



Oct. 5, 2011

Eric Schmidt
Executive Chairman
Google Inc.
1600 Amphitheatre Parkway
Mountain View
CA 94043

Dear Mr. Schmidt:

We read your interview with The Washington Post's On Leadership feature with incredulity. It's rare that a multi-billionaire executive would in effect publicly call our elected and appointed government officials a group of backward, money-grubbing morons who don't have the right or the knowledge to regulate your company. Our paraphrase may even be too generous.

On the issue of the government's scrutiny of the world's large Internet corporation for antitrust issues, you claim, "So we get hauled in front of the Congress for developing a product that's free, that serves a billion people. Okay? I mean, I don't know how to say it any clearer. I mean, it's fine. It's their job. But it's not like we raised prices. We could lower prices from free to...lower than free?"

You claim government is "nine-times" slower than high-tech businesses and that your only goal in relation to government is "to make sure that the government does not get in the way and slow things down." You state, "what you see over and over again is the age of the people in government, plus the buying structure and the systemic nature, causes it to lag." About the avarice of elected officials and how you relate to Washington, you state: "We thought the politicians showed up because they loved us. It's fair to say they loved us for our money....Everyone fed at the trough of money."

The arrogance you exhibited toward government in the interview, just a little more than a week after your far more reverential and less forthcoming testimony before the U.S. Senate, cannot be ignored. You should be recalled to the Antitrust Committee to explain your remarks.

As citizens of the United States, we must take issue with a fundamental flaw in your logic and address your wrong-headed view of government's role and responsibility in protecting the safety and rights of the American people.

The fact is, Google's services are not free. The price of using Google services – and of not using Google services but merely visiting Internet sites in your advertising network or those equipped with Google analytics – is that information about us is collected and stored without our consent. The same is true for Android mobile phones. Google then sells access to users to corporate advertisers of all stripes, regardless of whether we wanted to share that information or whether we want Google to market us. Google's services will never be free until Google agrees that its

users have the right to choose not to give up their personal information as the cost of using those services, visiting the Internet or activating their mobile phones.

When Google finally respects the “Do Not Track Me” signal sent by the other three major Internet browsers, and when Google’s Chrome browser offers a “Do Not Track Me” option that is respected by Google, then you can argue Google’s services are free. Until then, there should be little doubt that Google users’ information is Google’s true product, and the price it gets from advertisers for access to us is 96% of its total revenue – advertising income.

In respect to your view of government, while you may believe it moves nine times slower than your engineers, its job is to conserve the values at the bedrock of our nation – personal freedom, the pursuit of happiness, privacy, etc. The fact is Google engineers move so quickly that they disregard our ethical customs, rules of law and personal freedoms like privacy.

Exhibit A: Google’s Street View cars collected personal data from hundreds of millions of private Wi-Fi networks around the world, under a technology Google tried to patent, even though you have claimed the gathering of such information was inadvertent. This is the largest wiretapping scandal in world history. Google engineers moved TOO quickly.

Exhibit B: Google paid half a billion dollars to settle criminal charges of advertising counterfeit drugs and illegal websites. The U.S. Attorney who handled the case said there was no question that Google’s founder and current CEO Larry Page knew that Google was making money this way. We recently asked the Federal Trade Commission to probe deceptive and predatory mortgage modification and other lending advertisements offered by Google under the belief that Page knows about these too and Google moved TOO quickly.

Exhibit C: Google’s proposed book settlement with publishers to sell off the copyright rights of orphaned works holders and monopolize the resulting digital book library. The courts and Justice Department stopped Google from moving TOO quickly to run over the rights and privileges of authors.

The job of government is to protect its citizens. When necessary that job is to slow companies like Google down when they violate the law, or in time for legal protection to catch up with these norms when new technologies threaten ethical customs like personal privacy.

Your arrogant remarks represent a stunning disdain for our Constitution and democracy. Government may not work as well as any of us like, but it is the only force in our system to take on the aristocracy of corporate wealth and privilege. How ironic it is that a company whose motto is “Don’t Be Evil” would have an executive chairman whose words so clearly embody the evil that one of our most esteemed founders, Thomas Jefferson, saw as the great evil. In one of his most enduring statements Jefferson envisioned democracy as a tool to end the tyranny of corporate wealth: “I hope we shall crush in its infancy the aristocracy of monied corporations which dare already to challenge our government to a trial by strength, and bid defiance to the laws of our country.”

Now that we know with whom you stand and what you stand against, it shall be much easier for all us to measure our response to Google’s actions and your motives.

Are you prepared to return to Congress to offer this analysis directly to senators and representatives?

How, for example, do you reconcile your low opinion of government with your aggressive effort to procure government contracts, even before Google has adequate systems to handle them, as in your pursuit of cloud computing contracts with the City of Los Angeles?

Are you willing to make Google's services truly free, by not requiring that people pay you with their personal information and respecting a "Do Not Track" signal?

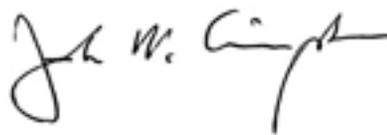
The American people deserve clear and unambiguous answers to these questions. We are copying Sen. Herb Kohl, chairman of the Senate Judiciary Subcommittee on Antitrust, Competition Policy and Consumer Rights, on this letter and asking him to recall you as a witness to secure them.

We look forward to your honest and unabashed responses.

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

CC: Sen. Herb Kohl, Chairman
Senate Judiciary Subcommittee on Antitrust, Competition Policy and Consumer Rights