

The Honorable William P. Barr
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

June 18, 2020

Please find enclosed for your consideration a white paper that represents the views and experiences of United States news publishers, submitted to you through the News Media Alliance. The Alliance represents more than 2,000 news media organizations in the United States and around the world. Members range from large national news organizations to small local newspapers, all serving their communities by providing them with vital and trustworthy news and information.

Over the course of the past decade, Google has become the largest and most important distributor of news content. This development has greatly exacerbated financial challenges for the news industry, as the imbalance of power between Google and news publishers threatens the industry's digital future. Google unquestionably sends substantial traffic to news publishers, but it has also misused its monopoly power to compensate news publishers at rates far below the that which would prevail in a competitive market and deprive publishers of adequate control over that content and the data around it.

In a competitive market, news publishers would be able to resist Google's abusive demands by exercising their copyrights to withhold their content unless and until acceptable terms were negotiated. But Google now has so much power as the dominant online platform—with the ability to play one news publisher off the other and control key levers of news publishers' business (e.g. traffic, ad sales, advertising pricing, consumer and ad market data)—that it has been able to force acquiescence from publishers for the use of their content.

Google has exercised its control over news publishers to force them into several relationships that benefit Google at the publishers' expense. These relationships include:

- Pressuring news publishers to implement Google's Accelerated Mobile Pages (AMP) standard for designing mobile web pages, which ultimately results in Google being able

to copy, store, and directly serve content to users—undermining publishers’ relationships with their readers—while giving Google an ongoing feed of publishers’ content to use in ways publishers never contemplated.

- Pressuring publishers to permit Google’s news aggregator—the Google News App—to use their content, again undermining publishers’ ability to form direct relationships with readers.
- Using publishers’ AMP content to power Google’s new “Google Discover” service, another news aggregator.
- Using publishers’ content to formulate “answers” to users’ search queries directly on Google’s search results page, often obviating the need for users to visit the web pages of the publishers who actually produced that content.

In each of these cases, Google has steadfastly refused to compensate publishers fairly for the use of their content. As Google continues to profit from these uses of news content, the publishers, who must invest in professional journalists and newsrooms, are finding it more and more difficult to stay afloat. Ultimately, revenue declines will necessitate the reduction of output of quality journalism, resulting in harm to consumers.

The Alliance hereby submits the enclosed “How Google Abuses Its Position as a Market Dominant Platform To Strong- Arm News Publishers and Hurt Journalism” for your consideration as you investigate Google’s anticompetitive behavior. As you consider the many different allegations of anticompetitive conduct that have been leveled against Google in different industries, we ask you to remember both the substantial harm Google has inflicted upon the news industry and the critical role that the news industry plays in American life. To the extent that this massive harm to news publishers results from Google’s behavior, we respectfully request that the Department of Justice seek remedies that will restore the benefits of competition for the news industry, which is so vital to our society and democracy.

Thank you,

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