



July 8, 2021

Texas Democrats: Oppose SB 5 To Fight Hate Speech and Disinformation Online

Law would force Facebook, Google, and Twitter to publish content like El Paso shooter's white supremacist manifesto

Dear Democratic Senators and House Members:

As a business group devoted to a progressive future, we write to urge your **strong and vocal opposition** in the special session to **SB 5** (previously SB 12), Republican legislation that ought to be named the **"Promote Online Hate and Disinformation Act."**

Our organization, the Chamber of Progress (progresschamber.org), is a center-left tech industry coalition promoting technology's progressive future. We work to ensure that all Americans benefit from technological leaps, and that the tech industry operates responsibly and fairly. I am a longtime Democratic political aide, and our Advisory Board is composed of Democrats in government, civil society, and industry. Our organization's commitment to a progressive society, economy, and workforce sets us apart from other business groups.

We strongly support **healthy online communities** -- free of hoaxes, conspiracy theories, hate speech, incitement to violence, and election- and vaccine-related disinformation. That's why we strongly oppose SB 5, which **would tie online services' hands in the fight against toxic, incendiary content.**

- **The bill would cause social media services to be overrun with disinformation, hate, medical misinformation, and conspiracy theories.** The bill's ban on censoring "a user's expression...based on the viewpoint of the user or another person" would impose a false impartiality standard that would hobble platforms' constitutional freedom to remove or downrank QAnon conspiracies, vaccine misinformation, and allow deliberate disinformation, like former President Trump's election "Big Lie", to run rampant. For example, this rule would prohibit Twitter, YouTube, and Facebook from removing content like the white nationalist manifesto that 2019 El Paso gunman Patrick Crusius posted online prior to his act of domestic terror.

SB 5 Would Force Platforms to Publish Content like El Paso Shooter's White Supremacist Manifesto

Prior to the 2019 shooting, gunman Patrick Crusius posted a multi-page manifesto on 8chan, a website which prided itself on being completely unmoderated. By forbidding Facebook, Twitter, and YouTube from censoring based on viewpoint, SB 5 would require those platforms to publish this hateful content.



- **The bill would give Russian trolls, child predators, and white supremacists the playbook for evading Internet removals.** In requiring that social platforms publicly disclose “specific information regarding how the social media platform...moderates content [and] uses search, ranking, or other algorithms” SB 5 would give bad actors a playbook to spread hateful and incendiary speech without removal. This would allow Russian election trolls, white supremacists, child predators, scammers, and extremists to devise new strategies to evade platforms’ evolving rules.
- **The bill would empower the Attorney General to bring politically-motivated lawsuits against platforms for removing or downranking incendiary speech.** The bill would turn the state Attorney General into the political speech police, by giving him the right to bring legal action and impose financial penalties on social platforms. This would allow current and future Attorneys General unchecked power to pressure social networks to allow or disallow certain types of speech, under consequence of legal action.
- **The bill would create the exact kind of anything-goes environment online that Gov. Abbott and other Republicans have criticized .** Gov. Abbott and Republican legislators recently criticized social media site Gab for allowing anti-Semitic speech posted by users. However, if this law is implemented, it would require that Facebook, Twitter, and YouTube become the exact kind of anything-goes cesspool that Gab is today, without any content moderation whatsoever.

Technology services have helped advance progressive goals -- democratizing access to goods and information, giving voice to the marginalized, and supporting millions of high-quality jobs. Wikipedia lets anyone with an internet connection become an armchair expert on the topic of their choice. Amazon and eBay brought e-commerce to the masses. And social media facilitated conversations between friends and strangers across vast distances.

But no one wants the Internet to become a cesspool of hate and lies, and that's why online services must retain the freedom to moderate healthy online communities -- **including taking action against incendiary or hateful content**. In severely limiting services' ability to to remove or downrank the most egregious speech online today, this bill would only **incentivize people to spread hate and lies online**.

The Republican majority is advancing this measure despite its obvious violation of the U.S. Constitution and First Amendment. For the sake of history it's vital to speak up against the harmful intent and impact of this bill.

During this special session we urge you to stand in **strong and vocal opposition** to SB 5.

Sincerely,



Adam Kovacevich
CEO and Founder
Chamber of Progress