

April 7, 2020

Mr. Sundar Pichai  
Chief Executive Officer  
Google LLC  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

Dear Mr. Pichai:

We write regarding Google's COVID-19 Community Mobility Reports and Google's processing of your users' location data. As the United States and countries across the globe combat the ongoing coronavirus pandemic, both the public and private sectors must proactively pursue innovative solutions to this public health crisis. Those solutions, however, cannot come at the expense of individuals' personal privacy.

Your company's recently-launched COVID-19 Community Mobility Reports project purports to employ users' location information to provide insight into movement trends related to the coronavirus pandemic.<sup>1</sup> According to Google, this project involves only aggregated and anonymized data, and your objective is to reveal insights into on-the-ground outcomes of the "shelter in place" and "work from home" orders that governments throughout the nation and the world have issued. You have assured the public that, as part of this project, you will not make available any personally identifiable information, and that your reports will be available only for a "limited time."<sup>2</sup> As Google moves forward with this project and any other efforts to address the coronavirus pandemic, we urge you to prioritize your users' privacy and build on the existing privacy policies you have established for this initiative.

The potential consequences of misusing or inappropriately accessing individuals' personal information are particularly serious when location data is involved. An individual's location data can reveal other sensitive information, such as a place of employment, religious affiliation, or political preferences.<sup>3</sup> Access to this type of information can pose risks to both individuals' civil liberties and their physical safety. No one should fear that their phone is monitoring their every step. For this reason, we have previously written your company several times expressing our concerns about Google's use of location data, including the same source of location data used in

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<sup>1</sup> Jen Fitzpatrick and Karen DeSalvo, *Helping public health officials combat COVID-19*, The Keyword (April 3, 2020) <https://www.blog.google/technology/health/covid-19-community-mobility-reports>.

<sup>2</sup> See *How Your Community is Moving Around Differently Due to COVID-19*, <https://www.google.com/covid19/mobility/>, (last visited April 3, 2020).

<sup>3</sup> Stuart A. Thompson and Charlie Warzel, *Twelve Million Phones, One Dataset, Zero Privacy*, N.Y. Times (Dec. 19, 2019), <https://www.nytimes.com/interactive/2019/12/19/opinion/location-tracking-cell-phone.html>.

Google’s COVID-19 Community Mobility Reports.<sup>4</sup> During this pandemic, permissive use of location information abroad has also shown how this type of data sharing can facilitate other societal harms, including the spread of social stigma.<sup>5</sup> Location data sharing carries with it myriad risks, and while we commend Google’s efforts to assist in combatting the coronavirus pandemic, we caution you against steps that risk undermining your users’ privacy.

Accordingly, we ask that you please provide responses to the following questions by April 14, 2020:

1. Does Google plan to share with any government entities, researchers, or private sector partners any users’ coronavirus-related personal data or pseudonymous information? If so, please describe those plans in detail.
2. Does Google plan to use datasets other than Location History for its Community Mobility Reports? Does it plan to report the data with more granular precision than at the county level?
3. Google has stated that it is “collaborating with select epidemiologists working on COVID-19 with updates to an existing aggregate, anonymized dataset that can be used to better understand and forecast the pandemic.”<sup>6</sup> Please describe in further detail both the “existing aggregate, anonymized dataset” — including the source and nature of that data — and the updates referred to in the announcements.
4. Google has stated that it will evaluate its reports as it receives “feedback from public health officials, civil society groups, [and] local governments.”<sup>7</sup> Please explain your process for soliciting this feedback. Please identify the specific entities with which you are consulting on this project.
5. Please describe the measures that Google has undertaken to ensure that the trends detailed in the reports are representative of the entire population of an area, including non-Google users, those without smartphones, or individuals that have opted out of Location History. Does Google expect that the Community Mobility Reports to be accurate for more rural or less connected communities?

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<sup>4</sup> Letter from Senator Richard Blumenthal and Senator Edward J. Markey to Joseph Simons, Chairman, Federal Trade Commission (May 11, 2018), <https://www.blumenthal.senate.gov/imo/media/doc/05.11.2018%20-%20FTC%20-%20Google%20Location%20History.pdf>.

<sup>5</sup> Nemo Kim, *‘More scary than coronavirus’: South Korea’s health alerts expose private lives*, Guardian (Mar. 5, 2020), <https://www.theguardian.com/world/2020/mar/06/more-scary-than-coronavirus-south-koreas-health-alerts-expose-private-lives>.

<sup>6</sup> Jen Fitzpatrick and Karen DeSalvo, *Helping public health officials combat COVID-19*, The Keyword (Apr. 3, 2020), <https://www.blog.google/technology/health/covid-19-community-mobility-reports>.

<sup>7</sup> *Id.*

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6. What guidance has Google provided to public health officials about how to interpret the reports, including how Google accounts for common social patterns and categorizes locations?

Thank you for your efforts to combat the coronavirus pandemic and for your attention to these important matters. If you have any questions about these requests, please contact Bennett Butler of Senator Markey's staff at [bennett\\_butler@markey.senate.gov](mailto:bennett_butler@markey.senate.gov).

Sincerely,



Edward J. Markey  
United States Senator



Richard Blumenthal  
United States Senator