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June 16, 2020

Mr. Sundar Pichai
Chief Executive Officer
Google, LLC
1600 Amphitheatre Parkway
Mountain View, CA 94043

Mr. Tim Cook
Chief Executive Officer
Apple, Inc.
1 Apple Park Way
Cupertino, CA 95014

Dear Mr. Pichai and Mr. Cook:

The undersigned Attorneys General (“State Attorneys General”) write to express our strong concerns regarding the proliferation of contact tracing apps on your platforms that do not sufficiently protect consumers’ personal information. Digital contact tracing may provide a valuable tool to understand the spread of COVID-19 and assist the public health response to the pandemic. However, such technology also poses a risk to consumers’ personally identifiable information, including sensitive health information, that could continue long after the present public health emergency ends.

We are aware of your companies’ joint development of application programming interfaces (APIs) that may be used to build decentralized exposure notification and contact tracing apps that utilize Bluetooth. Additionally, we understand from press reports and online materials that those APIs will only be available to public health authorities and that use of the APIs will be contingent on the inclusion of certain features to protect consumer privacy.

While we welcome your stated focus on a privacy-centered notification and tracing tool for future use, several COVID-19 related contact tracing apps are already available on Google Play and the App Store. Some of those apps may endanger consumers’ personal information. We are particularly concerned about purportedly “free” apps that utilize GPS tracking, contain advertisements and/or in-app purchases, and are not affiliated with any public health authority or legitimate research institution.¹

Moreover, as public health authorities release apps built with your APIs, there is likely to be increased media and consumer attention on exposure notification and contact tracing apps. Other developers may take advantage of the situation by placing new contact tracing apps on your platforms that do not adequately safeguard consumers’ personal information

¹ For instance, as recently as early May, the first result when a consumer searches “contract tracing” on both platforms was an app called “Contact Tracing” developed by Piusworks, LLC, a California company with a suspended registration. According to the app information previously disclosed on Google Play, Contact Tracing uses geolocation tracking, contains ads, and offers in-app purchase, and it has been installed over 50,000 times. The app has since been removed from Google Play but is still available on the App Store.

in compliance with our states' laws. Therefore, we urge Google and Apple to take the following actions with respect to exposure notification and contact tracing apps available to U.S. consumers on Google Play and the App Store:

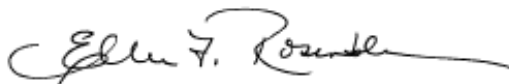
1. Verify that every app labeled or marketed as related to contact tracing, COVID-19 contact tracing, or coronavirus contact tracing or exposure notification is affiliated with a municipal, county, state or federal public health authority, or a hospital or university in the U.S. that is working with such public health authorities;
2. Remove any app that cannot be verified consistent with the above; and
3. Pledge to remove all COVID-19 / coronavirus related exposure notification and contact tracing apps, including those that utilize your new APIs, from Google Play and the App Store once the COVID-19 national emergency ends.² In addition, provide written confirmation to our offices that the apps have been removed or an explanation why removal of a particular app or apps would impair the public health authorities affiliated with each app.

Implementing these limited measures could help protect the personally identifiable information and sensitive health data of millions of consumers during this crisis.

Sincerely,



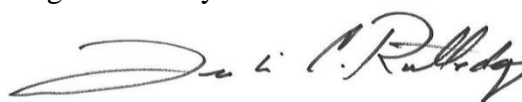
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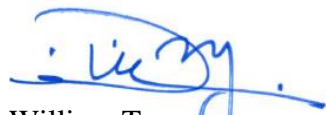
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² This refers to the expiration of the emergency declared by the Secretary of Health and Human Services on January 31, 2020, under section 319 of the Public Health Service Act (42 U.S.C. 247d), and any renewals thereof.

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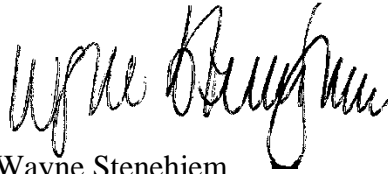
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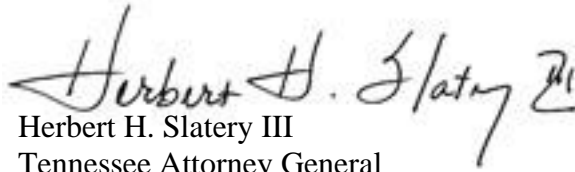
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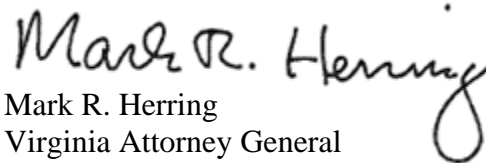
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