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COMMITTEE ON THE JUDICIARY,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

INTERVIEW OF: [REDACTED]

Friday, March 1, 2024

Washington, D.C.

The interview in the above matter was held in room 164, Cannon House Office Building, commencing at 9:58 a.m.

Present: Representatives Jordan and Gaetz.

1 not very well worded.

2 What I was trying to get at is, if an external stakeholder, whether it's somebody
3 from a government agency or somebody from a private institution or just an individual
4 user, requests for a piece of content to be removed, the fact that that person has made
5 the request, that's not factored in to Meta's analysis? Meta doesn't say, "Well, this
6 person wants it down, so we have to take it down." Meta makes the decision.

7 A Oh, no, no, we don't take things down just because of the person who's
8 requested it.

9 But, of course, particularly if we get requests or demands or suggestions from
10 public officials, well, we have to respond. We're being asked.

11 But our response is almost always grounded in the following things: Firstly, what
12 does the law say? And, particularly in non-U.S. jurisdictions, the law, of course, is quite,
13 quite different on content moderation. So there are instances where we will respond
14 because basically the law of the land says we should, even though we're not feeling
15 wholly comfortable about it if it was left to our own adjudication. And then, crucially,
16 whether or not the content violates our community standards; and, as I explained earlier,
17 whether -- particularly whether it meets a, sort of, "harm" test, when it comes to
18 removal.

19 And all of those standards are ones that we -- we draw on extensive expertise to
20 try and develop those standards, those definitions. Yeah.

21 And then we'll respond. And we'll respond, you know, without fear or favor.
22 We'll respond, you know, following an analysis of whether we think that particular
23 demand or suggestion merits the action that's being urged upon us.

24 Q Thank you.

25 And that -- well, I'll move on. I forgot what I was just going to follow up on,

1 can't start taking actions against people because they do totally random things in
2 completely other parts of the internet.

3 So we kept going back and explaining, no, we're not going to go as far or as fast as
4 you wish. And that was one reason.

5 But, in answer to your question, we would take those decisions once we'd done an
6 analysis, in this instance, of the presence of those 12 entities on our services.

7 Q And you felt free -- you, individually, and the company in general -- felt free
8 to push back when you felt pushback was appropriate?

9 A Of course. Of course. And we -- we have to do that -- we have to do that
10 all the time. And when we disagree, we're not frightened of saying so.

11 But, of course, we try and also be responsive. We're not an elected entity. If
12 an elected government of any -- any elected government around the world expresses
13 strong sentiment about things, of course we're duty-bound to look into it and be
14 responsive.

15 So we try and be responsive, but, equally, we try and be -- we try to be steadfast
16 and consistent, as well, in what we then say in return.

17 Q And by "responsive," I just want to clarify, what you mean is, you want to get
18 back, you want to --

19 A Correct.

20 Q -- provide a response even if that response is not what --

21 A Oh, yeah.

22 Q -- the requester wants to hear?

1 [12:09 p.m.]

2 [REDACTED]: Yes. If a government of the day says to us as a private company,
3 here, we've got -- you're making a number of assertions, it would be quite peculiar for us
4 to sit on our hands and say we're not even going to reply. Of course we respond, and
5 we try and respond as fully as we can.

6 BY [REDACTED]:

7 Q Did any U.S. Government official ever order Meta to remove the content?

8 A No. But not -- they're not in a position to do so either. They certainly
9 urged us to take down content and pointed out content which they felt should have been
10 removed.

11 Q But that urging did not affect the ultimate determination of whether or not
12 to remove?

13 A All of our determinations were always, in the end, taken by what we felt was
14 consistent with our community standards, the law of the land, and the principles that
15 we -- upon which we operate our -- our content policies.

16 Q You were asked during the earlier hour if you felt that your conversations
17 with Mr. Slavitt in particular were coercive, and I believe your answer was that you had a
18 pretty thick skin.

19 Was that your way of saying, no, you didn't feel that they were coercive?

20 A They were tough conversations. They were intense conversations. It was
21 obvious that we had a very different viewpoint on some key issues, and I was certainly left
22 in absolute no doubt about the strength of feeling from Mr. Slavitt on multiple occasions.
23 I suspect, if you asked him, he'd say that he was left in no doubt that I didn't agree with
24 some of those assertions on multiple occasions.

25 So, yeah, it was an on- -- it was an ongoing disagreement expressed in various

1 different ways in very different formats about roughly the same thing: What is the
2 data? What is misinformation? When should you remove? And just on those three
3 issues, we -- yeah, we were misaligned.

4 Q And to be clear, it was three issues; it wasn't just what you should remove?

5 A Well, that's kind of at the heart of it. Because if you have data which leads
6 you to believe that, by acting just against 12 people, suddenly the -- you know, problem is
7 solved, then, of course, you take a different viewpoint than we did. It's way more
8 complex than just 12 individuals. And if you believe that misinformation is a much wider
9 category of harm than our definition, then, of course, you believe that removal should
10 take place on a wider, wider scale.

11 Q And your relationship with Mr. Slavitt was such that you felt comfortable
12 enough that shortly after he left government service in, I believe it was the spring, that
13 shoulder season of spring/summer of 2021 --

14 A Yeah.

15 Q -- you appeared on his podcast?

16 A Yes, I did.

17 Q And, in fact, you -- you and he discussed your disagreement about the --

18 A Yes.

19 Q -- Leonardo DiCaprio meme that we saw earlier?

20 A Yes. Yes, we did.

21 Q And you joked about it; you laughed about it with him?

22 A I don't know whether I laughed, but we were certainly open about it, yeah.

23 Q Okay. I can represent to you --

24 A Okay. All right.

25 Q -- that you laughed about the disagreement. I believe because you said, I

1 still think we were right?

2 A Right.

3 Q And -- and he disagreed?

4 A Right.

5 Q Did the White House ever threaten Meta with adverse action -- any kind of
6 adverse consequences if Meta declined to adopt any of its recommendations or do
7 anything that it --

8 A Sorry. Can you repeat the question?

9 Q Did anyone at the White House ever issue a threat to Meta? Like, if you
10 don't take this piece of content down or if you don't change your policies, we're going to
11 issue some sort of adverse consequence to you, we're going to sue you, we're going to --

12 A No. I don't remem- -- don't recall saying you'll be sued, but I do recall quite
13 sort of vague -- it was sort of vague talk, which I think you can find the correspondence
14 about. You know, we're going to look at all -- you know, we're looking at all the options
15 available to us. It was a sort of generic -- it was such a -- I think it was such a strongly
16 held concern that there was sort of generic expressions of, you know, we really are kind
17 of looking at all the options available to us.

18 And so, no, it wasn't a sort of specific, here's a threat, we're going to do this to
19 you, we're trying to sue you and so on. But there was a sort of general assertion of -- of
20 kind of, you know, they really want to kind of look at all the options available. I think -- I
21 need to recall, but I'm pretty sure there was language from Mr. Flaherty to my team,
22 which was -- which was both very forceful, not elegantly expressed, and -- and kind
23 of -- almost, you know, implying that they were kind of -- look at whatever levers they
24 have available to them to really push us to do what they wanted us to do on this COVID
25 stuff.

