October 9, 2026

News/Media Alliance Comments Regarding the Competition And Markets Authority's Further Consultation on Proposed User Choice Conduct Requirement

The News/Media Alliance ("N/MA") welcomes the opportunity to provide these comments to the Competition and Markets Authority ("CMA") regarding the proposed User Choice conduct requirement following the CMA's designation of Google as having Strategic Market Status (SMS) in general search and search advertising services.

N/MA is a nonprofit organization headquartered in Washington, D.C., United States, representing the newspaper, magazine, and digital media industries. N/MA represents over 2,200 diverse publishers in the United States and internationally, ranging from the largest news and magazine publishers to hyperlocal newspapers, and from digital-only outlets to papers who have printed news for centuries. While many of N/MA's members are based in the United States, we also represent publishers based in and with significant operations, and UK readership amounts to a significant market for a large number of N/MA's member publications.

While we do not opine on the User Choice CR as a whole, we write narrowly to reiterate our support for two proposals that we noted in our initial comments and that the CMA seem to have dismissed despite stakeholder support:

- As the consultation document notes, CMA received support for "expanding the scope of the proposed CR to include giving consumers more direct control over how Google displays search results (ie in relation to whether search generative AI features, such as AI Overviews, are displayed automatically in response to search queries)."[1] CMA has seemingly rejected this proposal, noting that it would not "achieve the aim" of the consultation as it would "give users more control over specific aspects of Google's services, rather than increasing their awareness of, engagement with, and ability to choose between different search providers."[2] NMA disagrees and reiterates our strong supports for a requirement for Google to provide a clear and easy way for users to opt-out of or disable generative AI experiences in Google Search and navigate back to

[1] *Consultation: User Choice Conduct Requirement Google's General Search Services* at 7, COMPETITION AND MARKETS AUTHORITY (Sep. 23, 2026),
[2] *Id*.

traditional organic search. As noted in our previous comments, we believe such a requirement would facilitate competition, increase consumer choice, and protect publisher's ability to reach demographics less receptive to Google's AI services. Overall, there are various reasons why users may prefer non-AI search experiences – including concerns over inaccuracy as noted in CMA's User Research – and, at a minimum, we support our UK colleagues in calling for the information screen to clearly explain to users that some of the services may contain AI-generated results, highlight that such results may contain errors, and note whether each listed service incorporates AI-generated content.

- We also note that the CMA has refused to exclude AI assistants from the Search Choice Screen, although Gemini is not included in the SMS designation. Multiple respondents ranging from publishers to technology industry representatives supported this change. We continue have concerns over the inclusion of AI assistants within the Search Choice Screen, but agree with others that with the inclusion of such services, it is even more important that all services listed in the Search Choice Screen meet the same stringent standards that are imposed on Google under the Publisher CR. The requirement for Eligible Providers to attribute web content clearly and accurately and to provide users with a clear means to access that content is positive and necessary – and should be included in the CR itself, not just the Interpretative Notes – but this does not go far enough. In particular, we support proposals to expanding attribution to cover all generative AI responses, clarifying the definition of "clear" and "accurate" attribution, imposing accuracy testing requirements, ongoing eligibility audits, CMA oversight of the eligibility of Google-owned services, and increased transparency regarding source selection.

We commend the CMA for this important investigation and for your careful drafting of meaningful conduct requirements, and thank you for the opportunity to provide these comments.