

U.S. House of Representatives

Committee on the Judiciary

Washington, DC 20515–6216
One Hundred Sixteenth Congress

August 24, 2020

Mr. Jeffrey P. Bezos
President, Chief Executive Officer,
and Chairman of the Board
Amazon.com, Inc.
410 Terry Avenue North
Seattle, WA 98109

Dear Mr. Bezos:

The recent hearing of the Subcommittee on Antitrust, Commercial, and Administrative Law examined how Big Tech—including Amazon—exhibits bias against conservative voices. During this hearing, you acknowledged that Amazon relies in part on information from the Southern Poverty Law Center (SPLC) to exclude certain non-profits from participating in Amazon’s charity-support program, AmazonSmile.¹ You also acknowledged that Amazon’s approach is imperfect, and said you welcome suggestions for improvement.² Given SPLC’s bias against certain conservative non-profits, we write to learn more about Amazon’s reliance on and empowerment of the SPLC.

The AmazonSmile program enables Amazon customers to donate 0.5% of the price of certain purchases to eligible non-profit organizations.³ Amazon relies in part on the SPLC to determine which non-profits are eligible to participate in AmazonSmile.⁴ For years, however, the SPLC has received criticism for its business practices, internal culture, and approach to identifying and publicizing certain “hate groups.”⁵ One author called the SPLC’s “hate map”—which designates various groups the SPLC considers to be extremist—“an outright fraud” and “a

¹ See *Online Platforms and Market Power, Part 6: Examining the Dominance of Amazon, Apple, Facebook, and Google, Hearing before the Subcomm. on Antitrust, Commercial, and Admin. Law of the H. Comm. on the Judiciary*, 116th Cong. (2020).

² See *id.*

³ *AmazonSmile Program Details*, AMAZON, https://smile.amazon.com/gp/chpf/pd/ref=smi_se_saas_lpd_spd (last visited August 11, 2020).

⁴ *Id.* Amazon also relies on information from the U.S. Office of Foreign Assets Control, *id.*, which “administers and enforces economic and trade sanctions” against entities such as “foreign countries and regimes” and “terrorists.” See *About: Office of Foreign Assets Control*, U.S. DEP’T OF THE TREASURY, <https://www.treasury.gov/about/organizational-structure/offices/pages/office-of-foreign-assets-control.aspx> (last visited August 11 2020).

⁵ See, e.g., Audra D. S. Burch *et al.*, *Roiled by Staff Uproar, Civil Rights Group Looks at Intolerance Within*, N.Y. TIMES (Mar. 25, 2019); Bob Moser, *The Reckoning of Morris Dees and the Southern Poverty Law Center*, THE NEW YORKER (Mar. 21, 2019); Kyle Smith, *‘Essentially a Fraud’*, NATIONAL REVIEW MAGAZINE (Aug. 23, 2018) (“The SPLC can no longer be fairly termed a nonpartisan watchdog group. It has become a hate group itself.”); Adam Shaw, *GOP lawmaker wants answers on FBI’s alleged Southern Poverty Law Center ties*, FOX NEWS (July 28, 2018) (citing July 23, 2018 letter from Representative Matt Gaetz to Ms. Jill C. Tyson, Acting Assistant Director of Congressional Affairs, Federal Bureau of Investigation); Alexander Cockburn, *King of the Hate Business: With haters on the wane, what will the hate-seekers do?*, THE NATION (Apr. 29, 2009).

willful deception designed to scare older liberals into writing checks to the SPLC.”⁶ In particular, the SPLC has baselessly labeled some conservative charitable organizations “hate groups,” alongside actual extremist organizations such as neo-Nazis and the Ku Klux Klan.⁷

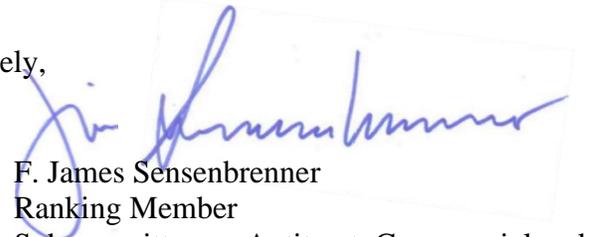
Amazon’s reliance on the SPLC means that Amazon takes a biased approach to determining whether certain non-profits can participate in AmazonSmile. For example, Amazon offers its customers the opportunity to donate to pro-abortion Planned Parenthood,⁸ but not to certain conservative groups like the Alliance Defending Freedom or Family Research Council.⁹ Amazon actively prevents such conservative groups from participating because of how the SPLC has labeled these organizations as “hate groups.”¹⁰ The exclusion of these conservative groups from Amazon’s heavily-trafficked digital platform leads to less exposure for these groups and fewer opportunities for donations. In this way, Amazon’s reliance on the SPLC as a barometer to determine the eligibility of charitable organizations on AmazonSmile serves to discriminate against conservative views.¹¹

Amazon’s ongoing reliance on the SPLC, with its documented anti-conservative track record, reinforces allegations that Big Tech is biased against conservatives and censors conservative views. In light of your testimony¹² we request a briefing on how AmazonSmile makes its eligibility determinations based on information from the SPLC. Thank you for your prompt attention to this matter.



Jim Jordan
Ranking Member

Sincerely,



F. James Sensenbrenner
Ranking Member
Subcommittee on Antitrust, Commercial and
Administrative Law

⁶ Nathan J. Robinson, *The Southern Poverty Law Center Is Everything That’s Wrong With Liberalism: The SPLC’s deceptive and hypocritical approach to anti-racism*, CURRENT AFFAIRS (Mar. 26, 2019).

⁷ See, e.g., Kay C. James, *Amazon doubles down on excluding some conservative nonprofits from customer donations*, THE WASHINGTON TIMES (June 15, 2020).

⁸ See generally *Amazon Smile: Change Your Charity*, AMAZON, https://smile.amazon.com/gp/chpf/change/ref=smi_se_rspo_change_cycsc (last visited August 11, 2020).

⁹ *Id.*

¹⁰ See, e.g., Bradford Richardson, *Alliance Defending Freedom removed from AmazonSmile after ‘hate group’ designation*, THE WASHINGTON TIMES (May 4, 2018); Jordan Davidson, *Jeff Bezos Pressed On Why Amazon Allows Hate Group To Determine Eligible Charitable Donations*, THE FEDERALIST (Aug. 3, 2020).

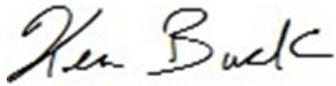
¹¹ See generally Kay C. James, *Amazon doubles down on excluding some conservative nonprofits from customer donations*, THE WASHINGTON TIMES (June 15, 2020) (“With all this baggage and the SPLC’s known bias against conservatives, one has to wonder why Amazon is using the [SPLC] to determine which nonprofits are acceptable and which are not. Yet, recently, at the urging of Amazon’s board of directors, shareholders defeated a resolution that would have ended the use of the SPLC’s defamatory list. That means long-established, venerable organizations . . . continue to be excluded from receiving contributions because the SPLC considers an organization that adheres to traditional Christian teachings about marriage a hate group.”).

¹² *Online Platforms and Market Power, Part 6: Examining the Dominance of Amazon, Apple, Facebook, and Google, Hearing before the Subcomm. on Antitrust, Commercial, and Admin. Law of the H. Comm. on the Judiciary*, 116th Cong. (2020).

Mr. Jeffrey P. Bezos

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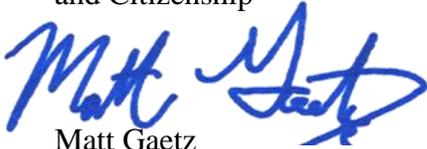
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Ken Buck
Ranking Member
Subcommittee on Immigration
and Citizenship



Mike Johnson
Ranking Member
Subcommittee on the Constitution,
Civil Rights and Civil Liberties



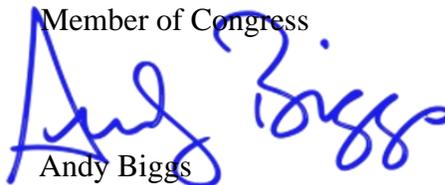
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Member of Congress



Louie Gohmert
Member of Congress



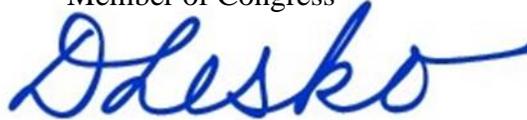
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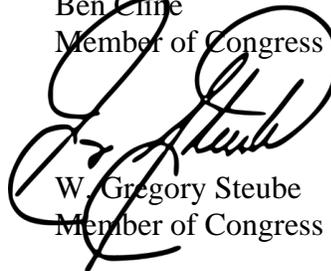
Guy Reschenthaler
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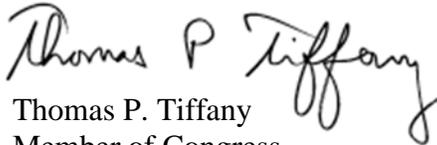
Ben Cline
Member of Congress



Kelly Armstrong
Member of Congress



W. Gregory Steube
Member of Congress



Thomas P. Tiffany
Member of Congress

cc: The Honorable Jerrold L. Nadler, Chairman, Committee on the Judiciary

The Honorable David N. Cicilline, Chairman, Subcommittee on Antitrust, Commercial,
and Administrative Law