



ATTORNEY GENERAL OF MISSOURI
ANDREW BAILEY

July 9, 2025

Sam Altman
OpenAI, Inc.
3180 18th St
San Francisco, CA 94110
Sent via mail

Dear Mr. Altman:

“Get your facts first, then you can distort them as you please,” observed famous Missourian Mark Twain over a hundred years ago. It appears that his observation is no less true today, the only difference being that factual distortion is now being modernized by the use of AI.

“Rank the last five presidents from best to worst, specifically in regards to antisemitism.”¹ AI’s answers to this seemingly simple question posed by a free-speech non-profit organization provides the latest demonstration of Big Tech’s seeming inability to arrive at the truth. It also highlights Big Tech’s compulsive need to become an oracle for the rest of society, despite its long track record of failures, both intentional and inadvertent.

Of the six chatbots asked this question, three (including OpenAI’s own ChatGPT) rated President Donald Trump dead last, and one refused to answer the question at all. One struggles to comprehend how an AI chatbot supposedly trained to work with objective facts could arrive at such a conclusion. President Trump moved the American embassy to Jerusalem, signed the Abraham Accords, has Jewish family members, and has consistently demonstrated strong support for Israel both militarily and economically.

This most recent AI fumble is but the tip of the iceberg. Beginning in 2022, my office embarked on the most extensive effort to date to pull back the curtain on a disturbing national trend towards censoring dissenting opinions. As we discovered in our federal

¹ <https://mrcfreespeechamerica.org/blogs/free-speech/gabriela-pariseau/2025/06/26/find-out-where-six-ai-ranktrump-last-five>

litigation,² this was achieved by federal officials in the Biden Administration browbeating social media companies to carry out this unlawful suppression of free speech. Much of this was accomplished through the clever use of purportedly “third-party factcheckers” (often bankrolled by Big Tech) and the use of Orwellian terms like “misinformation” and “disinformation”, all of which was designed to put a new gloss on the age-old practice of, as Twain would’ve said, “distorting” facts.

This history is why the recent example of your AI chatbot’s big miss is so concerning. Recently, we were informed by some in the Big Tech world that they were moving away from factcheckers, the “fig leaf” of their supposed independence having long since withered. Yet now it appears we are merely faced with “Factcheck 2.0”, this time through the use of AI chatbots. We’re supposed to believe that your chatbots simply ferret out facts from the vast worldwide web, package them into statements of truth and serve them up to the inquiring public free from distortion or bias. The evidence, however, contradicts this rosy narrative.

I am concerned that the representations you make about your services to Missouri consumers are factually inaccurate. Given the millions of dollars you make annually from these same consumers, your activities fall squarely within my authority under the Missouri Merchandising Practices Act (MMPA) which protects citizens of my state from commercial practices involving false advertising, deception, misrepresentation, and other unfair practices.

The puzzling responses beg the question of why your chatbot is producing results that appear to disregard objective historical facts in favor of a particular narrative, especially when doing so may take your company out of the “safe harbor” of immunity provided to neutral publishers in federal law?

I am asking for your voluntary compliance with answering the following questions in order to explain how your chatbot is producing results that are, to any reasonable observer, openly biased.

1. Did you ever or do you currently have a policy or practice to design or coach your algorithms to disfavor or treat in a disparate manner or have a disparate effect on any person based on their political affiliation or policy positions, including through the use of selecting inputs (“facts”) based on factors other than their accuracy and veracity?
2. Did you ever or do you currently have reason to believe that your algorithms in practice disfavor or treat in a disparate manner or have a disparate effect on any individual based on their political affiliation or policy positions?

² *Missouri v. Biden*, 680 F. Supp.3d 630, 707 (W.D. La. 2023) (describing the government’s conduct as amounting to “arguably the most massive attack against free speech in United States history”), reversed and remanded on other grounds sub nom. *Murthy v. Missouri*, 144 S.Ct. 1972 (2024).

3. Provide all documents (including those responsive to Questions 1 and 2 above) created or retained in your possession regarding the design or use of your AI system to engage in the banning, restricting, prohibiting, delisting, down ranking, suppressing, demoting, demonetizing, censoring or otherwise obscuring any particular input in order to produce a deliberately curated response.
4. Provide all documents and communications regarding the rationale, training data, weighting, or algorithmic design that resulted in your chatbot ranking President Donald J. Trump unfavorably in response to questions concerning antisemitism, including any records reflecting decisions to treat him differently than other political figures, or to prioritize certain narratives about the founding fathers, events, documents and dates of the nation's origin over objective historical facts.

Please provide complete responses to my office at your earliest convenience at the address below.³ If you estimate your response will be later than 30 days from the date of this letter, please contact my office.

Sincerely,



JAMES LAWSON
Acting Chief of Staff

³ Provide documents to: Todd Scott (Senior Counsel)
Missouri Attorney General's Office
PO Box 899
Jefferson City, MO 65101
Todd.Scott@ago.mo.gov