



July 19, 2010

The Hon. Henry Waxman, Chairman  
The Hon. Joe Barton, Ranking Member  
House Energy and Commerce Committee  
2125 Rayburn House Office Building  
Washington, DC, 20515

Dear Chairman Waxman and Ranking Member Barton:

I write to bring to your attention additional concerns regarding the actions of Google Inc. in connection with monitoring the communications of American citizens.

Based on today's Washington Post, it appears that Google holds classified U.S. government contracts to supply search and geospatial information to the U.S. government. In addition, White House records show that Google executives have been holding meetings with U.S. national security officials for undisclosed reasons. Finally, it also appears that Google's widely criticized efforts to collect wireless network data on American citizens were not inadvertent, contrary to the company's claims.

Given these facts, it is more imperative than ever for the Energy and Commerce Committee to conduct hearings into possible privacy violations by Google and the company's relationship with U.S. intelligence. As history has repeatedly shown, alliances between the U.S. intelligence community and giant corporations that collect data on American citizens can be a toxic combination where the U.S. Constitution is concerned.

As you know, Google recently acknowledged that it captured large quantities of private information about American citizens through its Street View data-sniffing project. For three years, Google's cars patrolled the streets of the United States trolling for open computer networks and capturing data from those networks.

In a June 9 letter to this committee, Google director for public policy Pablo Chavez asserted that Google "mistakenly included code in our software that collected samples of 'payload data' " from private WiFi networks.

But review of the attached patent application from Google shows that the data collection program was a very deliberate effort to assemble as much information as possible about U.S. residential and business WiFi networks.

In fairness to Google, the patent does *not* show that Google gathered wireless information with the express purpose of snooping on private communications. Rather, the intent of the sniffing project was clearly to geolocate wireless networks.

Yet what the patent does show is that Google's recent claims about how the Street View program was designed are not accurate, and that the company always intended to collect and store the “packets” of wireless data that contain so-called payload information.

The patent makes repeated reference “capturing” packets, including paragraph [0055], which states that the system will enable geolocations so long as the equipment being used “is able to capture and properly decode a packet...”

This raises serious questions about whether Google has engaged in a reckless effort to amass private data without giving any thought to the possible misuse of that information, and whether it can be trusted to safeguard the information it collects from the prying eyes of the U.S. government.

These concerns are greatly elevated by the increasingly close relationship between Google and the U.S. national security establishment.

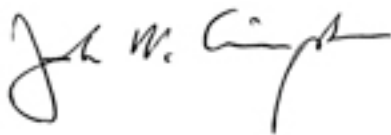
Today's Washington Post discloses that Google has a “top secret” U.S. government client. “Google Enterprise Solutions makes the Google search appliance and geospatial products, including Google Earth and Google Maps to the federal government, including the military and intelligence community,” the Post reported. “A small number of sales and support people have Top Secret clearances to liaise with the government.”

In addition, White House visitor logs show that Alan Davidson, Google’s Director of Public Policy and Government Affairs, has had at least three meetings with officials of the National Security Council since the beginning of last year. One of the meetings, was with White House senior director for Russian affairs Mike McFaul, while another was with Middle East advisor Daniel Shapiro.

Lastly, I would remind you that it has been widely reported that Google has been working in “partnership” with the National Security Agency, the very same government body that illegally intercepted the private communications of millions of Americans during the Bush administration.

It is imperative that your committee holds hearings into how Google’s activities and the Internet giant’s relationship with intelligence agencies threaten the privacy of all Americans.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Simpson". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

John M. Simpson  
Consumer advocate

Attachment: Patent Application Publication No. US 2010/0020776 A1