

# KING & SPALDING

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September 23, 2025

## BY ELECTRONIC MAIL

The Honorable Jim Jordan  
Chairman  
Committee on the Judiciary  
United States House of Representatives  
2056 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Jordan:

This statement of facts is submitted on behalf of our client Alphabet, Inc. and its subsidiary YouTube (collectively, “Alphabet” or the “Company”) in response to subpoenas issued by the House Committee on the Judiciary (the “Committee”) on February 15, 2023 and March 6, 2025.

1. Throughout the Committee’s investigations, Alphabet provided responsive information to the Committee to fulfill its oversight responsibilities, producing internal records and providing extensive testimony, including more than 40 sets of responsive documents and the voluntary participation of 20 executives in transcribed interviews.
2. Alphabet is a collection of businesses – the largest of which is Google. Alphabet’s mission is to organize the world’s information and make it universally accessible and useful. Alphabet is committed to building helpful products for everyone, and the Company aspires to give all users the tools they need to increase their knowledge.
3. The Company is committed to doing its part to continue to keep the digital ecosystem safe, reliable, and open to free expression. Alphabet designs its products to work for everyone; bias towards a particular viewpoint is not in line with the Company’s values or the Company’s business interests. Alphabet’s business model depends on being a useful source of information for everyone, and a home for users of all backgrounds. As a result, Alphabet has a natural, long-term business incentive to apply and develop its policies consistently, impartially, and independently.

### **The Committee and Its Investigation**

4. The Company appreciates the accountability from the House Judiciary Committee – led by Chairman Jim Jordan – and its critical role in advancing the core American value of freedom of expression.
5. The Company has a commitment to freedom of expression. This commitment is unwavering and will not bend to political pressure.
6. Transparency regarding government interactions with private platforms is essential for fostering public trust and upholding principles of free expression; the Committee's investigation brought to light new information that enhanced public understanding in this respect.

### **The Biden Administration and Alphabet**

7. The COVID-19 pandemic was an unprecedented time in which online platforms had to reach decisions about how best to balance freedom of expression with responsibility, including responsibility with respect to the moderation of user-generated content that could result in real world harm.
8. Senior Biden Administration officials, including White House officials, conducted repeated and sustained outreach to Alphabet and pressed the Company regarding certain user-generated content related to the COVID-19 pandemic that did not violate its policies. While the Company continued to develop and enforce its policies independently, Biden Administration officials continued to press the Company to remove non-violative user-generated content.
9. As online platforms, including Alphabet, grappled with these decisions, the Administration's officials, including President Biden, created a political atmosphere that sought to influence the actions of platforms based on their concerns regarding misinformation.
10. It is unacceptable and wrong when any government, including the Biden Administration, attempts to dictate how the Company moderates content, and the Company has consistently fought against those efforts on First Amendment grounds.

### **YouTube**

11. YouTube's mission is to give everyone a voice and show them the world. Every day, YouTube builds and improves tools and systems that empower creators, viewers, and businesses to find and share information. Over two billion logged-in users worldwide visit each month, and over 500 hours of content are uploaded every minute by an

extraordinarily diverse community of creators, who span over 100 countries and 80 languages. On a daily basis, users watch over a billion hours of video on YouTube.

12. There is a wider variety of views on the YouTube platform than on any other information source in history. YouTube will strive to foster self-expression on an array of topics as diverse as its user base, to nurture a thriving creative and informational ecosystem, and to be an engine of economic opportunity.
13. YouTube creates new economic opportunities for artists, creators, podcasters, journalists, and small businesses to share their creativity and products in the United States and across the globe.
14. YouTube's creative ecosystem supported more than 490,000 full-time American jobs and contributed \$55 billion to the U.S. economy in 2024 according to research from Oxford Economics.

#### **YouTube's Content Moderation Approach and Commitment to Free Expression**

15. YouTube takes seriously the importance of protecting free expression and access to a range of viewpoints.
16. YouTube's Community Guidelines and Terms of Service apply equally to all users — from private citizens to the most visible public figures — and to all types of content, regardless of the viewpoints expressed.
17. The Company has transparently evolved its policy framework related to COVID-19 to ensure space for further debate and discussion on the platform.
  - a. YouTube never had Community Guidelines prohibiting discussion of the origins of the COVID-19 pandemic.
  - b. As publicly announced in 2023, YouTube ended several COVID-19 content policies.
  - c. As of December 2024, YouTube retired the remaining standalone COVID-19 policies and allowed discussion of various treatments for COVID-19.
18. On key issues of medical content, YouTube policies continued to evolve in line with a dynamic environment. Health authorities have changed their guidance over time and Alphabet's policies have evolved as well. YouTube's current approach allows a wide range of content regarding COVID-19 and elections. While the reliance on health authorities in this context was well-intentioned, the Company recognizes it should never come at the expense of public debate on these important issues.
19. YouTube continues to enable a diversity of perspectives and believes creators should be able to openly debate political ideas on the platform. In June 2023, YouTube sunsetted a policy to allow for discussion of possible widespread fraud, errors, or glitches occurring in the 2020 and other past U.S. Presidential elections.

20. No matter the political atmosphere, YouTube will continue to enable free expression on its platform, particularly as it relates to issues subject to political debate. Political debate and discussion are in the public's interest, which is why YouTube expanded its approach to educational, documentary, scientific and artistic content on the platform.
21. In contrast to other large platforms, YouTube has not operated a fact-checking program that identifies and compensates fact-checking partners to produce content to support moderation. YouTube has not and will not empower fact-checkers to take action on or label content across the Company's services.
22. YouTube also began offering a feature on YouTube beginning in June 2024 that allows users to add notes to provide relevant, timely, and understandable context on videos. The pilot is available on mobile in the U.S. and in English, and YouTube continues to collect feedback on the feature. YouTube also features an extensive comment section, where viewers can comment and share their views on content posted by creators.
23. The Company terminated channels for repeatedly violating its Community Guidelines on elections integrity content through 2023 and COVID-19 content through 2024. Today, YouTube's Community Guidelines allow for a wider range of content regarding COVID-19 and elections integrity. Reflecting the Company's commitment to free expression, YouTube will provide an opportunity for all creators to rejoin the platform if the Company terminated their channels for repeated violations of COVID-19 and elections integrity policies that are no longer in effect.
24. YouTube values conservative voices on its platform and recognizes that these creators have extensive reach and play an important role in civic discourse. The Company recognizes these creators are among those shaping today's online consumption, landing "must-watch" interviews, giving viewers the chance to hear directly from politicians, celebrities, business leaders, and more.

## **Regulatory Landscape**

25. Transparency regarding government interactions with private companies is essential for fostering public trust and upholding the principles of free expression. Laws around the world affect the availability of content across Alphabet's products and services, and the Company publishes data in its quarterly Transparency Report regarding content removal requests in an effort to inform discussions about online content regulation.
26. Governments and law enforcement entities make legal requests in an effort to moderate content according to their views, and their demands come with significant penalties for non-compliance. Alphabet has a track record of pushing back against overly broad or otherwise inappropriate government demands for user data and content removals, including objecting to some demands entirely.

The Honorable Jim Jordan  
September 23, 2025

27. The Committee has taken important investigative steps to highlight that onerous obligations under laws such as the Digital Services Act and Digital Markets Act may stifle innovation and restrict access to information. These laws place a disproportionate regulatory burden on American companies, and the Company has long expressed its concern about the risk that the DSA may pose to freedom of expression within and outside of the European Union, depending on how certain provisions may be enforced. The DSA could be interpreted in such a way as to require Alphabet and other providers of intermediary services to remove lawful content, jeopardizing the companies' ability to develop and enforce global policies that support rights to free expression and access to information. The DSA may open avenues for substantive regulation of lawful speech, including through risk mitigation, the use of codes of conduct and crisis protocols, and the out-of-court dispute settlement mechanism. Alphabet remains mindful of these risks and continues to be vigilant in its defense of these rights.

**Waiver**

28. In providing this information, the Company does not waive, nor does it intend to waive, any of its rights or privileges, including any applicable attorney-client, work product, or other evidentiary privilege, or any objection to the Committee's requests or the subpoenas. The representations herein are based on reasonably available information and are not intended to, and do not, capture all information related to the Committee's requests or the subpoenas. Nor are they an exhaustive description of the information discussed.

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If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Daniel F. Donovan". The signature is fluid and cursive, with a horizontal line extending from the end.

Daniel F. Donovan  
Counsel for Alphabet

Cc: The Hon. Jamie Raskin, Ranking Member  
Ehren K. Halse, Esq.