

VIA ELECTRONIC TRANSMISSION

June 30, 2022

Sundar Pichai
CEO of Google and Alphabet
1600 Amphitheatre Parkway
Mountain View, CA 94043

Dear Mr. Pichai,

Recently, we read a North Carolina State University study on computer algorithms and how they may take control away from consumers and alter the way users are able to receive and view emails from political campaigns.¹ We are deeply concerned regarding what may be happening on your email platform and other similar email platforms regarding political campaign related emails.

We realize that the topic of spam filtering algorithms (SFAs) is a complex one – there are many potential factors that can be and most likely are considered when creating and implementing SFAs. However, without any insight into how Google creates and implements SFAs² one is left to simply look at the end product and attempt to work their way backwards. This approach is of course not without its own potential pitfalls as there are simply too many variables at play to allow one to accurately determine how such email is truly treated on your platform.

We all share a profound respect for all forms of intellectual property (IP), which of course includes trade secrets. However, we also believe that the ability for all U.S. citizens to be able to cast an informed vote with the utmost confidence is sacrosanct – regardless of what or for whom they vote for. For this to be possible the flow of information, particularly with regard to political campaigns, must remain unhindered.

Therefore, we ask that you address the following list of non-exclusive considerations, specifically with regard to political campaign related email and/or what your platform considers political campaign related email.

- (1) Do you have any comments regarding the various points raised in the referenced study?
- (2) Do your SFAs treat such email any differently than non-political campaign related email and/or what your platform considers non-political campaign related email?
- (3) Are your SFAs designed to adapt/improve on their own?
 - a. If so, how?
 - b. If so, how does this process take into consideration the preservation of user preferences (or the like)?
- (4) Are there any rules (or the like) manually applied by Google to your SFAs?
 - a. If so, how?

¹ <https://arxiv.org/pdf/2203.16743.pdf>

² *Id.* at 1: “The spam filtering algorithms (SFAs) in the widely-used email services of today such as Gmail, Outlook, and Yahoo do not provide any transparency on their internal workings.”

- b. If so, how does this process take into consideration the preservation of user preferences (or the like)?
- (5) Do your SFAs, as applied to email received by a user on your platform, take into consideration the preferences set by another user (or users) on your platform?
 - a. If so, how?
 - b. If so, could such be exploited in some way so as to purposefully negatively impact how a platform treats such an email regardless of what the topic may be?
- (6) How do, if at all, your SFAs take into consideration the sender's email service provider, internet protocol address, location, cookies, and/or any other means by which a sender could be identified?

Your prompt attention to this matter is greatly appreciated. Please confirm receipt of this letter and advise whether or not you will address the considerations raised above by no later than July 28, 2022. Please do not hesitate to contact us should you have any questions.

Sincerely,



Thom Tillis
United States Senator



Steve Daines
United States Senator