Republicans sue Google over ‘discriminatory’ spam filtering practices

The Republican National Committee (RNC) is suing Google for allegedly sending “millions” of campaign emails to users’ spam folders (via *Axios*). According to the lawsuit filed in California’s Eastern District Court on Friday, the RNC accuses Google of “throttling its email messages because of the RNC’s political affiliation and views.”

For months, the RNC has been complaining about Google’s alleged spam filtering bias, claiming it disproportionately puts Republican-backed political emails in spam folders when compared to messages sent by Democrats. The RNC’s frustration was only exacerbated by a North Carolina State University study that suggested Google was sending RNC emails to spam folders more frequently, leading a group of Republicans to introduce a bill that would prevent email providers like Google from filtering political emails using algorithms.

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As noted by the lawsuit, the RNC claims Google has continued to send RNC emails “en masse” to users’ spam folders during “pivotal points” for gaining supporters and fundraising for the upcoming midterm elections. It goes on to state that Google’s alleged filtering occurs “at approximately the same time at the end of each month,” and that the end of October is one of the most crucial fundraising periods for Republicans, who have been struggling to meet their fundraising goals in the months leading up to the midterm elections.

“This discrimination has been ongoing for about ten months — despite the RNC’s best efforts to work with Google,” the lawsuit states. “Throughout 2022, the RNC has engaged with Google month after month to obtain an explanation and a solution. But every explanation has been refuted and every solution has failed.”

And while the lawsuit doesn’t explicitly mention the pilot program put in place by Google, it does say the company provided the organization’s digital department with a training session on email best practices on August 11th — the same day the Federal Election Commission approved Google’s spam-proofing pilot. “Despite the RNC following Google’s best practices,” the lawsuit states, “the filtering reoccurred.”

“As we have repeatedly said, we simply don’t filter emails based on political affiliation. Gmail’s spam filters reflect users’ actions,” Google spokesperson José Castañeda said in a statement to *The Verge*. “We provide training and guidelines to campaigns, we recently launched an FEC-approved pilot for political senders, and we continue to work to maximize email deliverability while minimizing unwanted spam.”

The RNC claims Google hampered its ability to communicate with voters and cost the organization over $75,000 in lost donations, with alleged long-term losses totaling “in the millions of dollars.”

Update October 22nd, 10:50AM ET: *Updated to add a statement from a Google spokesperson.*

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