OPENAI GOVERNMENT
USER DATA REQUEST POLICY

Effective 1 January 2026

This policy is solely intended for use by law enforcement or official representatives of government agencies ("You" or "Your") requesting information about users of services offered by OpenAI entities (collectively "OpenAI"). This policy is not intended for requests for information or service of legal process by OpenAI users or other civil or criminal litigants. In response to a government request, OpenAI will only disclose data about the users of our service: (a) pursuant to valid legal process that is consistent with international human rights laws, principles, and norms, or (b) if OpenAI has a good faith belief that there is an emergency involving a danger of death or serious physical injury to a person and that the user data is necessary to prevent that harm.

I. SERVICE OF PROCESS

Where You should send Your legal request will depend on which OpenAI company provides the service to the user who is the subject of the request.

Most users receive service from OpenAI through OpenAI OpCo, LLC ("OpenAI US"), a U.S. company operating under US law. Users residing in the European Economic Area (EEA) and Switzerland receive their services from OpenAI Ireland Limited ("OpenAI Ireland"), operating under Irish law.

All requests by law enforcement and government agencies, whether to OpenAI US or OpenAI Ireland must be submitted through the request interface: https://app.kodex.us/openai/signin

II. REQUESTS TO OPENAI US

A. Requests from Government Agencies in the U.S.

Before disclosing user data to law enforcement or government agencies in response to a request from authorities in the U.S., OpenAI US requires legally valid process issued pursuant to U.S. federal or local law and rules, subject to the emergency exception discussed in section IV below. Specifically, OpenAI US requires a subpoena, court order, search warrant or equivalent before disclosing requested non-content user information, and only discloses requested user content to a law enforcement request in response to a valid warrant or equivalent. OpenAI US provides only the data specified in the legal process.

In order for OpenAI US to process Your legal request, the request must:
- take the form of valid and enforceable legal process (e.g., a subpoena, court order, or search warrant) that compels OpenAI US to produce the information requested;
- contain the name and contact information of the individual law enforcement agent or government representative who is authorized to serve the request;
- state with particularity the categories of records or information sought;

- contain, if not evident on the face of the legal process, the date by which the requested data is to be produced;
- include sufficient information to unambiguously identify the user account(s) at issue; and
- indicate the specific time period for which information is requested.

B. Requests from Government Agencies Outside the U.S.

In some cases, OpenAI US may disclose user data in response to legal process issued from a jurisdiction outside the US if the legal process would constitute valid and compulsory legal process if issued to a company in the jurisdiction of the requesting country, and where doing so is consistent with US law, international human rights laws, principles, and norms, and the terms of service, policies and principles of OpenAI US. In other cases, non-U.S. requesters must make requests to OpenAI US according to the appropriate legal process set forth in any applicable Mutual Legal Assistance Treaty (MLAT), and executive agreement that satisfies 18 U.S.C. § 2523, according to the letters rogatory process or other government-to-government mechanisms to obtain the data through U.S. legal process.

C. Preservation Requests

OpenAI US will honor valid requests from You to preserve user data consistent with 18 U.S.C. § 2703(f). Pursuant to a valid request, OpenAI US will preserve user data for up to 90 days, and will extend the preservation period for an additional 90-day period upon receipt of a valid extension request. In the absence of such a request, records may not be retained as part of the normal course of business of OpenAI.

III. REQUESTS TO OPENAI IRELAND

A. Requests from Government Agencies in Ireland

Before disclosing user data to law enforcement or government agencies in response to a request from authorities in Ireland, OpenAI Ireland requires a judicially-authorised order issued pursuant to Irish law, subject to the emergency exception discussed in section IV below. OpenAI Ireland only provides the data specified in the legal process.

In order for OpenAI Ireland to process Your legal request, the request must:
- Take the form of valid and enforceable legal process that compels OpenAI Ireland to produce the information requested;
- contain the name and contact information of the individual law enforcement agent or government representative who is authorized to serve the request;
- state with particularity the categories of records or information sought;
- contain, if not evident on the face of the legal process, the date by which the requested data is to be produced;
- include sufficient information to unambiguously identify the user account(s) at issue; and

- indicate the specific time period for which information is requested.

B. Requests from Government Agencies Outside Ireland

Requests to OpenAI Ireland by non-Irish law enforcement or government agencies must be made using appropriate diplomatic or other government-to-government mechanisms to obtain the data through Irish legal process, such as mutual legal assistance frameworks. In some cases, OpenAI Ireland may disclose user data in response to legal process issued from a jurisdiction outside of Ireland if the legal process would constitute valid and compulsory legal process if issued to a company in the jurisdiction of the requesting country, and where doing so is consistent with Irish and EU law, international human rights laws, principles, and norms, and the terms of service, policies and principles of OpenAI IrelandUS.

C. Preservation Requests

OpenAI Ireland will honor valid requests from You to preserve information in accordance with Irish and EU law.

IV.   EMERGENCY SAFETY CONCERNS

In limited circumstances, OpenAI US and OpenAI Ireland may disclose user data to law enforcement agencies or government agencies where it believes that making such a disclosure is necessary to prevent an emergency involving danger of death or serious physical injury to a person. OpenAI US and OpenAI Ireland will evaluate emergency disclosure requests on a case-by-case basis in compliance with applicable law.

In order to process Your emergency disclosure request, the request must:
- contain the name and contact information of the individual law enforcement agent or government representative making the request;
- describe the circumstances of the request and the nature of the emergency;
- explain why there is insufficient time to obtain and serve a valid legal process;
- state with particularity the categories of records or information sought;
- explain how the user data requested is necessary to avert the emergency; and
- indicate the specific time period for which information is requested.

V.   USER NOTICE

When OpenAI US or OpenAI Ireland receive a demand from a government to disclose information about a user, OpenAI provides notice to the user before disclosing the information, unless prohibited by law. OpenAI may withhold notice in exceptional circumstances, such as emergencies where notice could result in danger, or where notice would be counterproductive (e.g., where an account has been compromised). OpenAI provides delayed notice to users after disclosure where no longer prohibited by law from doing so, such as upon expiration of a nondisclosure order. OpenAI may also provide notice when it receives a request for preservation of data when circumstances warrant.

VI.   REQUESTS TO REMOVE OR RESTRICT CONTENT

We require that Government requests or court orders to remove or restrict certain content be submitted in writing from an official government email, clearly explain the legal basis for the demand, and include sufficient information to unambiguously identify the content at issue.

When we receive such requests, our policy is to assess, among other things, whether the content at issue reflects a violation of the applicable Terms of Use and our Usage Policy, the legal basis for the demand, and the potential impact of the demand on the human rights of impacted users. Based on our assessment, we determine whether and to what extent we should remove the content in question. We reserve the right to notify users of any demand we receive, unless we are prohibited by law from doing so.

VII.   REIMBURSEMENT

OpenAI US and OpenAI Ireland reserve the right to seek reimbursement for costs associated with responding to law enforcement data requests and preservations, as permitted by law.