

01072020 Deepfakes Hearing JDS

Opening

Good morning and thank you for joining us here today. In the two plus decades since the creation of the internet, we have seen life for Americans and their families transformed in many positive ways. The internet provides new opportunities for commerce, education, information, and connecting people.

However, along with these many new opportunities, we have seen new challenges. Bad actors are stalking the online marketplace using deceptive techniques to influence consumers, deceptive designs to fool them into giving away personal information,

stealing their money, and engaging in other unfair practices.

The Federal Trade Commission works to protect Americans from many unfair and deceptive practices, but a lack of resources, authority, and even a lack of will has left many American consumers feeling helpless in the digital world.

Adding to that feeling of helplessness, new technologies are increasing the scope and scale of the problem.

Deepfakes, manipulated video, dark patterns, bots, and other technologies are hurting us in direct and indirect ways.

Congress has unfortunately taken a laissez faire approach to regulating unfair and deceptive practices online over the past decade and platforms have let them flourish.

The result is big tech failed to respond to the grave threat posed by deep-fakes, as evidenced by Facebook scrambling to announce a new policy that strikes me as wholly inadequate, since it would have done nothing to prevent the altered video of Speaker Pelosi that amassed millions of views and prompted no action by the online platform. Hopefully our discussion today can change my mind.

Underlying all of this is Section 230 of the Communications Decency Act, which provided online platforms like Facebook a legal liability shield for 3rd party content. Many have argued that this liability shield resulted in online platforms not adequately policing their platforms, including online piracy and extremist content. Thus, here we are, with big tech wholly unprepared to tackle the challenges we face today.

A topline concern for this subcommittee must be to protect consumers regardless of whether they are online or not. For too long, big tech has argued that ecommerce and digital platforms deserved special treatment and a light

regulatory touch. We are finding out that consumers can be harmed as easily online as in the physical world. And in some cases, the online dangers are greater. It's incumbent on this subcommittee to make clear that protections that apply to in-person commerce also apply in the virtual space. I thank the witnesses for their testimony, and I recognize Ranking Member Rodgers for five minutes.