

ONE HUNDRED TWELFTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
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WASHINGTON, DC 20515-6115

Majority (202) 225-2927  
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February 9, 2012

Mr. Larry Page  
Chief Executive Officer  
Google  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

Dear Mr. Page:

Thank you for providing Google representatives to brief the Members of our subcommittee on February 1, 2012, with regard to your plans to consolidate Google's privacy policies on March 1. They provided some important insights and were very generous with their time.

As we previously noted, we agree with your decision to provide consumers with a shorter, simpler, streamlined privacy policy. Members of the Subcommittee on Commerce, Manufacturing, and Trade also appreciated the opportunity to discuss the proposed modifications and ask questions about your data collection and use policies. Nevertheless, we still have questions regarding certain aspects of your privacy policy and the proposed changes. Accordingly, we respectfully request responses to the following questions and information requests:

1. There is confusion regarding how long it takes Google to fulfill a consumer's request to delete information. Google has previously responded that deletion could be honored within a "reasonable" time period; however, discussion at the briefing indicated that some items – such as emails – could require as much as 60 days to delete from Google's systems completely.
  - a. Please describe the normal procedures and timeline associated with permanently deleting an email message.



is defined as “... *a particular category of personal information relating to confidential medical facts, racial or ethnic origins, political or religious beliefs or sexuality.*”

- a. How does Google define “confidential medical facts”? Is the definition available for consumers to review?
  - b. Does Google place any restrictions on its collection and use of information that falls outside the “sensitive personal information” definition?
  - c. Is a medical-related search considered a “confidential medical fact” under the privacy policy? If not, does that mean Google can share the information without the user’s consent?
7. Due to the consent decree Google entered into with the Federal Trade Commission (FTC), Google must submit any material change to its privacy policies to the FTC.
- a. Did you submit the proposed changes to the FTC?
  - b. Did the FTC provide any comment or suggested changes? If so, please describe their suggestions or comments. Please also describe Google’s response to any suggestions the FTC made.
8. In light of numerous inquiries from U.S. lawmakers regarding the changes to the privacy policy and terms of service, and the request from European data regulators to delay the launch of these changes, do you believe confusion about these changes exist in the marketplace? If so, what additional steps will Google take to educate consumers about such changes?
9. Google’s new privacy policy states that “we do not share personal information with companies, organizations and individuals outside of Google” except under specific circumstances such as with a user’s consent or to meet legal obligations.
- a. Can you clarify what “share” means? Does that include “sell,” “rent,” “trade,” etc.?
  - b. The policy appears to make a distinction between the type of consent required for the sharing of “personal information” and “sensitive personal information,” with the latter requiring “opt in consent”. What type of consent does Google require for ordinary “personal information” and how is that consent obtained? Is there a mechanism for a user to deny consent for ordinary “personal information”?
10. You explained that after March 1, 2012, the privacy policy will allow Google to also cross-share with YouTube and Google Search. Other than YouTube and Google Search, are there any Google products and services that cannot currently cross-share that will be able to cross-share after March 1, 2012?

Given the rapidly approaching effective date of your planned privacy policy change, we request your response by February 21, 2012, so that we may better understand your changes before they become effective. If you have any questions regarding this request, please contact Brian McCullough with the Republican Committee staff at (202) 225-2927 or Felipe Mendoza with the Democratic Committee Staff at (202) 225-3641.

Sincerely,



Mary Bono Mack  
Chairman  
Subcommittee on Commerce,  
Manufacturing, and Trade



G.K. Butterfield  
Ranking Member  
Subcommittee on Commerce,  
Manufacturing, and Trade

cc: The Honorable Fred Upton, Chairman

The Honorable Henry A. Waxman, Ranking Member