

US senators unveil bill to limit Big Tech legal protections

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Senator Josh Hawley, a Missouri Republican, proposes legislation opening the door to easier legal action against internet platforms for "selectively" taking down content

Four Republican senators introduced a bill Wednesday aimed at limiting

legal protections of Big Tech platforms if they "selectively" suppress certain content, stepping up a political battle with social media.

Senator Josh Hawley said his measure, if enacted, "gives users the right to sue if the big platforms enforce their terms unfairly or unequally."

The bill comes weeks after President Donald Trump accused social platforms of suppressing conservative political voices and signed an executive order which could eliminate the liability shield of online services for content posted by third parties, despite doubts about its enforceability.

The Hawley bill, co-sponsored by fellow Republicans Marco Rubio, Tom Cotton and Mike Braun, would revise the "Section 230" legal protection mechanism for online services if they fail to act "in good faith" to moderate content.

The bill would strip the liability protection to services that "restrict access to or availability of material against a user by employing an algorithm that selectively enforces" its policies.

The legislation and executive order stem from claims by Trump and his allies that social media platforms are biased, despite his own large following on Twitter and other platforms.

"Big Tech companies like Twitter, Google and Facebook have used their power to silence political speech from conservatives without any recourse for users," Hawley said in a statement.

"Congress should act to ensure bad actors are not given a free pass to censor and silence their opponents."

Activists and legal specialists argue that Section 230 is a cornerstone of

the open internet by allowing services to host content from third parties without fear of legal action.

The law allows for platforms to moderate content and remove materials deemed to be promoting hate or violence, according to Section 230 defenders.

But critics across the political spectrum have said the liability shield opens the door to a range of harmful online content.

Some analysts argue that the efforts to regulate social media could be unconstitutional limits on free expression under the constitution's First Amendment.

"I see this as a straightforward First Amendment violation," Eric Goldman, director of the High-Tech Law Institute at Santa Clara University, said of the bill.

Additionally, he said the bill would lead to "an infinite number of lawsuits" against internet firms because of the vague definition of good faith actions.

Separately, the Trump administration called for reforms of Section 230 to "provide stronger incentives for online platforms to address illicit material on their services while continuing to foster innovation and free speech. "

A Justice Department statement called for legislation creating "carve outs" of immunity for platforms enabling "child abuse, terrorism and cyber-stalking" and for "bad Samaritan" actions by online services that facilitate criminal activity.

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