



Feb. 24, 2010

Christine Varney  
Assistant Attorney General for Antitrust Division  
950 Pennsylvania Avenue, NW  
Room 3322  
Washington, DC 20530

Dear Ms. Varney,

We know and appreciate that your department is conducting an ongoing antitrust investigation of various business practices by Google, some of that related to the proposed Google Books settlement. Today I write to call upon you to ensure that included in that probe is consideration of how Google may use its search algorithms to manipulate Internet search results to favor its own products.

With around 70 percent of the search market in the United States, Google is effectively the Internet's gatekeeper for many consumers. Whether a website is ever visited can depend entirely on where it lands in a Google search.

Google claims its searches are neutral, based on proprietary algorithms. It declines to open those processes to outside scrutiny. To anyone seeking to verify Google's claims of fairness, the Internet giant remains an impenetrable black box.

News that the European Commission is investigating complaints from three Internet firms that Google favors its own products in searches in an anticompetitive manner demonstrates the seriousness of the issue.

A filing this week by Foundem in the Federal Communications Commission's *Preserving the Open Internet* rulemaking process gives examples of how Google products are favored in its searches.

Thank you for the Justice Department's strong stand in the Google Books case. As part of your continued antitrust investigation we call on you to shine a light on Google's black box, and require it to explain what's behind search results. If, as it appears, Google is tweaking results to further its narrow agenda, this anticompetitive behavior must be stopped.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Simpson".

John M. Simpson  
Consumer advocate