

Opening Statement of Chairman Robert E. Latta
Subcommittee on Communications and Technology
“Legislative Proposal to Sunset Section 230 of the Communications
Decency Act”
May 22, 2024
(As Prepared for Delivery)

Good morning, and welcome to today’s legislative hearing to discuss sunseting Section 230 of the Communications Decency Act.

Since 1996, Section 230 protections have allowed the U.S. tech industry to flourish. This legal framework emboldened Americans to pioneer, creating Internet and social media platforms that promote innovation, user content, and social media interaction. Its intent was to provide online platforms immunity from liability for content posted by third-party users. But as the Internet exploded in growth, it also increased challenges that were not contemplated when the law passed in 1996.

Section 230 must be reformed. As we heard in our last hearing on this topic, the current online ecosystem is flawed. Many of these platforms are rife with content such as online sex trafficking, illegal arms sales, child pornography, and other illicit crimes. In response, Big Tech platforms hide behind Section 230's broad immunity. In that process, courts have rewarded their destructive behavior. We need to reform Section 230 to hold platforms accountable for the role they play in facilitating and enabling harmful behavior. But in doing so, Congress must be thoughtful and deliberative. There is no silver bullet to fix this issue.

Some argue that amending or repealing Section 230 violates the First Amendment rights of these platforms to host the content they so choose.

Yet, no other industry has complete protection from all liability for harm it causes. Newspapers, broadcasters – fundamental mediums that exemplify our First Amendment rights - are subject to publisher liability or can be sued for defamation.

Not Big Tech.

Over the past several Congresses, there have been numerous proposals to hold Big Tech accountable for when it acts as a publisher in moderating content on its platforms, but to no avail.

Which is why, today, we are reviewing a discussion draft that will sunset Section 230 of the Communications Act of 1934 effective December 31, 2025.

I hope this legislation will bring people together – including those who support, oppose, or are interested – to carefully discuss Section 230 reforms.

One thing **is certain**, Big Tech’s behavior has brought Republicans and Democrats together on a commitment to find a long-term solution to reform Section 230.

Congress has a monumental task ahead - but we must reform the law in a way that will protect innovation and promote free speech, allow Big Tech to moderate indecent and illegal content on its platforms, and be accountable to the American people.

I look forward to our discussion today and to working with my colleagues on a broader discussion about purposeful reforms to Section 230. It is up to

Congress, not the courts, to reform Section 230, and changes to this law are overdue.

Thank you, and I yield back.

I now recognize the Ranking Member of the Subcommittee, the gentlelady from the Seventh District of California.