

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States  
House of Representatives

COMMITTEE ON THE JUDICIARY

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WASHINGTON, DC 20515-6216

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March 13, 2025

Mr. Sam Altman  
Chief Executive Officer  
OpenAI Inc.  
1455 3rd Street  
San Francisco, CA 94158

Dear Mr. Altman:

The Committee on the Judiciary is conducting oversight of how and to what extent the executive branch coerced or colluded with artificial intelligence (AI) companies and other intermediaries to censor lawful speech.<sup>1</sup> During the 118th Congress, the Committee's oversight uncovered how the Biden-Harris Administration repeatedly pressured online platforms, including Facebook, YouTube, and Amazon, to censor Americans directly and by proxy.<sup>2</sup> The Committee also uncovered the Biden-Harris Administration's efforts to control AI to suppress speech, such as the Administration's efforts to push over a dozen AI companies, including yours, to mitigate so-called "harmful bias" and "algorithmic discrimination" in the development and use of their AI models.<sup>3</sup> To inform legislative reforms to protect Americans' civil liberties in light of developing AI technologies, the Committee must fully understand the nature and extent of the Biden-Harris Administration's censorship efforts. Accordingly, we write to request documents and information about the nature and extent of your company's interactions with the executive branch with respect to the content moderation of your AI models.

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<sup>1</sup> STAFF OF THE H. COMM. ON THE JUDICIARY AND SELECT SUBCOMM. ON THE WEAPONIZATION OF THE FED. GOV'T OF THE H. COMM. ON THE JUDICIARY, 118TH CONG., CENSORSHIP'S NEXT FRONTIER: THE FEDERAL GOVERNMENT'S ATTEMPT TO CONTROL ARTIFICIAL INTELLIGENCE TO SUPPRESS FREE SPEECH (Comm. Print Dec. 18, 2024).

<sup>2</sup> See, e.g., STAFF OF THE H. COMM. ON THE JUDICIARY AND SELECT SUBCOMM. ON THE WEAPONIZATION OF THE FED. GOV'T OF THE H. COMM. ON THE JUDICIARY, 118TH CONG., THE CENSORSHIP-INDUSTRIAL COMPLEX: HOW TOP BIDEN WHITE HOUSE OFFICIALS COERCED BIG TECH TO CENSOR AMERICANS, TRUE INFORMATION, AND CRITICS OF THE BIDEN ADMINISTRATION (Comm. Print May 1, 2024).

<sup>3</sup> STAFF OF THE H. COMM. ON THE JUDICIARY AND SELECT SUBCOMM. ON THE WEAPONIZATION OF THE FED. GOV'T OF THE H. COMM. ON THE JUDICIARY, 118TH CONG., CENSORSHIP'S NEXT FRONTIER: THE FEDERAL GOVERNMENT'S ATTEMPT TO CONTROL ARTIFICIAL INTELLIGENCE TO SUPPRESS FREE SPEECH (Comm. Print Dec. 18, 2024); see also Michael D. Shear et al., *Pressured by Biden, A.I. Companies Agree to Guardrails on New Tools*, N.Y. TIMES (July 21, 2023); Deepa Shivaram, *The White House and big tech companies release commitments on managing AI*, NPR (July 21, 2023) (quoting White House Chief of Staff Jeff Zients, who stated that, "We will use every lever that we have in the federal government to enforce these commitments and standards.").

Throughout the 118th Congress, the Committee’s oversight demonstrated how the executive branch can abuse new technologies—and regulatory power over these technologies—to censor protected American speech. Most notably, the Biden-Harris Administration coerced and colluded with social media and other online platforms, including Facebook, YouTube, and Amazon, to censor true information, opinions, and satire about COVID-19 and other matters of public importance.<sup>4</sup> As Meta CEO Mark Zuckerberg stated in a letter to the Committee, “[i]n 2021, senior officials from the Biden Administration, including the White House, repeatedly pressured our teams for months to censor certain COVID-19 content, including humor and satire.”<sup>5</sup>

In addition to social media and online bookstores, the Biden-Harris Administration’s censorship campaign also expanded to an emerging technology: AI. Through supposedly voluntary “frameworks,” “blueprints,” “resources,” and “commitments,” the Biden-Harris Administration regulated new AI models directly and indirectly, pressuring private companies to “advance equity” and “mitigate the production of harmful and biased outputs.”<sup>6</sup> Between July 2023 and July 2024, sixteen AI companies, including your company, pledged to abide by the Biden-Harris White House’s “voluntary commitments” on AI to mitigate alleged “harmful bias” and “algorithmic discrimination.”<sup>7</sup>

In October 2023, then-President Biden issued a sweeping executive order that (1) required AI companies to share information about how they train and develop certain “dual-use foundation models” with the federal government; (2) called for the establishment of “consensus industry standards, for developing and deploying safe, secure, and trustworthy AI systems”; and (3) directed the Department of Justice to prevent and address “algorithmic discrimination” in AI.<sup>8</sup> At the time, the order paved the way for direct government control of the AI market. In an October 2024 implementation memorandum, the Biden-Harris White House directed the National Institute of Standards and Technology (NIST) to “establish an enduring capability to lead voluntary unclassified pre-deployment safety testing of frontier AI models on

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<sup>4</sup> See, e.g., STAFF OF THE H. COMM. ON THE JUDICIARY AND SELECT SUBCOMM. ON THE WEAPONIZATION OF THE FED. GOV’T OF THE H. COMM. ON THE JUDICIARY, 118TH CONG., THE CENSORSHIP-INDUSTRIAL COMPLEX: HOW TOP BIDEN WHITE HOUSE OFFICIALS COERCED BIG TECH TO CENSOR AMERICANS, TRUE INFORMATION, AND CRITICS OF THE BIDEN ADMINISTRATION (Comm. Print May 1, 2024).

<sup>5</sup> Letter from Mark Zuckerberg, CEO, Meta, to Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (Aug. 26, 2024).

<sup>6</sup> See, e.g., SELECT COMM. ON A.I. OF THE NAT’L SCI. AND TECH. COUNCIL, EXEC. OFF. OF THE PRESIDENT, NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH AND DEVELOPMENT STRATEGIC PLAN UPDATE (May 2023).

<sup>7</sup> *FACT SHEET: Biden-Harris Administration Secures Voluntary Commitments from Leading Artificial Intelligence Companies to Manage the Risks Posed by AI*, THE WHITE HOUSE (July 21, 2023); *FACT SHEET: Biden-Harris Administration Secures Voluntary Commitments from Eight Additional Artificial Intelligence Companies to Manage the Risks Posed by AI*, THE WHITE HOUSE (Sept. 12, 2023); *FACT SHEET: Biden-Harris Administration Announces New AI Actions and Receives Additional Major Voluntary Commitment on AI*, THE WHITE HOUSE (July 26, 2024). The sixteen signatories were Amazon, Anthropic, Google, Inflection, Meta, Microsoft, OpenAI, Adobe, Cohere, IBM, Nvidia, Palantir, Salesforce, Scale AI, Stability, and Apple.

<sup>8</sup> Exec. Order 14110, 88 Fed. Reg. 75191 §§ 4.1(a), 4.2(a), 7.1(a) (Oct. 30, 2023).

behalf of the United States Government[.]”<sup>9</sup> In November 2024, NIST began this effort, establishing a task force to “assist in measuring and evaluating AI models.”<sup>10</sup> In August 2024, your company, along with Anthropic, signed an agreement with NIST allowing the federal government to “receive access to major new models from each company prior to and following their public release.”<sup>11</sup>

In addition, the Committee has found that the Biden-Harris Administration sought to coordinate its AI regulatory efforts with foreign governments. For example, in April 2024, then-Secretary of State Antony Blinken and then-Secretary of Commerce Gina Raimondo pledged to work with the European Union (EU) to “advance and reinforce interoperability between AI governance frameworks,” implying that the Biden-Harris Administration was seeking to backdoor the EU’s AI regulations into the United States.<sup>12</sup> In September 2024, the Biden-Harris Administration joined the Council of Europe’s “Framework Convention” on AI, which “offers a legal structure focused on combating instances of discrimination resulting from AI system use.”<sup>13</sup> Nonpublic State Department documents obtained by the Committee describe how the “U.S. AI Safety Institute and others in the interagency have strong working relationships with EU counterparts.”<sup>14</sup> The U.S. AI Safety Institute met with the EU’s newly created “AI Office,” the entity in charge of implementing and enforcing the EU’s AI Act, for the first time in July 2024.<sup>15</sup>

Congress has an important interest in protecting and advancing fundamental free speech principles. To develop effective legislation, such as the possible enactment of new statutory limits on the executive branch’s ability to work with technology companies to adjust content moderation policies and practices, or modify AI model inputs and outputs, the Committee must first understand how and to what extent the executive branch of the United States Government coerced and colluded with companies and other intermediaries, including foreign governments, to censor and control speech and AI models. To assist the Committee in its oversight, we ask that you please provide the following documents and information:

1. All documents and communications from January 1, 2020, to January 20, 2025, referring or relating to the moderation, deletion, suppression, restriction, or reduced circulation of the content, input, or output of an AI model, training dataset, algorithm, system, or product. This request includes but is not limited to:

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<sup>9</sup> THE WHITE HOUSE, MEMORANDUM ON ADVANCING THE UNITED STATES’ LEADERSHIP IN ARTIFICIAL INTELLIGENCE; HARNESSING ARTIFICIAL INTELLIGENCE TO FULFILL NATIONAL SECURITY OBJECTIVES; AND FOSTERING THE SAFETY, SECURITY, AND TRUSTWORTHINESS OF ARTIFICIAL INTELLIGENCE (Oct. 24, 2024).

<sup>10</sup> Alexandra Kelley, *NIST sets up new task force on AI and national security*, NEXTGOV/FCW (Nov. 21, 2024).

<sup>11</sup> Press Release, Nat’l Inst. of Standards & Tech., U.S. AI Safety Institute Signs Agreements Regarding AI Safety Research, Testing and Evaluation with Anthropic and OpenAI (Aug. 29, 2024), <https://www.nist.gov/news-events/news/2024/08/us-ai-safety-institute-signs-agreements-regarding-ai-safety-research>.

<sup>12</sup> *U.S.-EU Joint Statement of the Trade and Technology Council*, THE WHITE HOUSE (Apr. 5, 2024).

<sup>13</sup> Alexandra Kelley, *U.S. joins Council of Europe’s AI and human rights framework*, NEXTGOV/FCW (Sept. 6, 2024).

<sup>14</sup> U.S. State Dep’t Memorandum on EU Digital Issues (on file with the Comm.).

<sup>15</sup> *Id.*; see *European AI Office*, EUROPEAN COMM’N (last visited Dec. 16, 2024).

- a. All such documents and communications between the Executive Branch of the United States and OpenAI;
- b. All such documents and communications between any foreign government in partnership with the United States Government, including the European Union or the United Kingdom of Great Britain and Northern Ireland;
- c. All such documents and communications between OpenAI and any third parties; and
- d. All such internal documents and communications between or among OpenAI regarding any public or private communications or statements from the Executive Branch of the United States Government, a foreign government in partnership with the United States Government, or any third party.

Please produce all documents and information as soon as possible but no later than 10:00 a.m. on March 27, 2025.

Furthermore, this letter serves as a formal request to preserve all existing and future records and materials relating to the topics addressed in this letter. You should construe this preservation notice as an instruction to take all reasonable steps to prevent the destruction or alteration, whether intentionally or negligently, of all documents, communications, and other information, including electronic information and metadata, that are or may be responsive to this congressional inquiry. This instruction includes all electronic messages sent using your official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.

Pursuant to the Rules of the House of Representatives, the Committee on the Judiciary has jurisdiction to conduct oversight of matters concerning “civil liberties,” including “the effect of the regulation of artificial intelligence” on civil liberties, to inform potential legislative reforms.<sup>16</sup> If you have any questions about this matter, please contact Committee staff at (202) 225-6906. Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan  
Chairman

cc: The Honorable Jamie Raskin, Ranking Member

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<sup>16</sup> Rules of the House of Representatives R. X (2025); Rules of Procedure of the House Committee on the Judiciary R. VI(b) (2025).