

United States Senate

November 14, 2019

Mr. Sundar Pichai
CEO, Google
1600 Amphitheatre Parkway
Mountain View, CA 94043

Dear Mr. Pichai:

I am writing today regarding recent reports that Google is collecting the private health information of millions of Americans through its initiative, 'Project Nightingale.' While I recognize the value of partnerships that are aimed to personalize medical treatment, reduce health care costs, and improve patient outcomes, one of my top priorities in Congress is upholding the privacy rights of Montanans, and all Americans, and ensuring there are robust safeguards in place to protect sensitive patient data.

According to reports, Google has partnered with Ascension, a nonprofit health care provider, to centralize the personal health information of millions of Americans across 21 states. It has been reported that this data includes patient health history, such as names, dates of birth, lab results, and physician diagnoses. This week the Department of Health and Human Services' Office for Civil Rights opened an inquiry into Project Nightingale to seek more information about this mass collection of data and whether patient health information is being adequately protected.

In light of these reports, I am concerned about how patient information is being collected and stored and believe it is critical that we ensure sensitive health data is handled properly and lawfully. In order to balance the innovation needed to reduce health care costs and provide the best service to patients with the constitutional right to security and privacy of their personal data, I believe there should be severe scrutiny regarding how private health records are utilized.

I respectfully request answers to the following questions related to Project Nightingale:

1. How is Google protecting patient health information in accordance with federal law? What data security protections are in place to ensure there isn't a breach of patient data?
2. Is Google using patient data acquired through Project Nightingale in any of its other lines of business? Will the use of data be strictly limited to developing a search tool for Ascension?
3. Why is it necessary for Google to collect and store personally identifiable information to design software as part of Project Nightingale?
4. Among the millions of patient records collected by Google through Project Nightingale, are any of these patients children? If so, how many?

5. Were patients and doctors informed of this mass data collection through Project Nightingale? Were consent waivers provided to patients to refuse the collection of their health information?
6. Following completion of the partnership with Ascension, how will Google ensure its employees no longer have access to Ascension health records?

Thank you for your attention to this important matter. I look forward to your response.

Sincerely,



STEVE DAINES
United States Senator