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October 23, 2026

VIA ELECTRONIC TRANSMISSION

Mark Zuckerberg
Founder, Chairman, and Chief Executive Officer
Meta Inc.
Menlo Park, CA 94025

Dear Mr. Zuckerberg:

I write to express serious concern over Meta's updated Commercial Terms, which are scheduled to take effect on October 30, 2026.[1] These terms indicate Meta is attempting to exploit American creators and businesses by granting itself sweeping authority to scrape content from any website associated with Facebook and Instagram business accounts. American businesses should not have to give Big Tech unrestricted access to their intellectual property simply because they use Facebook or Instagram to reach customers. Yet Meta's proposed terms raise serious questions about whether your company intends to exploit its dominant position through coercive consent to collect valuable content from the people who created it.

On October 15, 2026, reports revealed that Meta planned to implement new Commercial Terms that would authorize the company to use automated web scrapers to access, collect, and analyze content from external websites associated with business accounts on its platforms.[2] The original language explicitly authorized Meta to use this content to "research" and "train" its products and services, raising concerns that the company could use copyrighted articles, photographs, musical works, and other proprietary materials to develop its artificial intelligence models. In effect, simply linking a business website to a Facebook or Instagram account could expose any content on that website to collection and use by Meta for purposes far beyond the business's original intent. Your Commercial Terms read:

> "You authorize us (or any entity acting on our behalf) to use automated software (such as web scrapers, bots, robots, spiders, crawlers, and user agents) and create test credentials to access, index, cache, analyze, collect, retrieve, or crawl the domains, web pages, or URLs (and any content available through them) that are associated with your products or services, or that are made available through your or users' use of Meta Company Products and services, and to periodically pull updates from such domains, web pages, or URLs. Meta

[1] FACEBOOK COMMERCIAL TERMS PREVIEW, https://www.facebook.com/legal/commercial_terms_preview.
[2] Andrew Deck & Hanaa' Tameez, *Meta's New Commercial Terms Will Allow the Scraping of News Sites, Legal Experts Say*, NIEMAN JOURNALISM LAB (Oct. 15, 2026), https://www.niemanlab.org/2026/10/metas-new-commercial-terms-will-allow-the-scraping-of-news-sites-legal-experts-say/.

> may use any content from such domains, web pages, or URLs to provide, develop, improve, research, train, and maintain the integrity of, the Meta Company Products, services, and features provided under these Commercial Terms and any other applicable supplemental terms."

After backlash from Americans across the country, Meta revised its terms to remove the explicit reference to AI training and narrow the stated purposes to business products.[3] However, these revisions fail to resolve the underlying concerns. Meta's updated language still authorizes extensive scraping of external websites and permits Meta to "develop" its business products with collected content. Without clear restrictions on how that information may be used, including whether it may be incorporated into AI systems, Meta's revisions offer little assurance that creators' intellectual property will be protected.

This is particularly troubling for American news publishers, creators, and small businesses that rely on Meta's platforms to reach their audiences and customers. Framing data-extraction practices as voluntary does not change the coercive nature of this decision. A local newspaper should not have to worry that linking its website to Facebook gives Meta permission to collect its reporting. A musician or photographer should not have to surrender control over their original work simply to promote themselves on Instagram.

American creators and small businesses are not a free source of content for Meta to exploit, and they deserve to know exactly how their work is being collected and used. Meta's updated Commercial Terms raise serious questions about the company's respect for the businesses and creators that make its platforms valuable. Meta must withdraw the updated Commercial Terms and come to the table to protect the content of creators and publishers across the country.

Thank you for your prompt attention to this matter.

Sincerely,

Marsha Blackburn
Chairman
Subcommittee on Privacy, Technology, and the Law
Senate Judiciary Committee

[3] Karissa Bell, *Meta Tweaks Its New Terms of Service After Backlash Against Scraping*, MSN (Oct. 19, 2026), https://www.msn.com/en-us/news/other/meta-tweaks-its-new-terms-of-service-after-backlash-against-scraping/ar-AA2fBOQU.