

## **Opening Statement of Ranking Member Jay Obernolte**

As Prepared for the Record

Investigations & Oversight Hearing – "The Disinformation Blackbox: Researching Social Media Data."

September 28, 2021

Good morning. Thank you, Chairman Foster, for convening this hearing. And thanks to our witnesses for appearing before us today.

Misinformation is not a new phenomenon. Disinformation campaigns have been used throughout history to spread state propaganda and influence geopolitics. It is no secret that misinformation has the ability to change hearts and minds and influence perceptions. What is new is the impact that modern advances in information and communications technologies have had on the ability of misinformation to spread. It is easier now than ever before to reach global audiences, communicate instantaneously with friends and family around the world, and follow every move of politicians, athletes, and Hollywood stars alike.

The same technologies that facilitate and democratize global access to information also enable the dissemination of information at a scale and speed like we have never experienced before in human history. This has made it more difficult to determine the accuracy, provenance, and objective truth of the information we consume. There is more information presented to individual consumers than ever before, and from myriad different sources.

The tremendous growth in the popularity of social media platforms over the past decade has resulted in the consumption of information that is more personalized than ever before. The information we read and view online is now perfectly tailored to each of our own individual preferences, biases, and beliefs. We each receive an individualized, curated feed of information every time we visit our social media platform of choice. And it would not be a stretch to say that, at times, we are each drinking from our own individual information firehoses.

In this golden age of information, there are many outstanding questions about how we can assess and ultimately combat the spread of falsehoods, untruths, "fake news," and misinformation. I'm pleased that each of the witnesses testifying before us today has undertaken research to learn more about how misinformation spreads, and what we can do to combat it. This is an admirable goal, and we in Congress must take steps to facilitate further

research on this important topic. But these efforts cannot be undertaken without ensuring appropriate constraints, limitations, and safeguards are in place.

The need for data transparency and access is inherently in tension with the protection of user privacy. We must endeavor to strike a healthy balance between data transparency on the one hand, and the protection and preservation of individual privacy on the other.

We must also respect and protect the intellectual property rights of the platforms whose data researchers seek to access and analyze. Social media and technology platforms have invested significantly in the development of their processes, technologies, and algorithms, which in many ways is what distinguishes the user experience of one platform from that of the others. Each platform is in a race to do it better, faster, and for less than their competitors. And they rightfully take great pains to police and protect their trade secrets from public disclosure. An appropriate balance must be reached between the intellectual property rights of platforms and the desire to access and analyze their technologies, processes, data, and algorithms for the public benefit. I'm not suggesting that it's an easy balance to strike, but merely asserting that we must keep this in mind as we work forward.

There is no doubt that misinformation can have harmful and even deadly real-world consequences. State-sponsored actors from Russia and China have recently engaged, and continue to engage, in coordinated disinformation campaigns. From Russia's efforts to foment discord and chaos around American elections, to China's efforts to lay blame for COVID-19 at the feet of the American government, state-sponsored disinformation campaigns have real consequences.

While social media platforms have rightfully taken steps to thwart the spread of misinformation, they must also protect against overcorrection that results in censorship. Competing hypotheses about the origins of COVID-19 are a compelling example. For almost a year, the suggestion that COVID-19 could have originated from anything other than natural zoonosis was summarily dismissed as conspiracy theory by traditional and social media alike. However, data now suggests that other hypotheses are in fact more plausible, and only recently did mainstream and social media platforms cease to censor these theories. The censorship of competing explanations has unquestionably impeded important efforts to investigate the virus' origins.

Similarly, we must also leave room in our social and political discourse for parody, satire, and commentary. An appropriate balance is necessary to ensure that such commentary is not discouraged or inappropriately discarded as conspiracy theory or misinformation. Just as misinformation can have real-world consequences, so too can overcorrection that leads to censorship of public debate about different ideas.

Combatting misinformation is not an easy endeavor. And the many researchers looking at how misinformation spreads online and how to successfully thwart it should be praised for their efforts. But if we ever expect to truly solve this problem, then we must recognize that the social

media platforms must have a seat at the table. We cannot expect them to go it alone, and we should likewise not expect to stop the spread of harmful misinformation without them.

We must also endeavor to determine how to balance our societal goal of minimizing the spread of misinformation with the competing goal of the avoidance of censorship. This balance is critical because, as history has so often shown, to empower our media with the unchecked ability to censure would lead our country down a very dark path.

I look forward to learning more from our witnesses about how we can work to combat the spread of misinformation on social media, while simultaneously protecting users' privacy, platforms' intellectual property, preventing overcorrection, and preserving public discourse.

Thank you, Chairman Foster, for convening this hearing. And thanks again to our witnesses for appearing before us today. I look forward to our discussion.

I yield back the balance of my time.