

ONE HUNDRED SEVENTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

August 31, 2022

Mr. Mark Zuckerberg
Chairman and Chief Executive Officer
Meta Platforms, Inc.
1 Hacker Way
Menlo Park, CA 94025

Dear Mr. Zuckerberg:

We write to express our concern with recent reporting about Meta releasing consumers' sensitive data, including private communications, in state criminal proceedings related to abortion.¹ Following recent reporting, your company issued a statement claiming that “[m]uch of the reporting about Meta’s role in a criminal case against a mother and daughter in Nebraska is plain wrong,” and that “[t]he warrants did not mention abortion at all.”² Given the sensitivity of this issue and the likelihood that such requests from law enforcement will increase, we write to seek clarity on how your company protects users’ sensitive data while complying with its legal obligations.

Your users rely on Facebook and your other platforms to communicate with each other about their personal lives and therefore your company has access to highly sensitive information. In light of the Supreme Court’s decision overturning *Roe v. Wade* and the constitutional right to abortion, your company will increasingly be asked to turn over data to law enforcement for the purpose of criminalizing those who seek abortion services. Personal conversations about accessing health care services may now be considered evidence of crimes by law enforcement in certain jurisdictions.

We fear it is only a matter of time before Meta is asked by law enforcement to turn over personal data of users in which they specifically cite attempting or performing abortion as the crime being investigated. It is completely foreseeable that Meta may be asked to turn over other

¹ *Facebook turned over chat messages between mother and daughter now charged over abortion*, NBC News (Aug. 9, 2022); *This Is the Data Facebook Gave Police to Prosecute a Teenager for Abortion*, Vice (Aug. 9, 2022).

² *Meta, Correcting the Record on Meta’s Involvement in Nebraska Case* (Aug. 9, 2022) (<https://about.fb.com/news/2022/08/meta-response-nebraska-abortion-case/>).

Mr. Mark Zuckerberg

August 31, 2022

Page 2

sensitive data based on conversations related to assisting a friend or family member with transportation to obtain an abortion or providing money for cab fare or hotel accommodations. The possibilities are endless and are endlessly troubling.

As extreme Republican policies create oppressive and chaotic legal frameworks, the American people and businesses are faced with increasingly complicated and uncertain personal health decisions. In this environment, appropriately safeguarding personal information and communications on your platform is paramount.

Following the Supreme Court's decision and the ongoing chaos and legal uncertainty that the decision has generated, the security and treatment of personal and private information on your platform is more crucial than ever. We therefore request a briefing regarding Meta's treatment of personal data, its policies and procedures regarding the sharing of that data with law enforcement and other outside parties, and any steps that Meta is taking to provide users with greater security of their data and greater clarity as to the circumstances under which Meta would release that data to a third party.

We request that you provide this briefing to Committee staff by September 21, 2022. Please contact Will McAuliffe of the Committee staff at (202) 225-2927 if you have any questions.

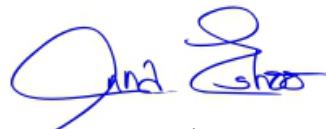
Sincerely,



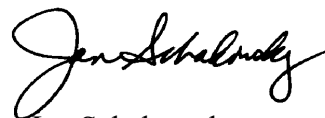
Frank Pallone, Jr.
Chairman



Diana DeGette
Chair
Subcommittee on Oversight
and Investigations



Anna G. Eshoo
Chairwoman
Subcommittee on Health



Jan Schakowsky
Chair
Subcommittee on Consumer Protection
and Commerce

Mr. Mark Zuckerberg

August 31, 2022

Page 3

cc: The Honorable Cathy McMorris Rodgers
Ranking Member
Committee on Energy and Commerce

The Honorable Brett Guthrie
Ranking Member
Subcommittee on Health

The Honorable H. Morgan Griffith
Ranking Member
Subcommittee on Oversight and Investigations

The Honorable Gus M. Bilirakis
Ranking Member
Subcommittee on Consumer Protection and Commerce