



October 16, 2019

Chairman Frank Pallone
Ranking Member Greg Walden
House Committee on Energy & Commerce
Rayburn House Office Building 2125
Washington, D.C. 20515

Dear Chairman Pallone, Ranking Member Walden, and Members of the Committee:

Internet Association¹ (IA) welcomes the opportunity to submit this letter for the record as part of the Committee's October 16th hearing: *"Fostering a Healthier Internet to Protect Consumers."* IA is the only trade association that exclusively represents leading global internet companies on matters of public policy. Our mission is to foster innovation, promote economic growth, and empower people through the free and open internet. We believe the internet creates unprecedented benefits for society, and as the voice of the world's leading internet companies, Internet Association works to ensure legislators, consumers, and other stakeholders understand these benefits.

The internet is integral to our way of life, but if we don't maintain sound public policy protecting its use, we could lose the services that we most value.

Passed as part of the Communications Decency Act in 1996, CDA 230 created two key legal principles. First, online platforms are not the speaker of user-generated content posted on their websites – all the social media posts, memes, photos, professional information, dating profiles, product reviews, and ratings people post online. And second, that these online platforms – whether they're schools, libraries, neighbors who run list-serves in our communities, volunteers who run soccer leagues, bloggers, citizen journalists, churches, labor unions, or anyone else that may offer a space for online communications – can moderate and delete harmful or illegal content posted on their platform. Most online platforms – and all of IA's members – have robust codes of conduct, and CDA 230 allows the platforms to enforce them.

In practice, CDA 230 enables what many would consider the best of the internet. It allows internet users to post their own content and engage with the content of others, whether that's friends, family, co-workers, companies posting jobs, someone posting an apartment for rent, fellow gamers, or complete strangers from the other side of the globe with a shared experience.

¹ Internet Association represents <https://internetassociation.org/our-members/>.



Returning to the world before 230 was passed would mean platforms who do not make any attempt to moderate content would escape liability, but those who moderate would have the same liability as if they themselves wrote the content. On the one hand, you would have platforms with highly volatile, unregulated, and potentially dangerous content that is posted without review. Internet companies in this camp would be incentivized to have no knowledge of anything on their platform. And on the other hand, you would have platforms that host only highly-curated, editorial-like content with significantly fewer voices. The flourishing middle ground we enjoy today would cease to exist.

We've come to take for granted the millions of good things that happen every day because of the internet. Stopping bad actors online can be accomplished without removing a fundamental pillar on which the modern internet was built. The actions that policy makers want online platforms to take against a wide range of inappropriate content are enabled by Section 230 and platforms acting responsibly should be encouraged.

The nation's leading internet companies agree they should voluntarily undertake content moderation activity to promote online and real world safety and they do – whether using hash values to identify child sexual abuse imagery, using algorithms to detect ISIS and other terrorist content, providing resources to users threatening suicide, or taking thousands of other actions daily to remove harmful content. CDA 230 is the law that allows that to happen. Let's ensure we are approaching this issue with the big picture in mind.

Thank you again for the opportunity to submit this letter for the record and we look forward to being a resource to the Committee going forward.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Beckerman'.

Michael Beckerman
President and CEO