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Congress of the United States  
House of Representatives  
Washington, DC 20515

July 22, 2019

CHAIR, DEMOCRATIC POLICY AND  
COMMUNICATIONS COMMITTEE

COMMITTEE ON THE JUDICIARY

CHAIRMAN, SUBCOMMITTEE ON  
ANTITRUST, COMMERCIAL  
AND ADMINISTRATIVE LAW

SUBCOMMITTEE ON CRIME, TERRORISM  
AND HOMELAND SECURITY

COMMITTEE ON FOREIGN AFFAIRS

SUBCOMMITTEE ON  
EUROPE, EURASIA, ENERGY, AND  
THE ENVIRONMENT

SUBCOMMITTEE ON MIDDLE EAST,  
NORTH AFRICA, AND INTERNATIONAL  
TERRORISM

SUBCOMMITTEE ON OVERSIGHT  
AND INVESTIGATIONS

Kent Walker  
Chief Legal Officer, Alphabet  
1600 Amphitheater Parkway  
Mountain View, CA 94043

Dear Mr. Walker:

I write in regard to the oversight hearing held last week by the House Subcommittee on Antitrust, Commercial and Administrative Law as part of its broader investigation into competition issues in digital markets.<sup>1</sup> Adam Cohen, director of economic policy at Google, testified on behalf of your company.

Although I appreciate Google's participation in the hearing, I was troubled by Mr. Cohen's responses to questions from Members of the Subcommittee. In several instances, Mr. Cohen claimed he was unfamiliar with Google's policies, major reports about Google's market power, or basic facts about the company's business dealings. It is unclear whether Mr. Cohen's inability to respond to these questions was due to a lack of preparation, purposeful evasion, or Google's selection of an inappropriate witness for the hearing.

In light of these concerns, I have attached several of the questions that Mr. Cohen was unable or unwilling to fully answer during the hearing. This request is an opportunity for your company to supplement his responses; it does not relieve Google from complying with any Questions for the Record or additional requests for information.

Thank you for your prompt attention to this request.

Sincerely,

David N. Cicilline  
Chairman  
Subcommittee on Antitrust, Commercial  
and Administrative Law  
Committee on the Judiciary

<sup>1</sup> *Online Platforms and Market Power, Part 2: Innovation and Entrepreneurship: Hearing Before the Subcomm. on Antitrust, Commercial and Admin. Law of the H. Comm. on the Judiciary*, 116th Cong. (2019).

Please fill out and return this form no later than July 26, 2019. While you are free to attach additional materials, if a question asks you to check the appropriate box, please do so where indicated.

1. In its S-1 filing with the Securities and Exchange Commission in 2004, Google attached an interview in which Larry Page stated the following: “We want you to come to Google and quickly find what you want. . . We want to get you out of Google and to the right place as fast as possible.” Does this statement still accurately describe Google’s guiding principle?<sup>2</sup>

Yes

No

2. Of the total U.S. mobile and desktop searches that occur on Google Search, is it true that less than 50% result in clicks to non-Google websites?<sup>3</sup>

Yes

No

3. Is it true that since January 2018, Google has paid or has agreed to pay Apple over \$20 billion for Google Search to remain the default search engine on Safari or on any additional Apple products?<sup>4</sup>

Yes

No

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<sup>2</sup> *Online Platforms and Market Power, Part 2: Innovation and Entrepreneurship: Hearing Before the Subcomm. on Antitrust, Commercial and Admin. Law of the H. Comm. on the Judiciary*, 116th Cong. 54-55 (2019) (unofficial transcript on file with Majority Staff for the Subcomm. on Antitrust, Commercial and Admin. Law) [hereinafter “Hearing Transcript”] (Mr. Cohen responding to Mr. Cicilline’s question inquiring whether this principle still guides Google by stating, “Our goal is to provide users information as quickly and as efficiently as possible.”).

<sup>3</sup> *Id.* at 55-56 (Mr. Cohen responding to Mr. Cicilline’s question inquiring whether Mr. Cohen agreed with the results of a study that shows the majority of search traffic on Google no longer goes out to the broader web by stating, “I’m not familiar with either of those studies, but what I can say is that we send a lot of clicks, a lot of traffic to competitors.”). See also Rand Fishkin, *How Much of Google’s Search Traffic is Left for Anyone But Themselves?*, SPARKTORO (June 17, 2019), <https://sparktoro.com/blog/how-much-of-googles-search-traffic-is-left-for-anyone-but-themselves> (documenting that less than 50% of searches on Google result in clicks to non-Google websites).

<sup>4</sup> *Id.* at 78-79 (Mr. Cohen responding to Mr. Raskin’s question inquiring whether Google paid Apple \$9 billion in 2018 and \$12 billion in 2019 for the right to be the default search engine on Safari by stating, “I am not familiar with those numbers.”). See also Lisa Marie Segarra, *Google to Pay Apple \$12 Billion to Remain Safari’s Default Search Engine in 2019: Report*, FORTUNE (Sept. 29, 2018), <https://fortune.com/2018/09/29/google-apple-safari-search-engine/> (“Google will reportedly pay Apple \$9 billion in 2018 and \$12 billion in 2019 to remain as Safari’s default search engine”).

4. What is the size of Alphabet's venture capital fund?<sup>5</sup> \_\_\_\_\_
5. Is the following statement true: Google's responsiveness to and treatment of pirated content on YouTube does not differ based on whether the original content was produced by Google or by an entity other than Google.<sup>6</sup>
- Yes  No
6. Is it true that Google Maps carries over 10 million falsely listed businesses on any given day?<sup>7</sup>
- Yes  No

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<sup>5</sup> *Id.* at 48 (Mr. Cohen responding to Mr. Armstrong's question asking about the extent to which Google uses venture capital funds to invest in start-ups by stating, "We do have a venture capital arm. I'm not familiar with the size or the scope of their investments.").

<sup>6</sup> *Id.* at 36 (Mr. Cohen responding to Ms. Scanlon's question inquiring whether there is a discrepancy between how Google treats pirated copies of YouTube content and how Google treats pirated copies of content created by entities other than Google by stating, "I have not seen any evidence of a discrepancy.").

<sup>7</sup> *Id.* at 92-93 (Mr. Cohen responding to Ms. McBath's question referencing a front-page *Wall Street Journal* report on 11 million fraudulent listings on Google Maps by stating, "I'm not familiar with this *Wall Street Journal* report. I'm also not familiar with any claims of fraudulent listing in Google Maps of that scale."). See also Rob Copeland & Katherine Bindley, *Millions of Business Listings on Google Maps Are Fake—and Google Profits*, WALL ST. J. (June 20, 2019), <https://www.wsj.com/articles/google-maps-littered-with-fake-business-listings-harming-consumers-and-competitors-11561042283> ("Online advertising specialists identified by Google as deft fraud fighters estimated that Google Maps carries roughly 11 million falsely listed businesses on any given day, according to a Journal survey of these experts.").

cc:

The Honorable Doug Collins, Ranking Member, Committee on the  
Judiciary

The Honorable James F. Sensenbrenner, Jr., Ranking Member,  
Subcommittee on Antitrust, Commercial and Administrative Law,  
Committee on the Judiciary