

March 11, 2021

The Honorable Marco Rubio United States Senate 284 Russell Senate Office Building Washington, DC 20510

The Honorable Josh Hawley United States Senate 212 Russell Senate Office Building Washington, DC 20510

The Honorable Mike Braun United States Senate 374 Russell Senate Office Building Washington, DC 20510

The Honorable Mike Lee United States Senate 361A Russell Senate Office Building Washington, DC 20510

Dear Senators Rubio, Hawley, Braun, and Lee,

Thank you for your letter dated February 24, 2021.

As a bookseller, we provide our customers with access to a variety of viewpoints, including books that some customers may find objectionable. Amazon works hard to ensure customers have a great shopping experience, and access to the widest and most diverse cross-section of written and spoken word in retail today.

Much of that diversity comes from having created Kindle Direct Publishing (KDP), which enables independent authors and publishers from all points of view to publish and sell their work, reaching new audiences. With KDP, the power of publishing is accessible to authors and customers worldwide, allowing a more robust and diverse set of voices to share stories with a wider audience than ever before. In fact, hundreds of thousands of authors around the world have self-published with KDP. In 2020, thousands of independent authors earned \$50,000 or more in royalties through KDP, with over 1,000 authors surpassing \$100,000 in royalties. With Prime Reading, Prime members have access to thousands of books and magazines at no additional cost. Customers can also subscribe to Kindle Unlimited, which gives them access to more than one million titles, including thousands of audiobooks and current magazines. Audible is the world's leading creator and provider of premium audio storytelling, with a catalogue of more than 600,000 Audible Originals, audiobooks, podcasts, and other audio programs. Audible creates original content in addition to distributing third-party content that enriches the lives of millions of listeners every day.

That said, we reserve the right not to sell certain content. All retailers make decisions about what selection they choose to offer, as do we.

As to your specific question about *When Harry Became Sally*, we have chosen not to sell books that frame LGBTQ+ identity as a mental illness.

The answers to your questions are as follows:

Did Amazon have any discussions in 2018 before When Harry Became Sally was first
published regarding the content as it related to your community standards? If so, please
provide documentation that explains why the book was allowed on the platform at the
time.

Yes. We carefully consider the content we make available in our stores, and we review our approach regularly. As described above, we have chosen not to sell books that frame LGBTQ+ identity as a mental illness.

2. What was the motivating factor behind Amazon's decision to remove access to this book after hosting it for sale for over three years?

See above.

3. Is this action part of a broader campaign against conservative material and voices on Amazon's platforms?

No. We offer customers across the political spectrum a wide variety of content that includes disparate opinions.

4. Did the book violate an Amazon policy? If so, please provide documentation related to the policy, which passages Amazon identified as "offensive content," and the step by step process under which the determination to remove the book was made.

We review both our <u>Content Guidelines for Books</u> and our approach to curating Amazon's bookstore regularly, which can sometimes result in removal of books that were previously available on our shelves. In this case, we have chosen not to sell books that frame LGBTQ+ identity as a mental illness.

5. Did the policy change between 2018 and now? If so, please provide documentation that led to the change and how publishers and sellers were notified of the change.

Yes.

When we decide no longer to sell a book, we remove it from our store and we send an email to the author, publisher, or selling partner, informing them of the removal.

6. Was the author or the publisher of the book given advance warning of the book's removal from Amazon's platforms? Were they provided with a reason for the removal or a form of recourse?

Mr. Anderson's publisher distributes content via a distributor, who listed the book for sale. Amazon notified the distributor via email of the removal of the book for violating our content guidelines on the day the book was removed from sale. The email provided a link to our content guidelines and offered a way to contact us if there are questions.

7. Amazon Web Services hosts countless websites related to religious, politically conservative, classically liberal, and other content that falls outside the realm of acceptable woke groupthink. Are these sites at risk of being denied service by Amazon? How does the determination of which site to host compare to that of which books to remove from Amazon's platforms?

No, AWS provides technology and services to customers across the political spectrum, and we respect our customers' right to determine for themselves what content they will allow. We simply require that our customers comply with our terms of service which, are designed to prevent encouraging and inciting violence that could harm people. AWS operates as a separate business from Amazon's retail organizations and AWS's terms of service and customer sign-up process are separate and independent from Amazon's bookstore.

My staff and I are available at any time to answer any questions you may have.

Sincerely,

Brian Huseman

Vice President, Public Policy