

## **The Internet Needs New Rules**

### ***Facebook Supports Updated U.S. Regulations for the 21st Century***

The last time the United States enacted comprehensive internet regulation was 1996 with the *Telecommunications Act of 1996*, which included Section 230 to address liability for online content and Section 706 to encourage government support of broadband deployment. Technology has evolved exponentially in the last 25 years, and it's time the rules got an update too. While we at Facebook are working to make progress, we know that we can't - and shouldn't - do it alone. That's why we support updated regulations to set clear and fair rules for everyone, and support a safe and secure open internet where creativity and competition can thrive.

The U.S. has been a leader in creating the internet we know today, and has the opportunity to shape the next quarter-century with democratic values guiding the way. There are four key areas of policy that are critical in these efforts: content moderation, election integrity, privacy and data portability.

#### **Content Moderation**

*Facebook supports updating Section 230 of the Communications Decency Act to create a safe harbor approach, whereby intermediary liability protections are conditioned on larger companies having adequate systems to counter unlawful content, in addition to enacting other measures to enhance transparency, company reporting, oversight and industry standards. This builds on our 2018 support for Fight Online Sex Trafficking Act (FOSTA)/Stop Enabling Sex Traffickers Act (SESTA), California's cyber exploitation laws in 2015, and the Stopping Harmful Image Exploitation and Limiting Distribution (SHIELD) Act.*

Over the past 25 years the internet has revolutionized the way we live, helping small businesses grow, connecting people, providing new ways to learn, and amplifying diverse social and political causes. Done well, Section 230 reform can continue to promote free speech and support these benefits while equipping companies with the tools to combat harmful content such as child exploitation, pornography, bullying and harassment. This balance is necessary to create a safe and open internet. That is why we support updating Section 230 to (i) require platforms to be more transparent about their standards, processes and actions; (ii) establish periodic reporting requirements; and (iii) establish a safe harbor approach, with exceptions for smaller companies, where larger platforms are required to meet industry best practices for addressing illegal content.

In the global context, free speech has been a core value the U.S. has advocated for and defended globally. As democratic governments in Europe, India and other places consider content regulation proposals governing free expression on the internet, it's imperative that the U.S. update its rules of the internet and work with our allies to promote a free and open internet.

#### **For more information:**

- [Charting a Way Forward on Online Content Regulation](#)
- [CEO Mark Zuckerberg's Testimony Before the Senate Committee on Commerce, Science and Transportation](#)
- [CEO Mark Zuckerberg's Testimony Before the House Energy and Commerce Committee](#)

#### **Election Integrity**

*Facebook supports elections around the world and increasing transparency around political ads and legislation to counter threats posed by nation-states or other state-based actors. We support the Honest Ads Act, and the Defending Elections from Threats by Establishing Redlines (DETER) Act.*

Facebook exists to give people voice, and there is no greater form of expression in democratic societies than elections. While the internet has transformed the way people connect and organize, it has also made it possible for malicious actors to target online spaces to manipulate or corrupt public debate. After 2016, elections changed. So did Facebook. Between 2016 and 2020, Facebook invested heavily in products, policies, and partnerships to protect election integrity -- from countering coordinated election interference and misinformation, to promoting voter participation.

These threats exist beyond one company. Legislation is needed that protects the democratic process and voting rights, grounded in the following principles: transparency in ads; reporting on inauthentic behavior; improved information sharing; deterring violators with economic, diplomatic, or criminal penalties; supporting technical research; and increasing media and digital literacy.

**For more information:**

- [Recommended Principles for Regulation or Legislation to Combat Influence Operations](#)

**Privacy**

*Facebook supports comprehensive federal privacy legislation. This builds on our support for other state and international privacy laws such as Europe's General Data Protection Regulation (GDPR), Virginia's Consumer Data Protection Act (CDPA), and the Promoting Digital Privacy Technologies Act.*

Fundamentally, consumers should have a right to access, correct and delete their data, move it to other services, and opt out of its sharing for certain purposes. Any comprehensive federal approach to privacy should enshrine these rights and enact corresponding corporate accountability -- including executive-level accountability, mandated privacy programs, and risk assessments -- as well as resources for the government agencies tasked with enforcement. An effective comprehensive approach to privacy will also recognize the value of personalized advertising, which connects consumers with the services they're likeliest to be interested in and has been a lifeline for small and medium-sized businesses during the pandemic, and establish fair protections around this field. Facebook's agreement with the Federal Trade Commission (FTC) provides a roadmap and lessons.

In the U.S., many states are currently working to update privacy protections for a modern age. However, the overall inconsistent and fragmented regulatory approach creates confusion for consumers and uncertainty for businesses. Overall, what's needed are uniform interstate privacy protections from the federal government.

**For more information:**

- [Making Data and Privacy Easier to Understand Through People-Centered Design](#)
- [Securing the Long Term Stability of Cross-Border Data Flows](#)
- [Privacy Conversations: The Future of Privacy Legislation](#)

**Data Portability**

*Facebook supports dedicated federal data portability legislation in order to give people the ability to take their data to other competing companies as they see fit, balancing the tensions between privacy and data portability.*

Data portability can give people control and choice, fostering competition across industries. For almost a decade, Facebook has enabled people to download their information from our services. We are a member of the Data Transfer Project, and recently updated our tools to make it even easier to take data to other services. But comprehensive data portability requires collective action and universal standards. Federal legislation on data portability will provide greater clarity on what kinds of data should be portable, who is responsible for protecting the data as it moves between services, and establishes clear rules that

balance the need to build privacy-protective products with the ability of users to take their data to other services when they want.

**For more information:**

- [Charting a Way Forward on Privacy and Data Portability](#)
- [Facebook's Official Comments to the Federal Trade Commission \(FTC\) on Data Portability](#)