for your testimony here today.

Mr. Zuckerberg, you have stated that your goal with Facebook is to build strong communities, and certainly that sounds good. You have stated here today on the record that you did not live up to the privacy expectations, and I appreciate that.

But this committee -- and you must know this -- this committee is counting on you to right a wrong, and I hope you get it. In my opinion, Facebook is here to stay, and so you have an obligation to protect the data that you collect and the data that you use. And Congress has the power to regulate your industry, and we have the power to penalize misconduct.

But I want to go in a different direction today, sir. You and your team certainly know how I feel about racial diversity in corporate America. And Sheryl Sandberg and I talk about that all of the time.

Let me ask you this -- and the Congressional Black Caucus has been very focused on holding your industry accountable -- not just Facebook, your industry -- accountable for increasing African-American inclusion at all levels of the industry.

And I know you have a number of diversity initiatives. In 2017,

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you have increased your black representation from 2 to 3 percent. While this is a small increase, it is better than none.

But this does not nearly meet the definition of building a racially diverse community. CEO leadership -- and I have found this to be absolutely true -- CEO leadership on issues of diversity is the only way that the technology industry will change.

So will you commit, sir, to convene, personally convene, a meeting of CEOs in your sector -- many of them, all of them perhaps, are your friends -- and to do this very quickly to develop a strategy to increase racial diversity in the technology industry?

Mr. Zuckerberg. Congressman, I think that that is a good idea, and we should follow up on it.

From the conversations that I have with my fellow leaders in the tech industry, I know that this is something that we all understand that the whole industry is behind on, and Facebook is certainly a big part of that issue.

And we care about this not just from the justice angle but because we know that having diverse viewpoints is what will help us serve our community better, which is ultimately what we are here to do. And I think we know that the industry is behind on this and want to --

Mr. Butterfield. Well, we have talked with you over the years about this, and while there has been some marginal improvement, we must

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do better than we have done.

Recently, you appointed an African American, our friend Ken Chenault, to our board. And, of course, Erskine Bowles is already on your board, who is also a friend. But we have to concentrate more on board membership for African Americans and also minorities at the entry level within your company.

I was looking at your website a few minutes ago, and it looks like you list five individuals as leadership in your company, but none of them is African American. I was just looking at it. Not only you and Sheryl, but David, Mike, and Chris, that is your leadership team, and this does not reflect America.

Can you improve the numbers on your leadership team to be more diverse?

Mr. Zuckerberg. Congressman, this is an issue that we are focused on. We have a broader leadership than just five people. I mean --

Mr. Butterfield. It is not on your website.

Mr. Zuckerberg. I understand that.

Mr. Butterfield. We can do better than that, Mr. Zuckerberg. We certainly can.

Do you plan to add an African American to your leadership in the foreseeable future? And will you commit that you will continue to work

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with us, the Congressional Black Caucus, to increase diversity within your company that you are so proud of?

Mr. Zuckerberg. Congressman, we will certainly work with you. This is an important issue.

Mr. Butterfield. We also find that companies' failure to retain black employees contributes to their low presence at technology companies. And there is little transparency in retention numbers.

So will you commit to providing numbers on your retention -- that is the big word, "retention" -- of your employees disaggregated by race in your diversity update starting this year? Can we get that data? That is the starting point.

Mr. Zuckerberg. Congressman, we try to include a lot of important information in the diversity updates. I will go discuss that with my team after I get back from this hearing.

Mr. Butterfield. I am out of time, sir. I will take this up with your team in another setting. We will be out there in a few weeks.

Thank you. I yield back.

The Chairman. The gentleman's time has expired.

The chair now recognizes now the chairman of the Oversight and Investigations Subcommittee, the gentleman from Mississippi, Mr. Harper, for 4 minutes.

Mr. Harper. Thank you, Mr. Chairman.

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Thank you, Mr. Zuckerberg, for being here. And we don't lose sight of the fact that you are a great American success story. It is a part of everyone's life and business, sometimes maybe too often. But I thank you for taking the time to be here.

And our concern is to make sure that it is fair. We worry, because we are looking at possible government regulation here, certainly this self-governing, which has had some issues, and how you factor that. And, you know, we are trying to keep up with the algorithm changes on how you determine the prioritization of the news feeds, and you look at, well, it needs to be trustworthy and reliable and relevant. Well, who is going to determine that? That also has an impact. And even though you say you don't want the bias, it is dependent upon who is setting what those standards are in that.

And so I want to ask you a couple of questions, if I may. And this is a quote from Paul Grewal, Facebook's VP and general counsel. He said, "Like all app developers, Mr. Aleksandr Kogan requested and gained access to information from people after they chose to download his app."

Now, under Facebook policy in 2013, if Cambridge Analytica had developed the This is Your Digital Life app, they would have had access to the same data they purchased from Mr. Kogan. Would that be correct?

Mr. Zuckerberg. Congressman, that is correct. A different

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developer could have built that out.

Mr. Harper. Okay.

Now, according to PolitiFact.com -- and this is a quote -- "The Obama campaign and Cambridge Analytica both gained access to huge amounts of information about Facebook users and their friends, and in neither case did the friends of app users consent," close quote.

This data that Cambridge Analytica acquired was used to target voters with political messages, much as the same type of data was used by the Obama campaign to target voters in 2012. Would that be correct?

Mr. Zuckerberg. Congressman, the big difference between these cases is that, in the Kogan case, people signed into that app expecting to share the data with Kogan, and then he turned around and, in violation of our policies and in violation of people's expectations, sold it to a third-party firm, to Cambridge Analytica in this case.

Mr. Harper. Sure.

Mr. Zuckerberg. I think that we were very clear about how the platform worked at the time, that anyone could sign into an app, and they would be able to bring their information, if they wanted, and some information from their friends. People had control over that. So, if you wanted, you could turn off the ability to sign into apps or turn off the ability for your friends to be able to bring your information. The platform worked the way that we had designed it at the time at the

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time.

I think we now know that we should have a more restrictive platform, where people cannot also bring information from their friends and can only bring their own information. But that is the way that the system worked at the time.

Mr. Harper. And whether in violation of the agreement or not, you agree that users have an expectation that their information would be protected and remain private and not be sold. And so that is something -- the reason that we are here today.

And I can certainly understand the general public's outrage if they are concerned regarding the way Cambridge Analytica required their information. But if people are outraged because they used that for political reasons, would that be hypocritical? Shouldn't they be equally outraged that the Obama campaign used the data of Facebook users without their consent in 2012?

Mr. Zuckerberg. Congressman, what I think people are rightfully very upset about is that an app developer that people had shared data with sold it to someone else, and, frankly, we didn't do enough to prevent that or understand it soon enough.

Mr. Harper. Thank you.

Mr. Zuckerberg. And now we have to go through and put in place systems that prevent that from happening again and make sure that we

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have sufficient controls in place in our ecosystem, so, that way, developers can't abuse people's data.

Mr. Harper. Thank you, Mr. Zuckerberg.

My time has expired. I yield back.

The Chairman. The gentleman yields back the balance of his time.

The gentlelady from California, Ms. Matsui, is recognized for 4 minutes.

Ms. Matsui. Thank you, Mr. Chairman.

And welcome, Mr. Zuckerberg. Thank you very much here.

You know, I was just thinking about Facebook and how you developed your platform, first from a social platform amongst friends and colleagues and joining a community. And a lot of that was based upon trust, because you knew your friends, right? But that evolved into this business platform, and one of the pillars still was trust. And I think everyone here would agree that trust is in short supply here, and that is why we are here today.

Now, you have constantly maintained that consumers own the data they provided to Facebook and should have control over it. And I appreciate that, and I just want to understand more about what that means.

To me, if you own something, you ought to have some say about how and when it is used, but, to be clear, I don't just mean pictures, email

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addresses, Facebook groups, or pages. I understand the data and the information consumers provided to Facebook can be and perhaps is used by algorithms to form assumptions and inferences about users to better target ads to the individuals.

Now, do you believe that consumers actually own their data even when that data has been supplemented by a data broker, assumptions algorithms have made about that user, or otherwise?

And this is kind of the question that Mrs. Blackburn has come up with, our own comprehensive profile, which is kind of our virtual self.

Mr. Zuckerberg. Congresswoman, I believe that people own all of their own content.

Where this gets complicated is, let's say I take a photo and I share it with you. Now, is that my photo, or is it your photo? I would take the position that it is our photo, which is why we make it so that I can bring that photo to another app if I want but you can't. But --

Ms. Matsui. Well, once it gets to the data broker, though -- so there are certain algorithms and certain assumptions made. What happens after that?

Mr. Zuckerberg. Sorry, can you clarify that?

Ms. Matsui. Well, what I mean is that, if you supplement this data, you know, you say you are owning it, but you supplement this when other data brokers, you know, use their other algorithms to supplement

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this and make their own assumptions, then what happens there? Because that is, to me, somebody else is taking that over. How can you say that we own that data?

Mr. Zuckerberg. Congresswoman, all the data that you put in, all the content that you share on Facebook is yours. You control how it is used. You can remove it at any time. You can get rid of your account and get rid of all of it at once. You can get rid of specific things.

Ms. Matsui. But you can't claw it back once it gets out there, right? I mean, that is really -- we might own our own data, but once it is used in advertising, we lose control over it. Is that not right?

Mr. Zuckerberg. Congresswoman, I disagree with that, because one core tenet of our advertising system is that we don't sell data to advertisers. Advertisers don't get access to your data.

There is a core misunderstanding about how that system works, which is that -- let's say, if you are a shop and you are selling muffins, right, you might want to target people in a specific town who might be interested in baking or some demographic. But we don't send that information to you; we just show the message to the right people.

And that is a really important, I think, common misunderstanding of how this system works.

Ms. Matsui. Yeah, I understand that, but Facebook sells ads based, at least in part, on data users provide to Facebook. That is

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right. And the more data that Facebook collects, it allows you to better target ads to users or classes of users.

So, even if Facebook doesn't earn money from selling data, doesn't Facebook earn money from advertising based on that data?

Mr. Zuckerberg. Yes, Congresswoman, we run ads. The business model is running ads. And we use the data that people put into the system in order to make the ads more relevant, which also makes them more valuable. But what we hear from people is that, if they are going to see ads, they want them to be good and relevant.

Ms. Matsui. But we are not controlling that data?

Mr. Zuckerberg. No, you have complete control over that.

The Chairman. The gentlelady's time has expired.

As previously agreed, we will now take a 5-minute recess. And committee members and our witness need to plan to be back in about 5 minutes.

We stand in recess.

[Recess.]

The Chairman. We will call the Energy and Commerce Committee back to order and recognize the gentleman from New Jersey, Mr. Lance, for 4 minutes for purposes of questions.

Mr. Lance. Thank you very much, Mr. Chairman.

Mr. Zuckerberg, you are here today because you are the face of

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Facebook. And you have come here voluntarily. And our questions are based upon our concern about what has occurred and how to move forward.

I am sure you have concluded, based upon what we have asked, that we are deeply offended by censoring of content inappropriately by Facebook. Examples have been raised -- a Roman Catholic university, a State Senate candidate in Michigan. I would be offended if this censoring were occurring on the left as well as the right, and I want you to know that.

And do you take from what we have indicated so far that, in a bipartisan fashion, Congress is offended by inappropriate censoring of content?

Mr. Zuckerberg. Congressman, yes. This is extremely important. And I think the point that you have raised is particularly important, that we have heard today a number of examples of where we may have made content review mistakes on conservative content, but I can assure you that there are a lot of folks who think that we make content moderation or content review mistakes of liberal content as well.

Mr. Lance. Fair enough. My point is that we don't favor censoring in any way, so long as it doesn't involve hate speech or violence or terrorism. And, of course, the examples today indicate quite the contrary, number one.

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Number two, Congresswoman Blackburn has mentioned her legislation. I am a cosponsor of the BROWSER legislation. I commend it to your attention, to the attention of your company. It is for the entire ecosystem. It is for ISPs and edge providers; it is not just for one or the other. It is an opt-in system, similar to the system that exists in Europe.

Might I respectfully request of you, Mr. Zuckerberg, that you and your company review the BROWSER legislation? And I would like your support for that legislation after your review of it.

Mr. Zuckerberg. We will review it and get back to you.

Mr. Lance. Thank you very much.

Your COO, Sheryl Sandberg, last week appeared on the "Today" program, and she admitted the possibility that additional breaches in personal information could be discovered by the current audits.

Quote, "We are doing an investigation. We are going to do the audits. And, yes, we think it is possible. That is why we are doing the audits."

And then the COO went on to say, "Facebook cared about privacy all along, but I think we got the balance wrong."

Do you agree with the statement of your COO?

Mr. Zuckerberg. Yes, Congressman, I do.

We were trying to balance two equities: on the one hand, making it so that people had data portability, the ability to bring their data

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to another app, in order to have new experiences in other places, which I think is a value that we all care about. On the other hand, we also need to balance making sure that everyone's information is protected. And I think that we didn't get that balance right up front.

Mr. Lance. Thank you. I certainly concur with the statement of the COO, as affirmed by you today, that you got the balance wrong.

And then, regarding Cambridge Analytica, the fact that 300,000 individuals or so gave consent but that certainly didn't mean they gave consent to 87 million friends, do you believe that that action violated your consent agreement with the Federal Trade Commission?

Mr. Zuckerberg. We do not believe it did. But, regardless, we take a broader view of what our responsibility is to protect people's privacy. And if a developer who people gave their information to, in this case Aleksandr Kogan, then goes and, in violation of his agreement with us, sells the data to Cambridge Analytica, that is a big issue. And I think people have a right to be very upset -- I am upset that that happened. And we need to make sure that we put in place the systems to prevent that from happening again.

Mr. Lance. Thank you. I think it may have violated the agreement with the Federal Trade Commission, and I am sure that will be determined in the future.

Thank you, Mr. Chairman.

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The Chairman. I thank the gentleman from New Jersey.

I recognize the gentlelady from Florida, Ms. Castor, for 4 minutes.

Ms. Castor. Thank you, Mr. Chairman.

Welcome, Mr. Zuckerberg.

For all of the benefits that Facebook has provided in building communities and connecting families, I think a devil's bargain has been struck. And, in the end, Americans do not like to be manipulated. They do not like to be spied on. We don't like it when someone is outside of our home watching. We don't like it when someone is following us around the neighborhood or, even worse, following our kids or stalking our children.

Facebook now has evolved to a place where you are tracking everyone. You are collecting data on just about everybody.

Yes, we understand the Facebook users that proactively sign in are part of that platform, but you are following Facebook users even after they log off of that platform and application, and you are collecting personal information on people who do not even have Facebook accounts. Isn't that right?

Mr. Zuckerberg. Congresswoman, I believe --

Ms. Castor. Yes or no?

Mr. Zuckerberg. Congresswoman, I am not sure that -- I don't

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think that that is what we are tracking.

Ms. Castor. No, you are collecting -- you have already acknowledged that you are doing that for security purposes and commercial purposes. So you are collecting data outside of Facebook. When someone goes to a website and it has the Facebook "like" or "share," that data is being collected by Facebook, correct?

Mr. Zuckerberg. Congresswoman --

Ms. Castor. Yes or no?

Mr. Zuckerberg. -- that is right, that we understand, in order to show which of your friends liked a --

Ms. Castor. Yeah. So for people that don't even have Facebook -- I don't think that the average American really understands that today, something that fundamental, and that you are tracking everyone's online activities, their searches. You can track what people buy, correct?

Mr. Zuckerberg. Congresswoman --

Ms. Castor. You are collecting that data, what people purchase online, yes or no?

Mr. Zuckerberg. I actually -- if they share it with us. But, Congresswoman, overall --

Ms. Castor. Because it has a "share" button, so it is gathering -- Facebook has the application -- in fact, you patented

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applications to do just that. Isn't that correct? To collect that data?

Mr. Zuckerberg. Congresswoman, I don't think any of those buttons share transaction data.

But, broadly, I disagree with the characterization --

Ms. Castor. But they track you. You are collecting medical data, correct, on people that are on the internet, whether they are Facebook users or not? Right?

Mr. Zuckerberg. Congresswoman, yes, we collect some data for security purposes and --

Ms. Castor. And you watch where we go. Senator Durbin had a funny question yesterday about where you are staying, and you didn't want to share that. But Facebook also gathers that data about where we travel. Isn't that correct?

Mr. Zuckerberg. Congresswoman, everyone has control over how that works.

Ms. Castor. I am going to get to that, but, yes, you are -- would you just acknowledge that, yes, Facebook is -- that is the business you are in, gathering data and aggregating that data? Correct?

Mr. Zuckerberg. Congresswoman, I disagree with that characterization.

Ms. Castor. Are you saying you do not gather data on where people

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travel based upon their internet and the ways they sign in and things like that?

Mr. Zuckerberg. Congresswoman, the primary way that Facebook works is that people choose to share data, and they share content --

Ms. Castor. The primary way, but the other way that Facebook gathers data is you buy data from data brokers outside of the platform, correct?

Mr. Zuckerberg. Congresswoman, we just announced 2 weeks ago that we were going to stop interacting with data brokers, even though that is an industry norm to make it so that the advertising can be more relevant --

Ms. Castor. But I think, in the end, I think what -- see, it is practically impossible these days to remain untracked in America, for all the benefits Facebook has brought and the internet. And that is not part of the bargain.

And current laws have not evolved, and the Congress has not adopted laws to address digital surveillance. And Congress should act. And I do not believe that the controls, the opaque agreement, consent agreements -- the settings are an adequate substitute for fundamental privacy protections for consumers.

Now --

The Chairman. The gentlelady's time --

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Ms. Castor. Thank you. I will yield back my time --

The Chairman. The gentlelady --

Ms. Castor. -- and let that stand. And I would like to ask unanimous consent that I put my constituents' questions in the record for --

The Chairman. Without objection.

Ms. Castor. Thank you.

[The information follows:]

***** COMMITTEE INSERT *****

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The Chairman. The chair now recognizes the gentleman from Kentucky, Mr. Guthrie, for 4 minutes.

Mr. Guthrie. Thank you, Mr. Chairman.

Thanks for being here.

When I first got into public office, the internet was really kicking off, and I had a lot of people complain about ads, just the inconvenience of ads, trying to get through in the cumbersome in the internet.

I remember telling someone one time -- being from Kentucky, a basketball fan, I said, there is nothing I hate worse than the 4-minute timeout, the TV timeout. It ruins the flow of the game and everything. But because of the 4-minute timeout, I get to watch the game for free. So that is something I am willing to accept to watch for free.

What you are not really willing to accept is that your data is just out there and that it is being used but it is being used in the right way.

And it is funny, because I was going to ask this question anyway. I was planning a family trip to Florida, and I searched a town in Florida, and all of a sudden I started getting ads for a brand of hotel that I typically stay in, at a great hotel, at the price available to the public, because it was on the internet, that I was willing to pay and stay there. And so I thought it was actually convenient. Instead

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of getting just an ad to someplace I will never go, I got an ad specifically to a place I was looking to go, so I thought that was convenient.

And it wasn't Facebook, although my wife used Facebook to message my mother-in-law this weekend for where we are meeting up. So it is very valuable that we get to do that for free because your business model relies on consumer-driven data. This wasn't Facebook; it was a search engine, but they used consumer-driven data to target an ad to me.

So you are not unique in Silicon Valley or in this internet world in doing this type of targeted ads, are you?

Mr. Zuckerberg. No, Congressman. You are right. Ad-based business models have been a common way that people have been able to offer free services for a long time. And our social mission of trying to help connect everyone in the world relies on having a service that can be affordable for everyone, that everyone can use. And that is why the ads business model is in service of the social mission we have. And, you know, I think sometimes that gets lost, but I think that that is a really important point.

Mr. Guthrie. But you are different, in that, instead of getting just -- when I am watching the Hilltoppers on basketball, the person advertising to me doesn't know anything about me. I am just watching

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the ad. So there is no data, no agreement, and no risk, I guess, there. But with you, there is consumer-driven data.

But if we were to greatly reduce or stop -- or just greatly reduce through legislation the use of consumer-driven data for targeting ads, what do you think that would do to the internet? And when I say "internet," I mean everything, not just Facebook.

Mr. Zuckerberg. Well, Congressman, it would make the ads less relevant. So --

Mr. Guthrie. If you had less revenue, what would that do to --

Mr. Zuckerberg. And, yeah, it would reduce -- it would have a number of effects.

For people using the services, it would make the ads less relevant to them. For businesses, like the small businesses that use advertising, it would make advertising more expensive, because now they would have to pay more to reach more people and efficiently, because targeting helps small businesses be able to afford and reach people as effectively as big companies have typically had the ability to do for a long time.

It would affect our revenue some amount too, but I think there are a couple of points here that are lost. One is that we already give people the control to not use that data and ads if they want. Most people don't do that. I think part of the reason for that is that people

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get that if they are going to see ads that they want them to be relevant.

But the other thing is that a lot of what makes the ads work or what makes the business good is just that people are very engaged with Facebook. We have more than a billion people who spend almost an hour a day across all our services.

Mr. Guthrie. Okay. I have 30 seconds. So I appreciate the answer to that. But if -- so I didn't opt out and so forth, and all of a sudden I say, this just doesn't work for me, so I want to delete -- you told Congressman Rush that you could delete. What happens to the data? I have already -- it is there, it has been used, Cambridge Analytica may have it. So what happens when I say, Facebook, take my data off your platform?

Mr. Zuckerberg. If you delete your account, we immediately make it so that your account is no longer available once you are done deleting it, so no one can find you on the service. We wouldn't be able to recreate your account from that.

We do have data centers and systems that are redundant, and we have backups in case something bad happens. And over a number of days, we will go through and make sure that we flush all the content out of the system.

But as soon as you delete your account, effectively, that content is dismantled, and we wouldn't be able to put your account back together

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if we wanted to.

The Chairman. The gentleman's time has expired.

Mr. Guthrie. Well, thank you. My time has expired. I appreciate it.

The Chairman. I recognize the gentleman from Maryland, Mr. Sarbanes, for 4 minutes.

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RPTR ZAMORA

EDTR SECKMAN

[12:12 p.m.]

Mr. Sarbanes. Thank you, Mr. Chairman.

Good morning, Mr. Zuckerberg.

I wanted to get something on the record quickly before I move to some questions. You had suggested in your testimony over the last couple days that Facebook notified the Trump and Clinton campaigns of Russian attempts to hack into those campaigns. But representatives of both campaigns in the last 24 hours have said that didn't happen. So we are going to need to follow up on that and find out what the real story is, but --

Mr. Zuckerberg. Do you want me to --

Mr. Sarbanes. No. I would like to move on. You can provide a response to that in writing, if you would.

Let me ask you: Is it true that Facebook offered to provide what I guess you referred to as dedicated campaign embeds to both of the Presidential campaigns?

Mr. Zuckerberg. Congressman, I can quickly respond to the first point too.

Mr. Sarbanes. Just say yes or no. Were there embeds in the two

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campaigns? Were offers of embeds --

Mr. Zuckerberg. Congressman, we --

Mr. Sarbanes. Yes or no. Were there embeds offered to the Trump campaign and the Clinton campaign?

Mr. Zuckerberg. We offer sales support to every campaign.

Mr. Sarbanes. Okay. So sales support. I am going to refer to that as embeds. And I gather that Mr. Trump's campaign ultimately accepted that offer. Is that correct? Yes or no.

Mr. Zuckerberg. Congressman, the Trump campaign had sales support, and the Clinton campaign had sales support too.

Mr. Sarbanes. Okay. So they had embeds. I am going to refer to those as embeds. What I would like for you to do, if you could -- we are not going to have time for you to do this now -- but if you could provide to the committee both the initial offer terms and then any subsequent offer terms that were presented to each candidate in terms of what the embed services would be, that would be very helpful.

Do you know how many ads were approved for display on Facebook for each of the Presidential candidates by Facebook?

Mr. Zuckerberg. Congressman, I do not, sitting here, off the top of my head, but --

Mr. Sarbanes. Okay. Let me tell you what they were, because I do. President Trump's campaign had an estimated 5.9 million ads

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approved; and Secretary Clinton, 66,000 ads. So that is a delta of about 90 times as much on the Trump campaign, which raises some questions about whether the ad approval processes were maybe not processed correctly or inappropriately bypassed in the final months and weeks of the election by the Trump campaign.

And what I am worried about is that the embeds may have helped to facilitate that. Can you say with absolute certainty that Facebook or any of the Facebook employees working as campaign embeds did not grant any special approval rights to the Trump campaign to allow them to upload a very large number of Facebook ads in that final stretch?

Mr. Zuckerberg. Congressman, we apply the same standard to all campaigns.

Mr. Sarbanes. Can you say that there were not special approval rights granted? Is that what you are saying? There were not special approval rights granted by any of the embeds or support folks, as you call them, in that Trump campaign?

Mr. Zuckerberg. Congressman --

Mr. Sarbanes. Yes or no.

Mr. Zuckerberg. Yes. What I am saying is that --

Mr. Sarbanes. If you are saying yes, then I will take you at your word.

The reason this is important and the reason we need to get to the

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bottom of it is because it could be a serious problem if these kinds of services were provided beyond what is offered in the normal course, because that could result in violation of campaign finance law because it would be construed as an in-kind contribution, corporate contribution from Facebook beyond what the sort of ad buy opportunity would typically provide.

The reason I am asking you these questions is because I am worried that that embed program has the potential to become a tool for Facebook to solicit favor from policymakers, and that then creates the potential for real conflict of interest.

And I think a lot of Americans are waking up to the fact that Facebook is becoming sort of a self-regulated super structure for political discourse. And the question is, are we the people going to regulate our political dialogue, or are you, Mark Zuckerberg, going to end up regulating the political discourse? So we need to be free of that undue influence.

I thank you for being here, and I yield back.

The Chairman. The gentleman's time has expired.

The chair recognizes the gentleman from Texas, Mr. Olson, for 4 minutes.

Mr. Zuckerberg. Mr. Chairman, do you mind for the record if I just answer the first point for -- take 10 seconds.

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The Chairman. That is fine. Go ahead.

Mr. Zuckerberg. When I was referring to the campaigns yesterday I meant the DNC and RNC. So I may have misspoken and maybe technically that is called the committees, but those were the folks who I was referring to.

The Chairman. Thank you for that clarification.

We will now go to Mr. Olson from Texas for 4 minutes.

Mr. Olson. I thank the chair.

Mr. Zuckerberg, I know we both wish we had met under a different set of circumstances. When the story broke, you were quoted as saying, "I started Facebook. I run it. I am responsible for what happens here," end quote. You said those same words in your opening statement about an hour and a half ago.

I know you believe that in your heart. It is not just some talking points or canned speech. Because of my 4 years -- I am sorry -- 9 years in the Navy, I know the best commanding officers, the best skippers, the best CEOs have that exact same attitude.

If Facebook was a Navy ship, your privacy has taken a direct hit. Your trust is severely damaged. You are taking on water, and your future may be a fine with a number, per The Washington Post, with four commas in it. Today, over a billion dollars in fines come your way. As you know, you have to reinforce your words with actions.

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I have a few questions about some anomalies that have happened in the past. First of all, back in 2012, apparently Facebook did the experiment on 689,003 Facebook users: You reduced positive posts from users' friends and limited so-called downer posts from other friends so they see the positive information from one group; and the other group, negative information. The goal was to see how the tone of these posts would affect behavior. I look at this Forbes article, The LA Times about illegal human experimentation without permission. I want to talk about that.

But it seems that this is disconnecting people in stark contrast to your mission to connect people. Explain to us how you guys thought this idea was a good idea, experimenting with people, giving them more negative information, positive information.

Mr. Zuckerberg. Well, Congressman, I view our responsibility as not just building services that people like to use but making sure that those services are also good for people and good for society overall.

At the time, there were a number of questions about whether people seeing content that was either positive or negative on social networks was affecting their mood. And we felt like we had a responsibility to understand whether that was the case because we don't want to have that effect, right.

We don't want it to have it so that -- we want use in social media

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and our products to be good for people's well-being. We continually make changes to that effect. Including just recently, this year, we did a number of research projects that showed that when social media is used for building relationships. So when you are interacting with people, it is associated with a lot of positive effects of well-being that you would expect: It makes you feel more connected, less lonely. It correlates with long-term measures of happiness and health.

Whereas, if you are using social media or the internet just to passively consume content, then that doesn't have those same positive effects or can even be negative. So we have tried to shift the product more towards helping people interact with friends and family as a result of that. So that is the kind of -- an example of the kind of work that we do.

Mr. Olson. One last question. I believe I have heard you employ 27,000 people thereabouts. Is that correct?

Mr. Zuckerberg. Yes.

Mr. Olson. I have also been told that about 20,000 of those people, including contractors, do work on data security. Is that correct?

Mr. Zuckerberg. Yes. The 27,000 number is full-time employees, and the security and content review includes contractors, of which there are tens of thousands or will be by the time that --

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Mr. Olson. Okay. So roughly at least half your employees are dedicated to security practices. How can Cambridge Analytica happen with so much of your workforce dedicated to these causes? How did that happen?

Mr. Zuckerberg. Well, Congressman, the issue with Cambridge Analytica and Aleksandr Kogan happened before we ramped those programs up dramatically. But one thing that I think is important to understand overall is just the sheer volume of content on Facebook makes it that we can't -- no amount of people that we can hire will be enough to review all of the content.

We need to rely on and build sophisticated AI tools that can help us flag certain content, and we are getting good in certain areas. One of the areas that I mentioned earlier was terrorist content, for example, where we now have AI systems that can identify and take down 99 percent of the al-Qaida and ISIS-related content in our system before someone, a human, even flags it to us. I think we need to do more of that.

The Chairman. The gentleman's time has expired.

The chair recognizes the gentleman from California, Mr. McNerney, for 4 minutes.

Mr. McNerney. I thank the chairman.

Mr. Zuckerberg, I thank you for agreeing to testify before the

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House and Senate committees. I know it is a long and grueling process, and I appreciate your cooperation.

I am a mathematician that spent 20 years in industry and government developing technology including algorithms. Moreover, my constituents are impacted by these issues, so I am deeply committed and invested here. I am going to follow up on an earlier question.

Is there currently a place that I can download all of the Facebook information about me, including the websites that I have visited?

Mr. Zuckerberg. Yes, Congressman. We have a Download Your Information tool. We have had it for years. You can go to it in your settings and download all of the content that you have on Facebook.

Mr. McNerney. Well, my staff, just this morning, downloaded their information, and their browsing history is not in there. So are you saying that Facebook does not have browsing history?

Mr. Zuckerberg. Congressman, that would be correct. If we don't have content in there, then that means that you don't have it on Facebook or you haven't put it there.

Mr. McNerney. So I am not quite on board with this. Is there any other information that Facebook has obtained about me, whether Facebook collected it or obtained it from a third party, that would not be included in the download?

Mr. Zuckerberg. Congressman, my understanding is that all of

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your information is included in Download Your Information.

Mr. McNerney. Okay. I am going to follow up with this afterwards.

Mr. Zuckerberg, you indicated that the European users have these GDR protections on May 25 and American users will have those similar protections. When will the American users have those protections?

Mr. Zuckerberg. Congressman, we are working on doing that as quickly as possible. I don't have the exact date yet.

Mr. McNerney. So it will not be on May 25?

Mr. Zuckerberg. We are working on it.

Mr. McNerney. Thank you.

Your company and many companies with an online presence have a staggering amount of personal information. The customer is not really in the driver's seat about how their information is used or monetized. The data collectors are in the driver's seat.

Today, Facebook is governed by weak Federal privacy protections. I have introduced legislation that would help address these issues. They MY DATA Act would give the FTC rulemaking authority to provide consumers with strong data, privacy, and security protections. Without this kind of legislation, how can we be sure that Facebook won't continue to be careless with users' information?

Mr. Zuckerberg. Well, Congressman, let me first just set aside

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that my position isn't that there should be no regulation.

Mr. McNerney. Correct.

Mr. Zuckerberg. But regardless of what the laws are that are in place, we have a very strong incentive to protect people's information. This is the core thing that Facebook is, is, about 100 billion times a day, people come to our service to share a photo or share a message or --

Mr. McNerney. I hear you saying this, but the history isn't there. So I think we need to make sure that there are regulations in place to give you the proper motivation to stay in line with data protection.

One of the problems here, in my mind, is that Facebook's history, the privacy -- user privacy and security have not been given as high priority as corporate growth, and you have admitted as much. Is Facebook considering changing its management structure to ensure that privacy and security have sufficient priority to prevent these problems in the future?

Mr. Zuckerberg. Congressman, this is an incredibly high priority for us. When I was saying before that the core use of the product every day, about 100 billion times, is that people come and try to share something with a specific set of people, that works because people have confidence that, if they send a message, it is going to

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go to the person that they want. If they want to share a photo with their friends, it is going to go to the people who they want. That is incredibly important. We have built a robust privacy program. We have a chief privacy officer --

Mr. McNerney. That is a little bit off track from what I am trying to get at. The privacy protections clearly failed in a couple of cases that are high profile right now. And part of the blame that seems to be out there is that the management structure for privacy and security don't have the right level of a profile in Facebook to get your attention to make sure that they get the proper resources.

The Chairman. The gentleman's time has expired.

The chair recognizes the gentleman from West Virginia, Mr. McKinley, for 4 minutes.

Mr. McKinley. Thank you for coming, Mr. Zuckerberg.

I have got a yes-or-no question, if you could give that. Should Facebook enable illegal online pharmacies to sell drugs such as oxycodone, Percocet, Vicodin without prescription?

Mr. Zuckerberg. Congressman, I believe that is against our policies.

Mr. McKinley. Yes or no, do you think you should be able to do that?

Mr. Zuckerberg. No, of course not.

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Mr. McKinley. And there are 35,000 online pharmacies operating, and according to the FDA, they think there may be 96 percent of them are operating illegally. And on November of last year, CNBC had an article say that you were surprised by the breadth of this opioid crisis.

And, as you can see from these photographs, opioids are still available on your site, that they are without a prescription on your site. So it contradicts just what you just said just a minute ago.

And it went on last week. FDA Commissioner Scott Gottlieb, has testified before our office, said that the internet firms simply aren't taking practical steps to fine and remove these illegal opioid listings, and he specifically mentioned Facebook. Are you aware of that, his quote?

Mr. Zuckerberg. Congressman --

Mr. McKinley. Yes or no.

Mr. Zuckerberg. -- I am not specifically aware of his quote, but I heard that he said something. And let me just speak to this for a second, because --

Mr. McKinley. If I could -- no. We don't -- so, in your opening statement -- and I appreciated your remark -- you said it is not enough to give people a voice; we have to make sure that people aren't using it, Facebook, to hurt people.

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Now, America is in the midst of one of the worst epidemics that it has ever experienced with its drug epidemic. And it is all across this country, not just in West Virginia. But your platform is still being used to circumvent the law and allow people to buy highly addictive drugs without a prescription.

With all due respect, Facebook is actually enabling an illegal activity, and in so doing, you are hurting people. Would you agree with that statement?

Mr. Zuckerberg. Congressman, I think that there are a number of areas of content that we need to do a better job policing on our service. Today, the primary way that content regulation works here -- and review -- is that people can share what they want openly on the service, and then, if someone sees an issue, they can flag it to us, and then we will review it.

Over time, we are shifting to a mode --

Mr. McKinley. You can find out, Mr. Zuckerberg. You know which pharmacies are operating legally and illegally, but you are still continuing to take that -- allow that to be posted on Facebook and allow people to get -- this scourge, this ravage in this country is being enabled because of Facebook.

So my question to you as we close on this: You have said before you were going to take down those ads, but you didn't do it. We have

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got statement after statement about things, you are going to take those down within days, and they haven't gone down. That, what I just put up, was just from yesterday. It is still up.

So my question to you is, when are you going to stop -- take down these posts that are done with illegal digital pharmacies? When are you going to take them down?

Mr. Zuckerberg. Congressman, right now, when people report the posts to us, we will take them down and have people review them.

Mr. McKinley. Why do they have to -- if you have got all these 20,000 people, you know that they are up there. Where is your requirement -- where is your accountability to allow this to be occurring, this ravage in this country?

Mr. Zuckerberg. Congressman, I agree that this is a terrible issue. And, respectfully, when there are tens of billions or 100 billion pieces of content that are shared every day, even 20,000 people reviewing it can't look at everything. What we need to do is build more AI tools that can proactively find that content.

Mr. McKinley. You have said before you were going to take them down, and you haven't.

The Chairman. The gentleman's time has expired.

The chair recognizes the gentleman from Vermont, Mr. Welch, for 4 minutes.

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Mr. Welch. Thank you, Mr. Chairman.

Mr. Zuckerberg, you acknowledged candidly that Facebook made a mistake. You did an analysis of how it happened. You promised action. We are at the point where the action will speak much louder than the words.

But, Mr. Chairman, this Congress has made a mistake. This event that happened, whether it was Facebook or some other platform, was foreseeable and inevitable, and we did nothing about it.

Congresswoman Blackburn and I had a group, a privacy working group, six meetings with many of the industry players. There was an acknowledgment on both sides that privacy was not being protected, that there was no reasonable safeguard for Americans' privacy. But there was an inability to come to a conclusion.

So we also have an obligation. And in an effort to move forward, Mr. Zuckerberg, I have framed some questions that hopefully will allow a reasonable yes or no answer to see if there is some common ground to achieve the goal you assert you have, and we certainly have, the obligation to protect the privacy of American consumers.

First, do you believe that consumers have a right to know and control what personal data companies collect from them?

Mr. Zuckerberg. Yes.

Mr. Welch. Do you believe that consumers have a right to control

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how and with whom their personal information is shared with third parties?

Mr. Zuckerberg. Congressman, yes, of course.

Mr. Welch. And do you believe that consumers have a right to secure and responsible handling of their personal data?

Mr. Zuckerberg. Yes, Congressman.

Mr. Welch. And do you believe that consumers should be able to easily place limits on the personal data that companies collect and retain?

Mr. Zuckerberg. Congressman, that seems like a reasonable principle to me.

Mr. Welch. Okay. And do you believe that consumers should be able to correct or delete inaccurate personal data that companies have obtained?

Mr. Zuckerberg. Congressman, that one might be more interesting to debate because it depends --

Mr. Welch. Well, then you get back to us with specifics on that. I think they do have that right.

Do you believe that consumers should be able to have their data deleted immediately from Facebook when they stop using the service?

Mr. Zuckerberg. Yes, Congressman, and they have that ability.

Mr. Welch. Good.

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And do you believe that the Federal Trade Commission or another properly resourced governmental agency with rulemaking authority should be able to determine on a regular basis what is considered personal information to provide certainty for consumers and companies what information needs to be protected most tightly?

Mr. Zuckerberg. Congressman, I certainly think that that is an area where we should discuss some sort of oversight.

Mr. Welch. There is not a big discussion here. Who gets the final say? Is it the private market, companies like yours, or is there a governmental function here that defines what privacy is?

Mr. Zuckerberg. Congressman, I think that is -- this is an area where some regulation makes sense. You proposed a very specific thing, and I think the details matter.

Mr. Welch. All right. Let me ask you this -- I have appreciated your testimony -- will you work this committee to help put us -- to help the U.S. put in place our own privacy regulation that prioritizes consumers' right to privacy just as the EU has done?

Mr. Zuckerberg. Congressman, yes, I will make sure that we work with you to flesh this out.

Mr. Welch. All right. And you have indicated that Facebook has not always protected the privacy of their users throughout the company's history. And it seems, though, from your answers, that

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consumers -- you agree that consumers do have a fundamental right to privacy that empowers them to control the collection, the use, the sharing of their personal information online. And thank you.

Mr. Chairman, privacy cannot be based just on company policies. Whether it is Facebook or any other company, there has to be a willingness on the part of this Congress to step up and provide policy protection to the privacy rights of every American consumer.

I yield back.

The Chairman. The gentleman yields back.

The chair recognizes the gentleman from Illinois, Mr. Kinzinger, for 4 minutes.

Mr. Kinzinger. Thank you, Mr. Chairman.

Mr. Zuckerberg, thank you for being here.

Given the global reach of Facebook, I would like to know about the company's policies and practices with respect to information sharing with foreign governments, if you don't mind. What personal data does Facebook make available from Facebook, Instagram, WhatsApp, to Russian state agencies, including intel and security agencies?

Mr. Zuckerberg. Congressman, in general, the way we approach data and law enforcement is if we have knowledge of imminent harm, physical harm that might happen to someone, we try to reach out to local law enforcement in order to help prevent that.

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I think that that is less built out around the world. It is more built out in the U.S. So, for example, on that example, we build out specific programs in the U.S. We have 3,000 people that are focused on making sure that if we detect that someone is at risk of harming themselves, we can get them the appropriate help.

Mr. Kinzinger. What about Russian intel agencies?

Mr. Zuckerberg. The second category of information is when there is a valid legal process served to us. In general, if a government puts something out that is overly broad, we are going to fight back on it. We view our duty as protecting people's information, but if there is valid service, especially in the U.S., we will, of course, work with law enforcement. In general, we are not in the business of providing a lot of information to the Russian Government.

Mr. Kinzinger. Do you know, is this data only from accounts located in or operated from these individual countries, or does it include Facebook's global data?

Mr. Zuckerberg. Sorry. Can you repeat that?

Mr. Kinzinger. Yeah. Is the data only from the accounts located in or operated from those countries in terms of Russia or anything, or does it include Facebook's global data?

Mr. Zuckerberg. Well, Congressman, in general, countries do not have jurisdiction to have any valid legal reason to request data of

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someone outside of their country. But --

Mr. Kinzinger. Where is it stored? I mean, do they have access to data --

Mr. Zuckerberg. Oh, we don't store any data on Russia.

Mr. Kinzinger. Okay. So it is the global data?

Mr. Zuckerberg. Yeah.

Mr. Kinzinger. So let me just ask, you mentioned a few times that we are in an arms race with Russia, but is it one-sided if Facebook as an American-based company is giving the opposition everything it needs in terms of where it is storing its data?

Mr. Zuckerberg. Sorry, Congressman, could you repeat that?

Mr. Kinzinger. So you mentioned a few times that we are in an arms race with Russia.

Mr. Zuckerberg. Yes.

Mr. Kinzinger. If you are giving Russian intelligence service agencies potentially, even on a valid request, access to global data that is not in Russia, is that kind of a disadvantage to us and an advantage to them?

Mr. Zuckerberg. Congressman, let me be more precise in my testimony.

Mr. Kinzinger. Sure. Yeah, please.

Mr. Zuckerberg. I have no specific knowledge of any data that

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we have ever given to Russia. In general, we will work with valid law enforcement requests in different countries, and we can get back to you on what that might mean with Russia specifically. But I have no knowledge sitting here of any time that we would have given them information.

Mr. Kinzinger. Okay. That would with great.

Now, I have got another unique one I want to bring up. So I was just today -- and I am not saying this as a woe-is-me, but I think this happens to a lot of people. There have been -- my pictures have been stolen and used in fake accounts all around, and in many cases people have been extorted for money. We report it when we can, but we are in a tail chase.

In fact, today I just Googled -- or I just put on your website "Andrew Kinzinger," and he looks a lot like me. But it says he is from London and lives in L.A. and went to Locke High School, which isn't anything like me at all. These accounts pop up a lot, and, again, it is using my pictures but extorting people for money. And we hear about it from people that call and say, "Hey, I was duped," or whatever.

I know you can't control everything. I mean, you have a huge platform and -- but can you talk about maybe some movements into the future to try to prevent that in terms of maybe recognizing somebody's picture and if it is fake?

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Mr. Zuckerberg. Yes, Congressman. This is an important issue. Fake accounts overall are a big issue because that is how a lot of the other issues that we see around fake news and foreign election interference are happening as well.

So, long term, the solution here is to build more AI tools that find patterns of people using the services that no real person would do. And we have been able to do that in order to take down tens of thousands of accounts, especially related to election interference leading up to the French election, the German election, and last year the U.S. Alabama Senate State election, Senate election -- special election. And that is an area where we should be able to extend that work and develop more AI tools that can do this more broadly.

Mr. Kinzinger. Okay. Thank you.

The Chairman. The gentleman's time has expired.

The chair recognizes the gentleman from New Mexico, Mr. Lujan, for 4 minutes.

Mr. Lujan. Thank you, Mr. Chairman.

And I want to pick up where Mr. Kinzinger dropped off here.

Mr. Zuckerberg, Facebook recently announced that a search feature allowed malicious actors to scrape data on virtually all of Facebook's 2 billion users. Yes or no, in 2013, Brandon Copley, the CEO of Giftnix, demonstrated that this feature could easily be used

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to gather information at scale?

Well, the answer to that question is yes.

Yes or no, this issue of scraping data was again raised in 2015 by a cybersecurity researcher, correct?

Mr. Zuckerberg. Congressman, I am not specifically familiar with that. The feature that we identified -- I think it was a few weeks ago or a couple weeks ago at this point -- was a search feature that allowed people to look up some information that people had publicly shared on their profile, so names, profile pictures, public information.

Mr. Lujan. If a may, Mr. Zuckerberg, I will recognize that Facebook did turn this feature off.

My question, and the reason I am asking about 2013 and 2015 is Facebook knew about this in 2013 and 2015, which it didn't turn the feature off until Wednesday of last week, the same feature that Mr. Kinzinger just talked about where this is essentially a tool for these malicious actors to go and steal someone's identity and put the finishing touches on it.

So, again, you know, one of your mentors, Roger McNamee recently said your business is based on trust, and you are losing trust. This is a trust question. Why did it take so long, especially when we are talking about some of the other pieces that we need to get to the bottom

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of? Your failure to act on this issue has made billions of people potentially vulnerable to identity theft and other types of harmful malicious actors.

So, onto another subject, Facebook has detailed profiles on people who have never signed up for Facebook, yes or no?

Mr. Zuckerberg. Congressman, in general, we collect data from people who have not signed up for Facebook for security purposes to prevent the kind of scraping that you were just referring to.

Mr. Lujan. So these are called shadow profiles? Is that what they have been referred to by some?

Mr. Zuckerberg. Congressman, I am not familiar with that.

Mr. Lujan. I will refer to them as shadow profiles for today's hearing.

On average, how many data points does Facebook have on each Facebook user?

Mr. Zuckerberg. I do not know off the top of my head.

Mr. Lujan. So the average for non-Facebook platforms is 1,500. It has been reported that Facebook has as many as 29,000 data points for an average Facebook user. Do you know how many points of data that Facebook has on the average non-Facebook user?

Mr. Zuckerberg. Congressman, I do not off the top of my head, but I can have our team get back to you afterwards.

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Mr. Lujan. I appreciate that.

It has been admitted by Facebook that you do collect data points on non-average users. So my question is, can someone who does not have a Facebook account opt out of Facebook's involuntary data collection?

Mr. Zuckerberg. Congressman, anyone can turn off and opt out of any data collection for ads, whether they use our services or not. But in order to prevent people from scraping public information, which, again, the search feature that you brought up only showed public information, people's names and profiles and things that they had made public, but nonetheless, we don't want people aggregating even public information --

Mr. Lujan. -- but so we --

Mr. Zuckerberg. So we need to know when someone is trying to repeatedly access our services.

Mr. Lujan. If I may, Mr. Zuckerberg, because I am about out of time. It may surprise you that we have not talked about this a lot today. You have said everyone controls their data, but you are collecting data on people that are not even Facebook users, that have never signed a consent, a privacy agreement, and you are collecting their data.

And it may surprise you that, on Facebook's page, when you go to "I don't have a Facebook account and would like to request all my

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personal data stored by Facebook," it takes you to a form that says, "Go to your Facebook page, and then, on your account settings, you can download your data." So you are directing people that don't even have a Facebook page to have to sign up for a page to erase their data. We have got to fix that.

The last question that I have is, have you disclosed to this committee or to anyone all information Facebook has uncovered about Russian interference on your platform?

Mr. Zuckerberg. Congressman, we are working with the right authorities on that, and I am happy to answer specific questions here as well.

The Chairman. The gentleman's time has expired.

Mr. Lujan. Thank you, Mr. Chairman.

The Chairman. The chair now recognizes the gentleman from Virginia, Mr. Griffith, for 4 minutes.

Mr. Griffith. Thank you, Mr. Chairman.

I appreciate you being here.

Let me state upfront that I share the privacy concerns that you have heard from a lot of us, and I appreciate your statements and willingness to, you know, help us figure out a solution that is good for the American people. So I appreciate that.

Secondly, I have to say that it is my understanding that yesterday

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Senator Shelley Moore Capito, my friend in my neighboring State of West Virginia, asked you about Facebook's plans with rural broadband, and you agreed to share that information with her at some point in time, get her up to date and up to speed. I was excited to hear that you were excited about that and passionate about it.

My district is very similar to West Virginia as it borders it and we have a lot of rural areas. Can you also agree, yes or no, to update me on that when the information is available?

Mr. Zuckerberg. Yes, Congressman. We will certainly follow up with you on this. Part of the mission of connecting everyone around the world means that everyone needs to be able to be on the internet.

And, unfortunately, too much of the internet infrastructure today is too expensive for the current business models of carriers to support a lot of rural communities with the quality of service that they deserve.

So we are building a number of specific technologies from, you know, planes that can beam down internet access to repeaters and mesh networks to make it so that all these communities can be served, and we would be happy to follow up with you on this to --

Mr. Griffith. I appreciate that. And we have got a lot of drone activity going on in our district, whether it is University of Virginia at Wise or Virginia Tech. So we would be happy to help out there too.

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Let me switch gears. You talked about trying to ferret out misinformation, and the question becomes who decides what is misinformation. So, when some of my political opponents put on the Facebook that, you know, they think Morgan Griffith is a bum, I think that is misinformation. What say you?

Mr. Zuckerberg. Congressman, without weighing in on that specific piece of content, let me outline the way that we approach fighting fake news in general. There are three categories of fake news that we fight: One are basically spammers. They are economic actors like the Macedonian trolls that I think we have all heard about, basically folks who don't have an ideological goal. They are just trying to write the most sensational thing they can in order to get people to click on it so they can make money on ads. It is all economics.

So the way to fight that is we make it so they can't run our ads; they can't make money. We make it so that we can detect what they are doing and show it less in news feeds so they can make less money. When they stop making money, they just go and do something else, because they are economically inclined.

The second category are basically state actors, right, so what we found with Russian interference, and those people are setting up fake accounts. So, for that, we need to build AI systems that can go

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and identify a number of their fake account networks.

And just last week, we traced back the Russian activity to a specific fake account network that Russia had in Russia to influence Russian culture and other Russian-speaking countries around them. And we took down a number of their fake accounts and pages, including a news organization that was sanctioned by Russian -- by the Russian Government as a Russian state news organization.

So that is a pretty big action, but removing fake accounts is the other way that we can stop the spread of false information.

Mr. Griffith. And I appreciate that. My time is running out. I do want to point this out though as part of that, you know, who is going to decide what is misinformation. We have heard about the Catholic University and the cross. We have heard about a candidate. We have heard about the conservative ladies. A firearms shop, lawful, in my district, had a similar problem. It has also been corrected.

And so I wonder if the industry has thought about -- not only are we looking at it, but has the industry thought about doing something like underwriters laboratories, which was set up when electricity was new to determine whether or not the devices were safe?

Have you all thought about doing something like that so it is not Facebook alone but the industry saying, "Wait a minute, this is probably misinformation," and setting up guidelines that everybody can agree

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are fair?

Mr. Zuckerberg. Yes, Congressman. That is actually the third category that I was going to get to next after economic spammers and state actors with fake accounts. One of the things that we are doing is working with a number of third parties who -- so, if people flag things as false news or incorrect, we run them by third-party fact checkers who are all accredited by this Pointer Institute of Journalism. There are firms of all leanings around this who do this work, and that is an important part of the effort.

The Chairman. The gentleman's time has expired.

Mr. Griffith. I yield back.

The Chairman. The chair now recognizes the gentleman from New York, Mr. Tonko, for 4 minutes.

Mr. Tonko. Thank you.

Mr. Zuckerberg, I want to follow up on a question asked by Mr. McNerney when he talked about visiting websites and the fact that Facebook can track you. And as you visit those websites, you can have that deleted. I am informed that there is not a way to do that, or are you telling us that you are announcing a new policy?

Mr. Zuckerberg. Congressman, my understanding is that if we have information from you visiting other places, then you have a way of getting access to that and deleting it and making sure that we don't

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store it anymore.

In the specific question that the other Congressman asked, I think it is possible that we just didn't have the information that he was asking about in the first place, and that is why it wasn't there.

Mr. Tonko. Well, 3 billion user accounts were breached at Yahoo in 2013; 145 million at eBay in 2014; 143 million at Equifax in 2017; 78 million at Anthem in 2015; 76 million at JPMorgan Chase in 2014. The list goes on and on.

The security of all that private data is gone, likely sold many times over to the highest bidder on the dark web. We live in an information age. Data breaches and privacy hacks are not a question of if; they are a question of when.

The case with Facebook is slightly different. The 87 million accounts extracted by Cambridge Analytica are just the beginning, with likely dozens of other third parties that have accessed this information. As far as we know, the dam is still broken.

As you have noted, Mr. Zuckerberg, Facebook's business model is based on capitalizing on the private personal information of your users. Data security should be a central pillar of this model.

And with your latest vast breach of privacy and the widespread political manipulation that followed it, the question this committee must ask itself is what role the Federal Government should play in

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protecting the American people and the democratic institutions that your platform and others like it have put at risk.

In this case, you gave permission to mine the data of some 87 million users based on the deceptive consent of just a fraction of that number. When they found out I was going to be speaking with you today, my constituents asked me to share some of their concerns in person.

How can they protect themselves on your platform? Why should they trust you again with their likes, their loves, their lives? Users trusted Facebook to prioritize user privacy and data security, and that trust has been shattered. I am encouraged that Facebook is committed to making changes, but I am indeed wary that you are only acting now out of concern for your brand and only making changes that should have been made a long time ago.

You have described this as an arms race, but every time we saw what precautions you have or, in most cases, have not taken your company is caught unprepared and ready to issue another apology. I am left wondering again why Congress should trust you again. We will be watching you closely to ensure that Facebook follows through on these commitments.

Many of my constituents have asked about your business model where users are the product. Mary of Halfmoon, in my district, called it

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infuriating. Andy of Schenectady, New York, asked, why doesn't Facebook pay its users for their incredibly valuable data. Facebook claims that users rightly own and control their data, yet their data keeps being exposed on your platform, and these breaches cause more and more harm each time.

You have said that Facebook was built to empower its users; instead, users are having their information abused with absolutely no recourse. In light of this harm, what liability should Facebook have? When users' data is mishandled, who is responsible, and what recourse do users have? Do you bear that liability?

Mr. Zuckerberg. Congressman, I think we are responsible for protecting people's information for sure. But one thing that you said that I want to provide some clarity on --

Mr. Tonko. Do you bear the liability?

Mr. Zuckerberg. Well, you said earlier, you referenced that you thought that we were only taking action after this came to light. Actually, we made significant changes to the platform in 2014 that would have made this incident with Cambridge Analytica impossible to happen again today.

I wish we had made those changes a couple of years earlier because this poll app got people to use it back in 2013 and 2014, and if we had made the changes a couple of years earlier, then we would have --

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The Chairman. The gentleman's time has expired.

The chair recognizes --

Mr. Tonko. Mr. Chairman, if I might ask that other questions that my constituents have be entered by unanimous consent.

The Chairman. Sure. Without objection, of course.

[The information follows:]

***** COMMITTEE INSERT *****

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The Chairman. That goes for all members.

The chair recognizes the gentleman from Florida, Mr. Bilirakis, for 4 minutes.

Mr. Bilirakis. Thank you. Thank you, Mr. Chairman. I appreciate it.

And thanks for your testimony, Mr. Zuckerberg.

Well, first of all, I wanted to follow up with Mr. McKinley's testimony. This is bad stuff, Mr. Zuckerberg, with regard to the illegal online pharmacies. When are those ads -- I mean, when are you going to take those off? I think we need an answer to that. I think they need to get -- we need to get these off as soon as possible.

Can you give us an answer, a clear answer as to when these pharmacies -- we have an epidemic here with regard to the opioids. I think we are owed a clear answer, a definitive answer as to when these ads will be offline.

Mr. Zuckerberg. Congressman, if people flag those ads for us, we will take them down now.

Mr. Bilirakis. Now?

Mr. Zuckerberg. Yes.

Mr. Bilirakis. By the end of the day?

Mr. Zuckerberg. If people flag them for us, we will look at them as quickly as we can.

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Mr. Bilirakis. Well, you have knowledge now, obviously.

Mr. Zuckerberg. Sorry?

Mr. Bilirakis. You have knowledge of those ads. Will you begin to take them down today?

Mr. Zuckerberg. The ads that are flagged for us we will review and take down if they violate our policies, which I believe the ones that you are talking about --

Mr. Bilirakis. They clearly do. If they are illegal, they clearly violate your policy.

Mr. Zuckerberg. Which they do. But what I think really needs to happen here is not just us reviewing content that gets flagged for us. We need to be able to build tools that can proactively go out and identify what might be these ads for opioids before people even have to flag them for us to review.

Mr. Bilirakis. I agree.

Mr. Zuckerberg. And that is going to be a longer term thing in order to build that solution. So but, today, if someone flags the ads for us, we will take them down.

Mr. Bilirakis. Work on those tools as soon as possible, please.

Okay. Next question. A constituent of mine in District 12 of Florida, Tampa Bay area, came to me recently with what was a clear violation of your privacy policy. In this case, a third-party

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organization publicly posted personal information about my constituent on his Facebook page.

This included his home address, voting record, degrading photos, and other information. In my opinion, this is cyberbullying. For weeks, my constituent tried reaching out to Facebook on multiple occasions through its report feature, but the offending content remained. It was only when my office got involved that the posts were removed almost immediately for violating Facebook policy.

How does Facebook's self-reporting policy work to prevent misuse, and why did it take an act of Congress, a Member of Congress, to get, again, a clear privacy violation removed from Facebook? If you can answer that question, I would appreciate it, please.

Mr. Zuckerberg. Congressman, that clearly sounds like a big issue and something that would violate our policies. I don't know have specific knowledge of that case, but what I imagine happened, given what you just said, is they reported it to us and one of the people who reviews content probably made an enforcement error. And then when you reached out, we probably looked at it again and realized that it violated the policies and took it down.

We have a number of steps that we need to take to improve the accuracy of our enforcement.

Mr. Bilirakis. Absolutely.

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Mr. Zuckerberg. That is a big issue, and we need to get to content faster, and we need to be able to do better at this. I think the same solution to the opioid question that you raised earlier of doing more with automated tools will lead to both faster response times and more accurate enforcement of the policies.

Mr. Bilirakis. Can you give us a timeline, as to when will this be done? I mean, this is very critical for -- I mean, listen, my family uses Facebook, my friends, my constituents. We all use Facebook. I use Facebook. It is wonderful for our seniors to connect with their relatives.

The Chairman. The gentleman's time has expired.

Mr. Bilirakis. Yeah. I am sorry. Can I submit for the record my additional questions?

The Chairman. Yes, sir.

Mr. Bilirakis. Thank you. Thank you so much.

The Chairman. The chair recognizes the gentlelady from New York, Ms. Clarke, for 4 minutes.

Ms. Clarke. I thank you, Mr. Chairman.

And thank you for coming before us, Mr. Zuckerberg, today.

I want to take the opportunity to represent the concerns of the newly formed Tech Accountability Caucus, in which I serve as a co-chair with my colleagues, Representative Robin Kelly, Congressman Emanuel

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Cleaver, and Congresswoman Bonnie Watson Coleman, but, most importantly, people in our country and around the globe or in vulnerable populations, including those who look just like me.

My first question to you is, as you may be aware, there have been numerous media reports about how more than 3,000 Russian ads were bought on Facebook to incite racial and religious division and chaos in the U.S. during the 2016 election.

Those ads specifically characterized and weaponized African American groups like Black Lives Matter, in which ads suggested through propaganda or fake news, as people call it these days, that they were a rising threat.

Do you think that the lack of diversity, culturally competent personnel in your C-Suite and throughout your organization, in which your company did not detect or disrupt and investigate these claims, are a problem in this regard?

Mr. Zuckerberg. Congresswoman, I agree that we need to work on diversity. In this specific case, I don't think that that was the issue because we were, frankly, slow to identifying the whole Russian misinformation operation and not just that specific example.

Going forward, we are going to address this by verifying the identity of every single advertiser who is running political or issue-oriented ads to make it so that foreign actors or people trying

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to spoof their identity or say that they are someone that they are not cannot run political ads or run large pages of the type that you are talking about.

Ms. Clarke. So, whether they were Russian or not, when you have propaganda, how are you addressing that? Because this was extremely harmful during the last election cycle, and it can continue to be so in the upcoming elections and throughout the year, right?

I am concerned that there are not eyes that are culturally competent looking at these things and being able to see how this would impact on civil society. If everyone within the organization is monolithic, then you can miss these things very easily. And we have talked about diversity forever with your organization.

What can you say today when you look at how all of this operates that you can do immediately to make sure that we have the types of viewing or reviewing that can enable us to catch this in its tracks?

Mr. Zuckerberg. Congresswoman, we announced a change in how we are going to review ads and big pages so that now, going forward, we are going to verify the identity and location of every advertiser who is running political or issue ads or -- and the identities of anyone running --

Ms. Clarke. We would like you to get back to us with a timeline on that.

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Mr. Zuckerberg. Oh, that will be in place for these elections.

Ms. Clarke. Okay. Fabulous.

When Mr. Kogan sold the Facebook-based data that he acquired through the quiz app to Cambridge Analytica, did he violate Facebook's policies at the time?

Mr. Zuckerberg. Yes, Congresswoman.

Ms. Clarke. When the Obama campaign collected millions of Facebook users' data through their own app during the 2012 election, did it violate Facebook's policies at the time?

Mr. Zuckerberg. No, Congresswoman, it did not.

Ms. Clarke. I hope you understand that this distinction provides little comfort to those of us concerned about our privacy online.

Regardless of political party, Americans desperately need to be protected. Democrats on this committee have been calling for strong privacy and data security legislation for years. We really can't wait, Mr. Chairman. I yield back.

Thank you, Mr. Zuckerberg.

The Chairman. The gentlelady's time has expired.

The chair recognizes the gentleman from Ohio, Mr. Johnson, for 4 minutes.

Mr. Johnson. Thank you, Mr. Chairman.

Mr. Zuckerberg, thanks for joining us today.

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Let me add my name to the list of folks that you are going to get back to on the rural broadband internet access question. Please add my name to that list.

Mr. Zuckerberg. Of course.

Mr. Johnson. I have got a lot of those folks in my district.

You know, you are a real American success story. There is no question that you and Facebook have revolutionized the way Americans -- in fact, the world -- communicate and interconnect with one another.

I think one of the reasons that you were able to do that is because nowhere other than here in America, where a young man in college can pursue his dreams and ambitions on his own terms without a big Federal Government overregulating them and telling them what they can and cannot do, could you have achieved something like this.

But in the absence of Federal regulations that would reel that in, the only way it works for the betterment of society and people is with a high degree of responsibility and trust. And you have acknowledged that there have been some breakdowns in responsibility.

And I think sometimes -- and I am a technology guy. I have two degrees in computer science. I am a software engineer. I am a patent holder. So I know the challenges that you face in terms of managing the technology.

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But oftentimes technology folks spend so much time thinking about what they can do and little time thinking about what they should do. And so I want to talk about some of those should-do kinds of things.

You heard earlier about faith-based material that had been taken down, ads that had been taken down. You admitted that it was a mistake. That was in my district, by the way. Franciscan University, a faith-based university, was the one that did that.

How is your content filtered and determined to be appropriate or not appropriate and policy compliant? Is it an algorithm that does it, or is there a team of a gazillion people that sit there and look at each and every add that make that determination?

Mr. Zuckerberg. Congressman, it is a combination of both. So, at the end of the day, we have community standards that are written out and try to be very clear about what is acceptable. And we have a large team of people. As I said, by the end of this year, we are going to have more than 20,000 people working on security and content review across the company.

But in order to flag some content quickly, we also build technical systems in order to take things down. So, if we see terrorist content, for example, we will flag that, and we can take that down.

Mr. Johnson. What do you do when you find someone or something that has made a mistake? I mean, I have heard you say several times

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today that you know a mistake has been made. What kind of accountability is there when mistakes are made?

Because every time a mistake like that is made, it is a little bit of a chip away from the trust and the responsibility factors. How do you hold people accountable in Facebook when they make those kind of mistakes of taking stuff down that shouldn't be taken down or leaving stuff up that should not be left up?

Mr. Zuckerberg. Congressman, for content reviewers specifically, their performance is going to be measured by whether they do their job accurately.

Mr. Johnson. Do you ever fire anybody when you do stuff like that?

Mr. Zuckerberg. I am sure we do. As part of the normal course of running a company, you are hiring and firing people all the time to grow your capacity and manage performance.

Mr. Johnson. What happened to the person that took down the Franciscan University ad and didn't put it back up until the media started getting involved?

Mr. Zuckerberg. Congressman, I am not specifically aware of that case.

Mr. Johnson. Can you take that question for me -- my time has expired. Can you take that question for me and get me that answer back,

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please?

Mr. Zuckerberg. We will.

Mr. Johnson. Okay. Thank you very much.

The Chairman. The gentleman's time has expired.

The chair recognizes the gentleman from Iowa, Mr. Loeb sack.

Mr. Loeb sack. Thank you, Mr. Chairman. I want to thank you and the ranking member for holding this hearing today.

And I want to thank Mr. Zuckerberg for being here today as well. Add my name to the rural broadband list as well. I have one-fourth of Iowa, southeast part of Iowa. We definitely need more help on that front. Thank you.

You may recall last year, Mr. Zuckerberg, that you set out to visit every State in the country to meet different people. And one of those places you visited was, in fact, Iowa, my home State of Iowa, and you did visit the district that I probably represent, and you met some of my constituents.

As you began your tour, you said that you believed in connecting the world and giving everyone a voice and that, quote, you wanted, quote, to personally hear more of those voices. I am going to do the same thing in just a second that a number of my colleagues did and just ask you some questions that were submitted to my Facebook page by some of my constituents.

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I do want to say at the outset though -- and I do ask for unanimous consent to enter all those questions in the record, Mr. Chair.

The Chairman. Without objection.

[The information follows:]

***** COMMITTEE INSERT *****

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Mr. Loebsack. I think trust has been the issue today. There is no question about it. I think that is what I am hearing from my constituents. That is what we are hearing from our colleagues.

That is really the question: How can we be guaranteed that, for example, when you agree to some things today, that you are going to follow through and that we are going to be able to hold you accountable, and without perhaps constructing too many rules and regulations? We would like to keep that to a minimum if we possibly can.

But I do understand that you have agreed that we are going to have to have some rules and regulations so that we can protect people's privacy, so that we can protect that use of the consumer data.

So, going forward from there, I have just got a few questions I will probably have an opportunity to get to. The first one goes to the business model issue because you are publicly traded. Is that correct?

Mr. Zuckerberg. Yes.

Mr. Loebsack. And you are the CEO?

Mr. Zuckerberg. Yes.

Mr. Loebsack. Right. And so I have got Lauren from Solon who asks, is it possible for Facebook to exist without collecting and selling our data? Is it possible to exist?

Mr. Zuckerberg. Congressman, we don't sell people's data. So

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I think that that is an important thing to clarify upfront. And then, in terms of collecting data, I mean, the whole purpose of the service is so that you can share the things that you want with the people around you and your friends. So --

Mr. Loebsack. Is it possible for you to be in business without sharing the data? Because that is what you have done, whether it was selling or not, sharing the data, providing it to Cambridge Analytica and other folks along the way. Is it possible for your business to exist without doing that?

Mr. Zuckerberg. Well, Congressman, it would be possible for our business to exist without having a developer platform. It would not be possible for our business or our products or our services or anything that we do to exist without having the opportunity for people to go to Facebook, put in the content that they want to share, and who they want to share it with, and then go do that. That is the core thing that --

Mr. Loebsack. Thank you. I appreciate that.

And then Brenda from Muscatine, she has a question, obviously, related to trust as well. And that is, how will changes promised this time be proven to be completed? She would like to know how is that going to happen.

If there are changes, and you said there have been some changes,

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how can she and those folks in our districts and throughout America, not just Members of Congress, but how can folks in our districts hold you accountable? How do they know that those changes are, in fact, going to happen? That is what that question is about.

Mr. Zuckerberg. Congressman, for the developer platform changes that we announced, they are implemented. We are putting those into place. We announced a bunch of specific things. It is on our blog, and I wrote it in my written testimony, and that stuff is happening.

We are also going back and investigating every single app that had access to a large amount of data before we locked down the platform in the past. We will tell people if we find anything that misused their data, and we will tell people when the investigation is complete.

Mr. Loebsack. Thank you. And, finally, Chad from Scott County wants to know, who has my data other than Cambridge Analytica?

Mr. Zuckerberg. Congressman, part of what I just said is we are going to do an investigation of every single app that had access to a large amount of people's data. If you signed into another app, then that app probably has access to some of your data.

And part of the investigation that we are going to do is to determine whether those app developers did anything improper, shared that data further beyond that. And if we find anything like that, we will tell people that their data was misused.

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The Chairman. The gentleman's time has expired.

Mr. Loebsack. Thank you, Mr. Chair.

The Chairman. The chair recognizes the gentleman from Missouri, Mr. Long, for 4 minutes.

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RPTR TELL

EDTR HOFSTAD

[1:12 p.m.]

Mr. Long. Thank you, Mr. Chairman.

And thank you, Mr. Zuckerberg, for being here today on a voluntarily basis. I want to put that out here. You were not subpoenaed to be here, as Mr. Barton offered up a little bit ago.

You are the only witness at the table today. We have had 10 people at that table, to give you an idea of what kind of hearings we have had in here. Not too long ago, we had 10. And I would say that if we invited everyone that had read your terms of agreement, terms of service, we could probably fit them at that table.

I also would say that I represent 751,000 people, and out of that 751,000 people, the people in my area that are really worked up about this Facebook and about this hearing today would also fit with you there at the table. So I am not getting the outcry from my constituents about what is going on with Cambridge Analytica and this user agreement and everything else. But there are some things that I think you need to be concerned about.

One question I would like to ask before I go into my questioning is, what was FaceMash, and is it still up and running?

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Mr. Zuckerberg. No, Congressman. FaceMash was a prank website that I launched in college, in my dorm room, before I started Facebook. There was a movie about this, or it said it was about this. It was of unclear truth. And the claim that FaceMash was somehow connected to the development of Facebook, it isn't, it wasn't, and FaceMash --

Mr. Long. The timing was the same, right? Just coincidental?

Mr. Zuckerberg. It was in 2003.

Mr. Long. Okay.

Mr. Zuckerberg. And I took it down in --

Mr. Long. And that is a site where you rate women?

Mr. Zuckerberg. And it actually has nothing to do with --

Mr. Long. You would put up pictures of two women and decide which one was the better, more attractive of the two. Is that right?

Mr. Zuckerberg. Congressman, that is an accurate description of the prank website that I made when I was a sophomore in college.

Mr. Long. Okay. But from that beginning, whether it was actually the beginning of Facebook or not, you have come a long way.

Jan Schakowsky, Congresswoman Schakowsky, this morning said, "Self-regulation simply does not work." Mr. Butterfield, Representative Butterfield, said that you need more African-American inclusion on your board of directors.

If I was you -- a little bit of advice. Congress is good at two

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things: doing nothing and overreacting. So far, we have done nothing on Facebook. Since your inception in that Harvard dorm room those many years ago, we have done nothing on Facebook. We are getting ready to overreact. So just take that as a shot-across-the-bow warning to you.

You have a good outfit there on your front row behind you, very bright folks. You are Harvard-educated. I have a Yale hat that cost me \$160,000. That is as close as I ever got to an Ivy League school.

But I would like to show you right now a little picture here. Do you recognize these folks?

Mr. Zuckerberg. I do.

Mr. Long. Who are they?

Mr. Zuckerberg. I believe -- is that Diamond and Silk?

Mr. Long. That is Diamond and Silk, two biological sisters from North Carolina. I might point out they are African American. And their content was deemed by your folks to be unsafe. So, you know, I don't know what type of a picture this is, if it was taken in a police station or what, in a lineup, but apparently they have been deemed unsafe.

Diamond and Silk have a question for you, and that question is: What is unsafe about two black women supporting President Donald J. Trump?

Mr. Zuckerberg. Well, Congressman, nothing is unsafe about

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that. The specifics of this situation I am not as up to speed on as I probably would be if I didn't --

Mr. Long. Well, you have 20,000 employees, as you said, to check content. And I would suggest, as good as you are with analytics, that those 20,000 people use some analytical research and see how many conservative websites have been pulled down and how many liberal websites.

One of our talk show hosts at home, Nick Reed, this morning on the radio said that if Diamond and Silk were liberal they would be on the late-night talk show circuit, back and forth. They are humorous. They have their opinion, not that you have to agree or that I have to agree. Do agree, don't agree with them, but the fact that they are conservative -- and I would just remember -- if you don't remember anything else from this hearing here today, remember: We do nothing, and we overreact. And --

The Chairman. The gentleman's time --

Mr. Long. -- we are getting ready to overreact.

So I would suggest you go home and review all these other things people have accused you of today, get with your good team there behind you --

The Chairman. The gentleman's time has expired.

Mr. Long. You are the guy to fix this. We are not. You need

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to save your ship.

Thank you.

The Chairman. The gentleman's time has expired.

Ms. Schakowsky. Mr. Chairman, since my name was mentioned, can I just respond?

The Chairman. Well, I tell you, if we could move on, just because we are going to run out of time for members down-dais to be able to ask their questions.

Ms. Schakowsky. Okay. I consider Billy Long a good friend. Let me just say that I don't think it was a breach of decorum, and I just take issue with his saying that a very modest bill that I have introduced is an overreach. That is all.

The Chairman. All right.

Mr. Long. I didn't say it was an overreach. All I said was -- I was just letting --

The Chairman. I now recognize the gentleman from Oregon, Mr. Schrader, for questions for 4 minutes.

Mr. Schrader. Ah, thank you, Mr. Chairman. Appreciate that.

Mr. Zuckerberg, again, thank you for being here. Appreciate your good auspices in voluntarily coming before us.

You have testified that you voluntarily took Cambridge Analytica's word that they had deleted information. You found out

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subsequently that they did not delete that information, have sent in your own forensics team, which I applaud. I just want to make sure and get some questions answered here.

Can you tell us that they were not told -- they were told not to destroy any data, misappropriated data, they may find?

Mr. Zuckerberg. Congressman, so you are right that in 2015, when we found out that the app developer Aleksandr Kogan had sold data to Cambridge Analytica, we reached out to him at that point, and we demanded that they delete all the data that they had.

They told us at that point that they had done that. And then a month ago we heard a new report that said that they actually hadn't done that.

Mr. Schrader. But I am talking about the direction you have given your forensic team. If they find stuff, they are not to delete it at this point in time? Or are they going to go ahead and delete it?

Mr. Zuckerberg. The audit team that we are sending in?

Mr. Schrader. Right.

Mr. Zuckerberg. The first order of business is to understand exactly what happened. And --

Mr. Schrader. I am worried about the information being deleted without law enforcement having the opportunity to actually review that.

Will you commit to this committee that neither Facebook nor its

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agents have removed any information or evidence from Cambridge Analytica's offices?

Mr. Zuckerberg. Congressman, I do not believe that we have.

And --

Mr. Schrader. And how about Mr. Kogan's office, if I may ask?

Mr. Zuckerberg. One specific point on this is that our audit of Cambridge Analytica, we have paused that in order to cede to the U.K. Government, which is conducting its own government audit, which, of course -- an investigation, which, of course, takes precedence.

Mr. Schrader. With all due respect, what I am getting at is I would like to have the information available for the U.K. or U.S. law enforcement officials, and I did not hear you commit to that.

Will you commit to the committee that Facebook has not destroyed any data records that may be relevant to any Federal, State, or international law enforcement investigation?

Mr. Zuckerberg. Congressman, yes. What I am saying is that the U.K. Government is going to complete its investigation before we go in and do our audit. So they will have full access to all the information.

Mr. Schrader. So you suspended your audit pending the U.K.'s investigation.

Mr. Zuckerberg. Yes. We have paused it pending theirs.

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Mr. Schrader. Okay.

So it is my understanding that you and other Facebook executives have the ability to rescind or delete messages that are on people's websites.

To be clear, I just want to make sure that, if that is indeed the case, that after you have deleted that information, that somehow law enforcement, particularly relevant to this case, would still have access to those messages.

Mr. Zuckerberg. Congressman, yes. We have a document retention policy at the company where, for some people, we delete emails after a period of time, but we of course preserve anything that there is a legal hold on.

Mr. Schrader. Great. Well, I appreciate that.

While you have testified very clearly that you do not sell information -- that is not Facebook's model. You do the advertising and, obviously, have other means of revenue. But it is pretty clear others do sell that information. Doesn't that make you somewhat complicit in what they are doing? You are allowing them to sell the information that they glean from your website?

Mr. Zuckerberg. Well, Congressman, I would disagree that we allow it. We actually expressly prohibit any developer that --

Mr. Schrader. How do you enforce that? That is my concern. How

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do you enforce that? Complaint only is what I have heard so far tonight.

Mr. Zuckerberg. Yes, Congressman, some of it is in response to reports that we get. And some of it is we do spot checks to make sure that the apps are actually doing what they say they are doing. And, going forward, we are going to increase the number of audits that we do as well.

Mr. Schrader. So last question is, it is my understanding based on the testimony here today that, even after I am off of Facebook, that you guys still have the ability to follow my web interactions. Is that correct?

Mr. Zuckerberg. Congressman --

Mr. Schrader. I have logged out of Facebook. Do you still have the ability to follow my interactions on the web?

Mr. Zuckerberg. Congressman, you have control over what we do for ads and the information collection around that. On security, there may be specific things about how you use Facebook even if you are not logged in that we keep track of to make sure that people aren't abusing the system.

The Chairman. The gentleman's time has expired.

Mr. Schrader. I yield back.

The Chairman. And just for our members who haven't had a chance

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to ask questions, we will pause at -- well, we will have votes at 1:40. We will continue the hearing after a brief pause. And we will coordinate that.

We will go now to Dr. Bucshon.

Mr. Bucshon. Thank you, Mr. Chairman.

Thank you, Mr. Zuckerberg, for being here.

There are plenty of anecdotal examples, including from family members of mine, where people will be verbally discussing items, never having actually been on the internet at the time, and then the next time they get on Facebook or other online apps ads for things that they were verbally discussing with each other will show up.

And I know you said in the Senate that Facebook doesn't listen, specifically listen, to what people are saying through their phone, whether that is a Google phone or whether it is Apple or another one.

However, the other day, my mother-in-law and I were discussing her brother, who had been deceased for about 10 years. And later on that evening, on her Facebook site, she had set to music kind of an in-memoriam picture collage that came up on Facebook specifically to her brother. And that happened the other night.

So, if you are not listening to us on the phone, who is? And do you have specific contracts with these companies that will provide data that is being acquired verbally through our phones or now through things

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like Alexa or other products?

Mr. Zuckerberg. Congressman, we are not collecting any information verbally on the microphone, and we don't have contracts with anyone else who is.

The only time that we might use the microphone is when you are recording a video or doing something where you intentionally are trying to record audio. But we don't have anything that is trying to listen to what is going on in the background.

Mr. Bucshon. Okay. Because, I mean, like I said, I mean, you have talked to people that this has happened to. My son, who lives in Chicago, him and his colleagues were talking about a certain type of suit, because they are business guys, and the next day he had a bunch of ads for different suits when he went onto the internet.

So it is pretty obvious to me that someone is listening to the audio on our phones. And I see that as a pretty big issue, and the reason is because -- and you may not be, but I see it as a pretty big issue because, for example, if you are in your doctor's office, if you are in your corporate boardroom, your office, or even personal areas of your home, that is potentially an issue.

And I am glad to hear that Facebook isn't listening, but I am skeptical that someone isn't. And I see this as an industry-wide issue that you could potentially help address.

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And the final thing I will just ask is, when you have, say, an executive session or whatever of your corporate board and you have decisions to be made, do you allow the people in the room to have their phones on them?

Mr. Zuckerberg. Congressman, we do. I don't think we have a policy that says that your phone can't be on.

And, again, I am not familiar with -- Facebook doesn't do this, and I am not familiar with other companies that do either.

My understanding is that a lot of these cases that you are talking about are a coincidence, or someone might be talking about something but then they also go to a website or interact with it on Facebook because they were talking about it, and then maybe they will see the ad because of that, which is a much clearer statement of the intent.

Mr. Bucshon. Okay. Because, if that is the case, then -- I mean, I know, for convenience, companies have developed things like Alexa, and I don't want to just -- and other companies are developing things like that. But it just seems to me that part of the whole point of those products is not just for your own convenience, but when you are verbally talking about things and you are not on the internet, they are able to collect information on the type of activities that you are engaging in.

So I would implore the industry to look into that and make sure

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that, in addition to physical exploring the internet and collecting data, that data being taken verbally not be allowed.

Thank you.

The Chairman. The gentleman's time has expired.

The chair recognizes the gentleman from Massachusetts, Mr. Kennedy, for 4 minutes.

Mr. Kennedy. Thank you, Mr. Chairman.

Mr. Zuckerberg, thank you for being here. Thank you for your patience over both days of testimony.

You spoke about the framing of your testimony about privacy, security, and democracy. I want to ask you about privacy and democracy, because I think, obviously, those are linked.

You have said over the course of questioning yesterday and today that users own all of their data. So I want to make sure that we drill down on that a little bit, and I think our colleagues have tried.

That includes, I believe, the information that Facebook requires users to make public. So that would be a profile picture, gender, age range, all of which is public-facing information. Is that right?

Mr. Zuckerberg. Yes.

Mr. Kennedy. Okay.

So can advertisers, then, understanding that you, Facebook, maintain the data -- you are not settling that to anybody else. But

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advertisers clearly end up having access to that through agreements with you about how they then target ads to me, to you, to any other user.

Can advertisers in any way use nonpublic data, so data that individuals would not think is necessarily public, so that they can target their ads?

Mr. Zuckerberg. Congressman, the way this works is, let's say you have a business that is selling skis, okay? And you have on your profile that you are interested in skiing, but let's say you haven't made that public, but you share it with your friends, so broadly.

We don't tell the advertiser that "here is a list of people who like skis." They just say, "Okay, we are trying to sell skis. Can you reach people who like skis?" And then we match that up on our side without sharing any of that information with the advertisers.

Mr. Kennedy. Understood, you don't share that. But they get access to that information so that if they know -- they want to market skis to me because I like skis.

In the realm of data that is accessible to them, does Facebook include deleted data?

Mr. Zuckerberg. Congressman, no.

And I also would push back on the idea that we are giving them access to the data. We allow them to reach people who said that on

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Facebook, but we are not giving them access to the data.

Mr. Kennedy. Okay. Fair. Fair.

So can advertisers, either directly or indirectly, get access to or use the metadata that Facebook collects in order to more specifically target ads? So that would include -- I know you have talked a lot about how Facebook would use access to information for folks that -- well, I might be able to opt in or out about your ability to track me to other websites. Is that used by those advertisers, as well?

Mr. Zuckerberg. Congressman, I am not sure I understand the question. Can you give me an example of what you mean?

Mr. Kennedy. So, essentially, the advertisers that are using your platform, do they get access to information that the user doesn't actually think is either, one, being generated or, two, is public?

Understanding that, yes, if you dive into the details of your platform, users might be able to shut that off. But I think one of the challenges with the trust here is that there is an awful lot of information that is generated that people don't think they are generating and that advertisers are being able to target because Facebook collects it.

Mr. Zuckerberg. Yes. So, Congressman, my understanding is that the targeting options that are available for advertisers are generally things that are based on what people share.

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Now, once an advertiser chooses how they want to target something, Facebook also does its own work to help rank and determine which ads are going to be interesting to which people. So we may use metadata or other behaviors of what you have shown that you are interested in and news feed or other places in order to make our systems more relevant to you. But that is a little bit different from giving that as an option to an advertiser, if that makes sense.

Mr. Kennedy. Right. But then I guess the question, back to -- and I only have 20 seconds. I think one of the rubs that you are hearing is I don't understand how users then own that data. I think that is part of the rub.

Second, you focus a lot of your testimony and the questions on the individual privacy aspects of this, but we haven't talked about the societal implication of it. And I think, while I applaud some of the reforms that you are putting forward, the underlying issue here is that your platform has become a mix of --

The Chairman. The gentleman's time --

Mr. Kennedy. -- 2 seconds -- news, entertainment, social media that is up for manipulation. We have seen that with a foreign actor.

If the changes to individual privacy don't seem to be sufficient to address that underlying issue --

The Chairman. The gentleman's time has expired.

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Mr. Kennedy. I would love your comments on that at the appropriate time. Thank you.

The Chairman. The chair recognizes the gentleman from Texas, Mr. Flores, for 4 minutes.

Mr. Flores. Thank you, Mr. Chairman.

Mr. Zuckerberg, thank you for being here today. I am up here, top row. I am certain that there are other things you would rather be doing.

The activities of Facebook and other technology companies should not surprise us. I mean, we have seen it before. And, again, don't take this critically, but we saw a large oil company become a monopoly back in the late 1800s, early 1900s. We saw a large telecommunications company become a near-monopoly in the sixties, seventies, and eighties.

And just as Facebook, these companies were founded by bright entrepreneurs. Their companies grew. And, eventually, they sometimes became detached from everyday Americans. And what happened is policymakers then had to step in and reestablish the balance between those folks and everyday Americans.

You didn't intend for this to happen. It did happen. And I appreciate that you have apologized for it. And one of the things I appreciate about Facebook, it appears you are proactively trying to address the situation.

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Just as we addressed those monopolies in the past, we are faced with that situation today. And this goes beyond Facebook. This has to do with the edge providers. It has to do with social media organizations and also with ISPs.

Back to Facebook in particular, though, we heard examples yesterday during the Senate hearing and also today during this hearing so far about ideological bias among the users of Facebook. In my Texas district, I had a retired schoolteacher whose conservative postings were banned or stopped. The good news is I was able to work with Facebook's personnel and get her reinstated. That said, the Facebook censors still seem to be trying to stop her postings, and anything you can do in that regard to fix that bias will go a long way.

I want to move a different direction, and that is to talk about the future. Congress needs to consider policy responses, as I said earlier. And I want to call this policy response Privacy 2.0 and Fairness 2.0. With respect to fairness, I think the technology companies should be ideologically agnostic regarding their users' public-facing activities. The only exception would be for potentially violent behavior.

My question is on this: Do you agree that Facebook and other technology platforms should be ideologically neutral?

Mr. Zuckerberg. Congressman, I agree that we should be a

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platform for all ideas and that we should focus on that.

Mr. Flores. Good.

Mr. Zuckerberg. I --

Mr. Flores. I have to -- I have limited time.

With respect to privacy, I think that we need to set a baseline. When we talk about a virtual person that each technology user establishes online -- their name, address, their online purchases, geolocation data, websites visited, pictures, et cetera -- I think that the individual owns the virtual person that they have set up online.

My second question is this: You have said earlier that each user owns their virtual presence. Do you think that this concept should apply to all technology providers, including social media platforms, edge providers, and ISPs?

Mr. Zuckerberg. Congressman, yes, in general. I mean, I think that people own their --

Mr. Flores. Thank you. I am not trying to cut you off. You can provide more information supplementally afterward, if you don't mind.

In this regard, I believe that if Congress enacts privacy standards for technology providers, just as we have for financial institutions, healthcare, employee benefits, et cetera, the policy should state that the data of technology users should be held privately unless they specifically consent to the use of the data by others.

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This release should be based upon the absolute transparency as to what data will be used, how it will be processed, where it will be stored, what algorithms will be applied to it, who will have access to it, if it will be sold, and to whom it might be sold.

The disclosure of this information and the associated opt-in actions should be easy to understand and easier for nontechnical users to execute. The days of the long, scrolling, fine-print disclosures with a single checkmark at the bottom should end. In this regard, based on my use of Facebook --

The Chairman. The gentleman's --

Mr. Flores. -- I think you have come a long way toward meeting that objective. I think we must move further.

I will have two other questions to submit later. And thank you. You can expand on your responses to my earlier questions later. Thank you.

[The information follows:]

***** COMMITTEE INSERT *****

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The Chairman. The gentleman's time has expired.

The chair recognizes the gentleman from California for 4 minutes, Mr. Cardenas.

Mr. Cardenas. Thank you very much. It seems like we have been here forever, don't you think? Well, thank you, Mr. Chairman and Ranking Member, for holding this important hearing.

I am of the opinion that basically we are hearing from one of the leaders, the CEO, of one of the biggest corporations in the world but yet almost entirely in an environment that is unregulated or, for basic terms, that the lanes in which you are supposed to operate in are very wide and broad, unlike other industries.

Yet, at the same time -- I have a chart here of the growth of Facebook. Congratulations to you and your shareholders. It shows that in 2009 your net value of the company was less than -- or revenue was less than a billion dollars. And then you look all the way over to 2016; it was in excess of \$26 billion. And then in 2017 apparently you were about close to \$40 billion.

Are those numbers relatively accurate about the growth and the phenomenon of Facebook?

Mr. Zuckerberg. Congressman, they sound relatively accurate.

Mr. Cardenas. Okay.

Just so you know, it was just brought to my attention -- my staff

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texted me a little while ago -- that the CEO of Cambridge Analytica apparently stepped down sometime today. I don't know if anybody of your team there whispered that to you, but my staff just reported that. That is interesting.

The fact that the CEO of Cambridge Analytica stepped down, does that, in and of itself, solve the issue and the controversy around what they did?

Mr. Zuckerberg. Congressman, I don't think so.

There are a couple of big issues here. One is what happened specifically with Cambridge Analytica. How were they able to buy data from a developer that people chose to share it with, and how do we make sure that can't happen again?

Mr. Cardenas. But some of that information did originate with Facebook, correct?

Mr. Zuckerberg. People had it on Facebook and then chose to share theirs and some of their friends' information with this developer, yes.

Mr. Cardenas. Uh-huh.

Something was brought to my attention most recently, that apparently Facebook does, in fact, actually buy information to add or augment the information that you have on some of your users to build around them, their profile?

Mr. Zuckerberg. Congressman, we just recently announced that we

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were stopping working with data brokers as part of the ad system. It is --

Mr. Cardenas. But you did do that to build your company in the past?

Mr. Zuckerberg. It is an industry standard ad practice. And, recently, upon examining all of our systems, we decided that is not a thing that we want to be part of even if everyone else is doing that.

Mr. Cardenas. But you did engage in that as well. And not just everybody else, but Facebook, yourselves, you did engage in that?

Mr. Zuckerberg. Yes, until we announced that we were shutting it down. Yes.

Mr. Cardenas. Okay.

It is my understanding that when the Guardian decided to report on the Cambridge Analytica consumer data issue, Facebook threatened to sue them if they went forward with their story. Did it happen something like that? Facebook kind of warned them, like, hey, maybe you don't want to do that?

Mr. Zuckerberg. Congressman, I don't believe that -- I think that there may have been a specific factual inaccuracy that we --

Mr. Cardenas. So, in other words, you checking the Guardian and saying, "You are not going to want to go out with that story because it is not 100 percent factual," that --

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Mr. Zuckerberg. On that specific point, yes.

Mr. Cardenas. Okay.

But, however, they did go through with their story, regardless of the warnings or the threats of Facebook saying that you are not going to want to do that. When they did do that, and only then, did Facebook actually apologize for that incident, for that 89 million users' information unfortunately ending up in their hands. Isn't that the case?

Mr. Zuckerberg. Congressman, you are right that we apologized after they posted the story. They had most of the details of what was right there, and I don't think we objected to that.

Mr. Cardenas. Thank you.

Mr. Zuckerberg. There was a specific thing --

Mr. Cardenas. Okay, but I only have a few more seconds.

My main point is this: I think it is time you, Facebook, if you truly want to be a leader in all the senses of the word and recognize that you can, in fact, do right by American users of Facebook, and when it comes to information unfortunately getting in the wrong hands, you can be a leader.

Are you committed to actually being a leader in that sense?

The Chairman. The gentleman's time --

Mr. Cardenas. Can he give a 2-second answer?

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The Chairman. Sure.

Mr. Zuckerberg. Congressman, I am definitely committed to taking a broader view of our responsibility. That is what my testimony is about, making sure that we just don't give people tools but make sure that they are used for good.

Mr. Cardenas. Thank you very much.

Thank you, Mr. Chairman.

The Chairman. And, with that, we will recess for about 5 minutes -- 10 minutes. We will recess for 10 minutes and then resume the hearing.

[Recess.]

The Chairman. All right. We are going to reconvene the Energy and Commerce Committee.

And we will go next to the gentlelady from Indiana, Mrs. Brooks, for 4 minutes to resume questioning.

Mrs. Brooks. Thank you, Mr. Chairman.

And thank you, Mr. Zuckerberg, for being here today. It is so critically important that we hear from you and your company, because we do believe that it is critically important for you to be a leader in these solutions.

One thing that has been talked about just very little but I think is very important and I want to make sure there is appropriate attention

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on is how the platform of Facebook but even other platforms -- and you have mentioned it a little bit -- how you help us in this country keep our country safe from terrorists.

I have talked with lots of people who actually continue to remain very concerned about recruitment of their younger family members, and now we are seeing around the globe an enhanced recruitment of women, as well, to join terrorist organizations.

And so I am very, very concerned. I am a former U.S. attorney. And so, when 9/11 happened, you didn't exist; Facebook didn't exist. But since the evolution after 9/11, we know that Al Shabaab, al-Qaida, ISIS has used social media like we could not even imagine. So could you please talk about that?

And then you talked about the fact that if there is content that is objectionable or is a danger, that people report it to you. But what if they don't? What if everybody assumes that someone is reporting something to you?

So I need you to help assure us, as well as the American people, what is Facebook's role, leadership role, in helping us fight terrorism and help us stop the recruitment? Because it is still a grave danger around the world.

Mr. Zuckerberg. Congresswoman, thanks for the question.

Terrorist content and propaganda has no place in our network, and

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we have developed a number of tools that have now made it so that 99 percent of the ISIS and al-Qaida content that we take down is identified by these systems and taken down before anyone in our system even flags it for us.

So that is an example of removing harmful content that we are proud of and that I think is a model for other types of harmful content as well.

Mrs. Brooks. Can I ask, though -- and I appreciate that. And I have heard you say 99 percent, and yet I didn't go out and, you know, look for this, but yet, as recently as March 29, ISIS content was discovered on Facebook, which included an execution video -- March 29. On April 9, there were five pages, located on April 9, of Hezbollah content and so forth.

And so what is the mechanism that you are using? Is it artificial intelligence? Is it the 20,000 people? What are you using to -- because it is not -- I appreciate that no system is perfect, but yet this is just within a week.

Mr. Zuckerberg. Congresswoman, it is a good question. And it is a combination of technology and people.

We have a counterterrorism team at Facebook which is --

Mrs. Brooks. How large is it?

Mr. Zuckerberg. Two hundred people -- just focused on

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counterterrorism. And there are other content reviewers who are reviewing content that gets flagged to them as well.

So those are folks who are working specifically on that. I think we have capacity in 30 languages that we are working on. And, in addition to that, we have a number of AI tools that we are developing, like the ones that I had mentioned, that can proactively go flag the content.

Mrs. Brooks. And so you might have those people looking for the content. How are they helping block the recruiting?

Mr. Zuckerberg. Yeah, so they --

Mrs. Brooks. Your platform, as well as Twitter and then WhatsApp, is how they begin to communicate, which I understand you own. Is that correct?

Mr. Zuckerberg. Yes.

Mrs. Brooks. So how are we stopping the recruiting and the communications?

Mr. Zuckerberg. So we identify what might be the patterns of communication or messaging that they might put out and then design systems that can proactively identify that and flag those for our teams. That way, we can go and take those down.

Mrs. Brooks. Thank you. My time is up. I thank you, and please continue to work with us and all the governments who are trying to fight

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terrorism around the world.

Thank you.

Mr. Zuckerberg. Thank you. We will.

And, Mr. Chairman, if you don't mind, before we go to the next question, there was something that I wanted to correct in my testimony from earlier --

The Chairman. Sure.

Mr. Zuckerberg. -- when I went back and talked to my team afterwards.

I had said that if -- this was in response to a question about whether web logs that we had about a person would be in "download your information." I had said that they were. And I clarified with my team that, in fact, the web blogs are not in "download your information." We only store them temporarily. And we convert the web logs into a set of ad interests that you might be interested in those ads, and we put that in the "download your information" instead, and you have complete information over that.

So I just wanted to clarify that for the record.

The Chairman. I appreciate that. Thank you.

We will go now to the gentleman from California, Mr. Ruiz.

Mr. Ruiz. Thank you, Mr. Chairman.

And thank you, Mr. Zuckerberg, for appearing before the committee

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today.

The fact is, Mr. Zuckerberg, Facebook failed its customers. You have said as much yourself. You have apologized, and we appreciate that. We, as Congress, have a responsibility to figure out what went wrong here and what could be done differently to better protect consumers' private digital data in the future.

So my first question for you, Mr. Zuckerberg, is, why did Facebook not notify the FTC in 2015 when you first discovered this had happened? And was it the legal opinion of your company that you were under no obligation to notify the FTC, even with the 2011 consent order in place?

Mr. Zuckerberg. Congressman, in retrospect, it was a mistake, and we should have and I wish we had notified and told people about it then.

Mr. Ruiz. Did you think that --

Mr. Zuckerberg. The reason why we didn't --

Mr. Ruiz. -- the rules were kind of lax, that you were sort of debating whether you needed to or something?

Mr. Zuckerberg. Yes, Congressman, I don't believe that we necessarily had a legal obligation to do so. I just think that it was probably --

Mr. Ruiz. Okay.

Mr. Zuckerberg. I think that it was the right thing to have done.

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The reason we didn't do it at that time --

Mr. Ruiz. No, no. You answered my question.

Would you agree that for Facebook to continue to be successful it needs to continue to have the trust of its users?

Mr. Zuckerberg. Absolutely.

Mr. Ruiz. Great.

So does this not, perhaps, strike you as a weakness with the current system, that you are not required to notify the FTC of a potential violation of your own consent decree with them and that you did not have clear guidelines for what you as a company needed to do in this situation to maintain the public's trust and act in their best interests?

Mr. Zuckerberg. Congressman, regardless of what the laws or regulations are that are in place, we take a broader view of our responsibilities around privacy. And I think that we should have notified people because it would have been the right thing to do. And we are committed --

Mr. Ruiz. I am just trying to think of the other CEO who might not have such a broad view and might interpret the different legal requirements maybe differently. So that is why I am asking these questions. I am also taking a broad view, as a Congressman here, to try to fix this problem.

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So, from what we have learned over the past 2 days of hearings, it just doesn't seem like the FTC has the necessary tools to do what needs to be done to protect consumer data and consumer privacy, and we can't exclusively rely on companies to self-regulate in the best interest of consumers.

So, Mr. Zuckerberg, would it be helpful if there was an entity clearly tasked with overseeing how consumer data is being collected, shared, and used and which could offer guidelines, at least guidelines, for companies like yours to ensure your business practices are not in violation of the law, something like a digital consumer protection agency?

Mr. Zuckerberg. Congressman, I think it is an idea that deserves a lot of consideration. I am not the type of person who thinks that there should be no regulation, especially because the internet is getting to be so important in people's lives around the world, but I think the details on this really matter. And whether it is an agency or a law that is passed or the FTC has certain abilities, I think that that is all something that we should --

Mr. Ruiz. Well, one of the things that we are realizing is that there are a lot of holes in the system, that, you know, we don't have the toolbox -- you don't have the toolbox, to monitor 9 million apps and tens of thousands of data collectors, and there is no specific

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mechanism for you to collaborate with those that can help you prevent these things from happening.

And so I think that, perhaps, if we started having these discussions about what would have been helpful for you to build your toolbox and for us to build our toolbox so that we can prevent things like Cambridge Analytica, things like identity theft, things like, you know, what we are seeing, what we have heard about today -- so, you know, I just want to thank you for your thoughts and testimony.

So it is clear to me that this is the beginning of many, many conversations on the topic, and I look forward to working with you and the committee to better protect consumer privacy.

Mr. Zuckerberg. Congressman, we look forward to following up too.

The Chairman. We will now go to the gentleman from Oklahoma, Mr. Mullin, for 4 minutes.

Mr. Mullin. Thank you, Mr. Chairman.

And, sir, thank you for being here. I appreciate you using the term "Congressman" and "Congresswoman." My name is Markwayne Mullin, and feel free to use that name.

Sir, I just want to tell you -- first of all, I want to commend you on your ability to not just invent something but to see it through its growth. We see a lot of inventors had the ability to do that, but

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to manage it and to see it through its tremendous growth period takes a lot of talent. And by your showing here today, you handle yourself well, so thank you on that. And you also do that by hiring the right people, so I commend you on doing that also. You hire people, obviously, based on their ability to get the job done.

Real quick, a couple questions I have. And I will give you time to answer it.

Isn't it the consumers' responsibility, to some degree, to control the content to which they release?

Mr. Zuckerberg. Congressman, I believe that people should have the ability to choose to share their data how they want, and they need to understand how that is working. But I agree with what you are saying, that people want to have the ability to move their data to another app, and we want to give them the tools to do that.

Mr. Mullin. Right.

And does the device settings, does it really help you protect what information is released? For instance, there has been a lot of talk about them searching for something, maybe on Google, and then the advertisement pops up on Facebook. Isn't there a setting on most devices to where you can close out the browser without Facebook interacting with that?

Mr. Zuckerberg. Yes, Congressman. On most devices, the way the

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operating system is architected would prevent something that you do in another app, like Google, from being visible to the Facebook app.

Mr. Mullin. See, I come from the background of believing that everything I do I assume is opened for anybody to take when I am on the internet. I understand that there are privacy concerns, but you are still releasing it to something farther than a pen and pad. So, once I am on the web or I am on an app, then that information is subject to going really anyplace. All I can do is protect it the best I can by my settings.

And so what I am trying to get to is, as an individual, as a user of Facebook, how can someone control keeping the content within the realm that they want to keep it without it being collected?

You say that, you know, you don't sell it. However, you do sell advertisement. As a businessowner, I have a demographic that I go after, and I search advertisers that market to that demographic. So you collect information for that purpose, right?

Mr. Zuckerberg. Congressman, yes, we collect information to make sure that the ad experience on Facebook can be relevant and valuable to the small businesses and --

Mr. Mullin. Sure.

Mr. Zuckerberg. -- others who want to reach people.

Mr. Mullin. Value-based. But if I am a customer or a user of

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Facebook and I don't want that information to be shared, how do I keep that from happening? Are there settings within the app that I need to go to to block all that?

Mr. Zuckerberg. Congressman, yes there is. There is a setting -- so if you don't want any data to be collected around advertising, you can turn that off, and then we won't do it.

In general, we offer a lot of settings over every type of information that you might want to share on Facebook and every way that you might interact with the system, from here is the content that you put on your page, to here is who can see your interests, to here is how you might show up in search results if people look for you, to here is how you might be able to sign into developer apps and log in with Facebook, and advertising.

And we try to make the controls as easy to understand as possible. You know, it is a broad service. People use it for a lot of things, so there are a number of controls, but we try to make it as easy as possible and to put those controls in front of people so that they can configure the experience in the way that they want.

Mr. Mullin. Would that have kept apps from seeking our information?

The Chairman. The gentleman's time --

Mr. Mullin. Thank you. I appreciate it.

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Thank you, Chairman. I yield back.

The Chairman. Thank you.

We will recognize now the gentleman from California for 4 minutes.

Mr. Peters. Thank you, Mr. Chairman.

Thank you, Mr. Zuckerberg, for being with us today. And I know it has been a long day.

I think we can all agree that technology has outpaced the law with respect to the protection of private information. I wonder if you think it would be reasonable for Congress to define the legal duty of privacy that is owed by private companies to their customers with respect to their personal information.

Mr. Zuckerberg. Congressman, I think that that makes sense to discuss.

And I agree with the broader point that I think you are making, which is that the internet and technology overall is just becoming a much more important part of all of our lives. The companies and the technology industry are growing --

Mr. Peters. Right. That is what I mean by it is outpaced.

And I wonder -- I also want to take you at your word. I believe you are sincere that you personally place a high value on consumer privacy and that that personal commitment is significant at Facebook

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today, coming from you, given your position. But I also observe, and you would agree, that the performance on privacy has been inconsistent.

I wonder, you know, myself, whether that is because it is not a bottom-line issue. It appears that the shareholders are interested in maximizing profits. Privacy certainly doesn't drive profits, I don't think, but also may interfere with profits if you have to sacrifice your ad revenues because of privacy concerns.

Would it not be appropriate for us, once we define this duty, to assess financial penalties in a way that would sufficiently send a signal to the shareholders and to your employees, who you must be frustrated with too, that the privacy you are so concerned about is a bottom-line issue at Facebook?

Mr. Zuckerberg. Congressman, it is certainly something that we can consider.

Although, one thing that I would push back on is I think it is often characterized as maybe these mistakes happened because there is some conflict between what people want and business interests. I actually don't think that is the case. I think a lot of these hard decisions come down to a lot of different interests between different people.

So, for example, on the one hand, people want the ability to sign into apps and bring some of their information and bring some of their

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friends' information in order to have a social experience, and, on the other hand, everyone wants their information locked down and completely private. And the question is not a business question as much as which of those equities do you weigh more.

Mr. Peters. I think part of it is that, but part of it is also what happened with Cambridge Analytica. Some of this data got away from us.

And I would suggest to you that if there were financial consequences to that that made a difference to the business, not people dropping their Facebook accounts, that it would get more attention. And it is not so much a business model choice. I congratulate you on your business model. But it is that these issues aren't getting the bottom-line attention that I think would have made them a priority with respect to Facebook.

Let me just follow up, in my final time, on an exchange you had with Senator Graham yesterday about regulation. And I think the Senator said, do you as a company welcome regulation? You said, if it is the right regulation, then yes. Question: Do you think that the Europeans have it right? And you said, I think they get some things right.

I wanted you to elaborate on what the Europeans got right and what do you think they got wrong.

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Mr. Zuckerberg. Congressman, well, there are a lot of things that the Europeans do, and I think that -- I think GDPR, in general, is going to be a very positive step for the internet. And it codifies -- a lot of the things in there are things that we have done for a long time. Some of them are things that I think would be good steps for us to take.

So, for example, the controls that this requires are generally controls, privacy controls, that we have offered around the world for years. Putting the tools in front of people repeatedly, not just having them in settings but putting them in front of people and making sure that people understand what the controls are and that they get affirmative consent, I think is a good thing to do that we have done periodically in the past, but I think it makes sense to do more.

Mr. Peters. Great. Anything you think they --

Mr. Zuckerberg. And I think that is something that the GDPR will require us to do and will be positive.

Mr. Peters. Anything you think they got wrong?

Mr. Zuckerberg. I need to think about that more.

Mr. Peters. Well, I would appreciate it if you could respond in writing.

[The information follows:]

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Mr. Peters. I, again, really appreciate you being here.

Thank you, Mr. Chairman.

The Chairman. Thank you.

We will go now to the gentleman from North Carolina, Mr. Hudson, for 4 minutes.

Mr. Hudson. Thank you.

Thank you, Mr. Zuckerberg, for being here. This is a long day. You are here voluntarily, and we sure appreciate you being here.

I can say from my own experience, I have hosted two events with Facebook in my district in North Carolina, working with small business and finding ways they can increase their customer base on Facebook, and it has been very beneficial to us. So I thank you for that.

I do want to pivot slightly and frame the discussion in another light for my question. One of the greatest honors I have is I represent the men and women at Fort Bragg, the epicenter of the universe, home of the Airborne, Special Operations. You visited last year.

Mr. Zuckerberg. I did.

Mr. Hudson. Very well-received. So you understand that, due to the sensitive nature of some of the operations these soldiers conduct, that many are discouraged or even prohibited from having a social media presence.

However, there are others who still have profiles. There are

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some who may have deleted their profiles upon entering military service. Many have family members who have Facebook profiles. And, as we have learned, each one of these users' information may be shared without their consent.

There is no way that Facebook can guarantee the safety of this information on another company's server if they sell this information. If private information can be gathered by apps without explicit consent of the user, they are almost asking to be hacked.

Are you aware of the national security concerns that would come from allowing those who seek to harm our Nation access to information, such as the geographical location of members of our armed services? Is this something that you are looking at?

Mr. Zuckerberg. Congressman, I am not specifically aware of that threat, but, in general, there are a number of national security and election-integrity-type issues that we focus on. And we try to take a very broad view of that. And the more input that we can get from the intelligence community, as well, encouraging us to look into specific things, the more effectively we could do that work.

Mr. Hudson. Great. Well, I would love to follow up with you on that.

It has been said many times here that you refer to Facebook as a platform for all ideas. I know you have heard from many, yesterday

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and today, about concerns regarding Facebook censorship of content, particularly content that may promote Christian beliefs or conservative political beliefs. I have to bring up Diamond and Silk again, because they are actually from my district, but I think you have addressed these concerns.

But I think it has also become very apparent, and I hope that it has become very apparent to you, that this is a very serious concern. I actually asked on my Facebook page for my constituents to give me ideas of things they would like me to ask you today, and the most common question was about personal privacy.

So this is something that I think there is an issue -- there is an issue that your company, in terms of trust with consumers, that I think you need to deal with. I think you recognize that, based on your testimony today.

But my question to you is, what is the standard that Facebook uses to determine what is offensive or controversial? And how has that standard been applied across Facebook's platform?

Mr. Zuckerberg. Congressman, this is an important question. So there are a couple of standards. The strongest one is things that will cause physical harm or threats of physical harm. But then there is a broader standard of hate speech and speech that might make people feel just broadly uncomfortable or unsafe in the community.

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Mr. Hudson. That is probably the most difficult to define, so I guess my question is --

Mr. Zuckerberg. It is very --

Mr. Hudson. -- what standards do you apply to try to determine what is hate speech versus what is just speech you may disagree with?

Mr. Zuckerberg. Congressman, that is a very important question and, I think, is one that we struggle with continuously. And the question of what is hate speech versus what is legitimate political speech is, I think, something that we get criticized both from the left and the right on, on what the definitions are that we have.

It is nuanced, and what we try to -- we try to lay this out in our community standards, which are public documents that we can make sure that you and your office get to look through the definitions on this. But this is an area where I think society's sensibilities are also shifting quickly. And it is also very different in different --

Mr. Hudson. I am just about out of time here. I hate to cut you off, but let me just say that, you know, based on the statistics Mr. Scalise shared and the anecdotes we can provide you, it seems like there is still a challenge when it comes to conservative --

The Chairman. The gentleman's --

Mr. Hudson. -- and I hope you will address that.

Mr. Zuckerberg. I agree.

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Mr. Hudson. With that, Mr. Chairman, I will stop talking.

The Chairman. The gentleman's time has expired.

We now go to the gentleman from New York, Mr. Collins, for 4 minutes.

Mr. Collins. Thank you, Mr. Chairman.

And I wasn't sure where I would be going with this, but when you are number 48 out of 54 members, you know, you can do a lot of listening, and I have tried to do that today. And to frame where I am now, I think -- first of all, thank you for coming.

And there is a saying, you don't know what you know until you know it. And I really think you have done a great benefit to Facebook, and yourself in particular, as we now have heard, without a doubt, Facebook doesn't sell data. I think the narrative would be: Of course you sell data. And now we know all, across America, you don't sell data. I think that is good for you, a very good clarification.

The other one is that the whole situation we are here is because a third-party app developer, Aleksandr Kogan, didn't follow through on the rules. He was told he can't sell the data, he gathered the data, and then he did what he was not supposed to, and he sold that data. And it is very hard to anticipate a bad actor doing what they are doing until after they have done it. And, clearly, you took actions after 2014.

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So one real quick question is, what did change -- in, you know, 10 or 20 or 30 seconds, what data was being collected before you locked down the platform, and how did that change to today?

Mr. Zuckerberg. Congressman, thank you.

So, before 2014 when we announced the change, someone could sign into an app and share some of their data but also could share some basic information about their friends. And, in 2014, the major change was we said, now you are not going to be able to share any information about your friends.

So, if you and your friend both happen to be playing a game together or on an app listening to music together, then that app could have some information from both of you, because you each had signed in and authorized that app, but, other than that, people wouldn't be able to share information from their friends.

So the basic issue here, where 300,000 people used this poll and the app and then ultimately sold it to Cambridge Analytica and Cambridge Analytica had access to as many as 87 million people's information, wouldn't be possible today. Today, if 300,000 people used an app, the app might have information about 300,000 people.

Mr. Collins. Yeah. And I think that is a very good clarification as well, because people are wondering, how does 300,000 become 87 million? So that is also something that is good to know.

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And in, you know, I guess my last minute, as I have heard the tone here, I have to give you all the credit in the world. I could tell from the tone -- we would say "the other side," sometimes, when we point to our left. But when the Representative from Illinois, to quote her, said, "Who is going to protect us from Facebook," I mean, that threw me back in my chair. I mean, that was certainly an aggressive -- we will use the polite word, "aggressive," but, I think, out-of-bounds kind of comment. Just my opinion.

And I have said -- I was interviewed by a couple of folks in the break, and I said, you know, as I am listening to you today, I am quite confident that you truly are doing good. You believe in what you are doing. Two-point-two billion people are using your platform. And I sincerely know in my heart that you do believe in keeping all ideas equal, and you may vote a certain way or not, but that doesn't matter. You have 27,000 employees. And I think the fact is that you are operating under a Federal Trade Commission consent decree from 2011. That is a real thing, and it goes for 20 years.

So, when someone said, do we need more regulations, do we need more legislation, I said no. Right now, what we have is Facebook with a CEO whose mind is in the right place, doing the best you can with 27,000 people. But the consent decree does what it does. I mean, there would be significant financial penalties were Facebook to ignore

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that consent decree.

So I think, as I am hearing this meeting going back and forth, I, for one, think it was beneficial. It is good. I don't think we need more regulations and legislation now. And I want to congratulate you, I think, on doing a good job here today and presenting your case, and we now know things we didn't know beforehand. So thank you again.

Mr. Zuckerberg. Thank you.

The Chairman. Okay. Now I think we go next in order to Mr. Walberg, actually, who was here when the gavel dropped. So we will go to Mr. Walberg for 4 minutes.

Mr. Walberg. Well, thank you, Mr. Chairman. I appreciate that.

And, Mr. Zuckerberg, I appreciate you being here as well. It has been interesting to listen to all of the comments, from both sides of the aisle, to get an idea of the breadth, length, depth, the vastness of our world wide web, social media, and, more specifically, Facebook.

I want to ask three starter questions. I don't think they will take a long answer, but I will let you answer.

Earlier, you indicated that there were bad actors that triggered your platform policy changes in 2014, but you didn't identify who those bad actors were. Who were they?

Mr. Zuckerberg. Congressman, I don't, sitting here today, remember a lot of the specifics of early on. But we saw, generally,

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a bunch of app developers who were asking for permissions to access people's data in ways that weren't connected to the functioning of an app. So they would just say, okay, if you want to log into my app, you would have to share all this content even though the app doesn't actually use that in any reasonable way.

So we looked at that and said, hey, this isn't right, or we should review these apps and make sure that if an app developer is going to ask someone to access certain data that they actually have a reason why they want to get access to it. And, over time, we have made a series of changes that culminated in the major change in 2014 that I referenced before, where ultimately we made it so now a person can sign in but not bring their friends' information with them anymore.

Mr. Walberg. Okay.

Secondly, is there any way -- any way -- that Facebook can, with any level of certainty, assure Facebook users that every single app on its platform is not misusing their data?

Mr. Zuckerberg. Congressman, it would be difficult to ever guarantee that any single -- that there are no bad actors.

Mr. Walberg. Okay.

Mr. Zuckerberg. Every problem around security is sort of an arms race, right? You have people who are trying to abuse systems, and our responsibility is to make that as hard as possible and to take the

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necessary precautions for a company of our scale. And I think that the responsibility that we have is growing with our scale, and we need to make sure that we --

Mr. Walberg. And I think that is an adequate answer. It is a truthful answer.

Can you assure me that ads and content are not being denied based on particular views?

Mr. Zuckerberg. Congressman, yes, politically. Although, I think what you -- when I hear that, what I hear is, kind of, normal political speech. We certainly are not going to allow ads for terrorist content, for example, so we would be banning those views. But I think that that is something that we would all expect.

Mr. Walberg. Let me push it here, and I wanted to bring up a screen grab that we had. Again, going back to Representative Upton earlier on, it was his constituent, but was my legislative director for a time. It was his campaign ad that he was going to boost his post, and he was rejected. He was rejected as being -- it said here, ad wasn't approved because it doesn't follow advertising policies. "We don't allow ads that contain shocking, disrespectful, or sensational content, including ads that depict violence or threats of violence."

Now, as I read that -- and I also know that you have since -- or Facebook has since declared, no, that was a mistake, an algorithm

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problem that went on there. But that is our concern that we have, that it wouldn't be because he had his picture with a veteran, it wouldn't be because he wanted to reduce spending, but pro-life, Second Amendment, those things, and conservative. That causes us some concerns.

So I guess what I am saying here, I believe that we have to have a light touch in regulation. And when I hear some of my friends on the other side of the aisle decry the fact of what is going on now and they were high-fiving what took place in 2012 with President Obama and what he was capable of doing in bringing in and grabbing for use in a political way, I would say the best thing we can do is have these light-of-day hearings, let you self-regulate as much as possible, with a light touch coming from us, but recognizing that, in the end, your Facebook subscribers are --

The Chairman. The gentleman's time --

Mr. Walberg. -- going to tell you what you need to do.

And so thank you for your time.

And thank you for the time you have given me.

The Chairman. Yep.

I now recognize the gentlelady from California, Mrs. Walters, for 4 minutes.

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RPTR ZAMORA

EDTR SECKMAN

[2:29 p.m.]

Mrs. Walters. Thank you. Thank you, Mr. Chairman.

And thank you, Mr. Zuckerberg, for being here.

One of my biggest concerns is the misuse of consumer data and what controls users have over their information. You have indicated that Facebook users have granular control over their own content and who can see it.

As you can see on the screen, on the left is a screen shot of the on/off choice for apps, which must be on for users to use apps that require a Facebook login and which allows apps to collect your information.

On the right is a screen shot of what a user sees when they want to change the privacy settings on a post, photo, or other content. Same account, same user. But which control governs, the app platform access or the user's decision as to who they want to see a particular post?

Mr. Zuckerberg. Sorry. Could you repeat the --

Mrs. Walters. So which app governs, okay, or which control governs, the app platform access or the user's decision as to who they want to see a particular post? So if you look up there on the screen.

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Mr. Zuckerberg. Yeah. Congresswoman, so, when you are using the service, if you share a photo, for example, and you say, "I only want my friends to see it," then in News Feed and Facebook, only your friends are going to see it. If you then go to a website and then you want to sign into that website, that website can ask you and say, "Hey, here are the things that I want to get access to in order for you to use the website." If you sign in after seeing that screen where the website is asking for certain information, then you are also authorizing that website to have access to that information.

If you have turned off the platform completely, which is what the control is that you have on the left, then you wouldn't be able to sign into another website. You would have to go reactivate this before that would even work.

Mrs. Walters. Okay. Do you think that the average Facebook user understands that is how it works, and how would they find this out?

Mr. Zuckerberg. Congresswoman, I think that these -- that the settings when you are signing into an app are quite clear in terms of every time you go to sign into an app, you have to go through a whole screen that says: Here is the app; here are your friends who use it; here are the pieces of information that it would like to have access to. You make a decision whether you sign in, yes or no, and until you say, "I want to sign in," nothing gets shared.

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Similarly, in terms of sharing content, every single time that you would upload a photo, you have to make a decision. It is right there at the top. It says, "Are you sharing this with your friends or publicly or with some group," and every single time that is quite clear.

So, in those cases, yes, I think that this is quite clear.

Mrs. Walters. Okay. So these user control options are in different locations. And it seems to me that putting all privacy control options in a single location would be more user-friendly. Why aren't they in the same location?

Mr. Zuckerberg. Well, Congresswoman, we typically do two things. We have a settings page that has all of your settings in one place in case you want to go and play around or configure your settings. But the more important thing is putting the settings in line when you are trying to make a decision.

So, if you are going to share a photo now, we think that your setting about who you want to share that photo with should be in line right there. If you are going to sign into an app, we think that the -- it should be very clear right in line when you are signing into the app what permissions that app is asking for. So we do both. It is both in one place in settings if you want to go to it, and it is in line in the relevant place.

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Mrs. Walters. Okay. California has been heralded by many on this committee for its privacy initiatives. Given that you and other major tech companies are in California and we are still experiencing privacy issues, how do you square the two?

Mr. Zuckerberg. Sorry. Can you repeat that?

Mrs. Walters. So, given that you and other major tech companies are in California and we are still experiencing privacy issues, how do you square the two?

Mr. Zuckerberg. What was the other piece?

Mrs. Walters. California has been heralded by many on this committee for its privacy initiatives.

Mr. Zuckerberg. Well, Congresswoman, I think that privacy is not something that you can ever -- our understanding of the issues between people and how they interact online only grows over time.

So I think we will figure out what the social norms are and the rules that we want to put in place, and then, 5 years from now, we will come back and we will have learned more things, and either that will just be that social norms have evolved and the company's practices have evolved or we will put rules in place.

But I think that our understanding of this is going to evolve over quite a long time. So I would expect that even if, you know, a State like California is forward leaning, that is not necessarily going to

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mean that we fully understand everything or have solved all the issues.

The Chairman. The gentlelady's time has expired.

I recognize the gentlelady from Michigan, Mrs. Dingell, for 4 minutes.

Mrs. Dingell. Thank you, Mr. Chairman.

Mr. Zuckerberg, thank you for your patience.

I am a daily Facebook user, much to my staff's distress. I do it myself. And because we need a little humor, I am even married to a 91-year-old man that is the king of Twitter. But I know Facebook's value. I have used it for a long time. But with that value also comes obligation.

We have all been sitting here for more than 4 hours. Some things are striking during this conversation. As CEO, you didn't know some key facts. You didn't know about major court cases regarding your privacy policies against your company. You didn't know that the FTC doesn't have fining authority and that Facebook could not have received fines for the 2011 consent order.

You didn't know what a shadow profile was. You didn't know how many apps you need to audit. You did not know how many other firms have been sold data by Dr. Kogan other than Cambridge Analytica and Eunoia Technologies, even though you were asked that question yesterday. And, yes, we were all paying attention yesterday. You

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don't even know all the kinds of information Facebook is collecting from its own users.

Here is what I do know: You have trackers all over the web. On practically every website you go to, we all see the Facebook like or Facebook share buttons. And with the Facebook pixel, people browsing the internet may not even see that Facebook logo. It doesn't matter whether you have a Facebook account. Through those tools, Facebook is able to collect information from all of us.

So I want to ask you, how many Facebook like buttons are there on non-Facebook web pages?

Mr. Zuckerberg. Congresswoman, I don't know the answer to that off the top of my head, but we will get back to you.

Mrs. Dingell. Is the number over 100 million?

Mr. Zuckerberg. I believe we have served the like button on pages more than that, but I don't know the number of pages that have the like button on actively.

Mrs. Dingell. How many Facebook share buttons are there on non-Facebook web pages?

Mr. Zuckerberg. I don't know the answer to that exactly off the top of my head either, but that is something that we can follow up with you on.

Mrs. Dingell. And we think that is over 100 million likely.

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How many chunks of Facebook pixel code are there on non-Facebook web pages?

Mr. Zuckerberg. Congresswoman, you are asking some specific stats that I don't know off the top of my head, but we can follow up with you and get back to you on all of these.

Mrs. Dingell. Can you commit to get back to the committee -- the European Union is asking for 72 hours on transparency. Do you think we could get that back in committee in 72 hours?

Mr. Zuckerberg. Congresswoman, I will talk to my team, and we will follow up.

Mrs. Dingell. I know you are still reviewing, but do you know now whether there are other fourth parties that had access to the data from someone other than Dr. Kogan, or is this something we are going to find out in a press release down the road?

I think what worries all of us -- and you have heard it today -- is it has taken almost 3 years to hear about that. And I am convinced that there are other people out there.

Mr. Zuckerberg. Congresswoman, as I have said a number of times, we are now going to investigate every single app that had access to a large amount of people's information in the past before we locked down the platform.

I do imagine that we will find some apps that were either doing

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something suspicious or misused people's data. If we find them, then we will ban them from the platform, take action to make sure that they delete the data, and make sure that everyone involved is informed.

Mrs. Dingell. And you make it public quickly, not 3 years?

Mr. Zuckerberg. As soon as we find them.

Mrs. Dingell. So I am going to conclude because my time is almost up, that I worry that when I hear companies value our privacy, that it is meant in monetary terms not in the moral obligation to protect it. Data protection and privacy are like clean air and clean water. There need to be clear rules of the road.

The Chairman. The gentlelady's time has expired.

The chair recognizes the gentleman from Pennsylvania, Mr. Costello, for 4 minutes.

Mr. Costello. Thank you, Mr. Chairman.

I would echo Congressman Collins' comments as well.

Mr. Zuckerberg, I think that we, as Americans, have a concept of digital privacy rights in privacy that aren't necessarily codified, and we are trying to sift through how do we actually make privacy rights in a way that are intelligible for tech and understandable to the community at large. And so my questions are oriented in that fashion.

First, if you look at GDPR, the EU privacy -- the law that is about to take effect, what pieces of that do you feel would be properly placed

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in American jurisprudence, in other words, right to erasure, right to get our data back, right to rectify? Could you share with us how you see that playing out, not just for you but for the smaller companies, because I do believe you have a sincere interest in seeing small tech companies prosper?

Mr. Zuckerberg. Yes, Congressman.

So there are a few parts of GDPR that I think are important and good. One is making sure that people have control over how each piece of information that they share is used. So people should have the ability to know what a company knows about them, to control and have a setting about who can see it, and to be able to delete it whenever they want.

The second set of things is making sure that people actually understand what the tools are that are available, so not just having it in some settings page somewhere but put the tools in front of people so that they can make a decision.

And that both builds trust and makes it so that people's experiences are configured in the way that they want. That is something that we have done a number of times over the years at Facebook, but with GDPR, we will now be doing more and around the whole world.

The third piece is there are some very sensitive technologies that I think are important to enable innovation around, like face

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recognition, but that you want to make sure that you get special consent for, right.

If we make it too hard for American companies to innovate in areas like facial recognition, then we will lose to Chinese companies and other companies around the world where -- that are able to innovate on that. But --

Mr. Costello. Do you feel you should be able to deploy AI for facial recognition for a non-FB user?

Mr. Zuckerberg. Congressman, I think that that is a good question, and I think that this is something that probably -- that we should -- that people should have control over how it is used and that we are going to be rolling out and asking people whether they want us to use it for them around the world as part of this push that is upcoming.

But I think, in general, for sensitive technologies like that, I do think you want a special consent. I think that would be a valuable thing to consider.

Mr. Costello. Right. Two quick ones. Is Facebook, in utilizing that platform, ever a publisher, in your mind?

Mr. Zuckerberg. Congressman --

Mr. Costello. You would say you are responsible for content, right?

Mr. Zuckerberg. Yes.

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Mr. Costello. You said that yesterday. Are you ever a publisher, as the term is legally used?

Mr. Zuckerberg. Congressman, I am not familiar with how the term is legally used.

Mr. Costello. Would you ever be legally responsible for the content that is put onto your platform?

Mr. Zuckerberg. Well, Congressman, let me put it this way: There is content that we find, specifically in video today --

Mr. Costello. Right.

Mr. Zuckerberg. And when we are commissioning a video to be created, I certainly think we have full responsibility --

Mr. Costello. Agree.

Mr. Zuckerberg. -- of owning that content.

Mr. Costello. Which is what, I think, Chairman Walden's question was upfront. Right.

Mr. Zuckerberg. But the vast majority of the content on Facebook is not something that we commissioned. For that, I think our responsibility is to make sure that the content on Facebook is not harmful, that people are seeing things that are relevant to them and that encourage interaction and building relationships with the people around them. And that, I think, is the primary responsibility that we have.

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Mr. Costello. My big concern -- I am running out of time -- is someone limits their data to not being used for something that it might potentially be used for that they have no idea what -- how it might actually socially benefit.

And I am out of time, but I would like for you to share at a later point in time how the data that you get might be limited by a user and your inability to use that data may actually prevent the kind of innovation that would bring about positive social change in this country? Because I do believe that was the intention and objective of your company, and I do believe you perform it very, very well in a lot of ways.

Thank you. I yield back.

Mr. Zuckerberg. Thank you.

The Chairman. The gentleman yields back.

I go now to the gentleman from Georgia, Mr. Carter, for 4 minutes.

Mr. Carter. Thank you, Mr. Chairman.

Thank you, Mr. Zuckerberg, for being here. You are almost done. When you get to me, that means you are getting close to the end, so congratulations. Thank you for being here. We do appreciate it.

You know, you wouldn't be here if it wasn't for the privacy, people's information and the privacy and the fact that we had -- you had this lapse. You know all about fake news. You know all about

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foreign intervention. I know you are concerned about that. I want to talk about just a few different subjects, if you will.

And I would like to ask you just some yes-or-no questions. Please excuse my redundancy. I know that some members have already asked you about some of these subjects, but I would like to ask you, Mr. Zuckerberg, did you know that 91 people die every day because of opioid addiction? Yes or no. Did you know that? 91 people every day?

Mr. Zuckerberg. I did not know that specifically, but I know it is a terrible --

Mr. Carter. Did you know that it is estimated to be between 2.5 million to 11.5 million people in this country right now who are addicted to opioids?

Mr. Zuckerberg. Yes.

Mr. Carter. Okay. Did you know that the average age of Americans has decreased for the first time in decades as a result of what people are saying is a result of the opioid epidemic?

Mr. Zuckerberg. Yes, especially among certain demographics.

Mr. Carter. Absolutely.

I ask you this because some of the other members have mentioned that about the ads for fentanyl and other illicit drugs that are on the internet and where you can buy them and about your responsibility to monitor that and make sure that is not happening.

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I had the opportunity this past week to speak at the Prescription Drug Abuse and Heroin Summit in Atlanta that Representative Hal Rogers started some years ago. Also, we had the FDA Commissioner there, and he mentioned the fact that he is going to be meeting with CEOs of internet companies to discuss this problem. I hope that you will be willing to at least have someone there to meet with him so that we can get your help in this. This is extremely important.

Mr. Zuckerberg. Congressman, I will make sure that someone is there. This is an important issue.

Mr. Carter. Okay. Let me ask you another question, Mr. Zuckerberg. Did you know that there are conservation groups that have provided evidence to the Securities and Exchange Commission that endangered wildlife goods, in preliminary ivory, is extensively traded on closed groups on Facebook?

Mr. Zuckerberg. Congressman, I was not specifically aware of that, but I think we know that there are issues with content like this that we need to do more proactive monitoring for.

Mr. Carter. All right. Well, let me ask you, did you know that there are some conservation groups that assert that there is so much ivory being sold on Facebook that it is literally contributing to the extinction of the elephant species?

Mr. Zuckerberg. Congressman, I had not heard that.

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Mr. Carter. Okay. And did you know that the American -- or excuse me, the Motion Picture Association of America is having problems with piracy of movies and of their products and that not only is this challenging their profits but their very existence. Did you know that that was a problem?

Mr. Zuckerberg. Congressman, I believe that has been an issue for a long time.

Mr. Carter. It has been. It has been. So you did know that? Well, the reason I ask you this is that I just want to make sure that I understand you have an understanding of a commitment. Look, you said earlier -- it may have been yesterday -- that hate speech is difficult to discern. And I get that. And I understand that, and you are absolutely right. But these things are not, and we need your help with this.

Now, I will tell you, there are members of this body who would like to see the internet monitored as a utility. I am not one of those. I believe that that would be the worst thing we could do. I believe it would stifle innovation.

I don't think you can legislate morality, and I don't want to try to do that. But we need a commitment from you that these things that can be controlled like this, that you will help us and that you will work with law enforcement to help us with this.

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Look, you love America. I know that. We all know that. We need your help here. I don't want Congress to have to act. You want to see a mess, you let the Federal Government get into this. You will see a mess, I assure you. Please, we need your help with this, and I just need that commitment. Can I get that commitment?

Mr. Zuckerberg. Congressman, yes, we take this very seriously. That is a big part of the reason overall, these content issues, why, by the end of this year, we are going to have more than 20,000 people working on security and content review, and we need to build more tools too. I agree.

Mr. Carter. Thank you very much.

The Chairman. The gentleman's time has expired.

The chair recognizes Mr. Duncan for 4 minutes.

Mr. Duncan. Thank you, Mr. Chairman.

Usually I am last, but today I think we have one behind me that came in late. Mr. Zuckerberg --

The Chairman. Only by 2 minutes did he come in late.

Mr. Duncan. -- I want to thank you for all the work you have done, and I want to let you know that I have been on Facebook since 2007 and started as a State legislator, used Facebook to communicate with my constituents, and it has been an invaluable tool for me in communicating. We can actually do in real time multiple issues as we

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deal with them here in Congress, answer questions. It is almost like a townhall in real time.

I also want to tell you that your staff here at the Governmental Affairs Office, Chris Herndon and others, do a fabulous job in keeping us informed. So I want to thank you for that.

Before this hearing, when we heard about it, we asked our constituents and our friends on Facebook what would they want me to ask you. And the main response was addressing the perceived and, in many instances, confirmed bias and viewpoint discrimination against Christians and conservatives on your platform.

Today, listening to this, I think the two main issues are user privacy and censorship. The Constitution of the United States and the First Amendment says Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, nor will it abridge the freedom of speech, of the press, the right of people to assemble or address the Congress for redress of grievances -- petition Congress for redress of grievances.

I have got a copy of the Constitution I want to give you at the end of this hearing. The reason I say all that, this is maybe a rhetorical question, but why not have a community standard for free speech and free exercise of religion that is simply a mirror of the First Amendment with algorithms that are viewed -- that have a

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viewpoint that is neutral? Why not do that?

Mr. Zuckerberg. Well, Congressman, I think that we can all agree that certain content like terrorist propaganda should have no place on our network. And the First Amendment, my understanding of it, is that that kind of speech is allowed in the world. I just don't think that it is the kind of thing that we want to allow to spread on the internet.

So, once you get into that, you are already -- you are deciding that you take this value that you care about safety and that we don't want people to be able to spread information that could cause harm. And I think that that -- our general responsibility is to allow the broadest spectrum of free expression as we can, and that is why --

Mr. Duncan. And I appreciate that answer. You are right about propaganda and other issues there.

And I believe the Constitution generally applies to government and says that Congress shall make no law respecting -- talks about religion, and then it won't abridge the freedom of speech or the press.

But the standard has been applied to private businesses, whether those are newspapers or other media platform. And I would argue that social media has now become a media platform to be considered in a lot of ways the same as other press media. So I think the First Amendment probably does apply and will apply.

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Let me ask you this: What will you do to restore the First Amendment rights of Facebook users and ensure that all users are treated equally, regardless of whether they are conservative, moderate, liberal, or whatnot?

Mr. Zuckerberg. Well, Congressman, I think that we make a number of mistakes in content review today that I don't think only focus on one political persuasion. And I think it is unfortunate that, when those happen, people think that we are focused on them. And it happens in different political groups. I mean, we have --

Mr. Duncan. But in the essence of time, conservatives are the ones that raise the awareness that their content has been pulled. I don't see the same awareness being raised by liberal organizations, liberal candidates, or liberal policy statements.

And I think you have been made aware of this over the last 2 days. You probably need to go back and make sure that those things are treated equal, and I would appreciate you do that. Again, I appreciate the platform. I appreciate the work you do, and we stand willing and able to help you here in Congress because Facebook is an invaluable part of what we do and how we communicate. So thanks for being here.

Mr. Zuckerberg. Thank you.

Mr. Duncan. I yield back.

The Chairman. And for our final 4 minutes of questioning comes

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from Mr. Cramer of North Dakota, former head of the public utility commission there. We welcome your comments. Go ahead.

Mr. Cramer. Thank you.

And thanks for being here, Mr. Zuckerberg.

You know, "don't eat the fruit of this tree" is the only regulation that was ever initiated before people started abusing freedom. Since then, millions of regulations, laws, and rules have been created in response to an abuse of freedom. Oftentimes that response is more extreme than the abuse, and that is what I fear could happen based on some of the things I have heard today in response to this.

So this national discussion is very important, first of all, not only for these last 2 days but that it continues, lest we over respond, okay. Now, that said, I think that the consumer and industry, whatever industry it is, your company or others like yours, share that responsibility. So I appreciate both your patience and your preparation coming in today.

But in response to the questions from a few of my colleagues related to the illegal drug ads, I have to admit that there were times when I was thinking, "His answers aren't very reassuring to me," and I am wondering what your answer would be as to how quickly you could take down an illegal drug site if there was a \$1 million per-post per-day regulation fine tied to it.

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In other words, give it your best. I mean, don't wait for somebody to flag it. Look for it. Make it a priority. It is certainly far more dangerous than a couple of conservative Christian women on TV. So, please, be better than this.

Mr. Zuckerberg. Congressman, I agree that this is very important, and I miscommunicated if I left the impression that we weren't proactively going to work on tools to take down this content and we are only going to rely on people to flag it for us.

Right now, I think underway we have efforts to focus not only on ads, which has been most of the majority of the questions, but a lot of people share this stuff in groups too and the free part of the product that aren't paid, and we need to get that content down too.

I understand how big of an issue this is. Unfortunately, the enforcement isn't perfect. We do need to make it more proactive, and I am committed to doing that.

Mr. Cramer. And I don't expect it to be perfect, but I do expect it to be a higher priority than conservative thought.

Speaking of that, I think in some of your responses to Senator Cruz yesterday and some responses today related to liberal bias, you have sort of implied the fact that while you have these 20,000 enforcement folks, you have implied that Silicon Valley -- perhaps this was more yesterday -- that Silicon Valley is a very liberal place and

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so the talent pool perhaps leans left in its bias.

Let me suggest that you look someplace perhaps in the middle of the North American continent for some people. Maybe even your next big investment of capital could be in the -- someplace like, say, Bismarck, North Dakota, or Williston, where you have visited, where people tend to be pretty commonsense and probably perhaps even more diverse than Facebook in some respects. If the talent pool is a problem, then let's look for a different talent pool, and maybe we can even have a nice big center someplace.

I want to then close with this, because you testified yesterday -- and the opening statement by the ranking member of the committee bothered me in that suddenly there is this great concern that the providers, particularly Facebook, other large edge providers and content providers, should be hyper regulated, when all along we, as Republicans, have been talking about net neutrality. We talked about, earlier this year or last year, when we rolled back the internet service provider privacy stuff that seemed tilted heavily in your favor and against them.

Don't you think that ubiquitous platforms like Google and Facebook and many others should have the same responsibility to privacy as an internet service provider?

Mr. Zuckerberg. Congressman, let me answer that in a second.

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And before I get to that, on your last point, the content reviewers who we have are not primarily located in Silicon Valley. So I think that was an important point.

Mr. Cramer. It is.

Mr. Zuckerberg. I do worry about the general bias of people in Silicon Valley, but the majority of the folks doing content review are around the world in different places.

To your question about net neutrality, I think that there is a big difference between internet service providers and platforms on top of them. And the big reason is that -- well, I just think about my own experience.

When I was starting Facebook I had one choice of an internet service provider. And if I had to potentially pay extra in order to make it so that people could have Facebook as an option for something that they used, then I am not sure that we would be here today.

Platforms, there are just many more. So it may be true that a lot of people choose to use Facebook. The average American, I think, uses about eight different communication and social network apps to stay connected to people.

It just is clearly correct or true that there are more choices on platforms. So even though they can reach large scale, I think the pressure of just having one or two in a place does require us to think

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a little bit differently about that.

Mr. Cramer. I will submit to you that I have fewer choices on the platform -- in your type of a platform than I do internet service providers even in rural North Dakota.

With that, thank you, Mr. Chairman.

The Chairman. I suppose you don't want to hang around for another round of questions. Just kidding.

Mr. Zuckerberg. Your staff, several of them just passed out behind you.

You know, on a serious note, as we close, I would welcome your suggestions of other technology CEOs we might benefit from hearing from in the future for a hearing on these issues as we look at net neutrality, as we look at privacy issues. These are all important. They are very controversial. We are fully cognizant of that. We want to get it right. And so we appreciate your comments and testimony today.

There are no other members that haven't asked you questions, and we are not doing a second round. So, seeing that, I just want to thank you for being here. I know we agreed to be respectful of your time. You have been respectful of our questions, and we appreciate your answers and your candor.

As you know, some of our members weren't able to ask all the questions they had, so they will probably submit those in writing, and

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we would like getting answers to those back in a timely manner.

I would also like to include the following documents be submitted into the record by unanimous consent: A letter from American Civil Liberties Union; a letter from NetChoice; a letter from the Vietnam Veterans of America, which I referenced in my opening remarks; a letter from Public Knowledge; a letter and an FTC complaint from the Electronic Privacy Information Center; a letter from the Motion Picture Association of America; a letter from ACT, The App Association; a letter from the Committee For Justice; a letter from the Transatlantic Consumer Dialogue; and a letter from the civil society groups; and a letter from the National Council of Negro Women.

[The information follows:]

***** COMMITTEE INSERT *****

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The Chairman. Pursuant to committee rules, I remind members they have 10 business days to submit additional questions for the record. And I ask that the witness submit their responses within 10 business days upon receipt of those questions.

Without objections, our committee is now adjourned.

[Whereupon, at 2:59 p.m., the committee was adjourned.]