

From: Keith Enright
Sent: Mon, 26 Aug 2019 19:21:39 -0700
To: Kim, Reenah
Cc: Rob Mahini
Subject: Responses to your follow up questions
Attachments: (b)(4); (b)(3):6(f)

Hello Reenah. Per our discussion today, the Sidewalk team pulled together the following additional information. Please find attached a document responding to your requests for clarification, as well as a copy of the "Asset Contribution Agreement", which I believe responds to your request for supporting documentation.

We greatly appreciate your attention to this. Please let me know if there is any additional information you require.

Regards,

Keith Enright

From: Rob Mahini
Sent: Fri, 31 May 2019 17:29:26 -0400
To: Kim, Reenah
Subject: Second confidential response enclosed
Attachments: (b)(4); (b)(3);(b)(f)
Docs.pdf

Hi Reenah --

Please find attached our initial responses to questions 1-5 in your May 14 letter requesting information on Brand Accounts. Our investigation is ongoing, and we'll supplement this response as appropriate. We request that the FTC keep our responses confidential. Please let me know if you have any questions on the attached.

Thanks,

Rob

Robert Mahini | Sr. Policy Counsel (b)(6)

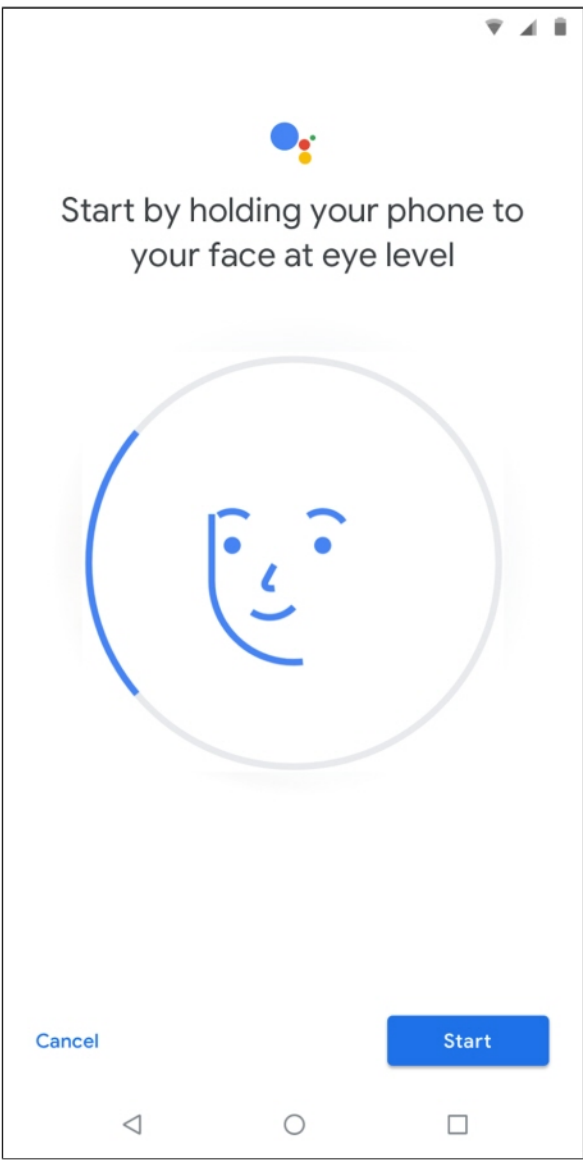
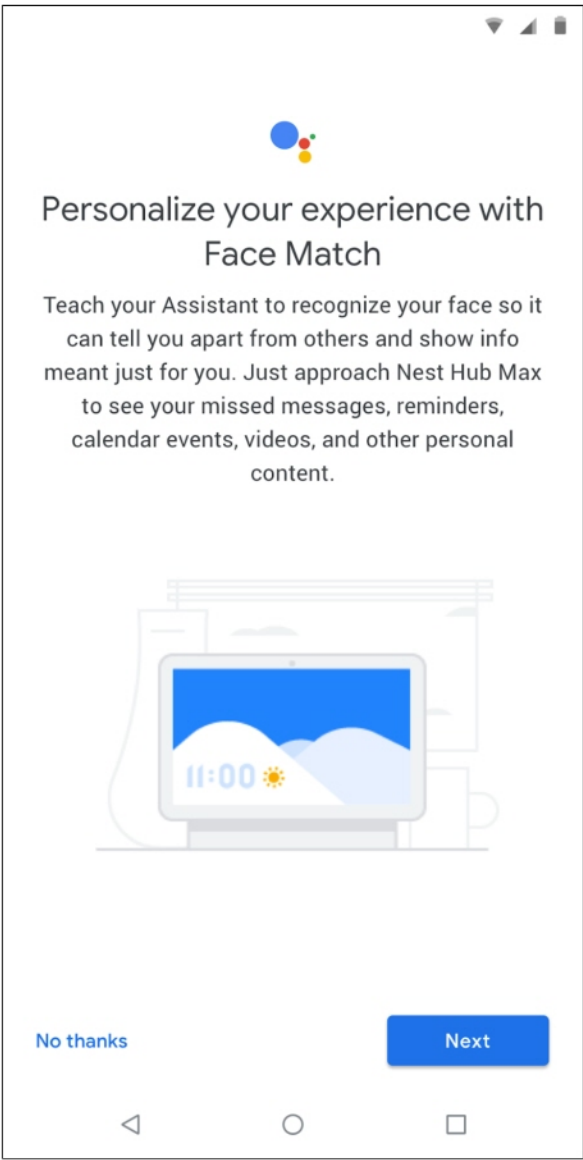
From: Rob Mahini
Sent: Wed, 31 Jul 2019 12:34:55 -0400
To: Kim, Reenah;Mehm, Ryan;Banks, Lerone
Subject: Today's call
Attachments: Doc 1.pdf, Doc 2.pdf

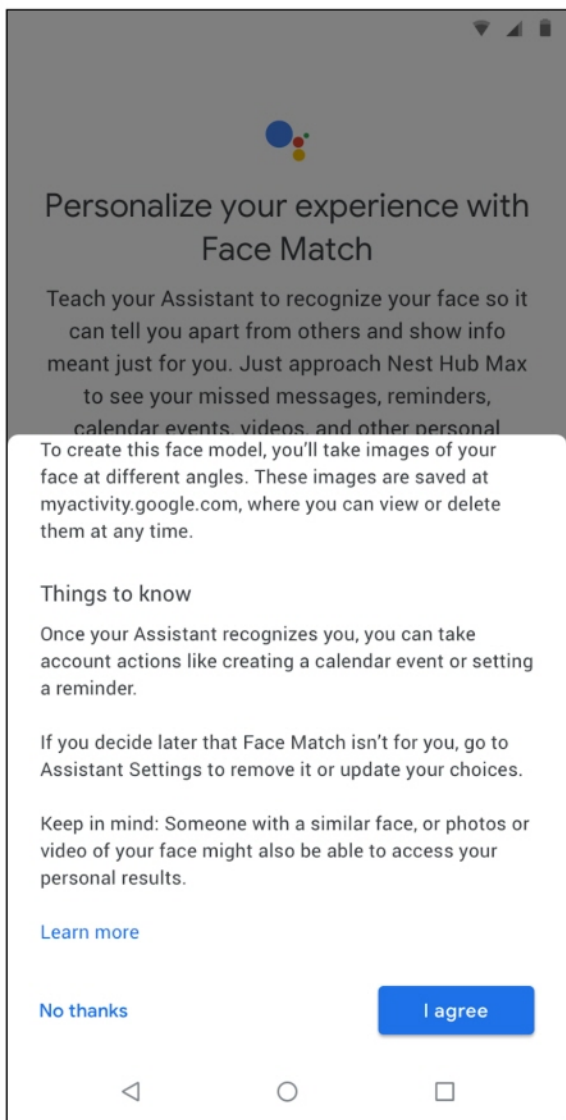
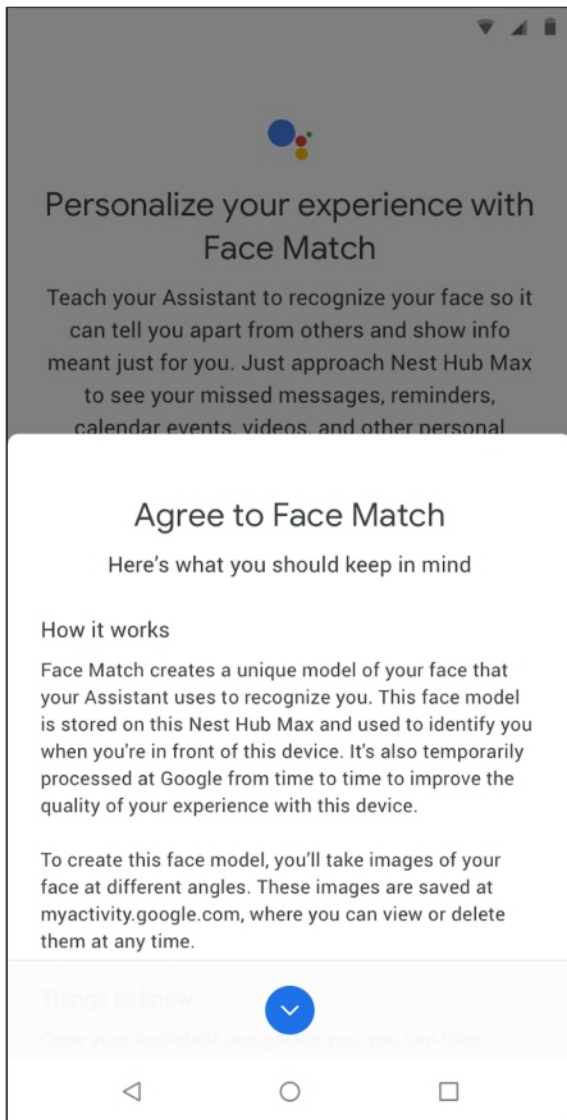
Hi everyone - attaching screenshots for our call later today. As a reminder, here is the dial in:

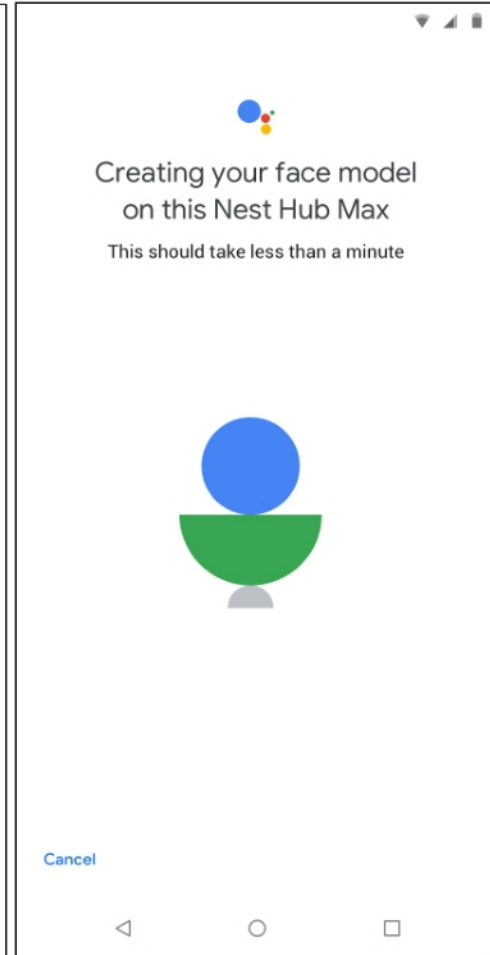
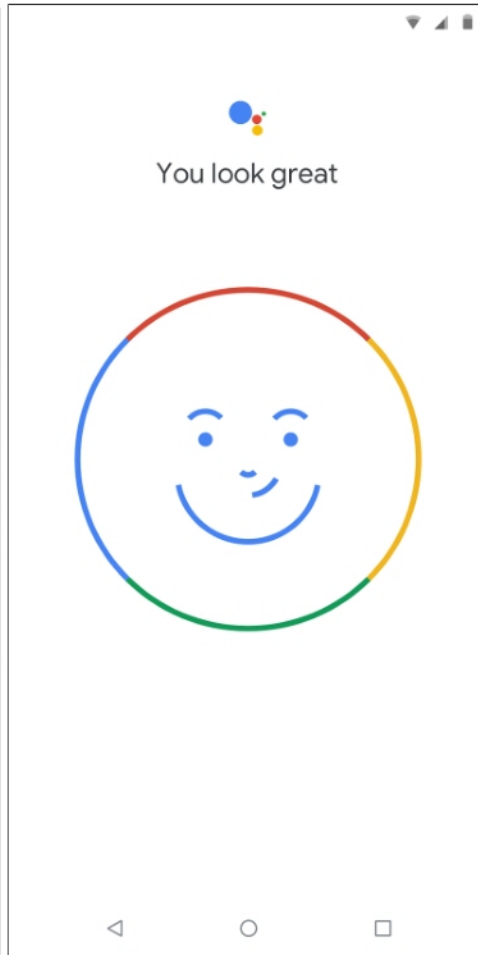
(b)(6)

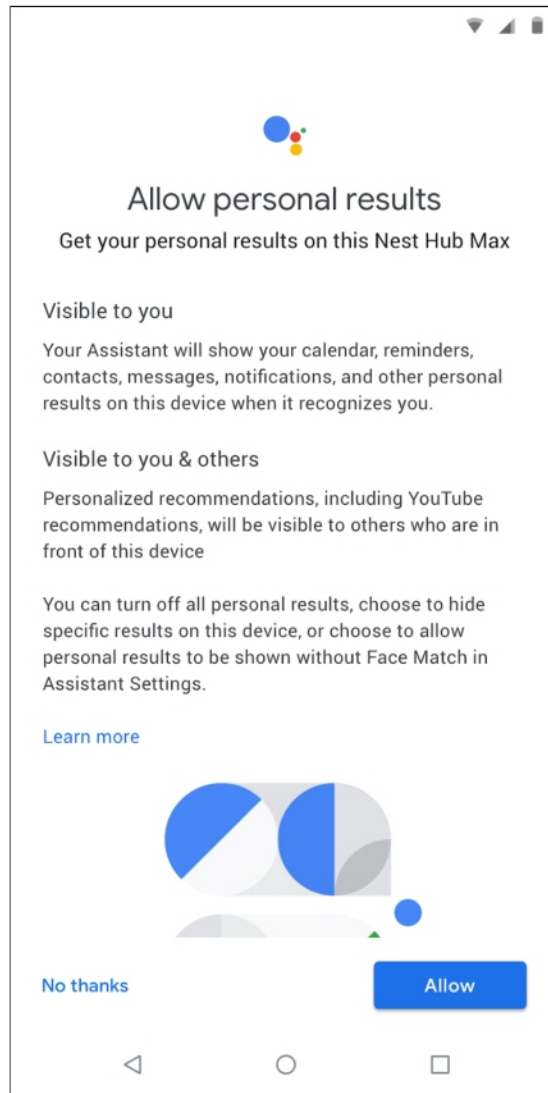
Thanks,
Rob

Robert Mahini | Sr. Policy Counsel | (b)(6)









Email Notifications



Families around the world have embraced smart devices designed to make their homes more helpful. But the smart home – where products are meant to work together seamlessly to create helpful whole home experiences – is still too complex.

We believe all our connected home devices and services should work in a way that makes experiences more helpful, simple, and secure. Today, Nest and Google Home are joining together under one brand to make that happen, and to give you even more help at home. Introducing [Google Nest](#).

Our products work beautifully together to help you stay informed, feel more comfortable and safe, keep an eye on home when you're away, and be more connected to friends and family. Today, we're taking our first steps on a journey to create a more helpful home.

One secure Google Account. Later this summer, you'll have the option to migrate your Nest Account to a [Google Account](#). Along with a more seamless sign-in experience across Nest and Google products, you'll get access to all the tools and automatic security protections that come with a Google Account.

One developer platform. We want to unify our efforts around third-party connected home devices under a single developer platform – a one-stop shop for both our developers and our customers to build a more helpful home. To accomplish this, we'll be winding down Works with Nest on August 31, 2019, and delivering a single unified experience through the [Works with Google Assistant](#) program.

One set of privacy commitments. As Nest redefines technology in the home, there's an opportunity to explain clearly and simply how our [connected home devices and services work](#), and how we will respect your privacy. Learn more about Google's [commitment to privacy in the home](#).

There's no need to take any action right now. We'll notify you when your Nest Account is ready for migration this summer.

Thank you for allowing us to be a guest in your home. We appreciate the trust you've placed in us – and we're committed to keeping it.

To learn more, read our [blog post](#) or visit our [What's Happening FAQ](#) page.

The Google Nest team

May 7 Email to US Nest Users



You're invited to migrate your Nest Account to a Google Account.

Nest and Google Home have joined together as Google Nest to create a more helpful home. We've been working hard to align our products, websites, and policies as everything comes together. And now, we're ready for the next step – migrating your Nest Account to a Google Account.

When you migrate to a Google Account, you can sign in to the Nest and Home apps from a single account – the same one you already use for Google services like Gmail. You'll get Google's industry-leading security protections to help keep your information safe. And your Nest and Google Home devices and services will work even better together.

What to know before migrating your account

Nest Account migration to a Google Account is optional, and once completed, is not reversible. Please read the linked articles below to determine if account migration is right for you at this time.

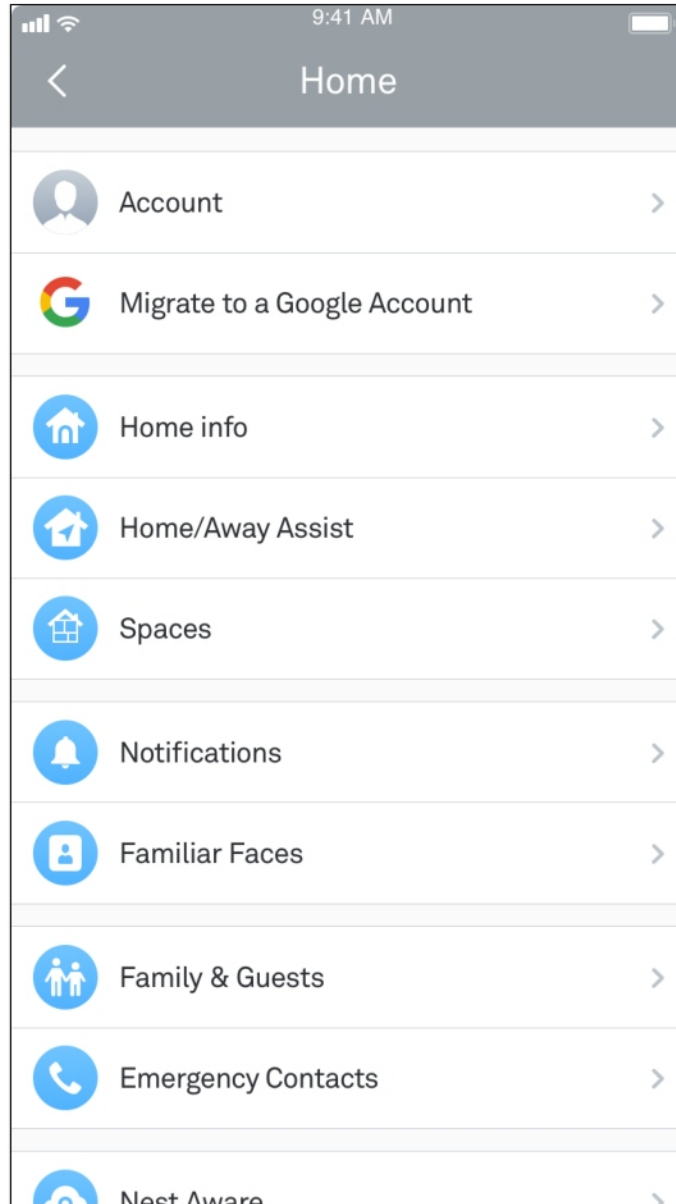
- [Read the FAQs about migrating your Nest Account to a Google Account](#)
- [Have Works with Nest connections? Check this out before migrating](#)
- [Read Google's Privacy Policy](#) and our [commitment to privacy in the home](#)
- [Details on how Google will handle your data](#), plus the control available to you Watch a [video overview of the migration process](#)
- Already use Gmail with Nest? To officially link your Nest Account to Google and enjoy the benefits above, you'll still need to migrate.

If you use [WWN partner connection name] to control Nest devices, please follow the instructions provided from [WWN partner] support page to reconnect your Nest device through Google after migrating your account.

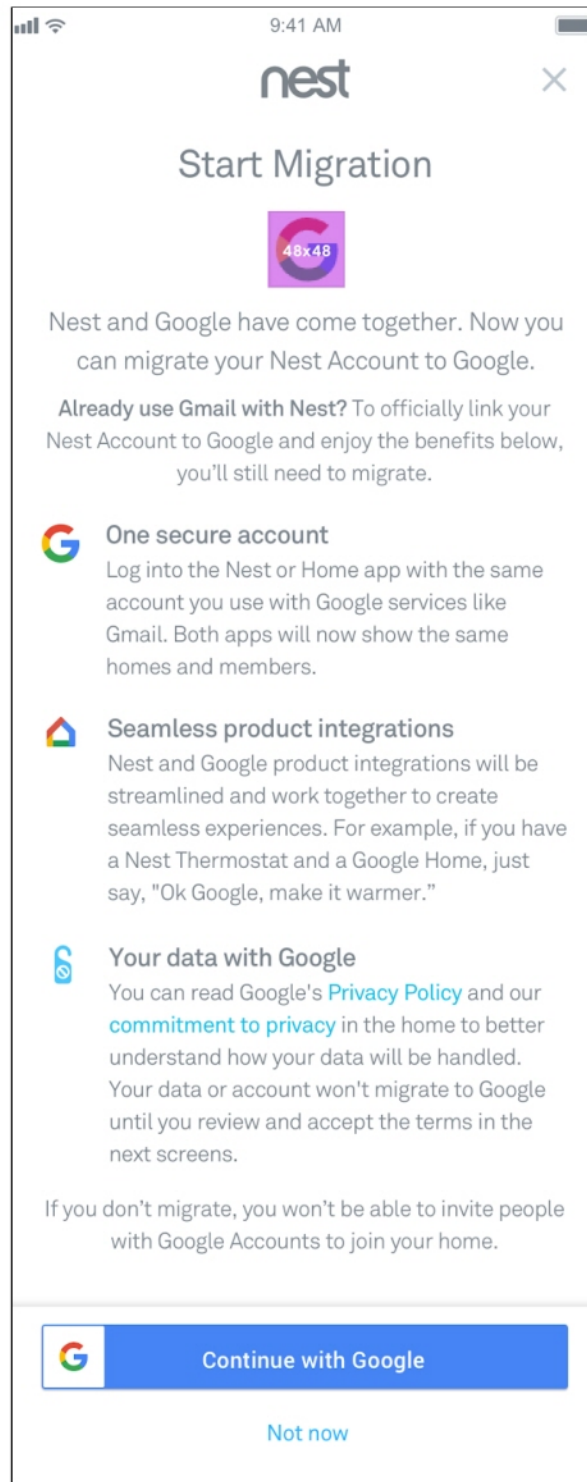
[START MIGRATION](#)

August 19 Email to US Nest Users (proposed)

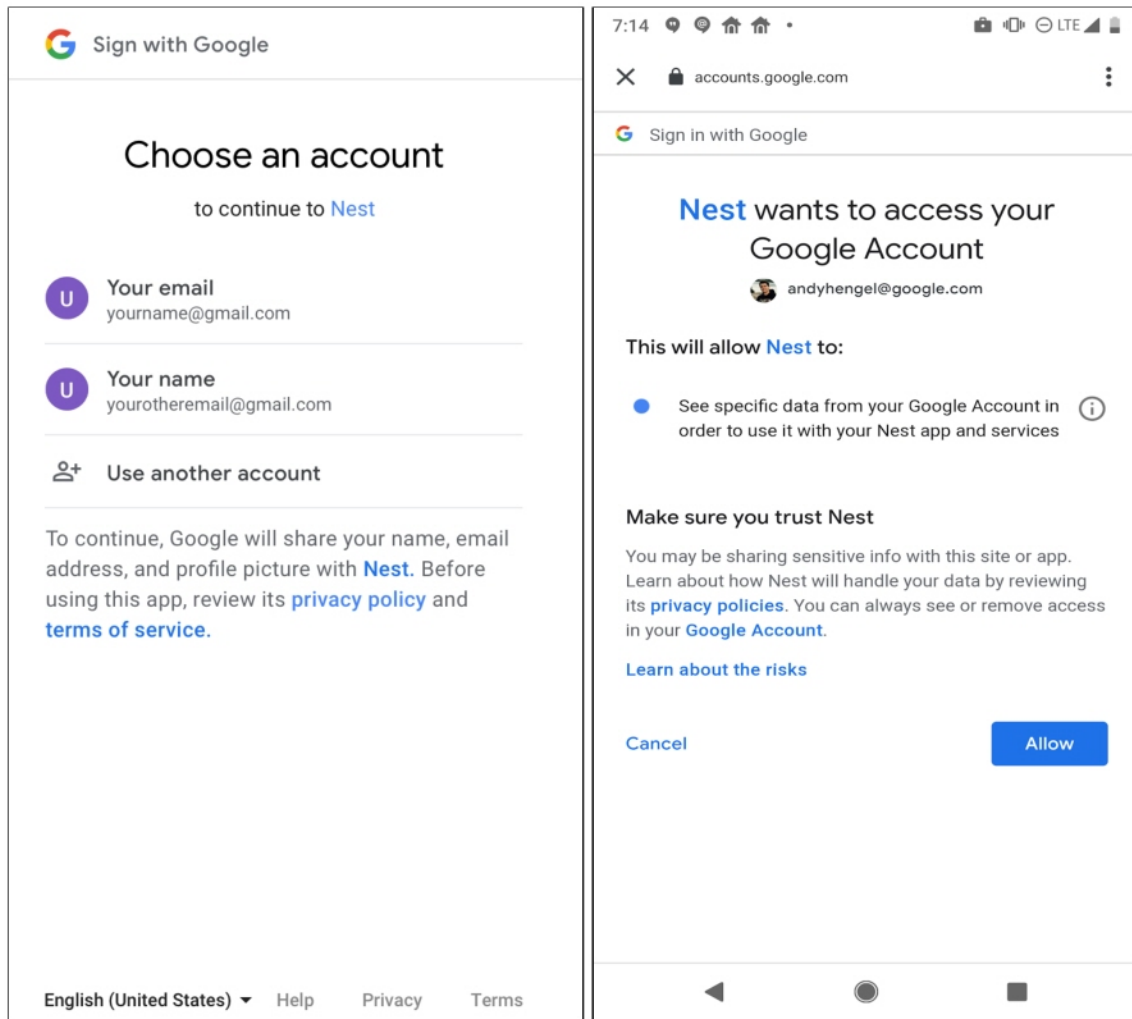
MIGRATION FLOW



Screen 1: Migration Entry Point in Nest App



Screen 2: Migration Introduction Screen *Process Summary & Migration Overview*

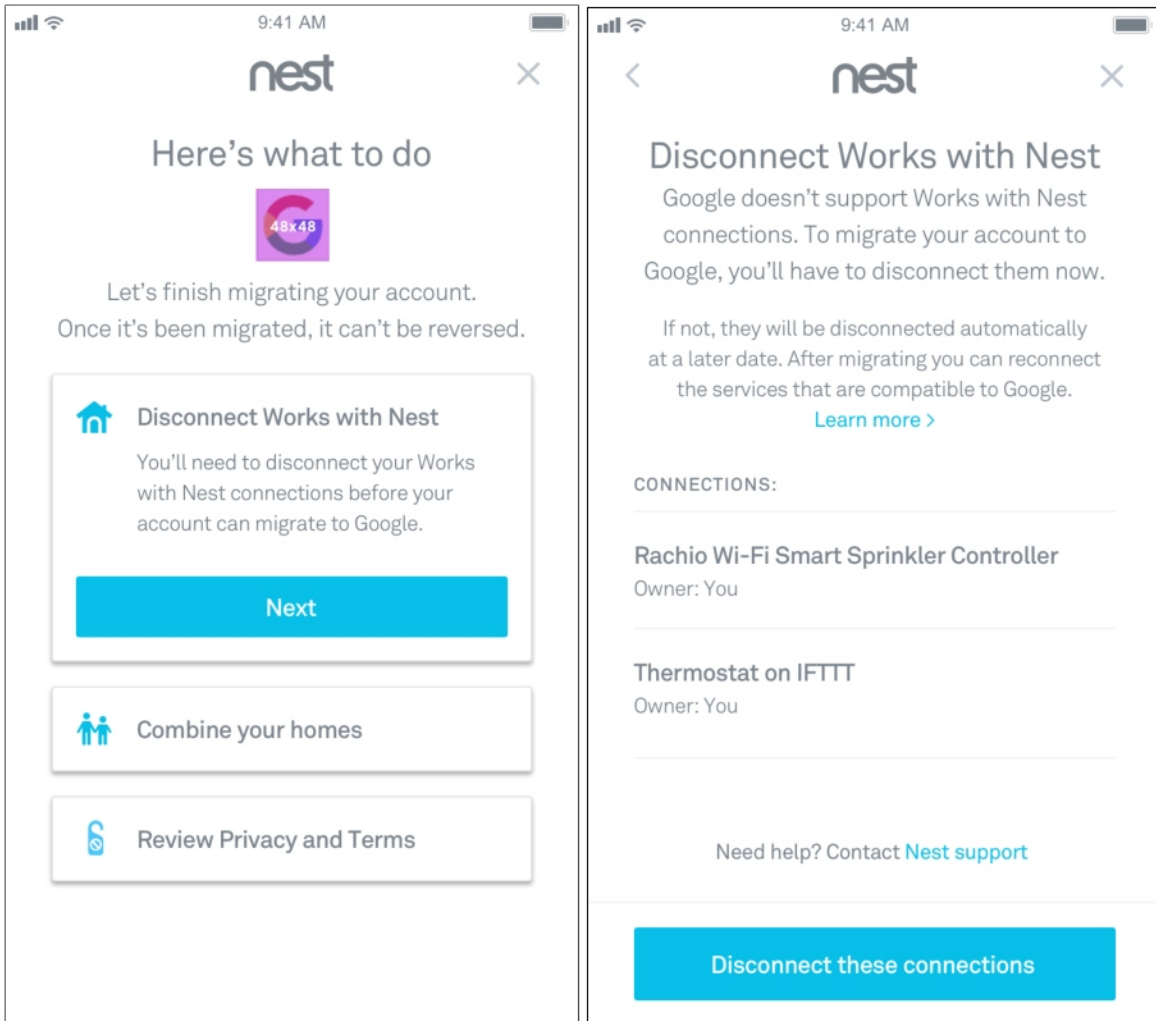


When user clicks (i) icon on Screen 4, it further explains:

If you agree, this app will be able to:

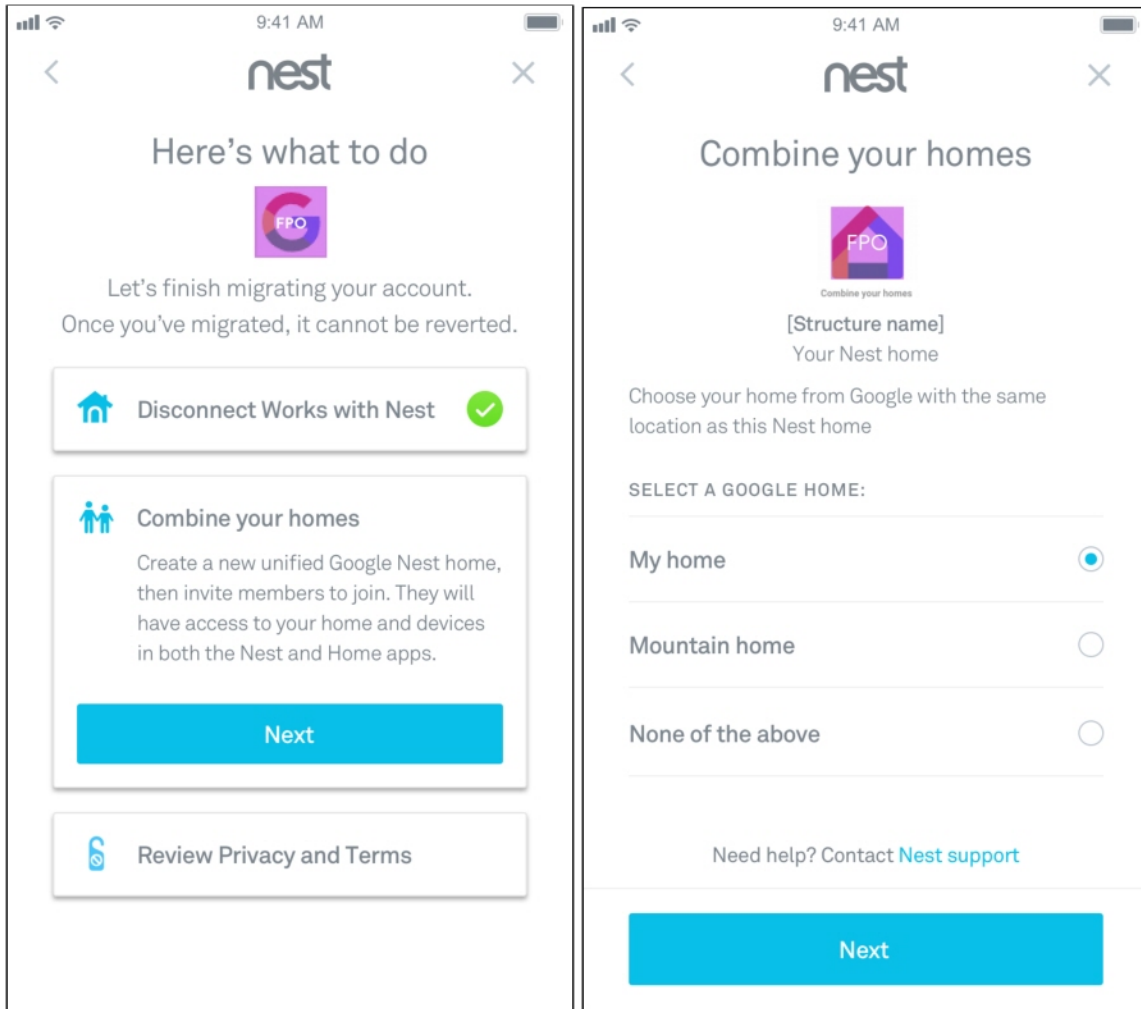
- See your Google home names
- See the names and emails of your home members
- See your Nest app info once it's been migrated to Google
- Control your Nest devices, homes, and data once they've migrated to Google

Screens 3-4: Google Account Selection

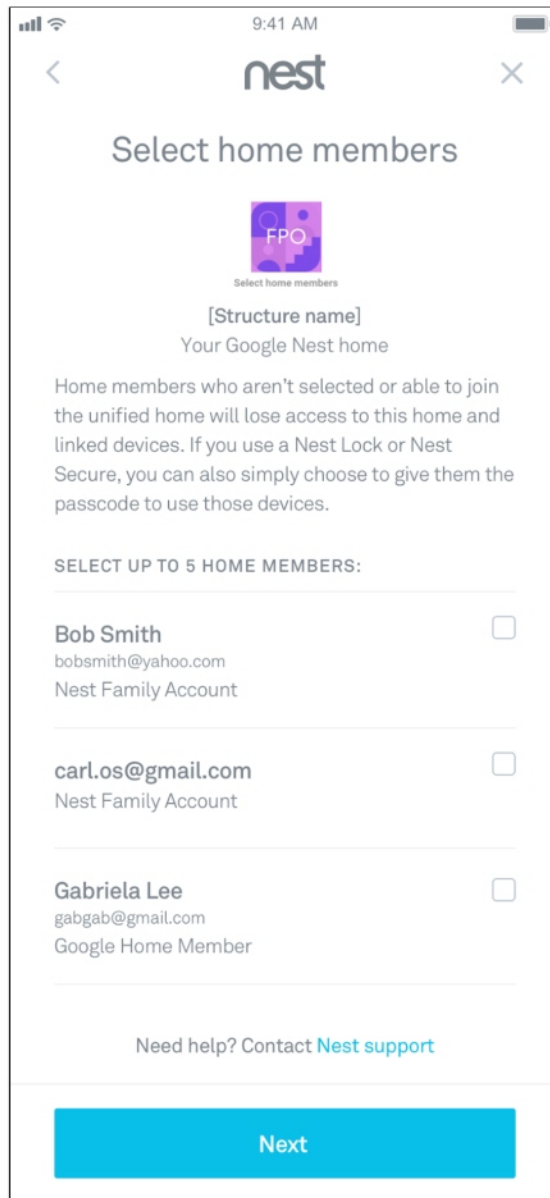


Screens 5-6: Migration Process

Disconnecting Works With Nest

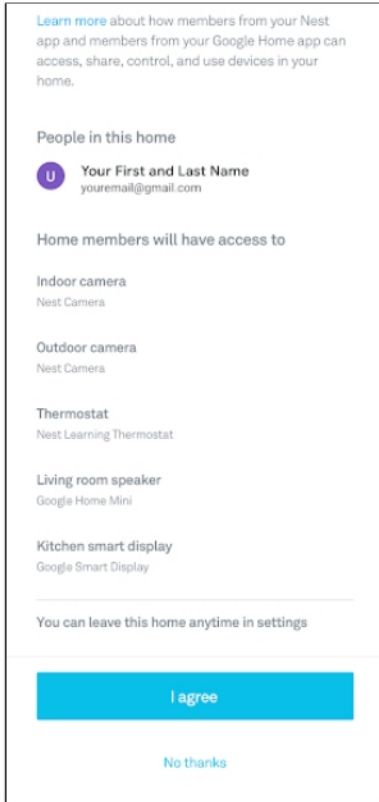
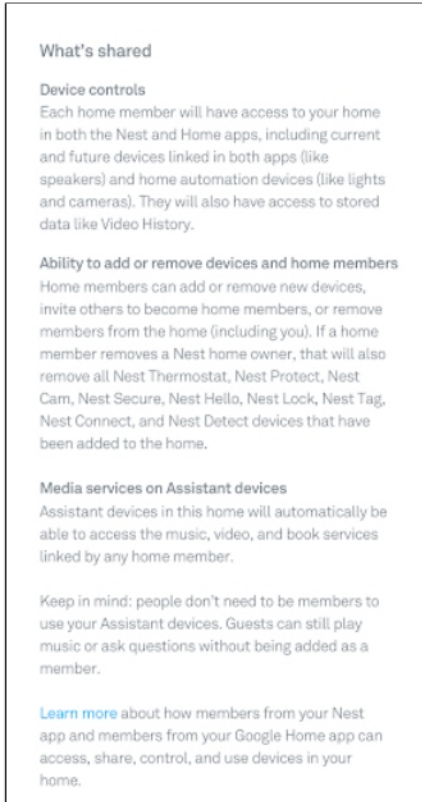
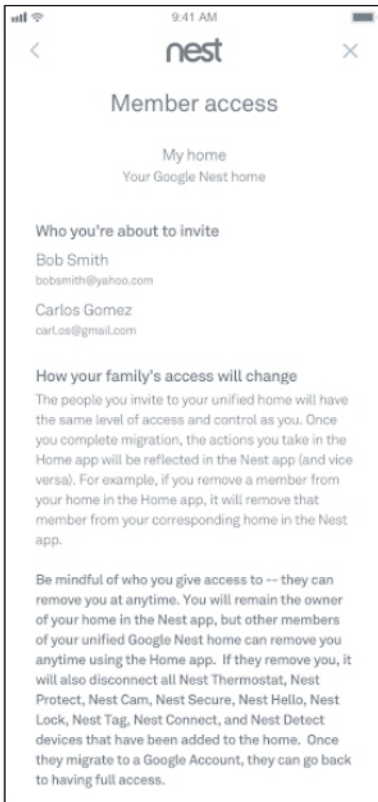


Screens 7-8: Migration Process *Combining Homes For Unified Experience*



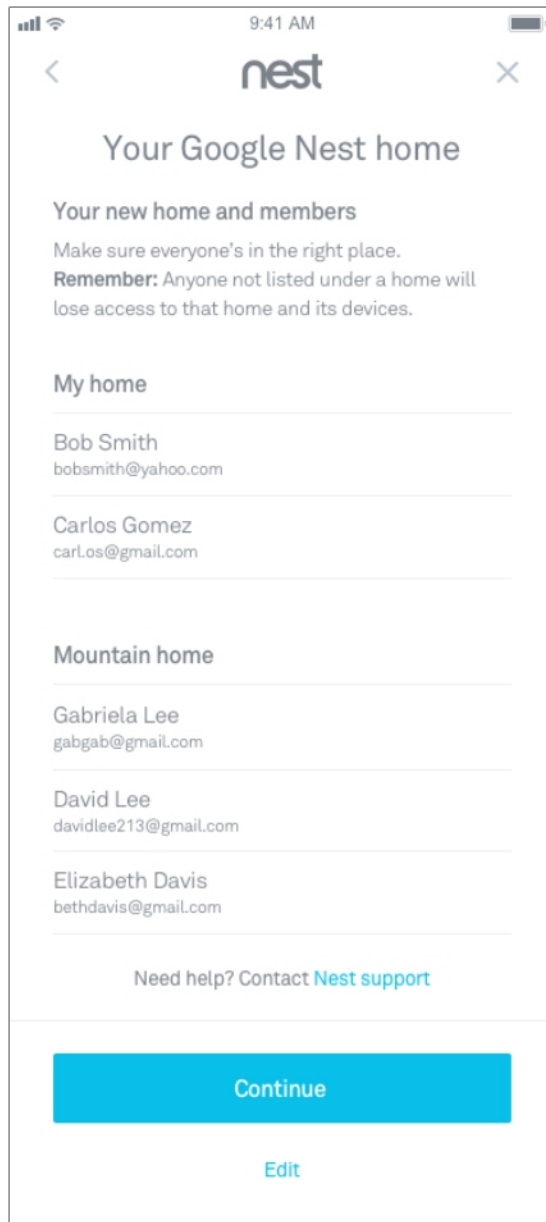
Screen 9: Migration Process

Selecting Home Members For Unified Experience



Screens 10-12: Migration Process

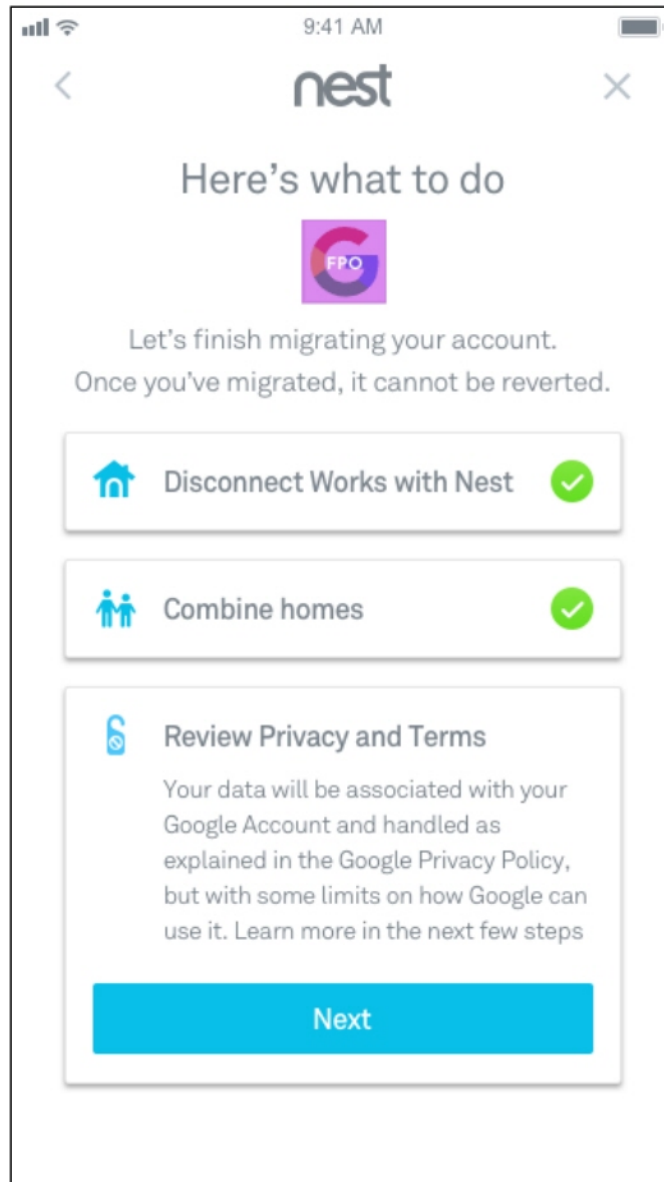
Member Access Reminder



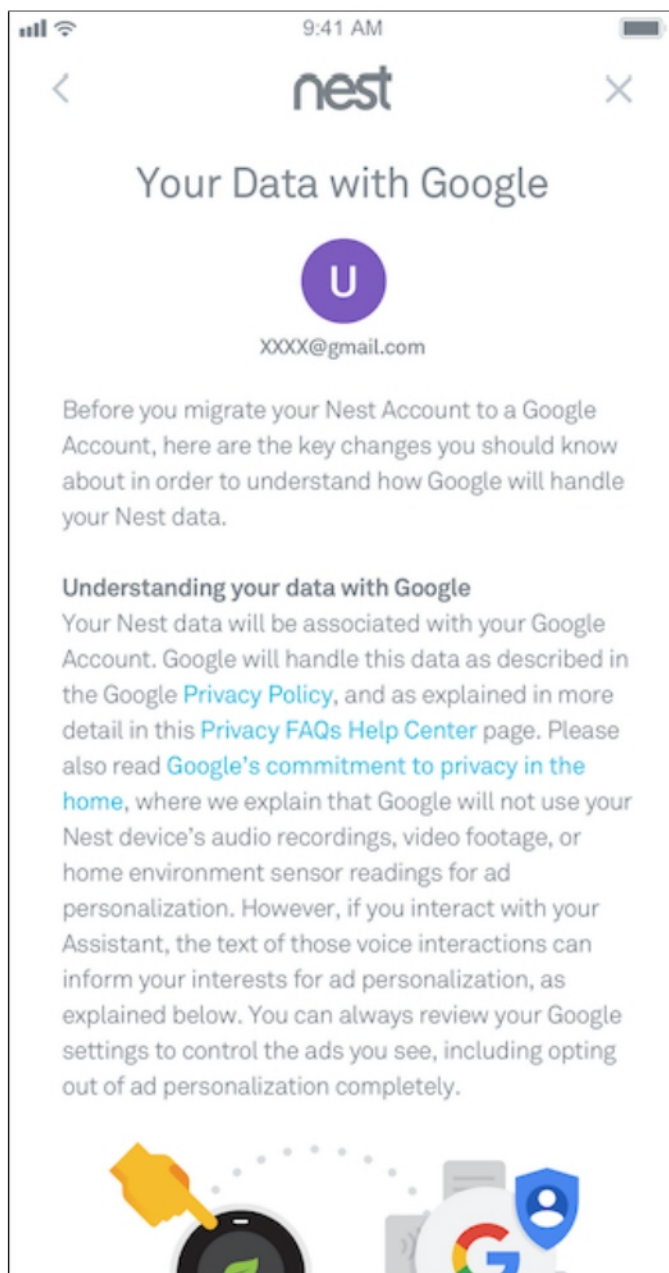
Screen 13: Migration Process

Confirming Home & Member Choices

Privacy & Terms

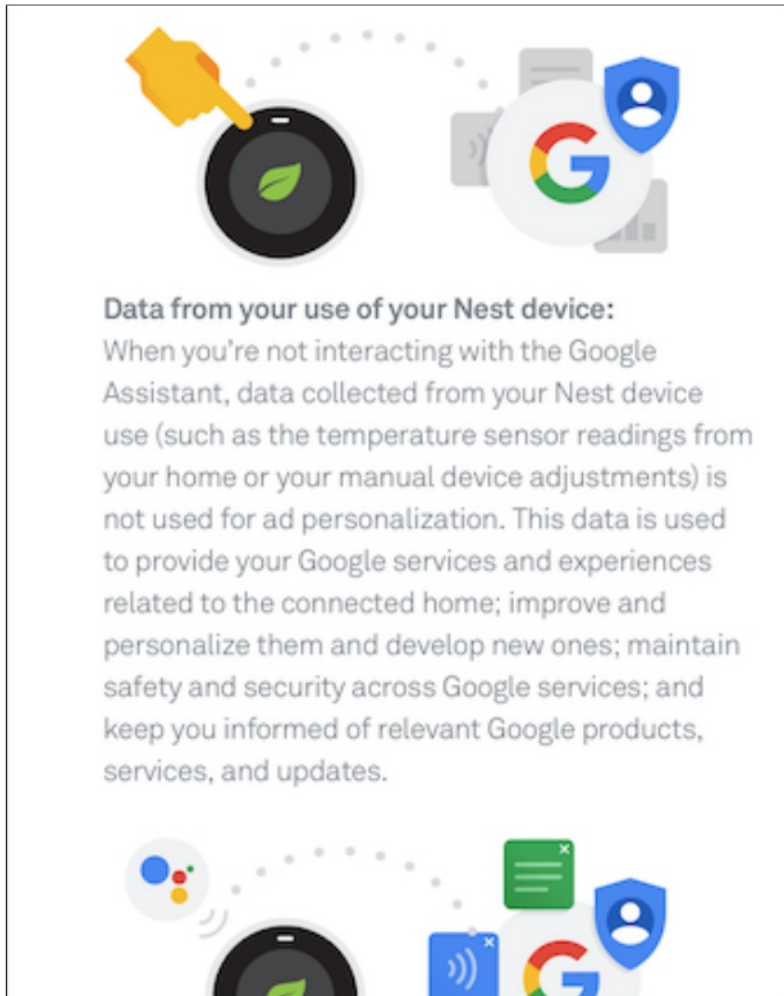


Screen 1: Privacy & Terms ***Privacy & Terms Review Entry Point***



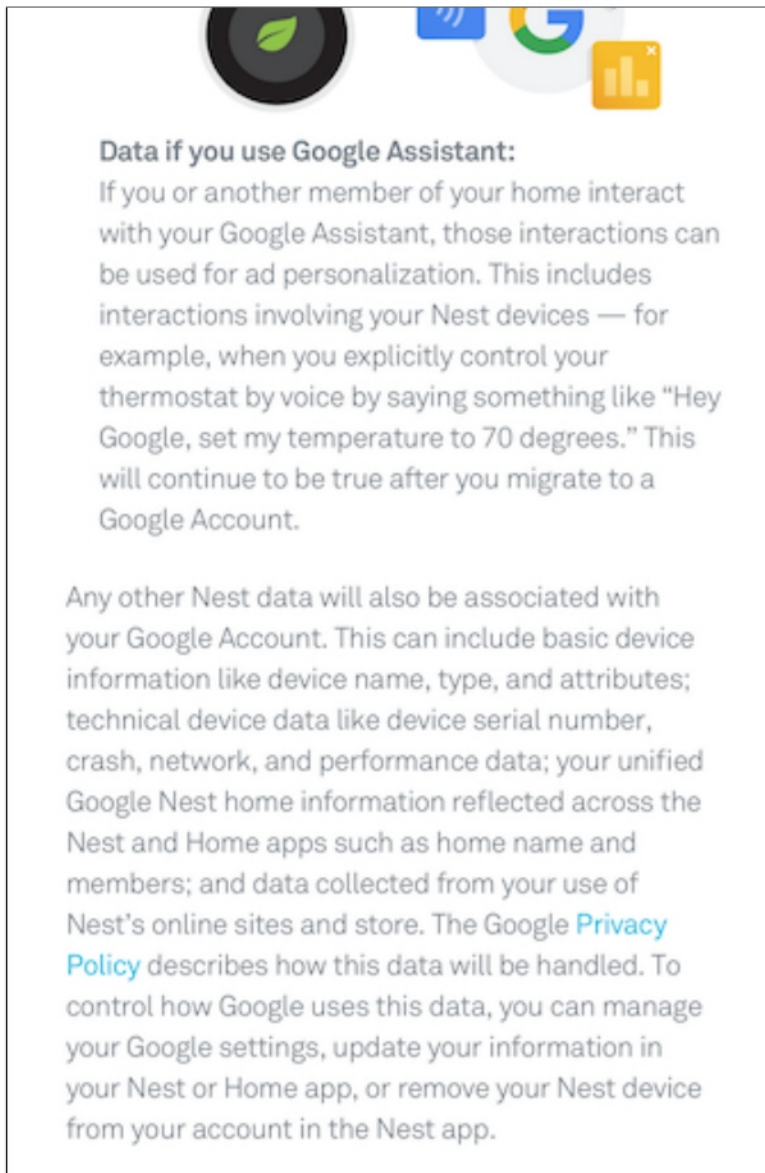
(user scrolls to continue)

Screen 2: Privacy & Terms *Introduction*



(user scrolls to continue)

Screen 3: Privacy & Terms Review ***Data From Nest Device Use***



(user scrolls to continue)

Screen 4: Privacy & Terms Review ***Data From Google Assistant Use***

Configuring your Google Account settings

Your [Google Account](#) gives you quick access to settings and tools that let you safeguard your data and protect your privacy. Depending on your settings (and subject to the limits explained above), the data associated with your Google Account can be used to provide personalized services, promotions and ads, and to improve your Google experience.

Your activity using the Google Assistant, including interactions with your Nest device, are available for you to browse and delete with [My Activity](#). Data available in My Activity can be used to show you more relevant ads ([learn more](#)). When you interact with your Nest device without your Assistant, your activity isn't available in My Activity, and it isn't used to show you more relevant ads, though it is used for the more limited purposes explained above.

Go to your Google Account (account.google.com) to manage your privacy settings, review all your Google activity data, and review your ad settings.

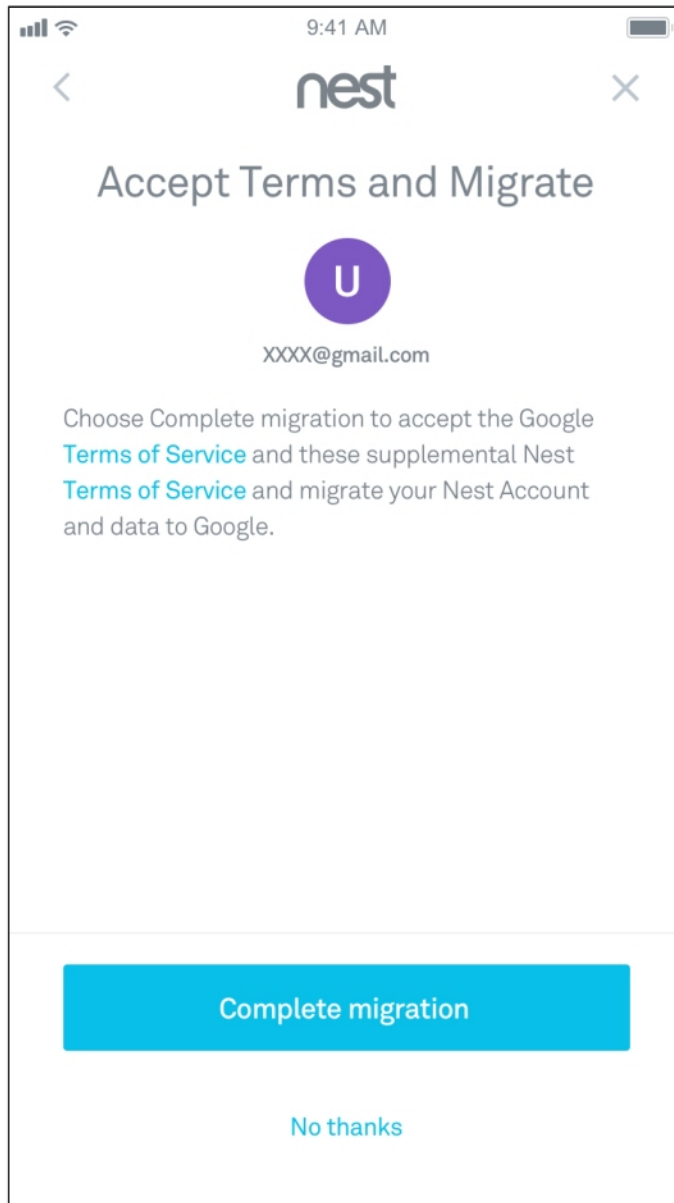
Choose **Continue** to confirm your [Google Account](#) settings, including your [Ads Settings](#), and move forward with migrating your Nest Account and data to Google.

Continue

[No thanks](#)

(user scrolls to continue)

Screen 5: Privacy & Terms Review Google Settings & Finish Continue / No Thanks



Screen 6: Privacy & Terms Review
Complete or No Thanks

Post-Migration Email Notice



Thanks for migrating to a Google Account

Now that you've migrated, you can log into the Nest and Home app with your Google Account. Both apps will show the same homes and members.

Here are some next steps:

Sign in again

Log back into the Nest or Home app on all your devices using your Google Account

Run a privacy and security check

Complete a [Privacy Checkup](#) and a [Security Checkup](#)

If you have Nest family account members:

Remind them to migrate to Google and join your unified Google Nest home

If you want to invite additional family members:

You can add them in the Home app

If you use a Nest x Yale or Nest Secure:

We recommend creating a guest passcode and sharing it with anyone who needs access before they migrate. Once they migrate to a Google Account, they can go back to having full access. To use your Nest Tags, reassign them to yourself, home members, or people with Home Entry Only access in the Nest app.

© 2019 Nest Labs, Inc.,
3400 Hillview Ave. Palo Alto, CA 94304

You have received this service email to update you about your recent Nest transaction.

[Privacy policy](#) | [Terms & conditions](#)

From: Keith Enright
Sent: Fri, 23 Aug 2019 13:25:41 -0700
To: Kim, Reenah
Cc: Rob Mahini
Subject: 2 items
Attachments: 08-23-19 Response to FTC.pdf

Hello Reenah. Please find attached our responses to your most recent questions regarding the proposed Replica transaction. Would you be available for a brief chat on Monday to walk through these responses? If you have any remaining questions I'd like to respond as quickly as possible, as the team is now under pressure to proceed to close next week. I'd like to do anything we can to support that outcome.

Also, I wanted to communicate that we intend to proceed with EY as our Buzz assessor again for the upcoming cycle. I'm assuming this is uncontroversial, but please let me know if you'd like to discuss.

On Monday, I can be flexible around your availability. My only hard conflict is from 2-3 PST. I look forward to speaking with you.

Regards,

Keith Enright

From: Jessica Gan Lee
Sent: Thu, 10 Oct 2019 08:42:30 -0700
To: Kim, Reenah
Cc: Rob Mahini
Subject: Call re 9-27-19 letter

Hi Reenah,

Thank you again for meeting with us on Monday. I wanted to follow up on our call last week to see if you have time today to chat about the timing of our response to your September 27 letter? If today works for you, I could do a call anytime before 5pm your time.

Thank you again,
Jessica

--

Jessica Gan Lee | Senior Privacy Counsel | (b)(6)
Registered In-House Counsel in CA | Licensed in MA

From: Kim, Reenah
Sent: Mon, 1 Oct 2018 13:28:41 +0000
To: Rob Mahini
Cc: Mehm, Ryan;Banks, Lerone
Subject: Chrome

Rob – Following up on our brief call last Friday, I understand that you are coordinating the appropriate people on your end to speak with us this week regarding the recent changes to Chrome, including the issues referenced in, for example, this recent article:

<https://techcrunch.com/2018/09/26/google-to-give-chrome-users-an-opt-out-to-forced-login-after-privacy-backlash/>

Please note that for purposes of scheduling a call or meeting, we are generally available today through Thursday before 4:00 ET – but not available tomorrow (Tuesday) before 11:00, and not available Wednesday after 3:00. We are also not available at all on Friday.

Regards,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580

(b)(6)

From: Jessica Gan Lee
Sent: Fri, 25 Oct 2019 17:01:08 -0700
To: Kim, Reenah
Cc: Rob Mahini
Subject: Confidential response enclosed
Attachments: (b)(6)

(b)(6)

Hi Reenah,

Please find attached our written responses to questions 2, 3, 4, 5, and 6 of your September 27, 2019 letter. Given the size of the files, we will be sending the requested documents via the SFTP you have provided. We request that the FTC keep our responses confidential.

Our investigation is ongoing, and we will supplement these responses as appropriate. In particular, please note that we are continuing to collect documents for item 4 and that we expect to supplement this response on November 6.

On November 6, we'll also provide our responses to questions 1 and 8, as discussed.

As always, please let us know if you have any questions or if it would be helpful to discuss any of our responses. And again, thank you for meeting with us earlier this month -- we very much appreciate that we were able to come in and provide an overview of this Brand Account issue, how it happened, and our remediation efforts, as well as the steps we've been taking to improve our process overall.

Thank you,
Jessica

--

Jessica Gan Lee | Senior Privacy Counsel (b)(6)
Registered In-House Counsel in CA | Licensed in MA

From: Rob Mahini
Sent: Thu, 15 Aug 2019 22:27:55 -0400
To: Kim, Reenah
Subject: Confidential response enclosed
Attachments: (b)(4); (b)(3);6(f)

(b)(4); (b)(3);6(f)

Hi Reenah --

Please find attached our final response to the questions in your July 3 letter requesting information on Brand Accounts. Our investigation is ongoing, and we'll supplement this response as appropriate. We request that the FTC keep our responses confidential.

Thanks,
Rob

Robert Mahini | Sr. Policy Counsel | (b)(6)

From: Rob Mahini
Sent: Fri, 19 Jul 2019 16:41:19 -0400
To: Kim, Reenah
Subject: Confidential response enclosed

Attachments:

(b)(4); (b)(3);6(f)

(b)(4); (b)(3);6(f)

Hi Reenah --

Please find attached our first response to the questions in your July 14 letter requesting information on Brand Accounts. Our investigation is ongoing, and we'll supplement this response as appropriate. We request that the FTC keep our responses confidential.

Thanks,
Rob

Robert Mahini | Sr. Policy Counsel |

(b)(6)

From: Rob Mahini
Sent: Fri, 24 May 2019 20:02:20 -0400
To: Kim, Reenah
Subject: Confidential response enclosed

(b)(4); (b)(3):6(f)

Hi Reenah --

Thank you for your May 14 letter requesting information on Brand Accounts. As we discussed, please find attached our initial responses to questions 17-19 and the attached document in response to your request. Our investigation is ongoing, and we'll supplement this response as appropriate. We request that the FTC keep our responses confidential.

As agreed, we will provide our remaining responses and any supplementation on a rolling basis by June 14, 2019. Please let me know if you have any questions on the attached.

Thanks,
Rob

Robert Mahini | Sr. Policy Counsel | (b)(6)

From: Rob Mahini
Sent: Fri, 14 Jun 2019 22:19:36 -0400
To: Kim, Reenah
Subject: Final confidential responses enclosed

(b)(4); (b)(3);6(f)

Hi Reenah --

Please find attached all of our responses to the questions in your May 14 letter requesting information on Brand Accounts, including updates to some responses previously submitted. Our investigation is ongoing, and we'll supplement this response as appropriate. We request that the FTC keep our responses confidential.

We would also appreciate the opportunity to speak on Monday or Tuesday after you've had an opportunity to review the attached materials to answer questions and provide any additional helpful context. Please let us know if you have any time available.

Thanks,
Rob

--

Robert Mahini | Sr. Policy Counsel | (b)(6)

From: Kim, Reenah
Sent: Fri, 27 Sep 2019 19:09:04 +0000
To: Rob Mahini
Subject: FTC - Google
Attachments: 2019-09-27 Letter to Google.pdf

Rob:

Please see enclosed.

Regards
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580

(b)(6)

A large rectangular black box redacting the content of the email body.

From: Kim, Reenah
Sent: Thu, 22 Aug 2019 13:31:36 +0000
To: 'Keith Enright'
Cc: Rob Mahini
Subject: FTC - Sidewalk Labs-Replica
Attachments: 2019-08-22 Letter to Google re Sidewalk Labs - Replica.pdf

Keith:

Please see enclosed.

Regards,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580

(b)(6)

A rectangular black box redacting the contact information of Reenah L. Kim.

From: Kim, Reenah
Sent: Fri, 27 Mar 2020 18:14:50 +0000
To: 'Rob Mahini'
Subject: FTC letter
Attachments: 2020-03-27 Demand to Google re Verily COVID-19 site.pdf

Rob:

Please see enclosed demand letter.

Regards,
-Reenah

Reenah L. Kim
Bureau of Consumer Protection – Division of Enforcement
Federal Trade Commission
600 Pennsylvania Avenue NW, CC-9528

(b)(6)

From: Kim, Reenah
Sent: Wed, 3 Jul 2019 18:31:53 +0000
To: Rob Mahini
Subject: FTC letter
Attachments: 2019-07-03 2d Demand letter to Google re G Suite for Education.pdf

Rob:

Please see enclosed.

Regards,
-Reenah



Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580

(b)(6)

From: Kim, Reenah
Sent: Tue, 14 May 2019 20:32:55 +0000
To: Rob Mahini
Subject: FTC letter
Attachments: 2019-05-14 Letter to Google re G Suite for Education.pdf

Rob:

Please see enclosed.

Regards,
-Reenah



Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580

(b)(6)

From: Kim, Reenah
Sent: Wed, 24 Jun 2020 14:59:50 +0000
To: 'Morgan Kennedy'
Subject: FTC request for 2020 biennial assessment
Attachments: 2020-06-24 Request to Google for 2020 Biennial Assessment.pdf

Morgan:

Please see the attached letter.

Regards,
-Reenah

Reenah L. Kim
Bureau of Consumer Protection – Division of Enforcement
Federal Trade Commission
600 Pennsylvania Avenue NW, CC-9528

(b)(6)

From: Kim, Reenah
Sent: Mon, 2 Jul 2018 14:55:29 +0000
To: 'Keith Enright'
Subject: FTC

Keith – I left you a voicemail last week but am not sure you received it. Could you please give me a call when you have a moment?

Thanks,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580

(b)(6)

From: Morgan Kennedy
Sent: Tue, 26 Jan 2021 18:01:10 -0500
To: Kim, Reenah;Mehm, Ryan
Cc: Amna Latif;Tammy Jih Murray;Randall Ortman
Subject: Google Assistant / Fitbit Integration Account Linking User Flow
Attachments: (b)(4); (b)(3):6(f); Duplicate
(b)(4); (b)(3):6(f)

Hi Reenah and Ryan,

As follow-up to our call last week and per your request, attached are the screenshots of the (b)(4); (b)(3):6(f) Please let us know if you have any additional questions. I submitted the Section VII notice under separate cover.

Regards,
Morgan



Morgan Kennedy

Manager, Government Affairs & Public Policy

(b)(6)

From: Keith Enright
Sent: Mon, 2 Jul 2018 21:07:37 -0700
To: Kim, Reenah
Cc: Rob Mahini

(b)(4); (b)(3):6(f)

Hello Reenah. Per our conversation this morning, please find attached clean and redacted versions of the assessment report from E&Y for most recent reporting period.

Please feel free to contact me with any questions. Also, as we've offered in the past, if you think it would be helpful for me and members of my team to meet with you to discuss our privacy program in greater detail, we are happy to make ourselves available.

Best,

Keith Enright

Keith Enright | Global Privacy Legal | (b)(6)
Registered In-House Counsel (CA), Licensed in Maryland



**Independent Assessor's Transmittal Letter on
Google LLC's Privacy Program**

For the Period of April 26, 2016 to April 25, 2018

With Report of Independent Accountants

CONFIDENTIAL



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B. Explain how such privacy controls are appropriate to respondent’s size and complexity, the nature and scope of respondent’s activities, and the sensitivity of the covered information	
C. Explain how the privacy controls have been implemented to meet or exceed the protections required by Part III of the Order	
D. Certify that the privacy controls are operating with sufficient effectiveness to provide reasonable assurance to protect the privacy of covered information and that the controls have so operated throughout the reporting period	
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Ernst & Young LLP
303 Almaden Boulevard
San Jose, CA 95110

Tel: +1 408 947 5500
Fax: +1 408 947 5717
ey.com

Mr. Keith Enright
Director, Privacy Legal
Google LLC
345 Spear St.
San Francisco, CA 94105

Dear Mr. Enright,

We are issuing the attached Independent Assessor's Report on Google LLC's¹ ("Google" or "the Company") Privacy Program ("Report") in connection with our examination to determine whether for the two years ended April 25, 2018 (the "Reporting Period"), in accordance with Parts III and IV of the Agreement Containing Consent Order File No.: 1023136 (the "Order"), with a service date of October 28, 2011, between Google and the Federal Trade Commission ("FTC"):

- The Company established and implemented a comprehensive privacy program (the "Subject Matter" or "Privacy Program") based on the seven Google-specific statements ("Criteria") and supporting controls set forth in Attachment A;
- The Company's privacy controls are appropriate to its size and complexity, the nature and scope of its activities, and the sensitivity of covered information (as defined in the Order)²;
- The Company's privacy controls meet or exceed the protections required by Part III of the Order; and
- The Company's privacy controls are operating with sufficient effectiveness to provide reasonable assurance to protect the privacy of covered information and have so operated throughout the Reporting Period.

This letter should be read in conjunction with the Report.

Part III of the Order requires Google to "establish and implement, and thereafter maintain, a comprehensive privacy program that is reasonably designed to: (1) address privacy risks related to the development and management of new and existing products and services for consumers, and (2) protect the privacy and confidentiality of covered information. Such program, the content and implementation of which must be documented in writing, shall contain privacy controls and procedures appropriate to [Google's] size and complexity, the nature and scope of [Google's] activities, and the sensitivity of the covered information."

¹ Google Inc. became Google LLC during the Reporting Period.

² The Order defines "covered information" as "information that [Google] collects from or about an individual, including, but not limited to, an individual's: (a) first and last name; (b) home or other physical address, including street name and city or town; (c) email address or other online contact information, such as a user identifier or screen name; (d) persistent identifier, such as IP address; (e) telephone number, including home telephone number and mobile telephone number; (f) list of contacts; (g) physical location; or any other information from or about an individual consumer that is combined with (a) through (g) above."



Part IV of the Order requires Google to obtain biennial assessments (“Assessments”) of its Privacy Program from a “qualified, objective, independent third-party professional, who uses procedures and standards generally accepted in the profession.” Google retained Ernst & Young (“EY”) to perform the Assessment for the biennial period beginning April 26, 2016 and ending April 25, 2018 (“Reporting Period”). The Assessment covered Google LLC and its affiliates subject to this Order.

EY’s Privacy Assessment Approach

Part IV of the Order requires that the assessments be performed by “a qualified, objective, independent third-party professional, who uses procedures and standards generally accepted in the profession.” This report was issued by EY under applicable professional standards that meet these requirements.

EY, an American Institute of Certified Public Accountants (“AICPA”) member firm, must comply with the public accounting profession’s technical and ethical standards, including the AICPA’s Code of Professional Conduct. In addition to the Code of Professional Conduct, the AICPA publishes standards, which delineate specific requirements Certified Public Accountants are consistently required to follow in the course of engagements.

One such standard, the Concepts Common to All Attestation Engagements (AT-C Section 105), states that practitioners must meet specific requirements to accept and perform assessments, such as the following:

Assignment of the Engagement Team and the Practitioner’s Specialists:

The engagement partner should be satisfied that:

- a. the engagement team, and any practitioner’s external specialists, collectively, must have the appropriate competence, including knowledge of the subject matter, and capabilities to
 - i. perform the engagement in accordance with professional standards and applicable legal and regulatory requirements and
 - ii. enable the issuance of a practitioner’s report that is appropriate in the circumstances.

Furthermore, “[t]he responsible party in an attestation engagement must have a reasonable basis for measuring or evaluating the subject matter.”

In performing this Assessment, EY complied with all these standards. Furthermore, all EY personnel directing the examination were sufficiently qualified. All EY personnel directing the examination and preparing the Report had a minimum of three years’ experience in the field of privacy and data protection.



Independence

AICPA standards also require EY to maintain independence in the performance of audit and examination engagements. The AICPA standard states, “[a] member in public practice shall be independent in the performance of professional services as required by standards promulgated by bodies designated by Council” (AICPA Code of Professional Conduct sec. 1.200 Independence). The standard states that to determine whether an auditor has the requisite independence in the performance of professional services, an AICPA “member should evaluate whether the relationship or circumstances would lead a reasonable and informed third party who is aware of the relevant information to conclude that there is a threat to either the member’s or the firm’s independence, or both, that is not at an acceptable level.”

Independence is comprised of independence of mind and independence in appearance, both of which are required of the AICPA member firm and the auditors engaged in the professional service. Independence of mind requires that the member maintain a state of mind that permits the expression of a conclusion without being affected by influences that compromise professional judgment, thereby allowing an individual to act with integrity and exercise objectivity and skepticism. Independence of appearance is achieved by the avoidance of facts and circumstances that are so significant that a reasonable and informed third party would likely conclude, weighing all the specific facts and circumstances, that a firm’s, or a member of the audit team’s, integrity, objectivity, or professional skepticism has been compromised.

EY is independent in accordance with the AICPA standards required for this engagement.

EY Assessment Process Overview

The procedures performed by EY were designed to:

- Examine Management’s Assertion concerning Google’s compliance with Part III of the Order, stating that Google has maintained the Google Privacy Program (“Subject Matter”) to meet the requirements of the Google FTC Order based on the Criteria and supporting controls;
- Examine the design effectiveness of the controls implemented by Google to address the Criteria; and
- Examine the operating effectiveness of the implemented controls during the Reporting Period.

EY performed procedures to evaluate the design and operating effectiveness of the controls implemented and/or maintained by Google during the Reporting Period. The nature of EY’s testing was dependent on each control, and EY developed a test procedure based on our understanding of the risk, complexity, extent of judgment, and other factors. EY used a combination of inquiry, observation, and inspection for testing of the controls. Refer below for a description of the test procedures utilized by EY:



Inquiry: To understand the design of the controls implemented by Google and how they operate to meet or exceed the protections required by the Order, EY held discussions with Google personnel to obtain an understanding of Google's overall Privacy Program and its objectives. Google personnel included individuals from various departments, a listing of which is included in *Attachment B: Assessment Interviews Summary*. The inquiry procedures included asking the Google personnel about the controls, policies, and procedures, as well as their roles and responsibilities. To validate the information obtained in the discussions, EY performed corroborative inquiry procedures with multiple individuals and, using the testing techniques below, obtained additional evidence to validate the responses. When EY performed corroborative inquiry, EY asked several people across Google about a given control or situation. EY does not rely on inquiry procedures alone, but rather, combines inquiry procedures with additional forms of testing (i.e., observation or inspection/examination) to evaluate and reach conclusions on the effectiveness of the controls.

Observation: EY utilized the observation testing method to validate the design and operating effectiveness of the controls. To determine whether Google has implemented controls that meet or exceed the Criteria on which Management's Assertion is based, EY met with relevant Google personnel and observed how the controls were designed and how they functioned.

Examination or inspection of evidence: EY used the examination or inspection test approach to validate the operating effectiveness of the controls and to evaluate the sufficiency of the controls implemented to meet or exceed the Criteria on which Management's Assertion is based. EY inspected, physically or online, artifacts and documents (including documentation of Google's policies and procedures, risk assessment, and training and awareness programs) to evidence the design and operating effectiveness of the controls and safeguards implemented by Google. The nature of the evidence examined varied from control to control and, where appropriate, other procedures like observation and inquiry were utilized to confirm the results of the examination procedures.

To assess design effectiveness, EY performed walkthroughs of the processes and controls to determine whether the controls were built to achieve the Criteria on which Management's Assertion is based, as well as to determine whether the controls had been placed into operation. To perform a walkthrough, EY met with relevant Google control owners and interviewed them on how Google implemented the controls. Additionally, during the design assessment, EY assessed whether the individuals performing the controls possessed the necessary authority and competence to perform the controls effectively. Our design effectiveness test procedures included performing a combination of inquiry, observation, inspection, and examination.

To assess operating effectiveness, EY performed procedures to determine whether the controls were executed by Google (or Google's systems, if automated) on a regular frequency, and whether documentation and support were maintained to evidence the controls' execution. Our operating effectiveness test procedures included, where appropriate, selecting samples from the



populations representing the Reporting Period and performing a combination of inquiry, observation, and/or inspection/examination procedures to evaluate the effectiveness of the controls documented in *Attachment A: Google's Privacy Program Criteria, Supporting Controls, Test Procedures, and Assessment Results*.

Over the course of the Reporting Period, EY performed procedures that included interviewing individuals from the Privacy and Data Protection Office, Privacy Legal, Ethics & Compliance, Information Security, Engineering Compliance, Privacy Engineering, Detection & Response, Internal Audit, Security and Privacy Mergers & Acquisitions, Product Management, and Security & Privacy EDU. Please see *Attachment B: Assessment Interviews Summary* for individuals interviewed as a part of the Assessment. Please see *Addendum to Transmittal Letter* for more information on EY's review of Google's privacy program.

Please let us know if you have any questions. [REDACTED]

Ernst & Young LLP

June 25, 2018
San Jose, California



EY's Assessment of Part IV A – D of the Agreement Containing Consent Order File No.: 1023136 (the "Order")

Attachment A: Google's Privacy Program Criteria, Supporting Controls, Test Procedures, and Assessment Results sets forth tables that describe the scope of Google's Privacy Program subject to this Assessment. Google established its Privacy Program by implementing privacy controls to meet or exceed the protections required by Part III of the Order. The section below documents EY's assessment results. EY's final conclusions on Management's Assertion are detailed in the Report.

A. Set forth the specific privacy controls that respondent has implemented and maintained during the reporting period.

As depicted within *Attachment A: Google's Privacy Program Criteria, Supporting Controls, Test Procedures, and Assessment Results*, Google has listed the controls that were implemented and maintained during the Reporting Period. Our procedures, as defined in the section entitled, "EY Assessment Process Overview," support the results of our assessment that the controls have been implemented and maintained during the Reporting Period.

B. Explain how such privacy controls are appropriate to respondent's size and complexity, the nature and scope of respondent's activities, and the sensitivity of the covered information.

Based on the size and complexity of the organization, the nature and scope of Google's activities, and the sensitivity of the covered information, Google's management developed the Criteria and supporting controls detailed in *Attachment A: Google's Privacy Program Criteria, Supporting Controls, Test Procedures, and Assessment Results* as the basis for its Privacy Program. Those Criteria and supporting controls are intended to address the risks identified by Google's privacy risk assessment. The Criteria and supporting controls were evaluated against the AICPA standards for suitable and available criteria (AT-C 105, .A42), which requires criteria to be:

- (1) Relevant to the subject matter;
- (2) Objective and free from bias;
- (3) Consistently measurable using qualitative or quantitative attributes; and
- (4) Complete and not missing any factors that could reasonably be expected to affect decisions of the intended users made on the basis of that subject matter.

Upon evaluation of the Criteria, EY confirmed that the Criteria were relevant, objective, measurable, and complete to address the risks identified by Google's privacy risk assessment in each of the areas defined by Management's Assertion, therefore the Criteria are appropriate to Google's size and complexity, the nature and scope of Google's activities, and the sensitivity of Google's covered information.



C. Explain how the privacy controls have been implemented to meet or exceed the protections required by Part III of the Order.

As summarized in *Attachment A: Google's Privacy Program Criteria, Supporting Controls, Test Procedures, and Assessment Results*, Google has implemented the following protections:

A. Designation of an employee or employees to coordinate and be responsible for the privacy program.

Google implemented the following controls in order to meet this requirement:

2.1	Privacy roles and responsibilities of employees and groups that play a part in privacy at Google are defined and published.
2.2	Google maintains an online privacy organizational chart and communication model.
2.3	A working group of privacy subject matter experts provides oversight of privacy topics at Google.

As described above, Google has designated a team of employees to coordinate and share responsibility for the Privacy Program. EY performed test procedures to assess the effectiveness of Google's privacy controls to meet or exceed the protections required by Part III of the Order.

B. The identification of reasonably foreseeable, material risks, both internal and external, that could result in respondent's unauthorized collection, use, or disclosure of Covered Information, and an assessment of the sufficiency of any safeguards in place to control these risks. At a minimum, this privacy risk assessment should include consideration of risks in each area of relevant operation, including, but not limited to: (1) employee training and management, including training on the requirements of this Order, and (2) product design, development, and research.

Google implemented the following controls to meet this requirement:

3.1 (7.1)	<p>Google Privacy Teams conduct periodic risk assessments to:</p> <ul style="list-style-type: none"> • Identify external and internal risks; • Assess existing privacy controls; • Assess risks in product design, development, and research; • Consider changes in the regulatory environment; and • Consider the impact of any changes to Google operations or business arrangements (e.g., acquisitions, divestitures).
3.2 (7.2)	Google Privacy Teams review the Risk Assessment results and identify opportunities to further reduce and mitigate risks.
3.3	Risk Assessment results are communicated to privacy leadership in a timely manner.



As described above, Google has identified reasonably foreseeable, material risks - both internal and external - that could result in Google's unauthorized collection, use, or disclosure of Covered Information, and assessed the sufficiency of any safeguards in place to control these risks. EY performed test procedures to assess the effectiveness of Google's privacy controls to meet or exceed the protections required by Part III of the Order.

C. The design and implementation of reasonable privacy controls and procedures to address the risks identified through the privacy risk assessment, and regular testing or monitoring of the effectiveness of the privacy controls and procedures.

Google implemented the following controls to meet this requirement:

4.1	Google's privacy design documentation is required to be completed, and privacy design is reviewed prior to product launch.
4.2	Google facilitates transparency and choice by providing end-user privacy settings, which include: <ul style="list-style-type: none"> • Account management tools (e.g., My Account, Dashboard, Activity Controls, Account Permissions for Connected Apps and Sites, Inactive Account Manager, Account and Service Deletion); • Product settings (e.g., Ads Settings, Google+/Social Settings, Search Personalization Settings, Analytics Opt-Out); • Privacy tools and guides (e.g., Privacy Checkup, Product Privacy Guide, Incognito Mode); • Security tools and guides (e.g., Security Checkup, 2-Step Verification, Device Activity and Notifications, Service Encryption, Chrome Safe Browsing); • Tools for exporting user data from Google products (e.g., Takeout); and • Google Transparency Report.
4.3	Google privacy engineers perform privacy code audits, and results are reviewed by stakeholders.
4.4	Google privacy teams provide supplemental training and awareness programs including a privacy awareness week, privacy workshops, and advanced privacy training courses.
4.5	Google employees are required to complete training about Google privacy policies and practices within 90 days of hire date and at least biennially thereafter, and completion is followed-up on by management.
4.6	Foundational privacy training is required of new Google engineers, and completion is followed-up on by management.
4.7	Google has established feedback processes that give internal users the ability to voice privacy concerns, which are monitored.
4.8	Google has established feedback processes that give external users the ability to voice privacy concerns, which are monitored.

4.9	Google has an incident response program in place with established processes for responding to privacy incidents. The program and its processes are documented and reviewed periodically. Privacy incidents are monitored and tracked in accordance with internal policy.
4.10	On an annual basis, Google Product Managers and Tech Leads attest to the accuracy, comprehensiveness, and implementation of the applicable privacy policies or that they have identified any changes that need to be made to reflect current practices.
4.11	Google has an entity wide information security program that supports the Google Privacy Program. Google engages third parties throughout the year to perform assessments of its security program.
4.12	Google employees are required to sign a code of conduct acknowledgement upon employment.
4.13	Google employees are required to sign confidentiality agreements upon employment.
4.14	Google maintains sites containing applicable external privacy policies and supplemental reference materials explaining those policies.
5.1	Privacy is considered and documented as part of scoping and execution (where applicable) for internal audits at Google.
5.2 (7.3)	Internal Audit performs a periodic assessment of key Google privacy controls. Results are shared with Google privacy teams and other stakeholders as necessary and are considered for ongoing improvement of the privacy program.
5.3	Privacy leadership periodically reviews internal reports on the functioning of the privacy review process.
5.4	Google management reviews and confirms the completion of the Privacy Shield process for Google.

EY evaluated the processes and controls Google placed in operation to address risks Management may have identified in their risk assessment. As described above, Google has designed and implemented reasonable controls and procedures to address the risks identified through the privacy risk assessment, and regular testing or monitoring of the effectiveness of those controls and procedures. EY performed test procedures to assess the design and operating effectiveness of Google’s privacy controls to meet or exceed the protections required by Part III of the Order.

D. The development and use of reasonable steps to select and retain service providers capable of maintaining security practices consistent with this order, and requiring service providers by contract to implement and maintain appropriate safeguards.

Google implemented the following controls to meet this requirement:

6.1	The Google Ethics & Compliance team reviews purchase requisitions and refers service providers to the Vendor Security Audit (VSA) team based on risk
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6.2	Google service providers are required to sign confidentiality terms as part of the agreement, as deemed necessary.
6.3	Google teams review Google service providers using a risk-based assessment process.

As described above, Google has developed and implemented reasonable steps to select and retain service providers capable of maintaining security practices consistent with the Order, and requiring service providers by contract to implement and maintain appropriate safeguards over covered information they receive from Google. Google also includes terms in contracts with service providers requiring that such service providers implement and maintain appropriate privacy protections. EY performed test procedures to assess the design and operating effectiveness of Google’s privacy controls to meet or exceed the protections required by Part III of the Order.

E. The evaluation and adjustment of respondent’s privacy program in light of the results of the testing and monitoring required by subpart C, any material changes to respondent’s operations or business arrangements, or any other circumstances that respondent knows or has reason to know may have a material impact on the effectiveness of its privacy program.

Google implemented the following controls to meet this requirement:

7.1 (3.1)	Google privacy teams conduct periodic risk assessments to: <ul style="list-style-type: none"> • Identify external and internal risks; • Assess existing privacy controls; • Assess risks in product design, development, and research; • Consider changes in the regulatory environment; and • Consider the impact of any changes to Google operations or business arrangements (e.g., acquisitions, divestitures).
7.2 (3.2)	Google privacy teams review the Risk Assessment results and identify opportunities to further reduce or mitigate risk.
7.3 (5.2)	Internal Audit performs a periodic assessment of key Google privacy controls. Results are shared with Google privacy teams and other stakeholders as necessary and are considered for ongoing improvement of the privacy program.
7.4	Findings and recommendations that come as a result of Internal Audit testing of the Google Privacy Program are communicated to privacy leadership as applicable.
7.5	Action items identified from the results of Internal Audit control testing of the Google Privacy Program are assigned an owner and tracked to ensure remediation.

As described above, Google has evaluated and adjusted its Privacy Program in light of the results of the testing and monitoring required by subpart C within Part III of the Order, any material changes to Google’s operations or business arrangements, or any other circumstances that Google knows or has reason to know may have a material impact on



the effectiveness of its privacy program. EY performed test procedures to assess the effectiveness of Google's privacy controls to meet or exceed the protections required by Part III of the Order.

D. Certify that the privacy controls are operating with sufficient effectiveness to provide reasonable assurance to protect the privacy of covered information and that the controls have so operated throughout the reporting period.

As described in the EY Assessment section above, EY performed its assessment of Google's Privacy Program in accordance with AICPA Attestation Standards. Refer to the Report for EY's opinion, which provides the conclusion of our assessment.

Addendum to Transmittal Letter

Overview of Company

Company overview

Google is a global technology service provider focused on organizing the world's information to make it universally accessible and useful.³ This lists just a few of Google's wide-ranging products:

- Search;
- AdWords;
- Gmail;
- Google Maps;
- Google Apps, including Google Docs, Google Sheets, and Google Drive;
- Blogger;
- Google Chrome;
- Android;
- Google Pay;
- YouTube; and
- Google Home.

Google became a publicly traded company on August 18, 2004. The Company now has offices in more than 40 countries and provides products and services in over 130 languages to Google users all over the world. It is headquartered in Mountain View, California and employs more than 75,000 people. Google is a wholly owned subsidiary of Alphabet Inc.

EY's Review of Google's Privacy Program

Privacy Program review

Over the course of the examination, through discussions with key individuals and observation of related documentation, EY reviewed the following aspects of Google's Privacy Program:

- Google's privacy policies
- Privacy Program teams
- Google's Privacy Program assessment
- Google's product launch privacy review process
- End-user privacy settings
- Privacy training and awareness programs
- Incident response program
- Third party risk management
- EU/US Privacy Shield process

³ Google Mission Statement, <https://www.google.com/about/our-company/>

The following section describes highlights of each component, which support the overall Privacy Program.

Google's privacy policies

The Google Privacy Program is documented in several internal policies, and supplemented by guidance documents. The policies and guidance documents are accessible from Google's intranet by all employees of the Company. The internal policies cover core requirements under Google's Privacy Program, including:

- Privacy training requirements
- Classification and handling of anonymous data
- Use of cookies and other client-side management mechanisms on Google products
- Rules of exporting user data
- Rules for collecting, accessing, processing, and handling user data
- Retention and deletion requirements around user data
- Requirements for reporting and responding to potential privacy incidents
- Principles for providing additional notice and obtaining additional consent
- Rules for the use of immutable identifiers in Google products

EY noted that the policies had been reviewed and updated during the Reporting Period.

Google's public-facing privacy policy describes to users what information Google collects from users, the sources from which Google obtains this information, and how the collected information is used. The policy has a section called "transparency and choice," which describes various controls a user has about how their information is collected, used, and presented to others. A screenshot of this privacy policy, reviewed during the examination and available publicly, is shown below.⁴

⁴ The public-facing privacy policy from the Reporting Period can be found here:
https://static.googleusercontent.com/media/www.google.com/en/intl/en/policies/privacy/google_privacy_policy_en.pdf



Privacy Policy

Last modified: December 18, 2017 ([view archived versions](#)) (The hyperlinked examples are available at the end of this document.)

There are many different ways you can use our services – to search for and share information, to communicate with other people or to create new content. When you share information with us, for example by creating a [Google Account](#), we can make those services even better – to show you **more relevant search results** and ads, to help you **connect with people** or to make **sharing with others quicker and easier**. As you use our services, we want you to be clear how we're using information and the ways in which you can protect your privacy.

Our Privacy Policy explains:

- What information we collect and why we collect it.
- How we use that information.
- The choices we offer, including how to access and update information.

We've tried to keep it as simple as possible, but if you're not familiar with terms like cookies, IP addresses, pixel tags and browsers, then read about these [key terms](#) first. Your privacy matters to Google so whether you are new to Google or a long-time user, please do take the time to get to know our practices – and if you have any questions [contact us](#).

Privacy Program teams

The Google Privacy Program is operated by a cross-functional team of employees representing:

- Privacy Working Groups (PWG)
- Privacy Legal
- Privacy & Data Protection
- Ethics & Compliance
- Security
- Privacy Engineering
- Incident Detection & Response
- Internal Audit
- Security and Privacy Mergers & Acquisitions
- Security & Privacy EDU
- Product Management

Privacy Working Groups (PWG) are composed of privacy subject matter experts, providing advice on privacy issues and overseeing the privacy review process related to the Privacy Program. Privacy working groups are established for various privacy topics and for various product areas, such as YouTube and Hangouts. Any Google employee who has a privacy question can reach out directly to a PWG member, or send a message to a general PWG inbox to obtain guidance

and instructions on how to address the issue in line with Google's privacy policies. PWG members escalate privacy issues and concerns as necessary to privacy leadership.

In addition to the Google teams that are focused on privacy, individuals within departments throughout the organization are tasked with certain privacy responsibilities. For example, within the Legal Department, hundreds of Product Counsel are responsible for assisting product teams with privacy reviews related to product launches. Product Counsel are also tasked with completing Privacy Shield reviews and attestations for their respective products.

Google Privacy Program assessment

In anticipation of, and to adapt to changes in the business and regulatory landscape, Google periodically reviews its Privacy Program. The Google Privacy Program is reviewed in five ways: (1) periodic meetings between key privacy program leadership members, (2) periodic all-hands meetings to discuss privacy issues and topics and to field questions from employees, (3) biennial independent third-party assessments required under this Order, (4) biennial internal audits of the Google Privacy Program, and (5) annual risk assessments.

In addition to helping identify privacy program changes, the annual risk assessment is designed to achieve the following objectives:

- Identify external and internal risks;
- Assess existing privacy controls;
- Assess risks in product design, development, and research;
- Consider changes in the regulatory environment; and
- Consider the impact of any changes to Google operations or business arrangements (e.g., acquisitions, divestitures).

The Google privacy team evaluates the evolving risk landscape and the ability of the Google Privacy Program's current controls to address those risks. [REDACTED]

The existing privacy controls are mapped to the identified risks and, where there are instances of newly discovered risks that are not adequately managed by current controls, additional controls are developed, added to the Privacy Program, and included in the scope of future audits.

Google's product launch privacy review process

Google requires all product teams to complete a Privacy Design Document (PDD) prior to launch of all products that Google defines as privacy-impacting. The PDD is an example of how Google integrates privacy by design within their products. Each PDD contains information pertaining to the nature of the product being developed, the type of data that it will collect, how the data will be used, who it will be shared with, and the controls (privacy, security, or other related controls) that will be implemented to protect that data. PDDs are reviewed by a privacy reviewer prior to a product being approved for launch.

The PDD template evolves depending on the needs of the product, company, or changes to the Privacy Program. For example, during the course of EY's assessment, enhancements were made to the PDD template to reflect the requirements of the General Data Protection Regulation (GDPR).

End-user privacy settings

Google provides users with transparency and choice into Google application privacy settings through the My Account feature. My Account provides a centralized location where users are able to exercise control over aspects of how a user's data is handled by Google. My Account includes two walkthroughs for users: Privacy Checkup and Security Checkup. Each checkup asks the user a series of questions about a user's preferences regarding privacy or security, respectively. Some of the choices provided to the user include:

- Managing account activity-based ads personalization;
- Deleting account activity (including browser activity);
- Managing voice and audio for vocal commands;
- Managing YouTube watch and search history
- Managing geolocation; and
- Managing whether activities are publicly visible on Google products

A screenshot of the My Account feature, which can be accessed from all Google accounts, is provided below⁵.

⁵ https://myaccount.google.com/?utm_source=OGB&utm_medium=app



Welcome, [Name]

Control, protect, and secure your account, all in one place

Your Google Account gives you quick access to settings and tools that let you safeguard your data, protect your privacy, and decide how your information can make Google services work better for you.

<p>Sign-in & security ></p>	<p>Personal info & privacy ></p>	<p>Account preferences ></p>
<p>Control your password and Google Account access.</p> <ul style="list-style-type: none"> Signing in to Google Device activity & security events Apps with account access 	<p>Manage your visibility settings and the data we use to personalize your experience.</p> <ul style="list-style-type: none"> Your personal info Contacts Manage your Google activity Ads Settings Control your content 	<p>Adjust account settings, like payment methods, languages, & storage options.</p> <ul style="list-style-type: none"> Payments Purchases, subscriptions & reservations Language & Input Tools Accessibility Your Google Drive storage Delete your account or services
<p>Security Checkup Protect your account in just a few minutes by reviewing your security settings and activity.</p> <p>GET STARTED</p>	<p>Privacy Checkup Take this quick checkup to review important privacy settings and adjust them to your preference.</p> <p>GET STARTED</p>	
<p>Find your phone Whether you forgot where you left it or it was stolen, a few steps may help secure your phone or tablet.</p> <p>GET STARTED</p>	<p>My Activity Discover and control the data that's created when you use Google services.</p> <p>GO TO MY ACTIVITY</p>	



We're committed to your privacy and security.

[LEARN MORE](#)

The My Account feature contains the following privacy-related setting and tool options:

TYPE	NAME	DESCRIPTION
Sign-in & security	Signing into Google	Provides users with the ability to update their password, turn on two-step verification, and choose account recovery options
	Device activity & security events	Lists recent security events on the user's account and shows devices recently used to access the user's account
	Apps with account access	Allows the user to keep track of which apps and services the user has given permission to access his/her Google account, and shows what apps and sites Google Smart Lock has saved passwords for
	Security Checkup	At-a-glance review of any security issues detected on the user's account. Shows the user's devices, recent security activity, methods of sign-in and recovery verification, and third parties that have access to the user's data
	Find your phone	Assists the user in finding any mobile or tablet devices that can be used to access the user's account

TYPE	NAME	DESCRIPTION
Personal info & privacy	Your personal info	Allows user to manage basic personal information (including name, phone number, and email) stored about the user. Also allows the user to update different privacy settings.
	Contacts	Allows the user to manage contact settings, including automatically saving contact info from interactions and allowing the user to block unwanted contacts
	Manage your Google activity	Allows the user to choose what activity data is saved to create the user's customized Google experience. Provides a link to Dashboard, which organizes the user's data by product and shows the user Google services the user has shared data with

TYPE	NAME	DESCRIPTION
	Ads Settings	Allows the user to choose how Google uses the user's Google Account activity to personalize ads shown to the user. Notifies the user that Google does not share personally identifiable information about the user with Google's partners. Allows the user to choose topics the user likes and would prefer to see ads about
	Control your content	Allows the user to create an archive of the user's content from Google products. Allows the user to assign an account trustee in the event the user's account has been left unattended for an amount of time specified by the user
	Privacy Checkup	Walks the user through privacy choices across Google products, including whether Google saves location history, whether the user's device will respond to audio commands to turn on Google (such as "Ok, Google"), and whether the user's YouTube watch history is saved
	My Activity	Allows a user to review saved Google activity across platforms and delete specific activities manually, or delete activities based on dates or products on which the activities were performed

Google also provides the user with the ability to export his/her data from any Google products using Google Takeout, displayed below⁶.

← Download your data

Your account, your data.
Export a copy.
Create an archive with your data from Google products.
[MANAGE ARCHIVES](#)

Select data to include
Choose the Google products to include in your archive and configure the settings for each product. This archive will only be accessible to you. [Learn more](#)

Product	Details		
+1s		▼	<input checked="" type="checkbox"/>
Android Device Configuration Service		▼	<input checked="" type="checkbox"/>
Blogger		▼	<input checked="" type="checkbox"/>
Bookmarks		▼	<input checked="" type="checkbox"/>
Calendar	All calendars	▼	<input checked="" type="checkbox"/>
Chrome	All Chrome data types	▼	<input checked="" type="checkbox"/>
Classroom			<input checked="" type="checkbox"/>
Cloud Print			<input checked="" type="checkbox"/>

[SELECT NONE](#)

⁶ The Google Takeout webpage can be found at: <https://takeout.google.com/?pli=1>

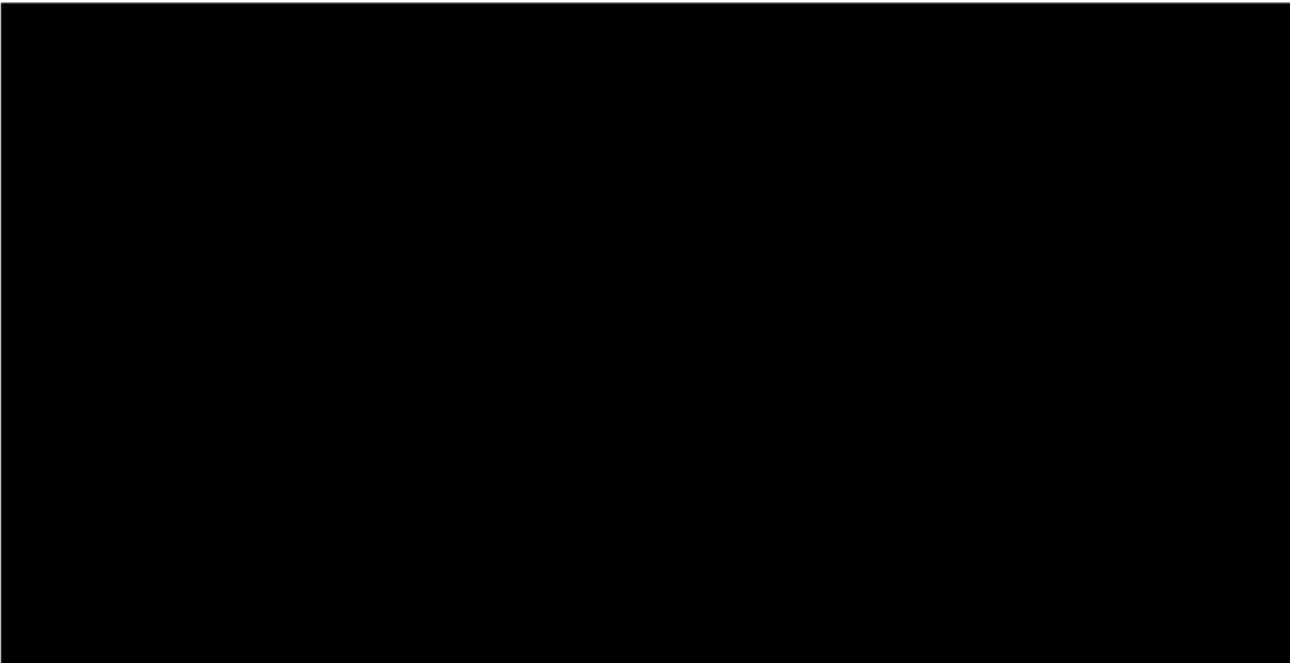
Privacy training and awareness programs

Google requires all new hires to complete privacy training within 90 days of hire, and biennially thereafter. The privacy training consists of scenarios that challenge the employee to consider situations applicable to the employee's role and determine what course of action is most appropriate under Google's Privacy Policy and Google's Privacy Principles. As visible on Google's publicly available website, <https://policies.google.com/technologies>, Google's Privacy Principles "help guide decisions [Google employees] make at every level of [the] company." Google's Privacy Principles are displayed in the graphic below, observed by EY during the examination:



These Principles are embedded in the privacy training. Completion of training is tracked and management follows up with employees as necessary.

In addition to the basic privacy training, new engineers are required to complete engineer-specific privacy training upon hire. The new engineer training sets the tone for how Google expects engineers to treat user data. The new engineer training is structured against the Privacy Principles, described above, and provides examples of each principle in practice, using a situation that is relatable to the engineer. An excerpt from the engineering training course, Privacy Principles in Practice, under "Privacy Principle 4. Give users meaningful choices to protect privacy," which EY observed during the examination, is shown below.



There are also a series of other supplemental trainings available to Google employees both within the Google training module, and also through the “Privacy and Security Week” (as held in 2016) and “Security and Privacy Month” (as held in 2017, and anticipated going forward). This Privacy and Security programming is available to all Google employees, worldwide. The event is publicized through newsletters, emails, office decorations, and branded swag distributed throughout the offices. The 2016 Privacy and Security Week consisted of 26 events, including trainings, talks, and privacy “hack-a-thons.” The 2017 Security and Privacy Month expanded this to 50 events, as well as a dedicated landing page for the programming, where users could register for the sessions. A screenshot of the internal website for the 2017 Security and Privacy Month, which EY observed during the examination, is shown below.




PROTECT RESPECT DEFEND!



Security & Privacy Month

October 2017 • go/spm17



 Security Fixit Protect your frontend from XSS & adopt Content Security Policy.	 Retention Fixit Delete user data responsibly. Map it to a retention plan.	 Protect - Keep user and employee data private. Respect - Simply having access is not enough. Defend - We're here to help! GoS&P
--	---	--

Incident response program







For any privacy or security suspected incident, an employee is required to report the incident, which may be done through various channels such as through the dedicated email alias, phone number, or digital platform. For each suspected incident, a coordinated team is assigned to manage the overall incident, as well as liaising with Legal and the product team as part of the investigation and response. The team on-call for an incident is predetermined, based on a daily rotation. Incident responses may follow either a standard or expedited route, depending on the severity and priority assigned to the incident.

Third party risk management

Google requires that a privacy and security assessment be completed for any engagement involving the disclosure of user, customer, or employee personal data to a third party. Googlers initiating the engagement are required to comply with Google's third party assessment process. This may involve [REDACTED]

[REDACTED] To support the requester (Google employee) in completing the assessment, Google maintains policies, guidelines, tools, and workflow management systems to assist the requester in this process. Where the requester answers affirmatively that data will be shared with the vendor, the assessment is reviewed by Google's Ethics & Compliance Third Party Data Protection Team to determine whether a Vendor Security Assessment (VSA) is required.

A dashboard with resources on third party management for Googlers, which EY observed during the Assessment, is shown below.

 GOOGLER RESOURCES	 LEGAL TEAM MEMBER RESOURCES	 OFFICE HOURS
 IPA WIZARD	 EXCEPTIONS/ESCALATIONS (TBD)	 TRAINING

[PRIVACY SHIELD VENDOR LIST](#)

EU/US Privacy Shield process

Each product in scope for Privacy Shield certification is required to go through an annual Privacy Shield review process, in which Product Managers and Tech Leads attest to compliance with the Privacy Shield Principles. The attestation for the certification consists of two parts: one part to be completed by the Product Manager and/or Tech Lead, and the other to be completed by Product Counsel. Prior to completing the attestations, the Product Manager and/or Tech Lead and the Product Counsel meet to go through the Privacy Shield requirements and review the product's privacy documentation.

From: Morgan Kennedy
Sent: Mon, 29 Jun 2020 17:39:16 -0400
To: DEbrief
Cc: Kim, Reenah
Subject: In the Matter of Google Inc., Docket No. C-4336

(b)(4); (b)(3);6(f)

Dear Mr. Kohm,

Attached is the final independent biennial assessment report prepared by Ernst & Young pursuant to Part IV of the Google Buzz Order (In the Matter of Google, Inc., Docket No. C-4336), covering the period from April 26, 2018 to April 25, 2020. The report concludes that Google's privacy program controls are appropriate to our size and complexity, the nature and scope of our activities, and the sensitivity of the Covered Information under the Order. The report also concludes that Google's privacy program controls have been implemented to meet or exceed the protections required by Part III of the Order and that the controls have been operating with sufficient effectiveness throughout the assessment period.

We separately requested that EY provide us with recommendations on potential areas for improvement. Although this is outside the scope of the assessment report, we are attaching a summary of EY's recommendations so you can see where we will be focusing some of our efforts in the upcoming cycle.

Sincerely,
Morgan Kennedy



Morgan Kennedy

Manager, Government Affairs & Public
Policy

(b)(6)

From: Jessica Gan Lee
Sent: Thu, 10 Oct 2019 09:35:55 -0700
To: Kim, Reenah
Cc: Rob Mahini
Subject: Re: Call re 9-27-19 letter

(b)(4); (b)(3);6(f)

Thanks, Reenah. I'll plan to call your office at 3:30pm your time then.

Please also find attached our initial response to question 7. Our investigation is still ongoing, and we will supplement this response as appropriate. We request that the FTC keep our responses confidential.

I look forward to speaking with you this afternoon about the timing of the remaining responses.

Thank you,
Jessica

On Thu, Oct 10, 2019 at 9:04 AM Kim, Reenah (b)(6) wrote:
I'm available between 3-5 today.

Thanks,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection
600 Pennsylvania Avenue NW, CC-9528
Washington DC 20580

(b)(6)

On Oct 10, 2019, at 11:42 AM, Jessica Gan Lee (b)(6) wrote:

Hi Reenah,

Thank you again for meeting with us on Monday. I wanted to follow up on our call last week to see if you have time today to chat about the timing of our response to your September 27 letter? If today works for you, I could do a call anytime before 5pm your time.

Thank you again,
Jessica

--

Jessica Gan Lee | Senior Privacy Counsel (b)(6)
Registered In-House Counsel in CA | Licensed in MA

--

Jessica Gan Lee | Senior Privacy Counsel (b)(6)

From: Jessica Gan Lee
Sent: Fri, 25 Oct 2019 13:01:31 -0700
To: Kim, Reenah;Rob Mahini
Subject: Re: Call re 9-27-19 letter

Hi Reenah,

I am writing to confirm that we'll be sending our responses to requests (b)(4) today, October 25. Given the size of the files for the requested documents, we wanted to check with you to see if the FTC has an SFTP link that we can use to deliver those documents? If not, do you have a preferred method that we should use to deliver the documents?

I am also confirming that we'll be sending our responses to requests 1 and 8 no later than November 6.

Thank you so much,
Jessica

On Fri, Oct 11, 2019 at 7:10 AM Kim, Reenah (b)(6) wrote:

Jessica:

Based on our discussion yesterday, I understand that Google will provide complete responses to requests 2, 3, 4, 5, and 6 of the September 27th demand letter by October 25, and that Google will provide complete responses to requests 1 and 8 no later than November 6 (or possibly earlier on October 30). If I am mistaken in this understanding, please let me know.

Thank you.

Regards,

-Reenah

Reenah L. Kim

Federal Trade Commission

Bureau of Consumer Protection | Division of Enforcement

600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580

(b)(6)

From: Jessica Gan Lee (b)(6)
Sent: Thursday, October 10, 2019 11:43 AM
To: Kim, Reenah (b)(6)
Cc: Rob Mahini <(b)(6)>
Subject: Call re 9-27-19 letter

Hi Reenah,

Thank you again for meeting with us on Monday. I wanted to follow up on our call last week to see if you have time today to chat about the timing of our response to your September 27 letter? If today works for you, I could do a call anytime before 5pm your time.

Thank you again,

Jessica

--

Jessica Gan Lee | Senior Privacy Counsel (b)(6)

Registered In-House Counsel in CA | Licensed in MA

--

Jessica Gan Lee | Senior Privacy Counsel (b)(6)
Registered In-House Counsel in CA | Licensed in MA

From: Jessica Gan Lee
Sent: Wed, 6 Nov 2019 12:06:25 -0800
To: Kim, Reenah
Cc: Rob Mahini
Subject: Re: Confidential response enclosed

Hi Reenah,

Later today we'll be sending you our responses to questions 1 and 8 of your September 27, 2019 letter about the Brand Account issue. For the accompanying documents, should we submit those via the same SFTP link we used on October 25?

Thank you so much,
Jessica

On Mon, Oct 28, 2019 at 12:08 PM Kim, Reenah (b)(6) wrote:

That works – thanks

From: Jessica Gan Lee (b)(6)
Sent: Monday, October 28, 2019 12:44 PM
To: Kim, Reenah (b)(6)
Cc: Rob Mahini (b)(6)
Subject: Re: Confidential response enclosed

Hi Reenah,

Our apologies -- yes, there is a password for the files. It is (b)(6)

Please let us know if you have any further issues.

Thank you,
Jessica

On Mon, Oct 28, 2019 at 6:06 AM Kim, Reenah <rkim1@ftc.gov> wrote:

Thanks Jessica. I received the SFTP link. Is there a password that accompanies the files? The software prompted me for a password, and I just pushed past that step, but the files that subsequently downloaded cannot be accessed – I receive error messages saying the file format or file extension is “not valid.”

-Reenah

Reenah L. Kim

Federal Trade Commission

Bureau of Consumer Protection | Division of Enforcement

600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580

(b)(6)

From: Jessica Gan Lee (b)(6)
Sent: Friday, October 25, 2019 8:01 PM
To: Kim, Reenah (b)(6)
Cc: Rob Mahini <(b)(6)>
Subject: Confidential response enclosed

Hi Reenah,

Please find attached our written responses to questions 2, 3, 4, 5, and 6 of your September 27, 2019 letter. Given the size of the files, we will be sending the requested documents via the SFTP you have provided. We request that the FTC keep our responses confidential.

Our investigation is ongoing, and we will supplement these responses as appropriate. In particular, please note that we are continuing to collect documents for item 4 and that we expect to supplement this response on November 6.

(b)(4)



Thank you,

Jessica

--

Jessica Gan Lee | Senior Privacy Counsel | (b)(6)

Registered In-House Counsel in CA | Licensed in MA

--

Jessica Gan Lee | Senior Privacy Counsel | (b)(6)

Registered In-House Counsel in CA | Licensed in MA

--

Jessica Gan Lee | Senior Privacy Counsel | (b)(6)

Registered In-House Counsel in CA | Licensed in MA

From: Jessica Gan Lee
Sent: Mon, 28 Oct 2019 09:44:25 -0700
To: Kim, Reenah
Cc: Rob Mahini
Subject: Re: Confidential response enclosed

Hi Reenah,

Our apologies -- yes, there is a password for the files. It is (b)(6)

Please let us know if you have any further issues.

Thank you,
Jessica

On Mon, Oct 28, 2019 at 6:06 AM Kim, Reenah (b)(6) wrote:

Thanks Jessica. I received the SFTP link. Is there a password that accompanies the files? The software prompted me for a password, and I just pushed past that step, but the files that subsequently downloaded cannot be accessed – I receive error messages saying the file format or file extension is “not valid.”

-Reenah

Reenah L. Kim

Federal Trade Commission

Bureau of Consumer Protection | Division of Enforcement

600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580

(b)(6)

From: Jessica Gan Lee (b)(6)
Sent: Friday, October 25, 2019 8:01 PM
To: Kim, Reenah (b)(6)
Cc: Rob Mahini (b)(6)
Subject: Confidential response enclosed

Hi Reenah,

Please find attached our written responses to questions 2, 3, 4, 5, and 6 of your September 27, 2019 letter. Given the size of the files, we will be sending the requested documents via the SFTP you have provided. We request that the FTC keep our responses confidential.

Our investigation is ongoing, and we will supplement these responses as appropriate. In particular, please note that we are continuing to collect documents for item 4 and that we expect to supplement this response on November 6.

On November 6, we'll also provide our responses to questions 1 and 8, as discussed.

As always, please let us know if you have any questions or if it would be helpful to discuss any of our responses. And again, thank you for meeting with us earlier this month -- we very much appreciate that we were able to come in and provide an overview of this Brand Account issue, how it happened, and our remediation efforts, as well as the steps we've been taking to improve our process overall.

Thank you,

Jessica

--

Jessica Gan Lee | Senior Privacy Counsel (b)(6)

Registered In-House Counsel in CA | Licensed in MA

--

From: Jessica Gan Lee
Sent: Wed, 6 Nov 2019 17:14:55 -0800
To: Kim, Reenah; Rob Mahini
Subject: Re: Confidential response enclosed

(b)(4); (b)(3); 6(f)

Thank you so much, Reenah.

Please find attached our written responses to questions 1 and 8 of your September 27, 2019 letter, as well as an updated response to question 4. Given the size of the files, we will be sending the requested documents via the SFTP you have provided. We request that the FTC keep our responses confidential.

The password for the files is (b)(6)

Please let us know if you have any questions or if it would be helpful to discuss any of our responses.

Thank you again,
Jessica

On Wed, Nov 6, 2019 at 12:11 PM Kim, Reenah (b)(6) wrote:

I'll send you a new email with a link later today

From: Jessica Gan Lee (b)(6)
Sent: Wednesday, November 06, 2019 3:06 PM
To: Kim, Reenah (b)(6)
Cc: Rob Mahini
Subject: Re: Confidential response enclosed

Hi Reenah,

Later today we'll be sending you our responses to questions 1 and 8 of your September 27, 2019 letter about the Brand Account issue. For the accompanying documents, should we submit those via the same SFTP link we used on October 25?

Thank you so much,

Jessica

On Mon, Oct 28, 2019 at 12:08 PM Kim, Reenah <(b)(6)> wrote:

That works – thanks

From: Jessica Gan Lee <(b)(6)>
Sent: Monday, October 28, 2019 12:44 PM
To: Kim, Reenah <(b)(6)>
Cc: Rob Mahini <(b)(6)>
Subject: Re: Confidential response enclosed

Hi Reenah,

Our apologies -- yes, there is a password for the files. It is (b)(6)

Please let us know if you have any further issues.

Thank you,

Jessica

On Mon, Oct 28, 2019 at 6:06 AM Kim, Reenah <(b)(6)> wrote:

Thanks Jessica. I received the SFTP link. Is there a password that accompanies the files? The software prompted me for a password, and I just pushed past that step, but the files that subsequently downloaded cannot be accessed – I receive error messages saying the file format or file extension is “not valid.”

-Reenah

Reenah L. Kim

Federal Trade Commission

Bureau of Consumer Protection | Division of Enforcement

600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580

(b)(6)

From: Jessica Gan Lee (b)(6)
Sent: Friday, October 25, 2019 8:01 PM
To: Kim, Reenah (b)(6)
Cc: Rob Mahini
Subject: Confidential response enclosed

Hi Reenah,

Please find attached our written responses to questions 2, 3, 4, 5, and 6 of your September 27, 2019 letter. Given the size of the files, we will be sending the requested documents via the SFTP you have provided. We request that the FTC keep our responses confidential.

Our investigation is ongoing, and we will supplement these responses as appropriate. In particular, please note that we are continuing to collect documents for item 4 and that we expect to supplement this response on November 6.

On November 6, we'll also provide our responses to questions 1 and 8, as discussed.

As always, please let us know if you have any questions or if it would be helpful to discuss any of our responses. And again, thank you for meeting with us earlier this month -- we very much appreciate that we were able to come in and provide an overview of this Brand Account issue, how it happened, and our remediation efforts, as well as the steps we've been taking to improve our process overall.

Thank you,

Jessica

--

Jessica Gan Lee | Senior Privacy Counsel | (b)(6)

Registered In-House Counsel in CA | Licensed in MA

--

Jessica Gan Lee | Senior Privacy Counsel | (b)(6)

Registered In-House Counsel in CA | Licensed in MA

--

Jessica Gan Lee | Senior Privacy Counsel | (b)(6)

Registered In-House Counsel in CA | Licensed in MA

--

Jessica Gan Lee | Senior Privacy Counsel | (b)(6)

Registered In-House Counsel in CA | Licensed in MA

From: Kim, Reenah
Sent: Tue, 28 Apr 2020 18:11:04 +0000
To: 'Kori Kelley Meehan'; Rob Mahini; Johanna Shelton
Cc: Mehm, Ryan
Subject: RE: Final round of Google's responses to the FTC's March 27, 2020 letter

Thank you for these responses. We have a few follow-ups:

- (1) Could you please share with us copies of Google/Verily's written responses to any congressional inquiry letters/requests it received regarding the COVID site?
- (2) We remain interested in seeing documentation relating to the privacy evaluations and assessments sought in request 20.a. In the meantime, however, we will take you up on your offer to provide a further, more detailed briefing on this issue. Once you've had an opportunity to check schedules, please send us some potential dates.
- (3) Consistent with Part VIII of the Order, please have a responsible corporate officer or manager of Google certify under penalty of perjury that the report produced or identified in response to our demand letter is complete and accurate, and that the report represents all information responsive to the FTC's requests.

Thank you.

Regards,
-Reenah

Reenah L. Kim
Bureau of Consumer Protection – Division of Enforcement
Federal Trade Commission
600 Pennsylvania Avenue NW, CC-9528

(b)(6)

From: Kori Kelley Meehan (b)(6)
Sent: Monday, April 20, 2020 6:16 PM
To: Kim, Reenah <rkim1@ftc.gov>
Cc: Rob Mahini (b)(6); Johanna Shelton (b)(6)
Subject: Final round of Google's responses to the FTC's March 27, 2020 letter

Reenah,

Please find the attached responses to the FTC's letter dated March 27, 2020. For completeness, our previously submitted responses to this letter are included as well.

Thank you for sending the SFTP link in advance, however we have no additional documents to submit at this time.

Regards,
Kori

--

Kori Kelley Meehan

Senior Privacy Counsel

[Google](#)

This communication is intended only for the use of the intended recipient(s) and may contain information that is privileged and confidential. If you are not the intended recipient, please note that any dissemination of this communication is prohibited. If you have received this communication in error, please erase all copies of the message, including all attachments, and please also notify the sender immediately. Thank you for your cooperation.

From: Kim, Reenah
Sent: Mon, 8 Jul 2019 13:44:14 +0000
To: 'Keith Enright'
Cc: Scott Kohler; Rob Mahini
Subject: RE: Following up on last week's discussion re: proposed transaction
Attachments: 2019-07-08 Letter to Google re Alphabet.pdf

Keith:

Please see enclosed.

Regards,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580

(b)(6)

From: Keith Enright <keithenright@google.com>
Sent: Friday, July 05, 2019 4:56 PM
To: Kim, Reenah (b)(6)
Cc: Scott Kohler (b)(6); Rob Mahini (b)(6)
Subject: Following up on last week's discussion re: proposed transaction

Dear Reenah:

Thank you for taking the time to speak on Monday. Per our discussion, I am writing to follow up on our call notifying you of a pending transaction involving Sidewalk Labs LLC, a subsidiary of Alphabet Inc.; Replica, Inc., a former subunit of Sidewalk Labs LLC; and outside investors. As we explained on the call, after the transaction closes Replica, Inc. will be a startup entity separate from Alphabet Inc. and fully accountable to its own management and board.

As we discussed, we await further word from you as to whether you have additional questions regarding our intended course here. Absent any further direction from you, we will provide formal notice pursuant to the Order next week.

Sincerely,

Keith Enright

From: Keith Enright
Sent: Thu, 22 Aug 2019 06:59:18 -0700
To: Kim, Reenah
Cc: Rob Mahini
Subject: Re: FTC - Sidewalk Labs-Replica

Received, thank you.

On Thu, Aug 22, 2019 at 6:31 AM Kim, Reenah <(b)(6)> wrote:

Keith:

Please see enclosed.

Regards,

-Reenah

Reenah L. Kim

Federal Trade Commission

Bureau of Consumer Protection | Division of Enforcement

[600 Pennsylvania Avenue NW](#) | Mailstop CC-9528 | Washington, DC 20580

(b)(6)

From: Kim, Reenah
Sent: Fri, 29 Jan 2021 13:58:50 +0000
To: Morgan Kennedy
Cc: Mehm, Ryan;Amna Latif;Tammy Jih Murray;Randall Ortman
Subject: RE: Google Assistant / Fitbit Integration Account Linking User Flow

Thanks Morgan. If you could please arrange another briefing for us on this matter once you're further along in working through the details, we'd greatly appreciate it.

-Reenah

Reenah L. Kim
Bureau of Consumer Protection – Division of Enforcement
Federal Trade Commission
600 Pennsylvania Avenue NW, CC-9528
Washington DC 20580

(b)(6)

From: Morgan Kennedy (b)(6)
Sent: Thursday, January 28, 2021 10:14 AM
To: Kim, Reenah (b)(6)
Cc: Mehm, Ryan (b)(6); Amna Latif (b)(6); Tammy Jih Murray (b)(6); Randall Ortman (b)(6)
Subject: Re: Google Assistant / Fitbit Integration Account Linking User Flow

(b)(4)

Regards,
Morgan

From: Morgan Kennedy
Sent: Fri, 29 Jan 2021 09:50:09 -0500
To: Kim, Reenah
Cc: Mehm, Ryan; Amna Latif; Tammy Jih Murray; Randall Ortman
Subject: Re: Google Assistant / Fitbit Integration Account Linking User Flow

Absolutely, Reenah. Happy to.



Morgan Kennedy
Government Affairs & Public Policy
(b)(6)

On Fri, Jan 29, 2021 at 8:58 AM Kim, Reenah (b)(6) wrote:

Thanks Morgan. If you could please arrange another briefing for us on this matter once you're further along in working through the details, we'd greatly appreciate it.

-Reenah

Reenah L. Kim

Bureau of Consumer Protection – Division of Enforcement

Federal Trade Commission

600 Pennsylvania Avenue NW, CC-9528

Washington DC 20580

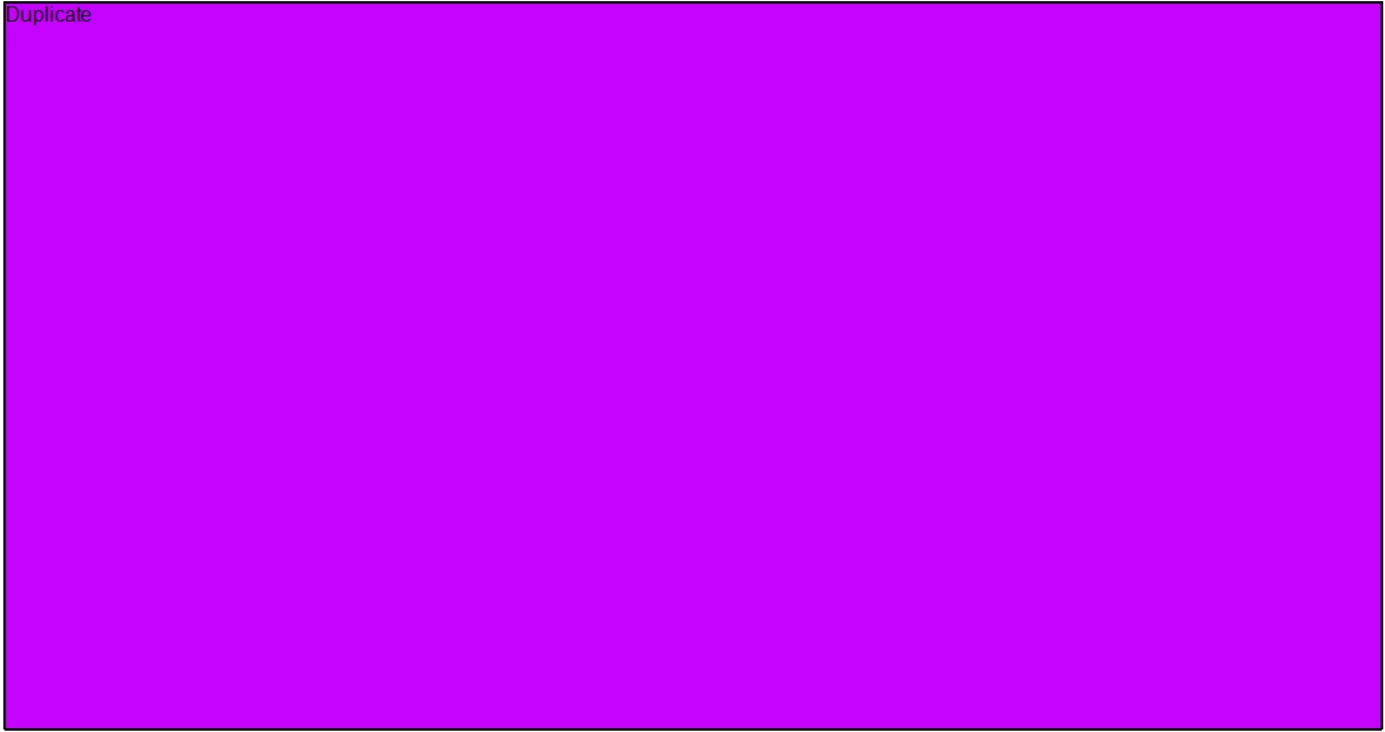
(b)(6)

From: Morgan Kennedy (b)(6)
Sent: Thursday, January 28, 2021 10:14 AM
To: Kim, Reenah (b)(6)
Cc: Mehm, Ryan (b)(6); Amna Latif (b)(6); Tammy Jih Murray

(b)(6); Randall Ortman (b)(6)

Subject: Re: Google Assistant / Fitbit Integration Account Linking User Flow

Duplicate



Regards,
Morgan



Morgan Kennedy
Government Affairs & Public Policy

(b)(6)

On Wed, Jan 27, 2021 at 3:00 PM Kim, Reenah (b)(6) wrote:

Thanks Morgan, and thanks to the team for last week's briefing. Here are a couple more question we meant to ask during our call:

- As you move toward phase 2 – when there will be greater integration, and new Fitbit users must use a Google account to set up their Fitbit device – will there be changes to the Fitbit product packaging (e.g., labels and disclosures on the outside of the box/jewel

case) and online product descriptions to reflect that Fitbit is now part of Google, and that
a G (b)(4)

(b)(4)

Federal Trade Commission

600 Pennsylvania Avenue NW, CC-9528

Washington DC 20580

(b)(6)

From: Morgan Kennedy (b)(6)

Sent: Tuesday, January 26, 2021 6:01 PM

To: Kim, Reena (b)(6); Mehm, Ryan (b)(6)

Cc: Amna Latif (b)(6); Tammy Jih Murray (b)(6); Randall Ortman

(b)(6)

Subject: Google Assistant / Fitbit Integration Account Linking User Flow

Hi Reenah and Ryan,

(b)(4)

Regards,

Morgan



Morgan Kennedy

Manager, Government Affairs & Public
Policy

(b)(6)

From: Kim, Reenah
Sent: Tue, 7 Apr 2020 13:10:00 +0000
To: 'Kori Kelley Meehan'
Cc: Johanna Shelton; Rob Mahini
Subject: RE: Google Responses to FTC Letter dated March 27, 2020

Kori:

Thank you for these responses. We have no objection to your proposed schedule.

Regards,
-Reenah

Reenah L. Kim
Bureau of Consumer Protection – Division of Enforcement
Federal Trade Commission
600 Pennsylvania Avenue NW, CC-9528

(b)(6)

From: Kori Kelley Meehan <kmeehan@google.com>
Sent: Monday, April 6, 2020 4:49 PM
To: Kim, Reenah <rkim1@ftc.gov>
Cc: Johanna Shelton <jshelton@google.com>; Rob Mahini <robmahini@google.com>
Subject: Google Responses to FTC Letter dated March 27, 2020

Reenah,

Please find attached our responses to requests 1-5 regarding your letter dated March 27, 2020. We will submit documents responsive to these requests via the SFTP link provided.

Our plan is to provide responses to requests 6-11 on April 13 and responses to requests 12-22 no later than April 20.

Regards,
Kori

--

Kori Kelley Meehan

Senior Privacy Counsel

Google

From: Kim, Reenah
Sent: Mon, 25 Jan 2021 18:17:31 +0000
To: Morgan Kennedy
Subject: RE: Notice Transmittal

Hi Morgan – Sending via email to DEbrief@ftc.gov, with a CC to me, should be fine. Given the present circumstances, it won't be necessary for Google to send an additional hard copy via certified mail.

Thanks,
-Reenah

Reenah L. Kim
Bureau of Consumer Protection – Division of Enforcement
Federal Trade Commission
600 Pennsylvania Avenue NW, CC-9528
Washington DC 20580

(b)(6)

From: Morgan Kennedy (b)(6)
Sent: Monday, January 25, 2021 1:14 PM
To: Kim, Reenah (b)(6)
Subject: Notice Transmittal

Hi Reenah,

I hope you had a nice weekend!

Given that the FTC is working remotely, how should we submit the VII notice? The order states, "All notices required by this Part shall be sent by certified mail to the Associate Director, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580." Should we still send it by mail, or would via email be sufficient, or would you like both?

Thanks,
Morgan



Morgan Kennedy

Manager, Government Affairs & Public Policy

(b)(6)

From: Kim, Reenah
Sent: Thu, 29 Aug 2019 17:40:12 +0000
To: 'Keith Enright'
Cc: Rob Mahini
Subject: RE: Responses to your follow up questions
Attachments: 2019-08-29 2d letter to Google re Sidewalk Labs - Replica.pdf

Thank you for this information. Please see enclosed.

Regards,
-Reenah

Reenah L. Kim
Federal Trade Commission
Bureau of Consumer Protection | Division of Enforcement
600 Pennsylvania Avenue NW | Mailstop CC-9528 | Washington, DC 20580

(b)(6)

From: Keith Enright (b)(6)
Sent: Monday, August 26, 2019 10:22 PM
To: Kim, Reenah (b)(6)
Cc: Rob Mahini (b)(6)
Subject: Responses to your follow up questions

Hello Reenah. Per our discussion today, the Sidewalk team pulled together the following additional information. Please find attached a document responding to your requests for clarification, as well as a copy of the "Asset Contribution Agreement", which I believe responds to your request for supporting documentation.

We greatly appreciate your attention to this. Please let me know if there is any additional information you require.

Regards,

Keith Enright

From: Keith Enright
Sent: Thu, 18 Jul 2019 13:51:39 -0700
To: Kim, Reenah
Cc: Rob Mahini
Subject: Response to your letter dated July 8, 2019

(b)(4); (b)(3):6(f)

Dear Reenah,

Per our conversation, please find attached our responses to your letter dated July 8, 2019. We've structured our responses to reflect our understanding of your direction following our call with you, and are happy to answer any additional questions you may have after you've had a chance to review this material.

Regards,

Keith Enright



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

Reenah L. Kim
Bureau Of Consumer Protection
Division Of Enforcement
600 Pennsylvania Avenue NW, CC-9528
Washington, DC 20580

(b)(6)

May 14, 2019

VIA ELECTRONIC MAIL

Robert Mahini, Esq. (b)(6)
Senior Policy Counsel
Google Inc.

RE: *In the Matter of Google Inc., Docket No. C-4336*

Dear Counsel:

Pursuant to Part VIII of the Google Order (*In the Matter of Google Inc., Docket No. C-4336*), please provide a true and accurate written report containing the following information by May 24, 2019.

1. State the date when Google began offering users the ability to create Brand Accounts.
2. State the date when Google began offering G Suite for Education for use by primary or elementary schools (*i.e.*, schools serving students in grades K-8).
3. State the date when Google began offering G Suite for Education for use by secondary schools (*i.e.*, schools serving students in grades 9-12).
4. Identify the complete time period during which end-user accounts established in connection with a G Suite for Education account could be used to create a linked or associated Brand Account.
5. State the total number of Brand Accounts that are or were linked to, or associated with, end-user accounts established in connection with a G Suite for Education account. Of this number, specify: (a) the number of accounts that were set up through a primary/elementary school; and (b) the number of accounts that were set up through a secondary school.
6. Of the Brand Accounts identified in response to request 5, state how many Brand Accounts were established by a teacher or school administrator for official school use, such as for a school sports team. Specify: (a) the number of such accounts

that were set up through a primary/elementary school; and (b) the number of such accounts that were set up through a secondary school.

7. Of the Brand Accounts identified in response to request 5, state how many Brand Accounts were set up by students for their personal use (“Student Brand Accounts”). Specify: (a) the number of such accounts that were established in connection with a G Suite for Education account for use by a primary/elementary school (“Primary Student Brand Accounts”); and (b) the number of such accounts that were established in connection with a G Suite for Education account for use by a secondary school (“Secondary Student Brand Accounts”).
8. If any of the responses to requests 5-7 are based on data covering a time period that differs from the period identified in request 4: (a) specify the time period(s) on which responses 5-7 are based; and (b) explain why the responses do not cover the complete time period identified in request 4.
9. State whether Google used any information collected from Student Brand Accounts for purposes of serving personalized advertising and, if so: (a) identify all products and services where the personalized ads were shown (*e.g.*, YouTube); and (b) specify the time period(s) when Google engaged in this practice.
10. If there was any difference in Google’s past use of information collected from Primary Student Brand Accounts for advertising, and Google’s use of information collected from Secondary Student Brand Accounts for such purposes, explain the difference.
11. State whether Google currently uses any information collected from Student Brand accounts for purposes of serving personalized advertising and, if so, identify all products and services where the personalized ads are shown.
12. If there is any difference in Google’s current use of information collected from Primary Student Brand Accounts for advertising, and Google’s use of information collected from Secondary Student Brand Accounts for such purposes, explain the difference.
13. Describe in detail what actions Google has taken, if any, to remove and delete the user personal information it collected from Student Brand Accounts.
14. State whether Google presently has the ability to use for the purpose of serving personalized advertising today any information it previously collected from Student Brand Accounts.
15. State the total amount of advertising revenue that Google earned by serving personalized ads to Student Brand Accounts, and specify the time period on which this revenue figure is based. Provide a breakdown of how much advertising revenue Google earned by serving personalized ads to Primary

Student Brand Accounts, and how much it earned by serving personalized ads to Secondary Student Brand Accounts.

16. State the total amount of advertising revenue that Google earned by serving personalized ads during the same time period as the period on which the response to request 15 is based. If the personalized advertising delivered to Student Brand Accounts was limited to ads shown only in certain products or services (*e.g.*, YouTube), state the total amount of revenue that Google earned during the same time period for personalized advertising shown in the same product or service.
17. Describe in detail and provide all documents related to representations Google made to users regarding the ability of school administrators and teachers using G Suite for Education to restrict students' ability to view and post comments on YouTube videos. State whether these representations differed for primary/elementary school users, as compared to secondary school users.
18. State the time period(s) when Student Brand Accounts that were linked to, or associated with, end-user accounts established in connection with a G Suite for Education account for which the account administrator had sought to restrict students' ability to view and post comments on YouTube videos ("Restricted Student Accounts") had the ability to view and post such comments.
19. Describe in detail what actions Google took, if any, to remove and delete comments posted on YouTube by Student Brand Accounts that were linked to, or associated with, Restricted Student Accounts.

* * * * *

Please have a responsible corporate officer or manager of Google certify under penalty of perjury that the report produced or identified in response to this demand is complete and accurate, and that the report represents all information responsive to the FTC's requests. All information provided in response to these requests must be submitted in an electronic format agreed upon by a Commission representative in writing prior to the submission, to ensure the FTC has the capability of reading and using the data. In addition, please send your responses via overnight courier (*e.g.*, FedEx, UPS) to:

Associate Director, Division of Enforcement
Federal Trade Commission
600 Pennsylvania Ave. NW
Mailstop CC-9528
Washington, DC 20580
Re: In the Matter of Google Inc., Docket No. C-4336

May 14, 2019

Page 4

In lieu of overnight courier, you may send your response by first-class mail, but only if you contemporaneously send an electronic copy to the Commission at DEBrief@ftc.gov, with a courtesy copy to me at (b)(6)

Finally, Google should suspend any routine procedures for document destruction and take other measures to preserve all records relating to the matters addressed in this letter, including electronically stored records that are stored on backup media and all physical records stored offsite, in a form that includes the complete record.

Sincerely,

(b)(6)

Reenah L. Kim
Staff Attorney



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

Reenah L. Kim
Bureau Of Consumer Protection
Division Of Enforcement
600 Pennsylvania Avenue NW, CC-9528
Washington, DC 20580

(b)(6)

July 8, 2019

VIA ELECTRONIC MAIL

Keith Enright, Esq. (b)(6)
Chief Privacy Officer
Google Inc.

Re: *In the Matter of Google Inc., Docket No. C-4336*

Dear Counsel:

I am writing to follow up on our recent conversation. Pursuant to Part VIII of the Google Order (*In the Matter of Google Inc.*, Docket No. C-4336), please provide a true and accurate written report containing the following information by July 18, 2019.

1. Identify all subsidiaries of, and companies held by, Alphabet Inc.
2. For each entity identified in 1: (a) provide the date when the entity was formed; (b) describe the nature of the entity's business; (c) state whether you consider the entity to fall within the Order's definition of "respondent," and explain the basis for your response.

Please have a responsible corporate officer or manager of Google certify under penalty of perjury that the report produced or identified in response to this demand is complete and accurate, and that the report represents all information responsive to the FTC's requests. All information provided in response to these requests must be submitted in an electronic format agreed upon by a Commission representative in writing prior to the submission, to ensure the FTC has the capability of reading and using the data. In addition, please send your responses via overnight courier (*e.g.*, FedEx, UPS) to:

Associate Director, Division of Enforcement
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600 Pennsylvania Ave. NW
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Washington, DC 20580
Re: *In the Matter of Google Inc., Docket No. C-4336*

July 8, 2019
Page 2

In lieu of overnight courier, you may send your response by first-class mail, but only if you contemporaneously send an electronic copy to the Commission at DEBrief@ftc.gov, with a courtesy copy to me at (b)(6)

Sincerely,

(b)(6)

Reenah L. Kim
Staff Attorney



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

Reenah L. Kim
Bureau Of Consumer Protection
Division Of Enforcement
600 Pennsylvania Avenue NW, CC-9528
Washington, DC 20580

(b)(6)

August 22, 2019

VIA ELECTRONIC MAIL

Keith Enright, Esq. (b)(6)
Chief Privacy Officer
Google Inc.

Re: *In the Matter of Google Inc.*, Docket No. C-4336

Dear Counsel:

Thank you for your July 18, 2019 response. I am writing to seek additional information concerning the Sidewalk Labs – Replica transaction. Pursuant to Part VIII of the Google Order (*In the Matter of Google Inc.*, Docket No. C-4336), please provide a true and accurate written report containing the following information by September 3, 2019.

1. State whether the transaction will entail the assumption by Replica of any debts or liabilities, describe in detail such debts and liabilities, and provide supporting documentation.
2. State whether the transaction will entail any transfer of stock or assets, describe in detail any such stock or asset transfers, and provide supporting documentation.
3. Explain whether Sidewalk Labs or any other subsidiary (direct or indirect) of Alphabet Inc. will hold any controlling or other financial interest in Replica post-transaction and, if so: (a) identify what percentage of Replica's total shares will be held by Sidewalk Labs; and (b) identify what percentage of Replica's total shares will be held by any other Alphabet subsidiary.
4. Explain whether any owner, director, officer, or principal of Sidewalk Labs or any other subsidiary (direct or indirect) of Alphabet Inc. will hold any controlling or other financial interest in Replica post-transaction and, if so, describe in detail.
5. Explain whether Sidewalk Labs or any other subsidiary (direct or indirect) of Alphabet Inc. (or any owner, director, officer, or principal of such entity) will have the ability to nominate any members of Replica's Board of Directors (or

- other governing board) and, if so, specify what percentage of the board this will reflect.
6. Describe what the nature of Replica's business will be after the transaction closes.
 7. State whether, after the transaction closes, any existing business operations (*e.g.*, products or services) of Sidewalk Labs will be transferred to Replica and, if so: (a) describe the business that will be transferred; (b) state what percentage of Sidewalk Labs's total revenue over the past 12 months the transferring business represents; and (c) explain whether Sidewalk Labs will continue to operate any portion of that business post-transaction.
 8. State whether Sidewalk Labs will continue to operate following the Replica transaction, and describe what its post-transaction business will entail.
 9. State whether, after the transaction closes, Replica will share any office space or facilities (such as servers or databases) with Sidewalk Labs or any other subsidiary (direct or indirect) of Alphabet Inc. and, if so, describe in detail.
 10. State whether, after the transaction closes, Replica will employ any current owners, directors, officers, managers, or other employees of Sidewalk Labs and, if so, state how many will remain with Sidewalk Labs post-transaction.
 11. State whether, after the transaction closes, Replica will share any owners, directors, officers, managers, or other employees with Sidewalk Labs or with any other subsidiary (direct or indirect) of Alphabet Inc. and, if so, describe the roles, job duties, and responsibilities that these individuals will hold at each entity.

Please have a responsible corporate officer or manager of Google certify under penalty of perjury that the report produced or identified in response to this demand is complete and accurate, and that the report represents all information responsive to the FTC's requests. All information provided in response to these requests must be submitted in an electronic format agreed upon by a Commission representative in writing prior to the submission, to ensure the FTC has the capability of reading and using the data. In addition, please send your responses via overnight courier (*e.g.*, FedEx, UPS) to:

Associate Director, Division of Enforcement
Federal Trade Commission
600 Pennsylvania Ave. NW
Mailstop CC-9528
Washington, DC 20580
Re: In the Matter of Google Inc., Docket No. C-4336

In lieu of overnight courier, you may send your response by first-class mail, but only if you contemporaneously send an electronic copy to the Commission at DEBrief@ftc.gov, with a courtesy copy to me at (b)(6)

Sincerely,

(b)(6)

Reenah L. Kim
Staff Attorney



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

Reenah L. Kim
Bureau of Consumer Protection
Division of Enforcement
600 Pennsylvania Avenue NW, CC-9528
Washington, DC 20580

(b)(6)

August 29, 2019

VIA ELECTRONIC MAIL

Keith Enright, Esq. (b)(6)
Chief Privacy Officer
Google Inc.

Re: *In the Matter of Google Inc., Docket No. C-4336*

Dear Counsel:

Thank you for the responses you provided concerning the Sidewalk Labs – Replica transaction. Given this information, we have no further questions at this time. However, to the extent there are any changes in the future that may affect compliance obligations arising under the FTC Order, such as with respect to Replica’s board composition or the extent to which Sidewalk Labs or any other Alphabet Inc. subsidiary (whether direct or indirect) holds a controlling or other financial interest in Replica, we expect that you will timely notify us consistent with Part VII of the Order.

Sincerely,

(b)(6)

Reenah L. Kim
Staff Attorney



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

Reenah L. Kim
Bureau Of Consumer Protection
Division Of Enforcement
600 Pennsylvania Avenue NW, CC-9528
Washington, DC 20580

(b)(6)

March 27, 2020

VIA ELECTRONIC MAIL

Robert Mahini, Esq. (b)(6)
Senior Policy Counsel
Google Inc.

RE: *In the Matter of Google Inc.*, Docket No. C-4336

Dear Counsel:

Pursuant to Part VIII of the Google Order (*In the Matter of Google Inc.*, Docket No. C-4336), please provide a true and accurate written report containing the following information **by April 6, 2020**.

1. Describe what the COVID-19 Response Effort Website (“COVID-19 Site”)¹ does.
2. Identify and produce copies of all privacy policies and terms of service that apply to consumers’ use of the COVID-19 Site.
3. Produce copies of all materially different versions of the “COVID-19 Permission Form” referenced in the COVID-19 Website Terms of Service,²
4. Produce copies of all materially different versions of the authorization form that consumers must sign or to which they must agree in order to use the COVID-19 Site, and identify each item of information that a consumer provides before reaching the authorization form.
5. To the extent not already covered by the requests above, produce copies of all materially different versions of any other means by which consumers give their consent for the collection, use, sharing, or disclosure of Covered Information collected or administered through the COVID-19 Site (including the fact that a

¹ For purposes of the requests set forth in this letter, the term “COVID-19 Site” includes any apps offered by Respondent that allow consumers to use the services on a mobile device.

² <https://www.projectbaseline.com/covid-19-terms/>

Google account holder took the screening survey and a consumer's test results, where such information is made available to Verily or Google).

6. Describe in detail the types of Covered Information that is collected or administered through the COVID-19 Site (including the fact that a Google account holder took the screening survey and a consumer's test results, where such information is made available to Verily or Google).
7. Identify the third parties to whom the Covered Information in Request 6 is disclosed or made available.
8. Describe how Respondent selects the third parties that receive or have access to Covered Information collected or administered through the COVID-19 Site (including the fact that a Google account holder took the screening survey and a consumer's test results, where such information is made available to Verily or Google).
 - a. State whether Respondent requires those third parties to abide by any policies or terms relating to its receipt of, or access to, the Covered Information.
 - b. Explain how Respondent ensures that third parties comply with these policies and terms.
9. State whether there are any restrictions or limitations on how the third parties identified in response to Request 7 may use the Covered Information collected or administered through the COVID-19 Site (including the fact that a Google account holder took the screening survey and a consumer's test results, where such information is made available to Verily or Google) – *e.g.*, whether those third parties are prohibited from using the Covered Information for advertising, marketing, or any other commercial purpose, including research and development.
 - a. State whether there are any restrictions or limitations on whether the third parties may share, sell, disclose, or make this Covered Information available to other outside parties.
 - b. Explain how Respondent ensures that third parties comply with these restrictions or limitations.
10. State whether Covered Information collected or administered through the COVID-19 Site (including the fact that a Google account holder took the screening survey and a consumer's test results, where such information is made available to Verily or Google) will ever be shared with any third parties other than the ones identified in response to Request 7.

- a. If so, identify the third parties, describe the notice given to consumers regarding the sharing of their information with those third parties, and describe the means by which consumers consent to such sharing.
11. State whether Covered Information collected or administered through the COVID-19 Site (including the fact that a Google account holder took the screening survey and a consumer's test results, where such information is made available to Verily or Google) will ever be shared with pharmaceutical, biopharma, or medical device companies for purposes of research or commercial product development.
 - a. If so, describe the notice given to consumers regarding that sharing of their information, and describe the means by which consumers consent to such sharing.
12. State whether Covered Information collected or administered through the COVID-19 Site (including the fact that a Google account holder took the screening survey and a consumer's test results, where such information is made available to Verily or Google) will ever be used for commercial product research and development.
 - a. If so, describe the notice given to consumers regarding this use of their information, and describe the means by which consumers consent to such use.
13. The Verily Privacy Policy states, "Generally, we may use and disclose the information that we collect for our business purposes, including operation of the Services, *as well as development of new products and services.*" (emphasis added).³
 - a. State whether any Covered Information collected or administered through the COVID-19 Site (including the fact that a Google account holder took the screening survey and a consumer's test results, where such information is made available to Verily or Google) will ever be used by Respondent for the "development of new products and services."
 - b. If so, specify the types of products and services, describe the notice given to consumers regarding this use of their information, and describe the means by which consumers consent to such use.
14. The Verily Privacy Policy states, "We may disclose your PII [personally identifiable information] to . . . (ii) business partners or service providers we use to perform site hosting, analytics, and other information technology and support

³ https://verily.com/privacy-policy/?_ga=2.61982124.1267218749.1585082475-1401826389.1585082475

functions on our behalf, and such activities are performed based on our instructions and in compliance with appropriate privacy and security measures.”⁴

- a. Identify all “business partners” to whom Respondent will disclose consumers’ PII collected or administered through the COVID-19 Site, and state the purposes for such disclosures.
 - b. Describe in detail all measures Respondent is taking to ensure that the “business partners” and “service providers” to whom Respondent discloses consumers’ PII are acting in accordance with Respondent’s instructions and “in compliance with appropriate privacy and security measures.”
15. Describe in detail all measures Respondent has taken to ensure that Covered Information collected or administered through the COVID-19 Site for specified purpose(s) disclosed to consumers is used only for those purpose(s).
- a. State whether Respondent performed any testing or reviews to detect coding errors, bugs, defects, or failures that would cause information to be used for purposes inconsistent with Respondent’s representations (*e.g.*, for a purpose that was not disclosed to consumers at the time the information was collected).
16. In the “Frequently Asked Questions” section of the COVID-19 Site, Respondent states that consumers’ information “may also be shared with certain service providers engaged to perform services on behalf of Verily, including Google, which Verily leverages for certain technology and services, including cloud services, security services, data storage, website hosting, and *other support functions*” (emphasis added).⁵
- a. Specify what these “other support functions” are, and state whether Google’s access to data collected or administered by Verily through the COVID-19 Site (including the fact that a Google account holder took the screening survey and a consumer’s test results, where such information is made available to Verily or Google) will ever be used for any purpose other than to perform the services specifically described in this FAQ response.
17. In the “Frequently Asked Questions” section of the COVID-19 Site, Respondent states, “We ask that you create a Google Account or connect your existing Google Account to participate in this program. This will enable us to collect your answers to the screening survey, contact you to schedule testing, and deliver results back to you. Your data collected by Verily through the testing program

⁴ *Id.*

⁵ <https://www.projectbaseline.com/study/covid-19/>

will never be joined with your data stored in Google products without your explicit permission.”⁶ Similarly, in the FAQ section of a March 18, 2020 post on the “Project Baseline by Verily” blog, in response to the question “Does authorizing data collection for COVID-19 screening program give Verily consent to link my data to my Google Account?,” Respondent stated, “No, authenticating your account and authorizing us to use service providers does not authorize us to link your data with Google account data. We do not combine this data with an individual’s Google account, and were we to ever wish to do so, individuals would need to provide separate and explicit consent.”⁷

- a. Describe in detail all measures Respondent is taking to ensure that a consumer’s data collected or administered through the COVID-19 Site (including the fact that a Google account holder took the screening survey and a consumer’s test results, where such information is made available to Verily or Google) will remain separate from the consumer’s Google account information, and will never be joined with their Google account data.
 - b. State whether Respondent performed any testing or reviews to detect coding errors, bugs, defects, or failures that would cause information to be stored, combined, or shared contrary to Respondent’s representations.
18. On the COVID-19 Site’s “FAQ” section, in response to the question “How will you protect my privacy,” Respondent states: “We are committed to maintaining high privacy standards and keeping your data safe. . . . Data is stored in advanced systems with security and privacy protocols.”⁸
- a. Describe in detail the measures Respondent is taking to ensure that it maintains the privacy and security of Covered Information collected or administered through the COVID-19 Site (including the fact that a Google account holder took the screening survey and a consumer’s test results, where such information is made available to Verily or Google).
19. In the “COVID-19 Public Health Program Authorization Form,”⁹ Respondent states: “Privacy is a top priority. Your data will be kept in a secure, encrypted database with restricted, monitored access.”
- a. Describe in detail the measures that Respondent is taking to restrict and monitor access to Covered Information collected or administered through the COVID-19 Site (including the fact that a Google account holder took the

⁶ *Id.*

⁷ https://blog.projectbaseline.com/?_ga=2.129664652.1267218749.1585082475-1401826389.1585082475

⁸ <https://www.projectbaseline.com/covid-faq/>

⁹ <https://baseline.google.com/enroll/u/0/study/registry/consent?tag=covid19mtch>

screening survey and a consumer's test results, where such information is made available to Verily or Google).

20. Describe in detail any privacy evaluations or assessments that Respondent conducted of the COVID-19 Site prior to making it available to the public.
 - a. Produce copies of related documentation concerning such privacy evaluations or assessments.
 - b. Identify the individuals involved in conducting the evaluations/assessments, and specify their job titles, positions, and qualifications for performing such work (*e.g.*, certifications, training, skills, and experience).
21. Describe in detail the safeguards and controls Respondent has implemented to control the risks associated with its collection, use, sharing, disclosure, and storage of Covered Information collected or administered through the COVID-19 Site that could result in the unauthorized collection, use, or disclosure of Covered Information.
22. Describe in detail any testing and monitoring of the effectiveness of Respondent's safeguards and controls to address the privacy and security risks associated with the COVID-19 Site, and specify the frequency of any such testing and monitoring.

* * * * *

Please have a responsible corporate officer or manager of Google certify under penalty of perjury that the report produced or identified in response to this demand letter is complete and accurate, and that the report represents all information responsive to the FTC's requests. All information provided in response to these requests must be submitted in an electronic format agreed upon by a Commission representative in writing prior to the submission, to ensure the FTC has the capability of reading and using the data.

Please send an electronic copy of your responses to the Commission at DEBrief@ftc.gov, with a courtesy copy to me at (b)(6) In addition, please send your responses via overnight courier (*e.g.*, FedEx, UPS) to:

Associate Director, Division of Enforcement
Federal Trade Commission
600 Pennsylvania Ave. NW
Mailstop CC-9528
Washington, DC 20580
Re: In the Matter of Google Inc., Docket No. C-4336

In lieu of overnight courier, you may send your response by first-class mail.

Finally, Google should suspend any routine procedures for document destruction and take other measures to preserve all records relating to the matters addressed in this letter, including

electronically stored records that are stored on backup media and all physical records stored offsite, in a form that includes the complete record.

Sincerely,

(b)(6)

A rectangular box with a black border, containing the text "(b)(6)" in the top-left corner. The rest of the box is empty, indicating that the signature has been redacted.

Reenah L. Kim
Staff Attorney



United States of America
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

Reenah L. Kim
Bureau of Consumer Protection
Division of Enforcement
600 Pennsylvania Avenue NW, CC-9528
Washington, DC 20580

(b)(6)

June 24, 2020

VIA ELECTRONIC MAIL

Morgan Kennedy (b)(6)
Government Affairs & Public Policy Manager
Google Inc.

RE: *In the Matter of Google Inc.*, Docket No. C-4336

Dear Ms. Kennedy:

Pursuant to Part IV of the Google Order (*In the Matter of Google, Inc.*, Docket No. C-4336), we ask that Google provide the biennial assessment for the period from April 26, 2018 to April 25, 2020.

Please submit the assessment via electronic mail to DEBrief@ftc.gov by **July 6, 2020**. In addition, please provide a copy via overnight courier (*e.g.*, FedEx, UPS)¹ to:

Associate Director for the Division of Enforcement
Bureau of Consumer Protection
Federal Trade Commission
600 Pennsylvania Ave. NW
Mailstop CC-9528
Washington, DC 20580
Re: In the Matter of Google, Inc., Docket No. C-4336

Thank you.

Sincerely,

(b)(6)

¹ In lieu of overnight courier, you may also send your response by first-class mail.