

United States Senate

WASHINGTON, DC 20510

June 1, 2021

Mr. Sundar Pichai
Chief Executive Officer
Alphabet Inc.
1600 Amphitheatre Parkway
Mountain View, CA 94043

Ms. Susan Wojcicki
Chief Executive Officer
YouTube
901 Cherry Ave,
San Bruno, CA 94066

Mr. Kent Walker
Chief Legal Officer
Alphabet Inc.
1600 Amphitheatre Parkway
Mountain View, CA 94043

Ms. Lorraine Twohill
Chief Marketing Officer
Google
1600 Amphitheatre Parkway
Mountain View, CA 94043

Dear Mr. Pichai, Ms. Wojcicki, Mr. Walker, and Ms. Twohill:

Civil and digital rights organizations and researchers have long raised concerns about how racial bias gets baked into the development and deployment of technology and can perpetuate discriminatory harms. These deficiencies in technology products are a direct result of the decisions of whether and how to build the technology, and these decisions often reflect the characteristics of the workforce and the workplace where the technology was created. We are concerned, after hearing reports about your company and its products, about harmful bias at Alphabet. Issues with Google search algorithms returning non-diverse image sets for basic searches and the more recent dermatology diagnosis algorithm that was not trained on dark skin tones are troubling. Other companies are grappling with these same concerns and, after a campaign led by Color of Change, Airbnb conducted the first comprehensive civil rights audit of its kind in 2016. After pressure from advocates and congressional leaders, including signers of this letter, Facebook completed a civil rights audit in 2020 as well. While only first steps, both of these audits are instrumental in creating a roadmap to help address bias. To that end we urge Alphabet to conduct a racial equity audit and to use the investigation and recommendations to make the company and its products safer for Black people.

Mr. Pichai's statements in his email to Googlers last June in solidarity with the Black community along with his testimony to the House Subcommittee on Communications and Technology and House Subcommittee on Consumer Protection and Commerce during their joint hearing signaled a commitment to taking the hard and necessary steps to thoroughly examine the company for areas of improvement. During that hearing, Mr. Pichai told our colleagues in the House that he is open to suggestions on how Alphabet can increase its workplace diversity, ensure products do not discriminate, and properly evaluate algorithms.¹ A racial equity audit is the first step to gaining more insight on how to do all of these things and must include steps such as increased transparency, evaluating policies and products for discrimination and efforts to recruit, hire, and support a diverse workforce. If Mr. Pichai and Alphabet are accountable to Congress and the people,² Alphabet must take steps to improve racial equity both internally and in their products.

We are concerned about repeated instances where Alphabet missed the mark and did not proactively ensure its products and workplaces were safe for Black people. Google Search, its ad algorithm, and YouTube have all been found to perpetuate racist stereotypes and white nationalist viewpoints. For example, last year it was found Google's Cloud Vision image recognition tool was labeling images of a thermometer held by light skinned people as "electronic device" and while labeling them as "gun" when held by dark skinned people.³ Most recently, the firing of Dr. Timnit Gebru, a prominent AI ethicist and champion for workplace diversity, undermines stated commitments to creating inclusive workplaces and confirms her warnings that advocacy for inclusion will be punished.⁴ Federated Learning of Cohorts, your new program to replace third party cookies, has the potential to harm people of color, putting them into groups based on interests, where they can still fall victim to predatory and discriminatory targeting. We are concerned algorithms will rely on data that reinforces negative stereotypes and either exclude people from seeing ads for housing, employment, credit, and education or show only predatory opportunities. We are also troubled to hear that Google developers did not listen to both internal and external advocates who warned that a new app to identify skin

¹ In exchanges with Rep. G.K. Butterfield (D-NC-01), Rep. Robin Kelly (D-IL-02), and Rep. Yvette D. Clarke (D-NY-09).

² In an exchange with Rep. Hank Johnson (D-GA-04).

³ Safiya Umoja Noble, *Algorithms of Oppression: How Search Engines Reinforce Racism*, NYU Press, February 20, 2018; Latanya Sweeney, "Discrimination in Online Ad Delivery," SSRN, January 28, 2013, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2208240; Leon Yin and Aaron Sankin, "Google blocks advertisers from targeting Black lives matter YouTube videos," The Markup, April 9, 2021, <https://themarkup.org/google-the-giant/2021/04/09/google-blocks-advertisers-from-targeting-black-lives-matter-youtube-videos>.

⁴ Casey Newton, "The withering email that got an ethical AI researcher fired at Google," Platformer, December 3, 2020, <https://www.platformer.news/p/the-withering-email-that-got-an-ethical>.

conditions did not use a sufficiently diverse training dataset to train and thus would not be effective on people with dark skin.⁵ We can no longer rely on promises and need Alphabet to take affirmative steps to protect Black people and other people of color. A racial equity audit is long overdue.

As Congress and the federal government do more to protect communities of color from civil rights violations online, companies need to do their part by examining areas for improvement and ensuring their workplaces are safe for members of these communities. Alphabet must work with an outside and independent auditing team with civil rights and legal expertise to identify intervention points for better equitable practices and policies at your company to lay the groundwork for equitable technology development and deployment. We need more than quick fixes or cosmetic changes and we encourage you to work with civil rights groups who have developed a framework to guide tech companies on how to conduct racial equity audits. Your company can lead the industry by conducting a thorough investigation for places of improvement. We hope you will take the bold step and conduct a racial equity audit.

Sincerely,



Cory A. Booker
United States Senator



Ron Wyden
United States Senator



Mark R. Warner
United States Senator



Edward J. Markey
United States Senator



Richard Blumenthal
United States Senator

⁵ Todd Feathers, "Google's new dermatology app wasn't designed for people with darker skin," *Vice*, May 20, 2021, <https://www.vice.com/en/article/m7evmy/googles-new-dermatology-app-wasnt-designed-for-people-with-darker-skin>.