

Committee on Energy and Commerce
Opening Statement as Prepared for Delivery
of
Chairman Frank Pallone, Jr.

Hearing on “Holding Big Tech Accountable: Legislation to Build a Safer Internet”

December 9, 2021

Today’s hearing is the second of two hearings on legislative reforms to hold social media companies accountable. Following last week’s hearing examining possible reforms to Section 230 of the Communications Decency Act, today’s panel will discuss consumer protection-focused legislation that aims to hold these companies accountable by enhancing transparency and promoting online safety.

These legislative hearings come after years of repeated, bipartisan calls for online platforms to change their ways.

Unfortunately, instead of meaningfully addressing the serious harms that these platforms can inflict on the American people and our children, social media companies continue to make minor changes only after negative press coverage or in preparation for an executive testifying before Congress.

They also refuse to become more transparent. In fact, we only actually learn what is really going on inside these massive corporations when a whistleblower steps forward, and those courageous actions are becoming exceedingly difficult. Even more disturbing, we are now seeing instances where these platforms are publicly shutting down efforts at transparency.

Since these companies are clearly not going to change on their own – Congress must act. Today, we will discuss seven bills that target different parts of the social media ecosystem to make platforms safer for users.

One of the best ways to make these companies more accountable is to make them more transparent. We will discuss legislation that grants academic researchers and the Federal Trade Commission (FTC) access to ad libraries which will help us get the data we need on how these companies are targeting users. Another bill will prohibit the use of algorithms that discriminate based on race, age, gender, ability, and other protected characteristics or methods that manipulate users into providing consent when they wouldn’t otherwise. This legislation will help prevent people using social media from losing rights protected under the law.

We’re considering a bill that will protect whistleblowers, like former Facebook employee Frances Haugen who testified at last week’s legislative hearing. Whistleblowers help bring truth to light and are another way of helping ensure that companies are held accountable. Finally,

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we'll examine how to better protect our children online by banning certain design features directed at children and prohibiting the amplification of harmful content that is targeted at them. Legislative measures that protect our children are critically important and have bipartisan support on this committee.

Republicans and Democrats also agree that we do not want to see our data or our children's data surveilled or used in a manner that could risk our safety. That is why we are also discussing bills that attempt to force websites and apps to be transparent about their interactions with China. We all understand the danger the Chinese government poses to the U.S. economy and national security, and we must take meaningful steps to address that danger.

After multiple hearings, letters, and discussions with stakeholders, the members of this Committee have developed legislation to address the harms caused by Big Tech. There is no silver bullet to "fix the Internet." The proposals that we are discussing today are important steps to improving the online ecosystem.

Another part of tech accountability is protecting people's privacy. I think every member of this Committee agrees that more must be done on privacy, and that's why we have been working since last Congress on a bipartisan staff discussion draft. Updates to that draft were made last week to address stakeholder feedback and have been shared with the Minority. I continue to believe that there is a bipartisan path forward on privacy and our work continues to get there, but today we are focused on proposals to make these platforms more transparent and safer.

I thank the witnesses for their testimony and look forward to the discussion.