



# BIG TECH ACCOUNTABILITY PLATFORM

**TO:** Energy and Commerce Committee Republican Members  
**FROM:** Republican Leader McMorris Rodgers  
**RE:** Big Tech Accountability Platform

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## I. BIG TECH ACCOUNTABILITY PLATFORM

Big Tech is increasingly becoming a destructive force to our society because of its attack on freedom of speech and the truth. These principles are central to the foundations of our democracy and the Promise of America. As Big Tech intensifies its political censorship, House Republicans on Energy and Commerce need to be prepared to lead.

I have long said, the answer to bad speech or any speech we disagree with, should be more speech, not less. Our country was built on great debates and the battle of ideas. It's been our past and it must define our future. Yes, the First Amendment protects Big Tech from certain government regulations. However, should these American companies who wield immense power over online speech not strive to uphold such a central American principle? Of course, they should—and the same goes for lawmakers who use their platforms to call for censorship of speech that does not align with their “truth.”

Now, free speech is not absolute. A recent example is the horrific attack on our Capitol and related activity online. Big Tech is right to bar content calling for violence, but in the wake of that horrific day there is a quiet and purposeful attempt to conflate anything conservatives say or do as condoning such actions as justification for silencing us. Big Tech's recent move to permanently ban President Trump should concern us all, and such action has been widely criticized by other world leaders. In a country where we cherish free speech, it should alarm every American – Democrat and Republican alike – to see Big Tech ban the Leader of the Free World with no accountability. If Big Tech can silence a sitting United States President with the support of most of the media and our elite institutions, they can silence anyone else for having unpopular opinions.

My sincere hope was Big Tech would do better, especially to contribute to America's standing as a world leader in technological innovation. I hoped that they would understand and take seriously the significant role they play in our society, and not just within their own bubble that prefers sameness over creativity and diversity of thought. Unfortunately, Big Tech has broken any sense of trust that they can be fair stewards for speech and the truth. It is time for Energy and Commerce Republicans to act. To be clear, we will not pursue government regulation of speech, but it's a dereliction of our duty to our constituents to do nothing. As the committee of jurisdiction, we have the honor and duty to lead our conference on these issues.

Our **Big Tech Accountability Platform** will be guided by four principles: 1) increasing meaningful **transparency**; 2) enhancing oversight and **accountability**; 3) pushing for **consistency** and objectivity; and 4) exploring **competition** issues so innovation is unleashed, not quashed.

## II. BIG TECH ISSUES TO BE ADDRESSED

### Big Tech Responsibility:

- **Section 230 Reform:** Consider several proposals requiring Big Tech to manage their platforms more responsibly, including repealing their liability protection when they neglect their “Good Samaritan” obligations;
- **Content Policies and Enforcement:** Require disclosures regarding how Big Tech develops its content policies and require regular disclosures about content policy enforcement, including the types of content taken down and why, and clearly understood appeals processes;
- **Law Enforcement:** Establish concrete means for Big Tech to communicate, consult, and coordinate with law enforcement to address illicit content on their platform, such as illegal sale of opioids, terrorist and violent extremists’ content, and other issues. We must ensure online threats are acted upon and evidence preserved;
- **Our Children:** Explore and expose how Big Tech hurts children, including how Big Tech contributes to suicides and anxiety, especially in young girls; how Big Tech uses algorithms to drive addiction; and the role Big Tech plays in child grooming and trafficking;
- **Election Issues:** Explore the role Big Tech plays in elections, particularly when it comes to their bias and censorship of news articles, such as the New York Post article they suppressed leading to the 2020 election; and
- **Deplatforming:** Explore ways in which Big Tech makes decisions to deplatform users and whether some remedy to challenge those decisions should be available.

### Big Tech Power:

- **App Stores:** Explore Apple and Google’s app store policies, including how their decisions to remove or host certain apps limits or increases consumer choice;
- **Coordination:** Explore how Big Tech wields its power and the groupthink that develops to silence the truth;
- **Media:** Explore how Big Tech influences traditional media, including local media, how their power restricts consumer choice, and how they wield that power to build a narrative and control the stories we see online;
- **Data:** Explore Big Tech’s mass accumulation of data and how it impacts new entrants’ ability to compete and create consumer choice; and
- **E-Commerce Marketplace Power:** Explore how Big Tech wields its e-commerce power over consumer choice.

### III. MEMBER-DRIVEN APPROACH

As the Energy and Commerce Republican Leader, this Big Tech Accountability Platform is one of my top priorities. We will drive this process with your help. Specifically, Communications and Technology Subcommittee Republican Leader Bob Latta and Consumer Protection and Commerce Subcommittee Republican Leader Gus Bilirakis and their subcommittee members will run point on exploring the above issues and developing policies to bring needed change. Our goal is to include as many members as possible – whether you sit on those subcommittees or not. It is also important that we work to include every member of our conference in this endeavor as the problem has corroded their own work.

- **Legislative Starting Point:** To avoid congressional action, Big Tech hides behind groups of their own creation and relies on philosopher-academics who claim righteousness on what the “proper” interpretation of “the 26 words that created the Internet.” To stop this evasion and their stall tactics, I recommend we work with House Democrats and the Senate to reach an agreement in an upcoming legislative vehicle to sunset or establish a reauthorization date for Section 230.
- **Bipartisan, Bicameral Opportunity:** Many of the items above should be bipartisan. I have directed my staff to explore how we can work with House Democrats and the Senate to deliver meaningful change. We must come together to address these urgent problems that pose real risks to the fate our of country.
- **Member Survey:** My staff will organize a survey of all Energy and Commerce Republican members and our conference to understand not only how you all view these problems, but also how each of our members see these issues in their districts.

We must address these urgent issues threatening free speech and encourage Big Tech to embrace American values that support democracy. We can get this right. We can usher in a new American era of innovation, entrepreneurship, and creativity. We can protect and promote civil liberties. It is all possible. For America to win the future, we can and must lead the way.