



May 19, 2022

**Testimony of Tyler Smith
Director, State and Local Government Relations Chamber of
Progress**

**Michigan House
Communications and Technology Committee**

**H.B 5973 Consumer protection: other; technology companies
from deplatforming users; prohibit. Or any business properly
before this committee.**

Good afternoon Chairwoman Hoyenga and members of the committee.

I'm here today on behalf of Chamber of Progress, a center-left tech industry association that works to ensure that all Americans benefit from technological leaps. Our corporate partners include companies like Google, Meta, and Twitter, but our partners don't have a vote or veto over our positions.

Chamber of Progress strongly supports **healthy online communities**, which is why we urge this committee to **oppose HB 5973**, which **would tie online services' hands in the fight against** conspiracy theories, hate speech, harassment, and disinformation. If this bill passes, it would turn the Internet into a cesspool of lies and hatred.

Across the nation, policymakers are calling for safer online communities. As bad actors turn to social media to express hate speech and misinformation, most Americans want social media services to remove many types of "lawful but awful" content. .

For example, just a few days ago, a radicalized terrorist live-streamed a mass shooting in Buffalo, New York, highlighting "the great replacement," a white supremacist theory. The shooter had posted several anti-Black manifestos online prior to these murders.

However, HB 5973 would prohibit platforms from censoring these kind of hate-filled, white nationalistic viewpoints – meaning that platforms would be legally required to keep this hateful content on their services, simply because under the bill, it represents one person's "viewpoint."

The bill would also effectively block services from taking action to remove unverified claims about elections, democracy, and public health. The bill would impose a false impartiality standard that would hobble platforms' constitutional freedom to remove or downrank QAnon conspiracies, election suppression, or vaccine disinformation.

HB 5973 would deter social media platforms from protecting children from sexually explicit and other age inappropriate content. Though the bill states it does not prohibit social media platforms from censoring “unlawful expression, including expression that unlawfully harasses individuals or unlawfully incites violence,” many forms of online harrassment and sexually explicit adult content are legal. HB 5973 would prevent Facebook, Twitter, and YouTube from taking action against this content

Finally, HB 5973 is a clear violation of the U.S. Constitution’s First Amendment. If passed, this bill would eventually be met with legal opposition and struck down. **Under the U.S. Constitution, the government cannot regulate or infringe upon an online platforms’ freedom of speech and expression.** We’ve seen firsthand the outcome of state governments attempting to limit and control online platforms’ content moderation practices.

Last year in Florida, Federal U.S. District Judge Robert Hinkle blocked a bill similar to HB 5973 stating, “[t]he legislation compel[ed] providers to host speech that violates their standards—speech they otherwise would not host—and forbids providers from speaking as they otherwise would.” A challenge to a similar law in Texas is currently pending before the U.S. Supreme Court.

No major online platform wants to become a haven for hate or harassment, and their content moderation practices enable them to stay one step ahead of bad actors. They are not perfect, but they want their services to provide a positive environment for most users.

We urge you to reject HB 5973 in order to prevent hate, hoaxes, lies, and inappropriate material from spreading even further on the Internet.

Thank you,