

Congress of the United States
Washington, DC 20515

May 28, 2014

Mr. John Donahoe
Chief Executive Officer
eBay Inc.
2065 Hamilton Avenue
San Jose, CA 95125

Dear Mr. Donahoe,

On May 21, 2014, eBay Inc. announced in a news release that the company was informing their users to change their passwords due to a cyberattack that “compromised a database containing encrypted passwords and other non-financial data.”¹ We also learned that the attackers compromised “a small number of employee log-in credentials” to gain access to the personal information of the users.²

Currently, eBay has a global user base of millions and is a company that is gaining more active users by the day.³ According to a Washington Post article, “Ebay spokeswoman Amanda Miller said the company is asking all of its 145 million active users to change their passwords as a ‘precautionary measure,’ but is not sure how many accounts were compromised in the breach.”⁴

A breach of security is not unknown to many companies, and we applaud eBay Inc. for alerting it’s users to change their passwords to ensure further protection of any personal information. However, as members of the Congressional Bi-Partisan Privacy Caucus and sponsors of H.R. 4400, the Data Accountability and Trust Act, we have some concerns regarding the data security practices of personal information at eBay.

With this said, we request responses to the questions that follow.

1. According to eBay’s privacy policy posted on September 11, 2013, the company mentions various data that it collects either automatically or given by the user. However, the company informed us that a customer’s name, encrypted password, email address, physical address, phone number, and date of birth was the only information that was compromised.

¹ eBay Inc. (2014). eBay inc. to ask eBay users to change passwords [Press Release]. Retrieved May 22, 2014 from <http://investor.ebayinc.com/releasedetail.cfm?ReleaseID=849396>

² *Id.*

³ The Statistic Portal. (2014). Number of eBay’s total buyers from 1st quarter 2010 to 1st quarter 2014. Retrieved May 22, 2014 from <http://www.statista.com/statistics/242235/number-of-ebays-total-active-users/>

⁴ Peterson, A. (2014, May 21). eBay asks 145 million users to change passwords after data breach. *The Washington Post*. Retrieved May 21, 2014 from <http://www.washingtonpost.com/blogs/the-switch/wp/2014/05/21/eBay-asks-145-million-users-to-change-passwords-after-data-breach/>

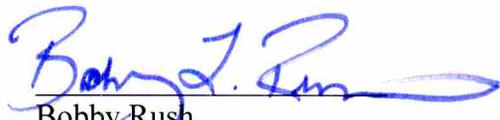
- a. In eBay's privacy policy, it describes a list of personal information that can be collected on a user. This list includes information provided via social media sites, transactional information based on activities on the site, postage and billing information, and additional personal information for authentication purposes.⁵ Please explain how this personally identifiable information was not also compromised?
 - b. Is eBay still gathering data on the full scope of the breach? Please describe how eBay has the assurance that the aforementioned personally identifiable information was not also compromised.
 - c. As it relates to accessing eBay on a mobile device, has the company noticed a breach in location information or any other mobile identifier from its users? If not, why not? If so, please explain.
2. In eBay's privacy policy under the section titled, "Collection of Personal Information," it indicates that when a user registers an account with eBay and provides personal information, the user gives consent to the transfer and storage of their personal information on servers in the United States. The privacy policy also goes on to state that personal information is protected using technical and administrative security measures to include the use of firewalls, data encryption, physical access controls to data centers, and information authorization controls.⁶
- a. Please explain whether or not eBay intends to perform an assessment of current data security protocols. If not, why not? If so, what additional security protections is the company considering to further safeguard personal information?
 - b. How many major breaches of security has eBay experienced since the company's inception in 1995 and has the company noticed a decrease in the number of major breaches? If not, why not? If so, please explain why.

Please provide responses to these questions within 20 business days or no later than June 25, 2014. If you have any questions, please contact Emmanuel Guillory in Rep. Barton's office at 202-225-2002 or by email at emmanuel.guillory@mail.house.gov.

Sincerely,



Joe Barton
Co-Chair
Bi-Partisan Privacy Caucus



Bobby Rush
Member
Bi-Partisan Privacy Caucus

⁵eBay. (2013, September 11). Privacy policy. Retrieved May 21, 2014 from <http://pages.ebay.com/help/policies/privacy-policy.html?rt=nc>

⁶*Id.*