

Misinformation

Dear [Target],

U.S. Surgeon General Vivek Murthy, speaking to the challenge COVID-19 disinformation has presented to the drive to vaccinate Americans, recently said, “we live in a world where misinformation poses an imminent and insidious threat to our nation’s health.” I agree with the Surgeon General and would also say that misinformation is a threat, not only to our public health, but to our American democracy. The recent surge in COVID cases in communities with low vaccination rates and the January 6th insurrection standing as a stark example of the real-world consequences.

As self-interested, bad actors continue to sow doubts on vaccine safety and the integrity of our democratic process, I firmly believe that we must find ways to combat online misinformation while still protecting first amendment rights. However, two bills under consideration by Congress may make content moderation more difficult while also limiting the ability for platforms to prioritize information that is beneficial to the public. The [“American Innovation and Choice Online Act,”](#) (HR 3816) and the [“Ending Platform Monopolies Act,”](#) (HR 3825) are part of a slew of tech industry regulations under discussion and these drawbacks must be considered.

HR 3816 requires that major platforms not discriminate among “similarly situated business users.” This would prevent Facebook or YouTube from removing or downranking hate speech, conspiracy theorists, or insurrectionist speech (such as Alex Jones’ Infowars or Parler) because doing so would “discriminate” against their apps. Apple would be required to carry Parler, Gab, and 4Chan in the App Store because such policies would “discriminate among similarly situated business users.” Should this bill pass, more Americans would be exposed to free for all applications where misinformation thrives and the hands of platforms like Facebook would be tied to prevent their applications from resembling applications like 4Chan.

These bills would also limit technology platforms’ ability to elevate important information for public benefit. Google (in its search results) and Facebook (in its News Feed) periodically promote their own tools to help distribute public health and vaccine information, help consumers find and patronize minority-owned and local businesses, and to share polling place information, and AMBER and crisis alerts. That could be impossible under HR 3816.

We are witnessing a national assault on voting rights. Accurate voting information will be critical for the next election in the face of an avalanche of new voting restrictions passed in multiple states. Under these bills, Google and Facebook could be prohibited from displaying their “how to vote” and polling place locator tools on the Google home page or top of the Facebook news feed, because doing so could be seen as “favoring its own products.” This would lead to far less accessible voting information. During elections, Facebook also

“advantages” its election information tool at the top of users’ new feeds to encourage civic participation. This could be banned under the bill’s language.

We are living in time of unprecedented threats to our nation and misinformation is a through line. In the face of rising COVID cases and continued attacks on our democracy, Congress should not pass polices that impede technology companies from moderating content nor should they hamper the dissemination of information necessary to the public good. Please oppose HR 3816 and HR 3825.

Sincerely,

SIGNATURE

Consumer

Dear [Target],

As Congress continues to consider sweeping regulations to the tech industry, I hope you will take into account the potential consequences of some of those policy proposals on American consumers.

Two of the bills recently advanced by the House Judiciary Committee, the [“American Innovation and Choice Online Act,”](#) (HR 3816) and the [“Ending Platform Monopolies Act,”](#) (HR 3825) would prevent platforms from offering popular services that people today receive for free or low cost while also restricting their ability to provide information and opportunity tools within their services. By banning services like Amazon Prime and Amazon Basics upon which business and families rely and potentially turning free applications like Google Maps into a fee-based service, those bills have a real potential to negatively impact family budgets and could create barriers to the technologies Americans use daily.

The bills would create additional challenges for consumers. HR 3816 would prevent Apple from preinstalling popular apps like Facetime and iMessage on new iPhones and iPads because doing so would be considered “discriminatory” to competing apps like Whatsapp and Zoom. Particularly during this pandemic, these features have allowed people to stay in touch with friends and family who could not and cannot gather because of safety protocols. Many senior citizens use iPhones and iPads because they are safe, secure, and easy to set up right out of the box. This legislation would create extra steps to access those technologies which may be particularly burdensome for seniors.

Congress is right to consider smart and targeted regulations for the tech industry that ensure fairness and protect consumers, but I fail to see how the breakup of popular and widely used services that are offered at no or little cost is in the interest of consumers or the general public. With that in mind, I hope you will oppose HR 3816 and HR 3825.

Sincerely,
SIGNATURE

Business

Dear [Target],

During the pandemic, as in-person activities were severely curtailed or halted altogether, work and personal lives shifted online. Millions of businesses, facing dire circumstances, were able to survive through the offering of digital services and by accessing online marketplace opportunities. Increased digitalization is likely a lasting feature of the pandemic and it is important to ensure that businesses have continued access to the digital tools critical to their operations. However, tech regulation legislation, specifically the [“American Innovation and Choice Online Act,”](#) (HR 3816) and the [“Ending Platform Monopolies Act,”](#) (HR 3825), is poised to disrupt access to those digital tools at a perilous time in our economic recovery as Covid cases surge and restrictions may resurface.

HR 3825’s prohibition on any potential “conflict of interest” would force Google to sell off products like Gmail, YouTube, and Google Maps — putting these free services at risk and eliminating a variety of helpful integrations the help businesses attract and serve their customers. If these services were to shift to a fee-based model or disappear, the impacts would be widely felt in the business community.

HR 3816 would prohibit platforms from giving their own products and services advantages over those of competitors on the platform. This would mean that Amazon would be banned from providing free two-day shipping on its own Prime products which could hurt small businesses that rely on the free shipping feature to keep costs down. Google could no longer display its shopping results in product searches because it would be “advantaging” those listings over competing Amazon listings which could hurt local small businesses that advertise their products through Google’s shopping ads. Google would be prevented from displaying Google Maps or local business reviews in Google search results, because it could be seen as “discriminating” against rival services like Yelp. During the pandemic, communities supported their local businesses, but this bill could make it harder for local customers and tourists to easily find information about local businesses through Google search.

The digital tools and services that have become integrated parts of countless small and medium sized businesses and helped them survive during the pandemic are at risk should HR 3816 and HR 3825 pass. With the persistent uncertainty caused by COVID-19 and its variants, now is not

the time to expose businesses to new costs or burdens. Please support businesses and oppose HR 3816 and HR 3825.

Sincerely,
SIGNATURE