



April 14, 2011

Rep. Darrell Issa
Chairman
House Oversight & Government Reform Committee
2347 Rayburn House Office Building
Washington, DC
20515

Dear Congressman Issa:

Since we last wrote you in January asking that the Oversight and Government Reform Committee investigate the relationship between Google Inc. and the executive branch of government there have been developments that make such a probe even more important.

Recently unsealed federal court filings and Los Angeles City documents have shown that the company has been misrepresenting its so-called "cloud computing" services as it has tried to sell them to federal, state, and local governments. Google claimed its Government Cloud service had Federal Information Security Management Act (FISMA) certification, when it did not. The U.S. Justice Department pointed out the discrepancy in a brief unsealed last Friday (http://www.consumerwatchdog.org/resources/doj_brief.pdf).

Meanwhile, in Los Angeles, a project Google has tried to portray as a marquee for its government services, the company has failed to deliver on promises to provide the security necessary to put the city police department's email on the Google system. The failure prompted a notice of deficiency from the city that was revealed this week (<http://www.consumerwatchdog.org/resources/googdeficiency.pdf>). The notice to CSC, which is installing the system, and Google said:

"These failures are wholly unacceptable to the City of Los Angeles. CSC and Google have repeatedly committed to meet particular deliverables on specific dates, only to reveal, at the last minute, that the set deliverables/dates will not be met. CSC and Google's behavior goes beyond a mere failure to communicate in a timely manner, and instead, on several occasions, has risen to the level of misrepresentation."

According to the Los Angeles Times the city controller has launched an inquiry and City Council has held closed-door committee meetings to discuss the situation possibly in preparation for legal action (<http://www.latimes.com/business/la-fi-google-email-20110414,0,6531667.story>).

Google simply is not letting facts get in the way of its effort to offer its services to all levels of government. This is particularly troubling in view of the Internet giant's close relationship with the federal government. As we wrote you in January, our report, *Lost in the Cloud: Google and the US Government*, reveals several areas where we believe Google has inappropriately benefited from close ties to the Obama Administration.

<http://insidegoogle.com/wp-content/uploads/2011/01/GOOGGovfinal012411.pdf>

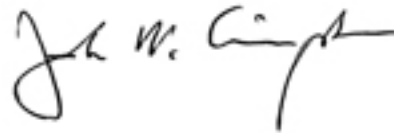
Those ties, coupled with Google's recently revealed pattern of misrepresentations, present a worrisome portrait, but one, we fear that is only part of the picture. The House Oversight & Government Reform Committee has subpoena power if necessary. We urge you to use all the tools at the committee's disposal to reveal the extent of Google's abuses as it tries to win government business.

As we noted, the LA controller has launched an investigation into the situation here. The real questioning, however, should go on in Washington, DC. Google's executives have yet to face a single hearing over the company's scandals. Making misrepresentations to government agencies, particularly involving security clearance, again shows the arrogance of Google engineers, who give little respect to civil society and its accepted rules of conduct. We again urge your committee to hold hearings.

Sincerely,

Handwritten signature of Jamie Court in black ink.

Jamie Court
President

Handwritten signature of John M. Simpson in black ink.

John M. Simpson
Privacy Project Director