

February 19, 2010

The Honorable Richard Durbin  
U.S. Senate Committee on the Judiciary  
Subcommittee on Human Rights & the Law  
United State Senate  
Washington, D.C. 20510

Dear Chairman Durbin,

Thank you for your letter of January 29, 2010 to Facebook, Inc. (“Facebook” or “the company”) regarding the company’s potential participation in your forthcoming Subcommittee hearing on internet freedom in China. Facebook does not have any business operations or significant user footprint in China and will therefore respectfully decline to participate in the March hearing. We are nonetheless pleased to provide you with the following response regarding our business practices and policy views on the important issues you have asked us to address. As you know, this letter is an addition to our prior response to your August 6, 2009 letter.

Facebook’s mission is to give people the power to share and make the world more open and connected. At the same time, we recognize that social norms around information sharing, connection, openness and privacy vary from country to country and culture to culture. As our business grows internationally, we work hard to offer tools and services that empower users while recognizing the importance of respecting local conditions, traditions and legal requirements.

As a relatively young company, we are learning about how to accomplish both goals simultaneously. We are carefully watching the experience of similarly situated, but longer-tenured companies and trying to learn from their experiences. We have met with human rights experts at various Non-Governmental Organizations (“NGOs”) and have an open door and an open mind to hear their concerns. We look to the Global Network Initiative (“GNI”) as a benchmark to which we compare our own efforts. Further, we are also always open to constructive collaboration with other companies, federal agencies, NGOs and other experts.

### **Facebook’s Commitment to Human Rights**

We hope that the Facebook service advances human rights everywhere by providing people around the world with access to free, fast, simple, multi-lingual communications tools. Facebook provides a platform for user generated content. Providing the ability to communicate and share protects and advances human rights because people can witness

The Facebook logo, consisting of the word "facebook" in white lowercase letters on a blue rectangular background.

and report on their world in real time. In a very real sense, Facebook users can be journalists by reporting on the world they experience.

We have instituted certain rules, enshrined in our Statement of Rights and Responsibilities to facilitate the sharing of content that is appropriate to share on Facebook. These rules make sure that when sharing an opinion turns into direct statements of hate or threats against an individual, for example, or when users upload nudity, pornography, or violent photos or videos, the professional reviewers on our team take quick action to respond to reports, remove the content, and either warn the sender or disable the accounts of those responsible. It is only after content is shared that if other users believe that content violates our Terms of Service, they can report the potentially offending content for us to investigate. When content reported to us – shared from anywhere in the world – violates our Terms of Service, or when content shared from a particular jurisdiction violates that jurisdiction's local laws or customs, Facebook may take down that content.

### **Facebook Does Not Have a Business Presence in China**

To respond to your more specific questions, put simply, Facebook has no business operations in China or, for that matter, in most countries of the world. More explicitly, we do not employ any staff in China. We do not have any offices in China. We do not store any user data in China, nor do we have individuals selling ads in China. Although, undoubtedly some Facebook users reside in China and some users who are in China occasionally may access Facebook, Facebook has not been widely accessible to users in China since June 2009.

Further, we do not have any present plans to open an office in China, and no plans to make any changes to the Facebook service for users in China. Facebook also does not store any user data outside of the United States.

### **Facebook's Engagement with the Global Network Initiative**

Although our policy team is small in staff numbers, we did participate in a GNI open house. Based on what we have learned, we do not anticipate more expansive engagement in the GNI unless and until the growth of our international business operations warrants it and we have the staff hours to dedicate to participating properly. While not being formal participants at this stage, we nevertheless hope to stay informed about the work of the GNI and use it to inform and further shape our decisions with respect to our company growth worldwide and development and implementation of our policies.

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Facebook appreciates the opportunity to respond to your questions, as well as your continued attention to and leadership with respect to this issue. Should the facts about our business change as our business grows internationally, we would welcome the opportunity to testify at a subsequent hearing and we will continue to meet with your staff in the

interim. If we can be of further assistance to you or your staff, please feel free to contact me at any time.

Sincerely,

Timothy Sparapani  
Director, Public Policy  
Facebook

