

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<https://oversight.house.gov>

July 6, 2021

Mr. Satya Nadella
Chief Executive Officer
Microsoft Corporation
One Microsoft Way
Redmond, WA 98052

Dear Mr. Nadella,

Republicans on the House Oversight and Reform Committee write today to request information about the safety and data collection practices by Microsoft Corporation (Microsoft) of students, teachers, and academic institutions. As we know, the coronavirus pandemic shifted students to online schooling almost overnight. Schools were left scrambling to provide access to education for students, especially students in underserved communities. Utilization of online systems like Microsoft Education has increased substantially through the duration of this pandemic. This is particularly concerning because it is unclear who children are communicating with and how data collected from children is being used.

Microsoft offers a collection of products under Office 365 Education to accredited academic institutions.¹ Students and educators are eligible for Office 365 Education at no cost. These platforms include Outlook, Word, Excel, PowerPoint, and OneNote.² In addition, Office 365 Education includes classroom tools such as Exchange, OneDrive, SharePoint, Skype for Business, Teams, Sway, Forms, Stream, Flow, PowerApps, School Data Sync, and Bookings.³ Some of these programs not only collect data but also offer children the ability to communicate with a wide variety of people of all ages. This is troubling.

Children continue to spend increased time online as schools remain shuttered across the country. Parents should be able to protect their children online and monitor their activities to ensure they are not accessing inappropriate content or being targeted in any way. Unfortunately, that is not always the case. Of particular concern, Microsoft's terms state children can access communication services, like Outlook and Skype, and can freely communicate and share data

¹ *Office 365 Education*, MICROSOFT, <https://www.microsoft.com/en-us/education/products/office/default.aspx> (last visited May 13, 2021).

² *Get Office 365 free for your entire school*, MICROSOFT, <https://www.microsoft.com/en-us/microsoft-365/academic/compare-office-365-education-plans?activetab=tab:primaryr2> (last visited May 13, 2021).

³ *Id.*

with other users of all ages.⁴ This raises serious concerns about who children are communicating with during the school day, particularly when many working parents have other obligations.

In addition, Microsoft's Online Service Terms state the company obtains demographic data about its users from third parties to supplement the data the company already collects.⁵ This apparently includes collecting data from children using Office 365 Education. Microsoft's Online Service Terms state they will not use or otherwise process personal information or derive information from it for any advertising or similar commercial purposes.⁶ However, Microsoft's privacy policy states they may use personal information for marketing and advertising purposes for other Microsoft products.⁷ We are interested to learn more about how this data, collected from students, teachers, academic institutions is utilized by Microsoft and whether Microsoft is protecting children's data from improper uses.

In order to help us better understand how Microsoft protects students, the data Microsoft collects from students, teachers, academic institutions, and how it is being utilized, please provide the following documents and information by July 20, 2021:

1. The number of academic institutions who have contracted with Microsoft to utilize any or all of the programs offered under Office 365 Education.
2. A list of all types of data Microsoft collected from academic institutions, students, and teachers who utilize Microsoft Education.
3. A detailed explanation of the safeguards Microsoft has in place to protect students from exposure to improper content while using any programs in Microsoft Education.
4. A list of steps parents can take to ensure their students are not exposed to inappropriate content and what steps parents can take in the event their child is exposed to inappropriate content.
5. A list of all third parties who have access to data collected by Microsoft from academic institutions, students, and teachers.
6. All documents outlining the procedures for utilization of data collected from academic institutions, students, and teachers is utilized by Microsoft.
7. All documents and communications related to children being targeted by adults during the school day while using Microsoft Education products.

⁴ *Standard Privacy Report for Microsoft Office 365 Education*, COMMON SENSE PRIVACY PROGRAM (Feb. 4, 2020), <https://privacy.commonsense.org/privacy-report/Microsoft-Office-365-Education>.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

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8. Whether Microsoft profits from any of the data collected from academic institutions, students, or teachers.
9. Is the data collected by Microsoft from academic institutions, students, and teachers compared to and compiled with existing data held by Microsoft?
10. Procedures that academic institutions, students, and teachers can utilize to opt out of Microsoft's data collection and utilization.

In addition to the above documents and information, we request a staff-level briefing no later than July 13, 2021. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X.

Thank you in advance for your cooperation with this inquiry.

Sincerely,



Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy



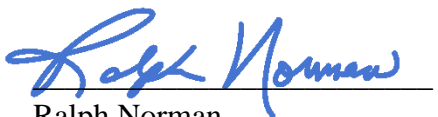
James Comer
Ranking Member
Committee on Oversight and Reform



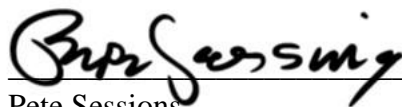
Jody Hice
Ranking Member
Subcommittee on Government Operations



Glen Grothman
Ranking Member
Subcommittee on National Security



Ralph Norman
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Subcommittee on Environment



Pete Sessions
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Subcommittee on Civil Rights and
Civil Liberties

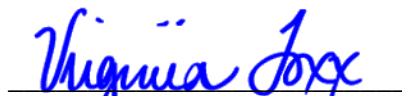
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Paul A. Gosar, D.D.S.
Member of Congress



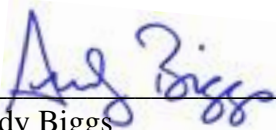
Virginia A. Foxx
Member of Congress



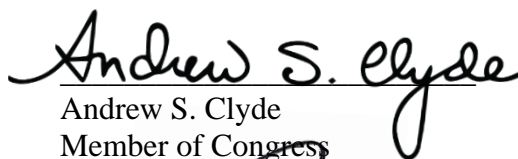
Bob Gibbs
Member of Congress



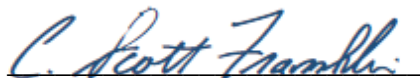
Fred Keller
Member of Congress



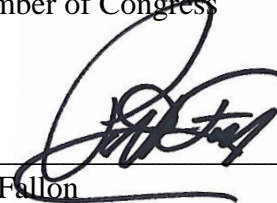
Andy Biggs
Member of Congress



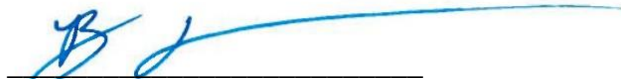
Andrew S. Clyde
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Scott Franklin
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Pat Fallon
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Byron Donalds
Member of Congress

cc: The Honorable Carolyn Maloney, Chairwoman
Committee on Oversight and Reform

The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties