



600 13th Street, N.W.
Suite 1150 N
Washington, D.C. 20005

June 24, 2020

The Honorable Michael Doyle
The Honorable Jan Schakowsky
House Committee on Energy & Commerce
House of Representatives
Washington, D.C.

Dear Subcommittee Chairman Doyle & Subcommittee Chairman Schakowsky:

On behalf of the Coalition for a Safer Web (CSW), a non-partisan, not-for-profit organization based in Washington, D.C., I am writing you to request to submit for the hearing record this letter in connection with today's joint subcommittee hearing. CSW desires to provide your respective subcommittees information regarding its efforts to combat the torrent of misinformation which we intercepted and continue to intercept during the Pandemic.

As you know, major social media companies, including YouTube, Facebook & Twitter each pledged to prevent coronavirus misinformation from infecting their platforms. They adopted new policies to de-platform content denying the virus exists and prevent their sites from becoming superstores for bogus Coronavirus vaccines and anti-viral remedies. Each also committed to prevent the fake "Plandemic" video from appearing and reappearing on their respective platforms.

Pandemic Misinformation

Ads for bogus Covid 19 remedies, dubious ads with hijacked CDC logos, promos for concocted vaccines – the Pandemic has transformed social media platforms into one large snake oil super store. The Pandemic is an open season for on-line criminals exposing Americans to swindlers, ransom demands, and credit card theft.

CSW highlighted the growing threat to the American people due to a contagion of advertisements for bogus homeopathic remedies, vaccines, and ineffective PPE against COVID-19. Citing research undertaken by CSW [The Washington Post](#) highlighted on April 27 the perils posed by lax enforcement by social media companies of their Pandemic remedy policies.

This criminal cascade of sham products is to be expected given the desperation sparked by the virus crisis. But Facebook and other companies adopted stringent

restrictions on exploitative marketing, banning all sales of medical face masks, hand sanitizer, surface disinfecting wipes and Covid-19 testing kits. Yet the ads keep appearing. Why?

Social media companies are handcuffed by two Pandemic-induced predicaments. First, the stay-at-home quarantine prevents them from throwing enough manpower, and second, they lack adequate artificial intelligence to intercept this Pandemic “ad-demic.” Facebook CEO Mark Zuckerberg recently admitted that his company would simply not have adequate personnel because too many content moderators had been placed on paid leave – exposing users to dangerous and extremist content.

It is bad enough that desperate Americans are falling for these internet scams. What is worse is that their hard-earned money is finding its way into the pockets of white nationalist and other neo-Nazi extremist terrorist groups – aided by legitimate online merchants and payment processors including Amazon, DonorBox, and Stripe, according to a just published report by the Center for Media & Democracy in violation of their own terms of service.

The Pandemic demands a new normal in the capacity of social media companies to protect Americans safety, security & HEALTH.

The “Plandemic” Video

At the request of the Washington Post, the Coalition for a Safer Web’s research team, led by VP for Content Moderation Eric Feinberg, conducted an investigation detailing how web purveyors of “Plandemic” were circumventing social media restrictions on its distribution. At least 40 versions of the trailer were uploaded onto YouTube during one week in May alone, some with over 40,000 views.

The Coalition’s findings were disclosed in the May 20, 2020 [The Washington Post](#) to the effect that Google’s file sharing service “Google Drive” had recently become the preferred workaround tool enabling mis-informers to circumvent social media companies’ efforts to contain the “Plandemic” contagion – often resorting to selective sanitizing of the video to avoid social media takedown interceptions. The Google Drive link to the “Plandemic” trailer is a veritable social media virus enabling the link to “infect” platforms by circumventing their own artificial intelligence algorithms to prevent links to the video.

CSW also provided to the Washington Post details how the Chinese Tik Tok social media platform had more than 1.9 million searches for “Plandemic” with over two dozen uploads of a different versions of the video in the past three days alone. Tik Tok has links to the Chinese government. The sheer volume of “Plandemic” searches on Tik Tok raises the specter that it is a spreader of Chinese government “Plandemic” misinformation.

CSW's research further disclosed that "Plandemic" has been weaponized by globalized extremist white nationalists & neo-Nazi groups using the Google Drive link. Some of these groups have disseminated "Plandemic" to incite so-called "liberate" demonstrations around the United States, and to "substantiate" anti-Semitic conspiracy theories – posing more than a mere misinformation social media sensation.

Independent oversight of social media websites is the best antidote to a Pandemic of misinformation. Without more accountability the American public remains acutely vulnerable to these types of dangerous misinformation.

The digital advertising industry in the U.S. was supposed to step in over a year ago to lend more support to social media companies when it created the Global Alliance for Responsible Media (GARM). GARM was touted as a creative, worldwide partnership with web-based digital ad vendors, such as YouTube and Facebook to: "accelerate and advance the role that advertisers can play in collectively pushing to improve the safety of online environments... to drive uncommon collaboration to improve the safety, trustworthiness, and sustainability of media."

Unfortunately, the ad industry's GARM initiative has not left the starting gate. Other than a lot of self-congratulations issued by ad execs there is little evidence that the corporate advertising industry has rushed in during the Pandemic as a digital social media first responder.

The Pandemic has exposed the lapses of manpower and technical capacity facing social media to do more to prevent harm to the public's health.

CSW is a proponent for eliminating the immunity from content liability granted to social media platforms under Section 230 of the Communications Decency Act. We have carefully followed every Congressional initiative to achieve this essential objective. However, we remain concerned that the passage of responsible legislation to hold social media companies accountable for extremist hate, misinformation, and incitement on their platforms is possible, but not probable in the foreseeable future. We hope our concerns are misplaced.

Proposal for a New Private Sector Social Media Standards Board

In an effort to arrive at a reasonable solution to this legislative deadlock CSW proposes creation of a new Social Media Standards Board (SMSB) which would represent a private, voluntary regulatory body (loosely modeled after the highly successful Financial Accounting Standards Board) to oversee compliance capacity by social media companies of their own customer contracts and pledges whether it be to remove bogus virus remedies, neo-Nazi/white nationalist operations, or other extremist incitement. It would serve also as a voluntary auditing and reporting organization

regularly issuing warnings to consumers to beware of illicit content flagged by social media companies and to serve as first responder to promote new technologies to support the acceleration and interception of harmful web-based content endangering safety and security. The SMSB website would serve as an early-warning system accessible to the public to educate them on dangerous scams and other illegal content they may face when using social media platforms.

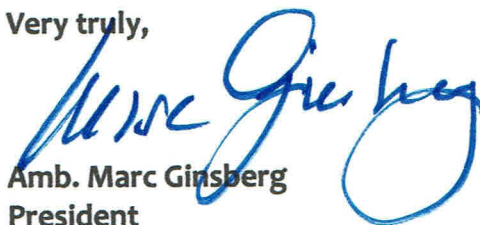
The SMSB would be funded entirely by a private sector partnership composed of social media companies, other corporations, civic groups, and the digital advertising industry. It would have a staff of independent web monitors serving as content moderators for the public and private industry and strategic alliances with the latest cutting edge research and development software developers to promote new best technical practices recommended to social media platforms to enhance their de-platforming artificial intelligence utilization.

The Pandemic has unleashed an onslaught of misinformation on the American public. Social media companies are admittedly unable to provide the public with timely, objective information. A SMSB would serve as a vital first responder initiative to aid social media companies and the public in the months and years ahead.

CSW's proposal for a SMSB is attached to this letter.

CSW is grateful for the Subcommittees' leadership to address the enormous challenges posed by Pandemic misinformation, which remains a threat to the health and safety of the American people. CSW looks forward to working with the Subcommittees and their staff to forge new technical and policy solutions to reduce these ongoing dangers.

Very truly,



Amb. Marc Ginsberg
President
Coalition for a Safer Web

Attachment: Proposal for a Social Media Standards Board



COALITION FOR A SAFER WEB

PROPOSAL FOR A SOCIAL MEDIA STANDARDS BOARD

SOCIAL MEDIA STANDARDS BOARD (SMSB)

The principal mission of the newly-established Coalition for a Safer Web (CSW) advocates creating: 1) a private sector voluntary auditing organization to monitor compliance by social media companies of a new “code of conduct” (Code); and 2) serve as forum to incubate and promote new technologies to accelerate identification and management of extremist/hate social media content..

The entity shall be designated the Social Media Standards Board (SMSB).

The SMSB Code

A new SMSB Code -- to be drafted by the parties referenced below -- shall:

- 1) Incorporate miscellaneous terms of service of major US social media companies (e.g., Twitter, Facebook, YouTube, Instagram, etc.) with respect to their obligations and pledges to expedite the identification and removal of hate and extremist content (white nationalist/neo-Nazi/radical Islamic/terrorist “how to” instructions).
- 2) Adopt guidelines drafted by concerned citizens groups AND major corporate digital advertisers to audit compliance by social media companies of the Code’s mandates; and
- 3) Establish penalties to be imposed on social media companies for violations of the Code.

Social media companies shall be required by digital corporate advertisers via the GARM (see below) to accept the Code’s obligations or be charged with enumerated

penalties imposed by the Code and potential revocation of Section 230 immunity by Congress.

Regulated social media companies (as defined) would enjoy a presumption of compliance if they are “certified” by the SMSB, but presumption would be overcome by showing of willful and knowing or grossly negligent compliance of the Code.

Code violations shall set out specifically enumerated penalties – both fines and revocation of digital corporate ad revenues. Depending on Congressional determination, regulated entities would forfeit protection under Section 230 if their certifications are revoked for sustained failure to comply with the Code.

CONGRESS & THE SMSB

Various members of Congress and Congressional committees are considering policy and legislative proposals to abolish (or severely limit) the immunity granted social media companies and other web search engines from “publication” liability under Section 230 of the Communications Decency Act.

The proposed SMSB is not a Congressionally mandated public regulatory institution. Rather, it is a private voluntary organization modeled after the Financial Accounting Standards Board (FASB) established in 1973, or similar private sector voluntary industry regulator.

Congress, however, would have an informal oversight role since it will receive all SMSB audit reports under the Code and determine whether sustained Code violations (e.g. loss of SMSB “certification”) merits Section 230 abrogation or loss of partial immunity.

PROPOSED SMSB STRUCTURE

Compliance Board Qualifications (As set forth in more detail in the Code)

- No board member shall have any financial interest in a regulated entity, or have served as an employee, consultant, agent, or adviser for two years prior to service.
- Nine (9) Members:
 - a. 2 extremist/incitement content experts.
 - b. 2 technology innovation experts.
 - c. 2 representatives from regulated entities to be designated by a social media advisory committee made up of social media companies and web infrastructure management companies.

- d. 2 representatives from the digital corporate advertising ecosystem (to be designated by the GARM (Global Alliance for Responsible Media) industry group.
- e. One representative from a citizen advocacy organization knowledgeable in Section 230 issues and extremist and hate speech/incitement.

STAFF

- The Compliance Board shall appoint such staff as may be required to undertake the auditing and prepare compliance reports under the direction of a SMSB Executive Director (ED) who shall report to the Compliance Board. The qualifications and requirements of the ED shall be approved by the Compliance Board.

APPLICABLE WEB CONTENT TO BE SUBJECT TO AUDIT

- The SMSB Compliance Board shall establish web content parameters to be subject to Code regulation and audit focused exclusively on content deemed in support of extremism, incitement, hate and instruction content in support thereof.

FUNDING

- An annual budget shall be derived from contributions from members of the “social media advisory committee” and the GARM pursuant to a budget proposed by the Board. Failure to timely meet required donations shall result in loss of certification.
- An initial annual budget shall be prepared by a CSW working group to be submitted to the Compliance Board for its approval.

FUNCTIONS

- Certification/Compliance/Monitoring/Enforcement
 - Certification issued bi-annually
 - Annual compliance reviews/audits
 - Interim special Code compliance reviews triggered by majority vote of Compliance Board.
 - Annual audit reports submitted to select Congressional committees having jurisdiction over Section 230.
 - Determination and issuance of fines and revocation of “certification.”
 - Code standard compliance monitored regularly by staff reporting to Compliance Board.

- **Certification (suspension or revocation) to be published by the SMSB AND prominently displayed by regulated entities.**