

United States Senate

WASHINGTON, DC 20510

COMMITTEES:
APPROPRIATIONS
FOREIGN RELATIONS
SELECT COMMITTEE ON INTELLIGENCE
SMALL BUSINESS AND ENTREPRENEURSHIP
SPECIAL COMMITTEE ON AGING

December 10, 2018

Mr. Sundar Pichai
Chief Executive Office
Google, LLC
1600 Amphitheatre Pkwy
Mountain View, California 94043

Dear Mr. Pichai:

In an August 2018 letter, I led a bipartisan group of U.S. Senators in expressing our alarm about Google's reported plans to launch Dragonfly, a censored version of its search engine in China that would prohibit websites and search terms deemed objectionable by the Chinese Government and Communist Party. Such plans, we warned, risk making Google complicit in human rights abuses in China, including the government's onerous censorship regime and authoritarian surveillance state that targets its own citizens with the aims of crushing dissent, free expression and any perceived threat to the Chinese Communist Party.

As the Congressional-Executive Commission on China recently heard harrowing testimony from a young Uyghur woman who survived the so-called "political reeducation" camps in Xinjiang Uyghur Autonomous Region—where the Chinese government has forcibly interned a million or more Uyghur and other ethnic minority Muslims in what, I believe, amounts to crimes against humanity—news reports emerged that Google, under your leadership, excluded the company's security and privacy teams in key meetings about the then-nascent Dragonfly project and sidelined "a privacy review of the plan that sought to address potential human rights abuses." Indeed, it appears that Google leadership has evaded for months critical and legitimate questions about the implications of its Dragonfly search engine plans for human rights and human lives in China, even despite the growth of withering criticism from your own employees who worry that Google will compromise core values to do business in that country. While the lure of China's 1.4-billion-person market is strong, I hope that your commitment to Google's stated values and founding ideals is even stronger.

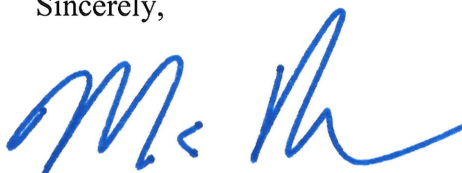
In your response to the August 2018 Senate letter, you wrote: "We are committed to promoting access to information, freedom of expression, and user privacy, as well respecting the laws of jurisdictions in which we operate. We seek to strike a balance in each context." But what if a balance is, quite simply, impossible?

The specter of history looms large. In 2007, the late Congressman Tom Lantos (D-CA), then-Chair of the House Foreign Affairs Committee and the only Holocaust survivor to serve in the U.S. Congress, convened a hearing on human rights in China with testimony from Yahoo's CEO and general counsel. The hearing came after the Chinese government jailed journalist Shi Tao for ten years based on information on his pro-democracy efforts that Yahoo! Holdings

(Hong Kong) Limited had turned over to Chinese authorities. At one point in the hearing, Yahoo's general counsel stated: "I cannot ask our local employees to resist lawful demands and put their own freedom at risk, even if, in my personal view, the local laws are overbroad." His sentiments seemingly echo your own—that the laws of jurisdiction, no matter how "overbroad" or, frankly, evil they may be, nearly always prevail in such situations. Accordingly, if Google moves forward with the Dragonfly project as reported, you will most assuredly find yourselves similarly compromised—bedfellows with the Chinese people's oppressors, rather than with those who are oppressed.

Eleven years ago, the late Congressman Lantos voiced scathing criticism in response to the moral equivalency voiced by Yahoo's executives, lamenting: "While technologically and financially you are giants, morally you are pygmies." We urge Google not to follow this same worn path bereft of any moral compass in pursuit of the bottom line. The stakes are simply too high.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Rubio', with a stylized flourish at the end.

Marco Rubio
U.S. Senator