

Opening Remarks
Chair Cathy McMorris Rodgers
Subcommittee on Communications and Technology Hearing:
“Legislative Proposal to Sunset Section 230 of the
Communications Decency Act”
May 22, 2024

INTRO

Good morning, and thank you, Chairman Latta.

Ranking Member Pallone and I recently unveiled bipartisan draft legislation to sunset Section 230 of the Communications Decency Act.

As written, Section 230 was originally intended to protect Internet Service Providers from being held liable for content posted by a third-party user or for removing truly horrific or illegal content.

The intent was to make the Internet a safe space and allow companies to remove harmful content in good faith without being held liable for doing so.

However, the Internet has changed dramatically since then.

Over 5 billion people around the world use social media, with the average person spending more than 2 hours a day on social media.

The Internet has become vital for people to connect, work, find information, and make a living.

Big Tech is exploiting this to profit off us and use the information we share to develop addictive algorithms that push content on to our feeds.

At the same time, they refuse to strengthen their platforms' protections against predators, drug dealers, sex traffickers, extortioners, and cyberbullies.

Our children are the ones paying the greatest price.

They are developing addictive and dangerous habits, often at the expense of their mental health.

Big Tech has failed to uphold American values and be good stewards of the content they host.

It has been nearly three decades since Section 230 was enacted.

The reality is that many of these companies didn't even exist when the law was written, and we could not comprehend the full effect of the internet's capabilities.

It is past time for Congress to reevaluate Section 230.

IMMUNITY

In recent years, U.S. courts have expanded the meaning of what Congress originally intended for this law, interpreting Section 230 in a way that gives Big Tech companies nearly unlimited immunity from legal consequences.

These blanket protections have resulted in tech firms operating without transparency or accountability for how they manage their platforms and harm users.

This means that a social-media company, for example, can't easily be held responsible if it promotes, amplifies, or makes money from posts selling drugs, illegal weapons, or other illicit content.

As more and more companies integrate generative artificial intelligence technologies into their platforms...

...these harms will only get worse...

... and AI will redefine what it means to be a publisher, potentially creating new legal challenges for companies.

As long as the status quo prevails, Big Tech has no incentive to change the way they operate, and they will continue putting profits ahead of the mental health of our society and youth.

SOLUTION

Reforming Section 230 and holding Big Tech accountable has long been a priority of mine and Ranking Member Pallone.

Last Congress, we both introduced our own legislation to reform the decades old law.

Unfortunately, tech companies did not engage with us in a meaningful way and no solutions or reforms were made.

Big tech is satisfied with the status quo.

So much so that they have become masters at deception, distraction, and hiding behind others in order to keep Section 230 unchanged.

That's why we're taking bipartisan action now.

Our discussion draft will bring Congress and stakeholders to the table to work in good faith to create a solution that ensures accountability, protects innovation and free speech, and requires companies to be good stewards of their platforms.

CONCLUSION

Let me be clear.

Our goal is not for Section 230 to disappear.

But the reality is that nearly 25 bills to amend Section 230 have been introduced over the last two Congresses.

Many of these were good faith attempts to reform the law and Big Tech lobbied to kill them every time.

These companies have left us with no other option.

By enacting this legislation, we will force Congress to act.

It is long past time to hold these companies accountable.

The shield of Section 230 should be there to protect the American people, not Big Tech.

I am hopeful that this legislation is the start of an opportunity to work in a bipartisan way to achieve that goal.

It's vital that we develop solutions to restore people's free speech, identity, and safety online, while also continuing to encourage innovation.

I look forward to hearing from the witnesses today and I yield back.