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Washington, D.C. 20005

November 30, 2021

The Honorable Frank Pallone
Chairman
House Energy & Commerce Committee
U.S. House of Representatives
Washington, D.C.

Dear Mr. Chairman:

On behalf of the Coalition for a Safer Web (www.coalitionsw.org) (CSW) I am pleased to convey our support for the **Justice Against Malicious Algorithms Act of 2021** (the “Act”) in addition to other pending Committee legislative initiatives to curtail the unbridled immunity accorded social media companies under Section 230 of the Communications Decency Act of 1996.

CSW’s national and international researchers have carefully examined the Act. We have determined that the Act’s laser-like goal to lift Section 230 immunity when online platforms knowingly or recklessly deploy algorithms to recommend content that materially contributes to physical or severe emotional injury represents an eminently reasonable and workable legislative initiative. Moreover, with respect to its legislative trajectory time is of the essence. The longer it takes Congress to act against runaway algorithms the greater threat to homeland security – a fact repeatedly asserted by the leadership of the FBI and the Department of Homeland Security.

Tomorrow, the Committee’s Subcommittee on Communications and Technology will hold a critical hearing entitled “Holding Big Tech Accountable: “Targeted Reforms to Tech’s Legal Immunity.” This hearing, I am certain, will add to Congress’ and the public’s understanding of the algorithm amplification challenge and promote more bipartisan support for the Committee’s pending algorithm management legislation.

As I stated in CSW’s earlier statement of support on behalf of the Act, social media algorithms which amplify hate and extremism are the untamed beasts of social media companies. CSW has repeatedly documented their abusive technological fortitude to circumvent content moderation initiatives, which sadly remain arbitrary and opaque. The Act represents an absolutely essential tool to rein in tech’s wild west content rampages.

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Worse, runaway algorithms are directing more Americans to perverse darker web conspiracy theories, criminal traps, and extremist incitement which are contributing to a grave rise in domestic extremism and harm to America's youth.

It is a terrible testament to the active and well-funded resistance of social media companies that neither Congress nor media watchdog groups, including CSW, are able without new laws to compel greater accountability and transparency how extremist-inciting algorithms contribute to domestic terrorism and contribute to the physical and mental harm of young Americans.

Additionally, it is well documented that social media's algorithms and recommendation tools are directly responsible for the proliferation of misinformation which undermine the tenets of our democratic institutions and entices Americans to support criminal enterprises. Worse, they prioritize user engagement and advertising revenue over fulfilling their own respective customer agreements.

Just yesterday, CSW issued a press release decrying the failure of social media companies to prevent the alt-right, neo-Nazi National Justice Party from wantonly spreading anti-Semitic invective across the web, amplified by advertising promoted algorithms.

Finally, CSW urges the Committee to support the formation of a new Social Media Standards Board (SMSB) – a plan developed by CSW. The SMSB represents a new private/public sector effort to create an independent foundation to monitor social media company compliance with new legal, regulatory, and contractual content moderation initiatives.

CSW is grateful for the opportunity to help forge the Committee's content moderation initiatives. We look forward to continuing this support in the days and weeks ahead.

Very truly yours,

Amb. (fmr) Marc C. Ginsberg
President
Coalition for a Safer Web

