

**Opening Statement of Chairman Robert E. Latta
Subcommittee on Communications and Technology
“Preserving Free Speech and Reigning in Big Tech Censorship”
March 28, 2023
*(As Prepared for Delivery)***

Good morning, and welcome to today’s hearing on Preserving Free Speech and Reining in Big Tech Censorship.

I’d like to begin this hearing with this simple statement: **free speech is the cornerstone of democracy.**

In fact, it’s free speech that separates the United States from the monarchies of yesterday and the authoritarian governments of today.

When we discuss the importance of free speech in the 21st century, it’s impossible to ignore the large-scale, online platforms from which our ideas are shared and heard most frequently: **social media.**

For better or worse, social media has fundamentally changed the way we communicate. It has allowed us to connect with people all over the world and express our thoughts to a wider audience than ever before. Its vast online reach expands from coast to coast, and across “almost” all nations.

But as social media companies have grown over the years, so has the influence of Big Tech.

It’s a scary truth, but the power these companies have to influence public debate has become increasingly emboldened. In fact, Big Tech companies have the ability to influence almost *every part of our lives*. They can determine what a user sees, hears, or learns and can even target what they purchase online.

Now more than ever, we see online platforms engaging in the *wrong* types of content moderation. This includes removing content of opposing viewpoints that aids in important public discourse, and amplifying content that enables drug trafficking, promotes self-harm, and endangers children.

In recent years, online platforms have had the capabilities to remove duly elected officials and block trusted news stories from emerging.

When this type of censorship is used to silence dissenting voices, it can have a damaging effect on democracy and public discourse.

At the dawn of the internet, Section 230 of the Communications Decency Act provided vital protections for internet start-ups to engage in content moderation and removal without fear of being sued for content posted by their users. Section 230 has been the foundation of the modern Internet, allowing the Internet economy to bloom into what it has become today.

However, Section 230 is outdated. The law was enacted in 1996 when print newspapers were delivered to every household and before the creation of social media and explosion of online content. It has been interpreted by the Courts to provide a blanket liability shield to all online platforms. As a result, it lacks the nuance needed to hold

today's digital world accountable, especially as the power of AI-backed algorithms continue to evolve.

Big Tech's role in directing and amplifying the type of content that is served to users is becoming increasingly apparent.

While all tech companies should strive to uphold American values in their content moderation practices, not all tech companies face the same challenges.

For instance, small businesses still need the protection of Section 230 to grow into vibrant members of the eCommerce community and to compete with Big Tech companies, like Google and Facebook. Small online businesses deserve the *same benefit of protection* that Big Tech companies received when they first started out. But as they grow, so does their responsibility to protect our kids and all their users across America.

As this subcommittee continues to consider Section 230 reform legislation, we must strike a delicate balance. For too long, Big Tech platforms have acted like

publishers – instead of platforms for free speech and open dialogue – so they must be treated as such.

I look forward to hearing from our witnesses and working with my colleagues to reform Section 230 so we can hold Big Tech accountable and preserve Americans' freedom of speech.

Thank you, and I yield to the Ranking Member of the Subcommittee, the gentlelady from the Seventh District of California.