

May 19, 2025

**Response to the Federal Trade Commission’s Request for Public Comment Regarding Technology Platform Censorship (Docket FTC-2025-0023)**

The News/Media Alliance (N/MA) welcomes the opportunity to provide these comments to the Federal Trade Commission (FTC) in response to the Request for Comments Regarding Technology Platform Censorship (Feb. 20, 2025), docket number FTC-2025-0023.

N/MA is a nonprofit organization representing over 2,200 publishers in the United States, ranging from the largest news and magazine publishers to hyperlocal newspapers, and from digital-only outlets to papers who have printed news since the nation’s founding. Covering all subject matter and political viewpoints, the Alliance’s membership accounts for nearly 90 percent of the daily newspaper circulation in the United States, over 500 individual magazine brands, and dozens of digital-only properties.

We commend the FTC for focusing on the important question of Big Tech companies use of “opaque or unpredictable internal procedures to restrict users’ access to services, often without any advance notice, leaving affected users with little ability to mitigate the related harm.” As the notice states, these practices can “flout users’ reasonable expectations based on the technology platforms’ public representations” and “may have resulted from a lack of competition or may have been the product of anti-competitive conduct.” While the notice seemingly focuses on individual users’ experiences and viewpoint censorship, American website operators – including publishers of all sizes – are users of these services and big tech companies use similar practices against them by de-ranking their websites and products in an effort to entrench the Big Tech companies’ own market position in the digital ecosystem.

In particular, recently, N/MA has witnessed significant harms from Google’s changes to its site reputation abuse policy that seriously undermine publishers’ ability to monetize their content on their own websites that compete with Google.

1. Google’s next attack on publishers’ revenue streams

In May 2024, Google adjusted its ranking algorithm to de-rank, and in some instances delist entirely, portions of publishers’ websites providing coupons and other promotional material, and sports betting, lottery, and gaming content.<sup>1</sup> These sites provide valuable and trusted resources to millions of American

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<sup>1</sup> See, e.g., Barry Schwartz, *Google Begins Enforcement of Site Reputation Abuse Policy with Portions of Sites Being Delisted*, SEARCH ENGINE LAND (May 6, 2024), <https://searchengineland.com/google-begins-enforcement-of-site-reputation-abuse-policy-with-portions-of-sites-being-delisted-440294>; Charlotte McBirney, *News/Media Alliance Calls on Google to Revise Harmful Spam Policy and Engage with Publishers Unfairly Impacted by Policy Implementation*, NEWS/MEDIA ALLIANCE BLOG (May 31, 2024), <https://www.newsmediaalliance.org/news-media-alliance-calls-on-google-to-revise-harmful-spam-policy-and-engage-with-publishers-unfairly-impacted-by-policy-implementation/>.



consumers, including by allowing them to ease their financial burden and lower their cost of living, while also providing local businesses an efficient way to attract new and retain existing customers. With publishers having published coupons and other promotional material for longer than Google has existed, such content is part of the bargain, expected exchange, and relied upon value provided between readers, publishers, and local businesses.

Purportedly (and pretextually) adopted in an effort to reduce “spam” from its search results pages, Google has implemented its policy changes by fiat, effectively eliminating access to third-party pages carrying promotional material outside Google’s own ecosystem. Notably, Google claims that the updated policy is aimed at third-party content “which is hosted without close oversight and which is intended to manipulate Search rankings”<sup>2</sup>. On the face of it, the policy accepts that “[f]or example, many publications host advertising content that is intended for their regular readers, rather than to primarily manipulate Search rankings.”<sup>3</sup> Google also claims that the policy makes exceptions for “using affiliate links throughout a page or embedding third-party ad units throughout a page.”<sup>4</sup>

But while it might appear that these policies and exceptions, if applied properly, might protect publishers, readers, and retailers alike, this has not been our members’ experience. To our knowledge, Google did not reach out to any news publisher prior to the announcement or implementation of this policy. Google implemented the policy in a drastic manner that practically eliminated access to publishers’ coupon pages, reduced SEO traffic to practically zero and caused publishers’ revenues to plummet immediately.

Google’s decision to block access to these publisher properties was not an accident; Google has acknowledged that the selection of the affected sections was manual and not algorithmic.<sup>5</sup> These actions hurt publishers, consumers, and retailers alike.

## 2. Google’s own agenda

Meanwhile, at the same time as de-ranking competitors’ properties, Google’s own AI Overviews began showing promo codes in response to some queries.<sup>6</sup> In November 2024, Google has even started

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<sup>2</sup> <https://developers.google.com/search/blog/2024/03/core-update-spam-policies#site-reputation> (last accessed 10 April 2025).

<sup>3</sup> <https://developers.google.com/search/blog/2024/03/core-update-spam-policies#site-reputation> (last accessed 10 April 2025).

<sup>4</sup> Spam Policies for Google Web Search, Google Search Central, <https://developers.google.com/search/docs/essentials/spam-policies> (last accessed 10 April 2025).

<sup>5</sup> See, e.g., Matt G. Southern, *Google Confirms: No Algorithmic Actions for Site Reputation Abuse Yet*, SEARCH ENGINE JOURNAL (May 23, 2024), <https://www.searchenginejournal.com/google-confirms-no-algorithmic-actions-for-site-reputation-abuse-yet/517337/>.

<sup>6</sup> See, e.g., Kristi Hines (@kristileilani), X (May 7, 2024, 1:42 PM), <https://twitter.com/kristileilani/status/1787900932107419968>.



explicitly promoting its new coupons offering to advertisers.<sup>7</sup>

### 3. Google's unlawful behavior gets worse

Following further changes to the policy in November 2024,<sup>8</sup> Google's unilateral policy update now impacts properties that incorporate third-party or affiliate content, even when such content is overseen and controlled, written, or edited by dedicated staff – sometimes hired specifically to comply with Google's original policy and its exemption for sites with editorial oversight or involvement. In one case, a publisher hired more than 30 reporters to ensure the content they publish complied with Google's Site Reputation Abuse policy. Despite their best attempts to abide by Google's policies (in accordance with Google's own stated parameters), they still received manual actions for three of their sites, one of which had a reference to a partnership that was subsequently removed. Once de-ranked, even in error, it can take Google weeks or months, through a process that is neither transparent nor clearly communicated, to remove manual actions applied against a site and return the website to its proper position in search results.

In the blog post announcing the most recent change, Google noted that “[w]hen evaluating for policy violations, we take into account many different considerations (and we don't simply take a site's claims about how the content was produced at face value) to determine if third-party content is being used in an abusive way.”<sup>9</sup> But in doing so, Google abuses its dominant market position to make itself an arbiter of acceptable content and to degrade, demonetize, and de-rank sites and content by competitors based on opaque criteria. These actions, taken without advance notice, arbitrarily, and against publishers' reasonable expectations, hurt consumers and free-market competition. In effect, Google's drafting and implementation of the policy reflect a scattershot and self-serving approach to moderation that is emblematic of the imperial approach Google takes in wielding monopoly power.

If the past is any indication, without external incentives, Google is unlikely to stop the threat it poses to publishers and other website operators, large and small. Accordingly, we encourage the FTC and the Trump Administration to consider options and, if necessary, use its powers under Section 5 of the FTC Act to stop Google's attempts to unilaterally de-rank and delist third-party properties for Google's own advantage that benefit local businesses, consumers, and community newspapers and to take necessary action to end Google's abusive conduct.

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<sup>7</sup> <https://www.seroundtable.com/google-chrome-merchant-center-promotions-38416.html>

<sup>8</sup> Google, *Updating Our Site Reputation Abuse Policy*, GOOGLE SEARCH CENTRAL BLOG (Nov. 19, 2024), <https://developers.google.com/search/blog/2024/11/site-reputation-abuse>.

<sup>9</sup> *Id.*