

# Ex-Facebook employee asks lawmakers to step in. Will they?

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Sen. Cynthia Lummis, R-Wyo., from left, Sen. Rick Scott, R-Fla., Sen. Dan Sullivan, R-Alaska, and Sen. Ted Cruz, R-Texas, listen as former Facebook data scientist Frances Haugen testifies during a hearing of the Senate Commerce, Science, and Transportation Subcommittee on Consumer Protection, Product Safety, and Data Security, on Capitol Hill, Tuesday, Oct. 5, 2021, in Washington. Credit: Matt McClain/The Washington Post via AP, Pool

Camera lights glare. Outrage thunders from elected representatives. A brave industry whistleblower stands alone and takes the oath behind a table ringed by a photographers' mosh pit.

The former Facebook product manager who has accused the social network giant of threatening children's safety—and the integrity of democracy—is urging Congress to take action to rein in a largely unregulated company. The drama rings familiar, but will real change come out of it this time?

When Frances Haugen came before a Senate Commerce panel to lay out a far-reaching condemnation of Facebook, she had prescriptions for actions by Congress at the ready. Not a breakup of the tech giant as many lawmakers are calling for, but targeted legislative remedies.

They include new curbs on the long-standing legal protections for speech posted on [social media platforms](#). Both Republican and Democratic lawmakers have called for stripping away some of the protections granted by a 25-year-old law—generally known as "Section 230"—that shields internet companies from liability for what users post.

Haugen's idea would be to remove the protections in cases where dominant content driven by computer algorithms favors massive engagement by users over [public safety](#).

"Congressional action is needed," Haugen told the senators in her testimony Tuesday. "(Facebook) won't solve this crisis without your help."

Democrats and Republicans have shown a rare unity around the revelations of Facebook's handling of potential risks to teens from Instagram, and a bipartisan push toward meaningful legislation appears to be stirring.

"We're going to propose legislation," Sen. Richard Blumenthal, D-Conn., who heads the Senate subcommittee, told reporters. "And the days of Facebook evading oversight are over, because I think the American public is aroused about the importance of ... (social media) preying on their own children."

So it's on the way, right? Not quite. This is still Congress.

"I think it will eventually result in legislation, but it won't be right away," said former congressional aide Phil Schiliro.

Schiliro was there. He fought the congressional Big Tobacco wars in the 1990s as chief of staff to Rep. Henry Waxman, the California Democrat who headed the House Energy and Commerce Committee.

Congress enacted landmark legislation reining in the tobacco industry by giving the Food and Drug Administration authority to regulate the manufacture, distribution and marketing of tobacco products. In the current Facebook scandal, critics of the company are pointing to it as a model for what Congress should do with the tech industry.

History, however, offers a cautionary note. In 1994, seven tobacco company executives gave electrifying testimony under oath before Waxman's committee that they didn't believe nicotine was addictive—assertions contradicted by internal documents from their companies. Still, Schiliro notes, tobacco legislation took another 15 years to get through Congress.

During that time, "public opinion really started to shift" toward a negative view of the [tobacco industry](#), says Schiliro, who also worked in the Obama White House and is now a senior presidential fellow at Hofstra University. The public isn't there yet with Big Tech, he suggested, and tech companies still make the argument that they bring

products to millions of people that improve their lives—mostly for free.

That dynamic could be changing with Haugen's revelations of internal company research indicating potential harm for some young users, especially girls, of Facebook's Instagram photo-sharing platform. For some of the teen users, the peer pressure generated by Instagram led to mental health and body-image problems, and in some cases, eating disorders and suicidal thoughts, the research leaked by Haugen showed.

"Whenever you have Republicans and Democrats on the same page, you're probably more likely to see something," said Gautam Hans, a technology law and free-speech expert at Vanderbilt University. "Protecting children is something that many people agree with, and I think it's easier to find consensus there."

Given the closely divided Congress and deep political polarization, prospects for legislation to ensure safety on social media platforms may appear as far-off as with the tobacco legislation. Still, lawmakers from the two parties are rallying around the protection of young internet users. Their shared strident criticism of social media has come from divergent political views. Republicans have decried what they see as anti-conservative bias while Democrats denounce hate speech and incitement to violence.

"I think Congress was heading there and this adds momentum," said Matt Stoller, research director at the American Economic Liberties Project, an organization that advocates for government action against business concentration. "We're still a few years off really neutralizing the power of Big Tech."

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