

Section 230 References from the Senate Judiciary Hearing: [Big Tech and the Online Child Sexual Exploitation Crisis](#)

Addressed to: Companies Collectively

DICK DURIBIN *opening statements*

“The tech industry alone is not to blame for the situation we're in. Those of us in Congress need to look in the mirror. In 1996, the same year the Motorola Star Tech was flying off shelves and years before social media went mainstream, we passed Section 230 of the Communications Decency Act. This law immunized the then fledgling internet platforms from liability for user generated content.

Interesting. Only one other industry in America has an immunity from civil liability. We'll leave that for another day. For the past 30 years, Section 230 has remained largely unchanged, allowing big tech to grow into the most profitable industry in the history of capitalism without fear of liability for unsafe practices. That has to change.”

TIMESTAMP: 22:12 – 23:15

Addressed to: Companies Collectively

LINDSEY GRAHAM

Mr. Zuckerberg, you and the companies before us. I know you don't mean it to be so, but you have blood on your hands. You have a product. You have a product that's killing people.

When we had cigarettes killing people, we did something about it. Maybe not enough. You're going to talk about guns. We have the ATF. Nothing here. **There's not a damn thing anybody can do about it. You can't be sued.** Now, Senator Blumenthal and Blackburn who've been like the dynamic duo here, have found emails from your company where they warned you about this stuff and you decided not to hire 45 people that could do a better job of policing this.

So the bottom line is, you can't be sued. You should be. And these emails would be great for punitive damages but the courtroom's closed to every American abused by all the companies in front of me. Of all the people in America we could give blanket liability protection too, this would be the last group I would pick.

It is now time to repeal Section 230.

TIMESTAMP: 26:11 – 27:24

Addressed to: Discord

LINDSEY GRAHAM:

Thank you. Mr. Citron, you said we need to start a discussion. Being honest with you, we've been having this discussion for a very long time. We need to get a result, not a discussion. Do you agree with that?

JASON CITRON:

Ranking Member, I agree this is an issue that we've also been very focused on since we started our company in 2015. But this is the first time --

LINDSEY GRAHAM:

Compiled by the National Center on Sexual Exploitation; last updated April2024

Are you familiar with the Earn It Act authored by myself and Senator Blumenthal?

JASON CITRON:

A little bit, yes.

LINDSEY GRAHAM:

OK, do you support that?

JASON CITRON:

We --

LINDSEY GRAHAM:

Like, yes or no.

JASON CITRON:

We're not prepared to support it today, but we believe --

LINDSEY GRAHAM:

-- OK. And do you support the CSAM Act?

JASON CITRON:

The stop CSAM Act, we are not prepared to support today, but we think there --

LINDSEY GRAHAM:

OK, would you support the Shield Act?

JASON CITRON:

We believe that the cyber tip line --

LINDSEY GRAHAM:

-- Do you support it, yes or no?

JASON CITRON:

We believe that the cyber tip line and NCMEC --

LINDSEY GRAHAM:

I'll take that to be no. The Project Safe Childhood Act, do you support it?

JASON CITRON:

We believe that --

LINDSEY GRAHAM:

I'll take that to be no. The Report Act, do you support it?

JASON CITRON:

Ranking Member Graham, we very much look forward to having conversations --

LINDSEY GRAHAM:

Thank you.

JASON CITRON:

Compiled by the National Center on Sexual Exploitation; last updated April2024

-- With you and your team. We want to be part of the solution

LINDSEY GRAHAM:

Well, I look forward to passing the bill that will solve the problem. Do you support removing section 230 liability protections for social media companies?

JASON CITRON:

I believe that section 230 needs to be updated. It's a very old law.

LINDSEY GRAHAM:

Do you support repealing it so people can sue if they believe they're harmed?

JASON CITRON:

I think that section 230 as written, while it has many downsides --

LINDSEY GRAHAM:

Thank you

JASON CITRON:

-- Has enabled innovation on the internet, which I think has largely been --

LINDSEY GRAHAM:

Thank you very much. So here you are, if you're waiting on these guys to solve the problem, we're going to die waiting.

TIMESTAMP: 1:08:34 - 1:10:16

Addressed to: Meta

LINDSEY GRAHAM:

Mr. Zuckerberg, try to be respectful here. The Representative from South Carolina, Mr. Guffey's son, got caught up in a sex extortion ring in Nigeria using Instagram.

He was shaken down, paid money, that wasn't enough and he killed himself, using Instagram. What would you like to say to him?

MARK ZUCKERBERG:

Well, it's terrible, I mean. No one should have to go through something like that.

LINDSEY GRAHAM:

Do you think it should be allowed to sue you?

MARK ZUCKERBERG:

I think that they can sue us.

LINDSEY GRAHAM:

Well, I think he should and he can't. So the bottom line here folks is that this committee is done with talking.

TIMESTAMP: 1:10:30 - 1:11:10

Compiled by the National Center on Sexual Exploitation; last updated April2024

Addressed to: Twitter (X) and Companies Collectively

SHELDON WHITEHOUSE:

Welcome everyone. We are here in this hearing because, as a collective, your platforms really suck at policing themselves. We hear about it here in Congress with fentanyl and other drug dealing facilitated across platforms. We see it and hear about it here in Congress with harassment and bullying that takes place across your platforms.

We see it and hear about it here in Congress with respect to child pornography, sexploitation, and blackmail and we are sick of it. It seems to me that there is a problem with accountability because these conditions continue to persist. In my view, section 230, which provides immunity from lawsuit, is a very significant part of that problem.

If you look at where bullies have been brought to heel recently, whether it's Dominion finally getting justice against Fox News after along campaign to try to discredit the election equipment manufacturer or whether it's the moms and dads of the Sandy hook victims finally getting justice against Infowars in its campaign of trying to get people to believe that the massacre of their children was a fake put on by them or even now more recently with a writer getting a very significant judgment against Donald Trump after years of bullying and defamation, an honest courtroom has proven to be the place where these things get sorted out.

And I'll just describe one case, if I may. It's called Doe versus Twitter. The plaintiff in that case was blackmailed in 2017 for sexually explicit photos and videos of himself, then aged 13 to 14. A compilation video of multiple CSAM videos surfaced on Twitter in 2019. A concerned citizen reported that video on December 25th, 2019, Christmas Day. Twitter took no action.

The plaintiff, then a minor in high school in 2019, became aware of this video from his classmates in January of 2020. You're a high school kid and suddenly there's that. That's a day that's hard to recover from. Ultimately, he became suicidal. He and his parents contacted law enforcement and Twitter to have these videos removed on January 21st and again on January 22nd of 2020, and Twitter ultimately took down the video on January 30th, 2020, once federal law enforcement got involved.

That's a pretty foul set of facts. And when the family sued Twitter for all those months of refusing to take down the explicit video of this child, Twitter invoked section 230 and the district court ruled that the claim was barred. There is nothing about that set of facts that tells me that section 230 performed any public service in that regard.

I would like to see very substantial adjustments to section 230, So that the honest courtroom, which brought relief and justice to E. Jean Carroll after months of defamation, which brought silence, peace and justice to the parents of the Sandy Hook children after months of defamation and bullying by Infowars and Alex Jones, and which brought significant justice and an end to the campaign of defamation by Fox News to a little company that was busy just making election machines.

So, I would -- my time is running out. I'll turn to -- I guess Senator Cruz is next, but I would like to have each of your companies put in writing what exemptions from the protection of section 230 you would be willing to accept, bearing in mind the fact situation in Doe versus Twitter, bearing in mind the enormous harm that was done to that young person and that family by the non-responsiveness of this enormous platform over months and months and months and months.

Again, think of what it's like to be a high school kid and have that stuff up in the public domain and have the company that is holding it out there in the public domain react so disinterestedly. OK. Will you put that down in writing for me? One, two, three, four, five yeses. Done Senator Cruz?

TIMESTAMP: 1:52:55 - 2:00:09