JIM JORDAN, Ohio
CHAIRMAN

JAMIE RASKIN, Maryland
RANKING MEMBER

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States
House of Representatives
COMMITTEE ON THE JUDICIARY
2138 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6216
(202) 225–6906
judiciary.house.gov

December 30, 2025

Ms. Julie Inman Grant
Australian eSafety Commissioner

via email

Dear Ms. Inman Grant:

The Committee on the Judiciary of the U.S. House of Representatives is conducting oversight of how and to what extent foreign laws, regulations, and judicial orders compel, coerce, or influence companies to censor speech in the United States.[1] To develop effective legislation, such as new statutes to ensure that foreign laws cannot silence Americans in the United States or severely burden American companies, the Committee must first understand the nature of the harms imposed by these foreign laws. For this reason, on November 18, 2025, the Committee requested your testimony at a transcribed interview.[2] On December 2, 2025, you declined to testify, stating that you were "not in a position to attend an interview."[3] We write to reiterate our request for your voluntary testimony.

Your testimony remains vital to the Committee's oversight. We are concerned about the extraterritorial content moderation requirements of Australia's Online Safety Act, eSafety's attempts to mandate global content takedowns, and your collaboration with a U.S. university and other foreign governments to design and implement a global censorship regime.[4] Moreover, new documents indicate that eSafety harassed American companies ahead of the implementation of the Social Media Minimum Age (SMMA) law.[5] Emails and correspondence produced to the Committee show that even before the law's effective date, eSafety directed American platforms

[1] *See, e.g.*, STAFF OF THE H. COMM. ON THE JUDICIARY, 119TH CONG., THE FOREIGN CENSORSHIP THREAT: HOW THE EUROPEAN UNION'S DIGITAL SERVICES ACT COMPELS GLOBAL CENSORSHIP AND INFRINGES ON AMERICAN FREE SPEECH (Comm. Print July 25, 2025); Press Release, H. Comm. on the Judiciary, Chairman Jordan Subpoenas Big Tech for Information on Foreign Censorship of American Speech (Feb. 26, 2025).
[2] Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Ms. Julie Inman Grant, Australian eSafety Commissioner (Nov. 18, 2025).
[3] Letter from Ms. Julie Inman Grant, Australian eSafety Commissioner, to Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (Dec. 2, 2025).
[4] *See* Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Ms. Julie Inman Grant, Australian eSafety Commissioner (Nov. 18, 2025).
[5] *Online Safety Amendment (Social Media Minimum Age) Bill 2024* (Cth); *see* Enclosure.

to release "public-facing" compliance commitments based on an eSafety "template,"[6] and demanded meetings with platforms that did not immediately comply.[7] Similarly, the Communications Ministry, one of the Australian agencies responsible for the implementation of the SMMA, solicited SMMA "talking points" from each platform to demonstrate that they were "working collaboratively with the government."[8]

In addition, documents show that eSafety formally asked American companies how they planned to "mitigate potential circumvention" of the SMMA law "via VPNs."[9] In 2024, you used concerns about VPNs, which may conceal a user's country of origin, as a pretext to demand global takedowns of social media content.[10] The documents obtained by the Committee suggest that you may be using this playbook again.[11] Testimony about each of these initiatives will inform the Committee's legislative reforms aimed at ensuring that foreign censors cannot silence protected American speech.[12]

We appreciate the limited information you provided in your response letter of December 2; however, that information is not sufficient to satisfy the Committee's oversight. For example, your letter doesn't address eSafety's previous attempts to mandate global takedowns or your participation in a September 2025 roundtable event at Stanford University in which "misinformation" pseudoscientists and censorious foreign government officials discussed how to build and operationalize an effective global internet censorship regime.[13] Your attendance at the Stanford event also undermines the argument that you are "not in a position to attend an interview" in the United States.[14] Clearly, you are willing and able to return to the United States when it suits you.

The Supreme Court has recognized that Congress has broad authority to gather information from U.S. persons and entities to inform legislative reforms.[15] The Court has

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[6] Letter from eSafety to Platform (Nov. 7, 2025) (enclosed); *see* Template Commitment to Compliance (enclosed).
[7] Email from eSafety to Platform (Nov. 16, 2025) (enclosed).
[8] Email from Communications Ministry to Platform (Nov. 16, 2025) (enclosed).
[9] Letter from eSafety to Platform (Nov. 7, 2025) (enclosed).
[10] *See e.g.,* Letter from Australia's eSafety Commission requiring X to take down content worldwide because it can be accessed via VPN (Apr. 18, 2024) (on file with Comm.); Tom Crowley, *'Silly' to demand global takedowns: Dutton weighs in on eSafety case*, AUSTRALIAN BROADCASTING CORP. (Apr. 25, 2024).
[11] *Cf.* Letter from eSafety to Platform (Nov. 7, 2025) (enclosed); Tom Crowley, *'Silly' to demand global takedowns: Dutton weighs in on eSafety case*, AUSTRALIAN BROADCASTING CORP. (Apr. 25, 2024).
[12] *See* H.R. 1071, No Censors on our Shores Act, 119th Cong. (2025).
[13] *See* Letter from Australia's eSafety Commission requiring X to take down content worldwide because it can be accessed via VPN (Apr. 18, 2024) (on file with Comm.); Tom Crowley, *'Silly' to demand global takedowns: Dutton weighs in on eSafety case*, AUSTRALIAN BROADCASTING CORP. (Apr. 25, 2024); Compliance and Enforcement in a Rapidly Evolving Landscape Agenda and Attendee List (Sep. 24, 2025) (on file with Comm.); *see* Michael Shellenberger, *Obama-Linked Stanford Center Held Secret Meeting with Foreign Governments to Plot Global Internet Censorship*, PUBLIC NEWS (Oct. 28, 2025); Teddy Ganea et al., *Stanford's Cyber Policy Center Coordinates International Internet Censorship*, THE STANFORD REV. (Oct. 29, 2025).
[14] Letter from Ms. Julie Inman Grant, Australian eSafety Commissioner, to Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary (Dec. 2, 2025).
[15] *See Trump v. Mazars USA, LLP*, 591 U.S. 848, 862 (2020) (Congress's oversight power "encompasses inquiries into the administration of existing laws, studies of proposed laws, and surveys of defects in our social, economic, or political system for the purpose of enabling the Congress to remedy them." (internal citation omitted)).

explained that compliance with a congressional inquiry is a "public duty, which every person within the jurisdiction of the [U.S.] Government is bound to perform when properly summoned."[16] U.S. citizenship carries with it both benefits and responsibilities, and those, such as yourself, who enjoy the advantages associated with such citizenship should be willing to shoulder the responsibilities as well, including cooperating with congressional investigations. In other contexts, courts have routinely found that U.S. citizens living abroad are within the jurisdiction of the U.S. government and can be compelled to provide testimony.[17]

Accordingly, we reiterate our request for your cooperation and ask that you make yourself available for a transcribed interview with the Committee. Pursuant to the Rules of the House of Representatives, the Committee on the Judiciary has jurisdiction to conduct oversight of matters concerning "[c]ivil liberties" to inform potential legislative reforms.[18] Please contact Committee staff to schedule your transcribed interview as soon as possible but no later than 10:00 a.m. ET on January 13, 2026. The Committee may have to consider, if necessary, additional steps to obtain compliance with our request.

If you have any questions, please contact Committee staff at +1 (202) 225-6906. Thank you for your prompt attention to this matter.

Sincerely,

Jim Jordan
Chairman

cc: The Honorable Jamie Raskin, Ranking Member

Enclosure

[16] *United States v. Bryan*, 339 U.S. 323, 331 (1950).
[17] *See e.g.*, *Blackmer v. United States*, 284 U.S. 421, 439-440 (1932) ("As the Congress could define the obligation, it could prescribe a penalty to enforce it. And as the default lay in disobedience to an authorized direction of the court, it constituted a contempt of court, and the Congress could provide for procedure appropriate in contempt cases."); *see also id*. at 436-37 (A U.S. citizen residing in a foreign country "continue[s] to owe allegiance to the United States." . . . "Nor can it be doubted that the United States possesses the power inherent in sovereignty to require the return to this country of a citizen, resident elsewhere, whenever the public interest requires it, and to penalize him in case of refusal.").
[18] Rules of the House of Representatives, R. X, cl. 1(*l*)(5) (2025).

Enclosure

[redacted]

[redacted]

[redacted]_Correspondence from eSafety Commissioner_[redacted]_Plans for compliance with the Social Media Minimum Age [SEC=OFFICIAL]

[redacted] message

Julie Inman Grant <[redacted]@esafety.gov.au> Fri, Nov 7, 2025 at [redacted]

To: [redacted]

Cc: [redacted], Social Media Minimum Age Restrictions <[redacted]@esafety.gov.au>, eSafety Industry Supervision <[redacted]@esafety.gov.au>, [redacted]@esafety.gov.au>, [redacted]@esafety.gov.au>, [redacted]@esafety.gov.au>, Julie Inman Grant <[redacted]@esafety.gov.au>

OFFICIAL

Dear [redacted]

Please find attached correspondence from the esafety Commissioner regarding [redacted]s plans for compliance with the Social Media Minimum Age.

As outlined in the letter, please also find attached the *Statement of Commitment to Comply* template.

Have a lovely weekend

Kind regards

[redacted] *p.p eSafety Commissioner*

Julie Inman Grant
Commissioner

[redacted]

[redacted]

Executive Assistant [redacted]@esafety.gov.au

eSafety acknowledges all First Nations people for their continuing care of everything Country encompasses — land, waters and community. We pay our respects to First Nations people, and to Elders past and present.

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2 attachments

[redacted]Correspondence from eSafety Commissioner_[redacted]_Plans for compliance with the Social Media Minimum Age.pdf

Statement of commitment to comply - TEMPLATE .docx
639K

[redacted]

Australian Government | eSafetyCommissioner

7 November 2025 [redacted]

[redacted]

By email: [redacted]

CC: [redacted]; [redacted]; [redacted];

Dear [redacted]:

[redacted]'s plans to comply with the Social Media Minimum Age

Thank you for your engagement with eSafety to date regarding the Social Media Minimum Age (SMMA) obligation. We refer to:

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

[redacted]

- [redacted]

Thank you for confirming [redacted]'s intention to comply with the SMMA obligation. With just over a month until the SMMA takes effect on 10 December 2025, we request [redacted] provide:

1. an outline of the steps you intend to take to comply, as well as a short public-facing summary of these steps, and
2. an early indication of the number of accounts likely to be removed or deactivated by 10 December 2025.

eSafety is making the same requests of all services which we have assessed as age-restricted social media platforms.

Our understanding of [redacted]'s current age gating and assurance measures

From eSafety's Behind the Screen Report and our discussions to date, we understand [redacted] currently has the following age gating and assurance measures in place:

- [redacted]

Compliance plans

We request the following information about the steps [redacted] intends to take to comply with the SMMA obligation:

1. **Finding and actioning accounts held by Australian end-users under the age of 16 (age-restricted users)**
    a. [redacted]

[1] See *eSafety's Behind the Screen Transparency Report*

[redacted]

[redacted] How does [redacted] plan to identify which accounts are or may be held by age-restricted users?

b. Based on that methodology, how many accounts does [redacted] anticipate will be impacted by the SMMA obligation on 10 December?
c. What steps does [redacted] intend to take for those accounts on 10 December (e.g. deleting, deactivating, disabling, suspending, etc)?
    i. Under what circumstances (e.g. pending age assurance, moderator review, etc)?
    ii. Will end-users be given a choice about what happens to their account?
d. What information will be provided to those account holders, and when will it be provided? eSafety considers it to be good practice to provide this information to account holders no later than 2 weeks before the SMMA obligation takes effect. eSafety has published resources that we encourage service providers to include in communication with their end-users.
    i. Do you have information or a URL you could provide to eSafety to direct members of the public if they have questions about [redacted]'s approach?

2. Age assurance and user reporting options

a. What age assurance options will [redacted] apply to comply with the SMMA obligation?
    i. Will [redacted] be using [redacted] or another third-party age assurance vendor? If so, which vendor? Where in the user-journey will this be applied?
b. Does [redacted] intend to use government-issued ID as an option for age verification to comply with the SMMA obligation?
    i. If so, can [redacted] confirm that it will always provide a reasonable alternative means to the collection of government-issued ID for purposes of complying with the SMMA obligation, consistent with the requirement under section 63DB?
c. Will [redacted] rely on existing underage user reporting mechanisms? If so, will [redacted] make any adjustments to these mechanisms, including planning for a possibility of increased user reporting in Australia from 10 December 2025?
d. What new, if any, user reporting mechanisms does [redacted] intend to apply?

3. Review and appeals mechanisms

[redacted]

[redacted]

a. Will [redacted] rely on existing review and appeals mechanisms for accounts that may be erroneously determined to be held by an age-restricted user? If so, will [redacted] make any changes to these mechanisms, including planning for a possibility of increased review and appeals requests in Australia from 10 December 2025?
b. What, if any, new review and appeals mechanisms for accounts that may have been erroneously determined to be held by an age-restricted user does [redacted] intend to apply?

4. Circumvention

a. What steps will [redacted] take to prevent circumvention of the SMMA on the basis of age and/or location?
    i. What location signals will [redacted] consider beyond end-users' IP addresses to mitigate potential circumvention via VPNs?
b. [redacted] Will [redacted] use the same indicators and/or other indicators to prevent age-restricted users whose accounts have been removed or deactivated from creating new accounts?

We seek [redacted]'s response to the above questions by **21 November 2025.**

In addition to providing this information to eSafety, we request [redacted] provide eSafety with a short summary of your compliance plans and statement of commitment to comply with the SMMA obligation which can be shared with the public for transparency. We have attached a template statement which can be used as a template for this purpose. We seek [redacted]'s public statement of commitment by **14 November 2025**.

Please contact [redacted]@esafety.gov.au should you wish to discuss this letter further.

Yours faithfully,

Julie Inman Grant
eSafety Commissioner

[3] See *eSafety's Behind the Screen Transparency Report*

[redacted]

Australian Government | eSafetyCommissioner

Template commitment to compliance

Note: This template has been provided to all services that eSafety has assessed as age-restricted social media platforms as of 7 November 2025. We encourage services to complete, submit to eSafety and ultimately publish a version of the template reflecting their commitments to promote transparency, accountability and shared expectations ahead of the SMMA obligation coming into effect on 10 December 2025.

Statement of commitment to comply with SMMA obligations

[COMPANY] affirms its commitment to take reasonable steps to comply with the new Social Media Minimum Age (**SMMA**) obligations which commence on 10 December 2025.

[COMPANY] is committed to applying the principles set out in eSafety's Regulatory Guidance, including respecting and promoting the human rights that underpin the principles. Accordingly, [COMPANY] will take reasonable steps to:

- Detect and deactivate/remove accounts held by Australians under 16 with kindness, care and clear communication.
- Implement technical measures to prevent circumvention, including re-registration of those users under 16 years of age.
- Use layered age assurance methods, which include age estimation and trusted vouching, to determine an account holder's age, consistent with the guiding principles set out in eSafety's Regulatory Guidance.
- Enhance current reporting pathways for users to report underage accounts by making the reporting form easier to find and access. Reports will be reviewed by our Trust & Safety team, supported by AI signals.
- Provide clear review pathways for users to challenge decisions through accessible and fair processes that will be handled by experienced human reviewers.
- Continuously monitor and improve systems by tracking the accuracy and effectiveness of our age assurance methods

[redacted]

- Provide eSafety with regular data to demonstrate [COMPANY'S] compliance with the SMMA obligations.

Changes to accounts belonging to someone under 16

From [DAY, MONTH] 2025, suspected underage account holders will receive a notification [INSERT METHOD E.G. IN-APP OR VIA EMAIL] explaining how their account was identified as belonging to an under-16, and clear communication about Australia's SMMA law, along with the following information:

1. Account holders will have [TIME PERIOD] to download their data.
2. The account will be deactivated and remain deactivated for [TIME PERIOD] before being permanently deleted. If the account holder turns 16 within this time frame, they can request to go through an age check to have their account reinstated.
3. If the account holder has incorrectly been identified as an under-16 Australian end-user, they will have [XX] days to commence an appeal process, where they will be asked to undertake our age check process. This includes options for [INSERT INFORMATION SUCH AS UNDERGOING FACIAL AGE ESTIMATION, TRUSTED VOUCHING, OR SUBMITTING GOVERNMENT-ISSUED ID]. If the original decision is upheld, the [TIME PERIOD] deactivation period will commence, along with access to download their data for [TIME PERIOD].
    - All age checks will be done [IN-APP OR VIA XX].
4. Account holders will not be asked to provide their [INSERT INFORMATION / ID THAT WILL NOT BE COLLECTED AS PART OF AGE CHECK].
5. Account holders can request to have their account permanently deleted at any time.
6. For those looking for more information about the new law and support, visit esafety.gov.au. You can also get help and support from:
    a. Beyond Blue – 1300 22 4636
    b. Kids Helpline – 1800 55 1800
    c. Headspace – 1800 650 890
    d. Lifeline – 13 11 14

Reporting suspected underage accounts

Anyone can report suspected underage accounts through the [INSERT INFORMATION SUCH AS REPORT FEATURE OR WEB FORM]. Reports are reviewed by [INSERT INFORMATION SUCH AS TRUST & SAFETY TEAM].

Communicating these changes

We are committed to keeping users informed. These changes are being communicated through [INSERT INFORMATION SUCH AS IN-APP NOTIFICATIONS OR HELP CENTRE]. We will also be publishing updated Terms of Service of our website.

[redacted]

[redacted]

Meeting request to discuss SMMA communication timeframes [SEC=OFFICIAL]

1 message

eSafety Industry Supervision [redacted]@esafety.gov.au> Sun, Nov 16, 2025 [redacted]
To: [redacted]
Cc: [redacted], eSafety Industry Supervision [redacted]@esafety.gov.au>

OFFICIAL

Dear [redacted]

We understand [redacted] may still be considering eSafety's letter of 7 November, which requested a response regarding public-facing compliance commitments by last Friday, 14 November, and a response to eSafety's additional compliance questions by this Friday, 21 November.

While we continue to look forward to your response to eSafety's compliance questions, we note you did not provide a response relating to public-facing commitments last week.

Accordingly, **eSafety would like to meet with** [redacted] **as soon as possible** to discuss your timeframes for communicating to [redacted]'s users about the upcoming changes to comply with the SMMA obligations, in particular, if and when under 16 users will be notified about their accounts being deactivated or removed and when actions will be taken in relation to these accounts.

I can send through some proposed times shortly if you agree.

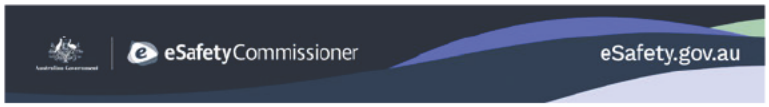
Thank you

[redacted]

Assistant Manager, Industry Supervision

Industry Compliance and Enforcement Branch

[redacted]



eSafety acknowledges all First Nations people for their continuing care of everything Country encompasses — land, waters and community. We pay our respects to First Nations people, and to Elders past, present and future.

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[redacted]

TPs about compliance plans [SEC=OFFICIAL]

[redacted]@mo.communications.gov.au [redacted] Sunday, November 16, 2025 at [redacted]

To: [redacted]
Cc: [redacted]@pm.gov.au [redacted]

OFFICIAL

OFFICIAL

Hi [redacted],

In the lead up to 10 December, the Minister and PMO would appreciate talking points from [redacted] about:

1. what your age assurance waterfall will look like;
2. how you're communicating your age assurance process with your users; and
3. what your appeals process will look like for users.

Any screenshots you can provide as examples would also be helpful.

This information will help the Minister communicate with [redacted]'s users when she is doing media and also demonstrate how [redacted] is working collaboratively with the government to comply with the law.

Kind Regards,

[redacted]

[redacted] • Office of the Hon Anika Wells MP • Minister for Communications and Minister for Sport

[redacted]@mo.communications.gov.au

M [redacted]

Parliament House, Canberra ACT 2600, Australia

Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts
CONNECTING AUSTRALIANS • ENRICHING COMMUNITIES • EMPOWERING REGIONS

infrastructure.gov.au

I would like to acknowledge the traditional custodians of this land on which we meet, work and live.

I recognise and respect their continuing connection to the land, waters and communities

[redacted]

OFFICIAL

Attachments:

image001.png 1.7k

[redacted]