The webinar *Future of Tech Commission Town Hall: A Public Discussion on Creating Safe, Healthy Online Spaces for All Americans* was given on Tuesday, May 18, 2021.

John Haigh:

Welcome everybody. I'm John Haigh. I am the co-director of the Mossavar-Rahmani Center for Business and Government here at the Kennedy School on behalf of the center, as well as the school's Shorenstein Center on media politics and public policy and the university's institute of politics. I'd like to welcome you to today's discussion. Our town hall today focuses on a problem that is actually simple to state, but incredibly difficult to solve. How do we ensure a vibrant online social media that builds community, but also protects the safety and health of Americans on online platforms, in particular protects our families and our children, fosters a trustworthy and authentic public square of information, and creates and maintains a healthy democracy. We're all very familiar with the benefits of social media, giving voice to many and building communities of interest. But we are also shockingly aware, in many ways, of the costs of social media, the disinformation, the misinformation, the harmful content that is an everyday occurrence on social media, damaging the fabric of our society.

John Haigh:

We've labeled today a town hall and we've asked you for your questions because we hope that the process of coming together to work on these questions helps us build a sense of common purpose and ultimately collaboratively developed shared solutions. At a time when we are inundated with fake news and when the evermore distorting influence of falsehood on social media affects our politics, affects our personal understandings and interactions, and ultimately our general wellbeing, these efforts at discussing and addressing these issues are essential. The town hall was initiated by the Future of Technology Commission, which we'll talk about more in a second, but a private, independent, and bipartisan working group developed in response to discussions with the White House and the Federal Communications Commission to recommend a comprehensive tech policy agenda for the nation. Commissioners are Jim Steyer, CEO of Common Sense who's with us today, Margaret Spellings, former Secretary of Education under President Bush, and governor Deval Patrick who is my co-moderator today.

John Haigh:

I'd also like to recognize and thank Carolyn Kirk who's the executive director of the Mass Tech Collaborative for joining us today. We also have three faculty members joining us who I will introduce later to help respond to some of your questions and provide their perspectives. But first, we're going to hear a few comments from some of our truly most distinguished elected officials, former governor Deval Patrick, governor Charlie Baker, and Senator Ed Markey, all three of whom obviously care deeply about these issues we are discussing today.

John Haigh:

So it is my distinct honor to introduce Future of Technology commissioner Deval Patrick. Probably doesn't need a lot of introduction. I think most of you probably know him and know him well. He was a civil rights and business lawyer, a business executive and entrepreneur, and a former two-term governor of Massachusetts. So he brings kind of multiple perspectives to these issues. He serves currently as an advisor to Bain Capital and co-chair of the American Bridge 21st Century Foundation. He is the founder and was from April, 2015 to December, 2018, managing partner of Bain Capital Double Impact, the growth equity fund. And he obviously was governor from January, 2007 to January, 2015, governor of

Massachusetts. With that, I will turn it over to, I will call you commissioner Patrick for purpose of this discussion. Thank you for joining us.

Deval Patrick:

Thank you, John, for the warm welcome and thanks to you and to all of your colleagues at the Harvard Kennedy School for hosting today's virtual town hall on behalf of the Future of Tech Commission. I want also to thank governor Charlie Baker and Senator Ed Markey for their leadership and for helping us kick this off today as well as the learned panelists we'll hear from for helping to guide today's conversation. I co-chair this commission, as John said, with two remarkable leaders and friends, Jim Steyer, the CEO of Common Sense Media who you heard is joining us today and Margaret Spellings, the president and CEO of Texas 2036 and former US Secretary of Education. And my thanks as well to all of those who've registered to participate in today's discussion. I just want to say a brief word at the outset about just how and why this commission came about, what we have undertaken to do, and how we hope today's and other similar discussions will contribute to our work going forward.

Deval Patrick:

It goes without saying, and John said it well, that tech is everywhere. It's in our commerce, our healthcare, education, public safety and other public services, entertainment, communications, of course, social media, and much more. Tech, in various forms, is an evermore present and evermore essential tool in daily life, but it is not accessible to everyone and it is not used responsibly by everyone. Among the many gaps exposed by the pandemic was the lack of broadband access to poor and rural Americans with the higher cost they often pay for what access they have. Many small businesses can't reach markets and talent because of a lack of access to broadband and misinformation, disinformation, and hate spread through social platforms has affected everything from the efficiency of vaccine distribution to confidence in our democracy itself. Tech is everywhere and affects everything. Just who does or should take responsibility for shaping our tech future, if anyone, is an issue political, business, education, and other leaders must face.

Deval Patrick:

The question is whether there is a consensus on who should do what. This commission is an independent bipartisan undertaking to help develop a policy framework for the Biden administration. It comes about following discussions that Jim Steyer had with incoming White House senior staff and the leadership at the FCC soon after the election. Jim then asked secretary Spellings and me to join in those discussions. Our task is to gather data and views from a wide range of perspectives and places, screening out as much of the political background noise as possible and to recommend tech policy for the Biden administration as well as who in government, in the private sector, or in collaboration across sectors should take responsibility for implementing it. We're exploring five broad categories of interest. Number one, digital equity. How can we create universal digital education, health, and commercial access? Innovation, meaning what are the best models for delivering access to rural communities or lowering costs in poor communities? Platform safety, the subject of today's town hall.

Deval Patrick:

How can we make a better and safer public square and reduce misinformation and disinformation and harassment? Market competition. What does market concentration of digital platforms mean for consumers and citizens and how should we address that? And fifth, privacy. How do we protect people's privacy and make commerce and communication on the internet safer for children as well as adults? We

intend to gather information from experts, policymakers, industry leaders, civic groups, advocates, and regular citizens. And we will do so through interviews, written submissions, and virtual town halls like this one, of which there will be several around the country. You can follow the developing list of those virtual town halls on our website, futureoftechcommission.org. Now to be clear, the town halls are issue specific. The one this afternoon, as you know, is about platform safety and there will be others on this subject as well.

Deval Patrick:

And then they'll be other town halls that will address other of those five general topic areas. In every case the public is welcome to join in any one or more by registering at the website and to submit ideas and testimony through the website. One final word to underscore about the importance of public input. Like the one today, each town hall will feature expert panelists and Q&A among the panelists and with the public. We will post in the chat a link to a public input form and we ask that you use that form to ask questions of the panelists, to provide your thoughts on the topic of the day, which is again, platform health and safety today, or to offer comments on any of the other topics the commission is examining. We'll share the link again at the end of today's event and in follow-up email to the participants. Again, we're very much looking forward to everyone participating and John, thank you again for organizing and hosting us today.

John Haigh:

Terrific. Thank you, governor Patrick. I do want to take the chance now to introduce governor Baker. It's my distinct privilege to introduce him. He is, as all of you know I'm sure, he's in his second term as the 72nd governor of the Commonwealth of Massachusetts. He actually has been in government obviously multiple times. He was Secretary of Health and Human Services under governor Bill Weld. He later served as Secretary of Administration and Finance under Weld and his successor, Paul Solutia. He left government to become the CEO of Harvard Vanguard Medical Associates and then Harvard Pilgrim Health. As governor he's made multiple successful ventures in the public private partnerships to spur economic development, supporting small businesses. And he generally has been just a terrific governor of the state of Massachusetts and obviously someone who cares deeply about these issues. I will be happy to turn it over to governor Baker.

John Haigh:

And again, as governor Patrick said, thank you so much for taking the time and joining us for today.

Charlie Baker:

Well thank you very much, John and I just want to say to my predecessor, governor Patrick, thank you for stepping up and putting on a different hat as commissioner of this Future of Tech Commission and to the folks who are part of the commission, Jim Steyer and some of the other folks who are with us today. I just want to say how much I appreciate your interest in stepping up on this issue as well. I would describe this as one of the most challenging issues of our time and I'll get to that in a minute. And I think John framed this pretty well when he said, "It's relatively easy to say what the issue is," but as he and governor Patrick bullet pointed out, solving it, even getting agreement on how to create a process around how to solve it, is an enormous undertaking.

Charlie Baker:

And it starts with the point that governor Patrick made, which is that tech at this point is pretty much everywhere. And I think one of the things that creates the biggest single challenge with regard to that is that fundamental fact. And one of the reasons we got so interested early in our administration in cybersecurity was because of the constant notion that every time we turned around something that used to be analog was becoming digital and something that used to be done through a more traditional means of communication or transmission was now becoming digital and online. And literally with almost every passing day over the course of the past decade, the number of users and participants in that community has grown exponentially and it's really reached the point now where you have a world that's completely connected one way or the other and for better or for worse.

Charlie Baker:

And I think one of the great challenges that we all face in that space, and it was born out by the colonial pipeline incident earlier last week, is we now have enormous activity associated with security and it has all kinds of places and spaces in which it can play. Every time somebody digitizes all of the HVAC air conditioning, light, electricity in their building and moves away from a mechanical approach to that they're creating yet another opportunity for someone to find their way into somebody's building, into their systems, literally into the guts of whatever their particular information financial interest might be. And I think for all of us, this security issue is an enormously challenging one. Once upon a time it was a bunch of people hacking. And that was kind of the vision of what was going on in the cyber space.

Charlie Baker:

It's now a nation state game. It's incredibly well-financed. And some of it's about outright theft and some of it is literally just more about trouble and mayhem. And I think some of the issues that were raised by John and by governor Patrick around misinformation and false news and fake news very much comes with that space. And that all by itself creates an enormous challenge for this commission around how you really define the public square and then once you define the public square, how do you deal with the enablers of the public square and how do you deal with the participants in the public square and how do you deal with it the enormous difficulty associated with separating what we might call truth from something else? And I think for all of you to take on that aspirational challenge is a real gift for not just us here in the Commonwealth and across the country, but people around the globe.

Charlie Baker:

This is a question people are going to struggle with for a very long time. To get back on the security issue for just a minute, one of the things we did as an administration early on was we filed legislation to create an executive office of technology services and security. And the main reason we did that was as much about sort of creating a single point of access and information gathering and decision making around how we were going to think about and deploy technology to support the people in Massachusetts and our state agencies, but it was also about creating a single point of accountability and a point of entrance around security. And I'm really glad we did it because one of the things we figured out after we did that was just how many different ways the way our house of technology had grown over the years could be penetrated. The way I described it to somebody one time was they said, "Well if you let everybody build their own home, just think how many doors and windows come with that."

Charlie Baker:

And the fact that there's literally very little systemic approach to how you're going to manage those doors and how are you going to manage those windows and by creating a central approach to that,

which the legislature thankfully agreed to do, we now have the ability to create a single approach, at least for state government, to how we think about creating a secure experience for those who do business with state government, those who work in state government, and those who simply want to access information or get a license from state government. But the world with respect to the folks who want to cause trouble is getting more and more sophisticated all the time. We've seen people create fake websites for the Mass registry of motor vehicles or the Department of Fish and Wildlife.

Charlie Baker:

We have had a number of entities, they're independent of the executive branch of state government, who've been ransomwared over the course of our time in office. We had a terrible incident with one of our vendors recently for automobile inspections, which is a ransomware event. And I guess what I would just say is I think the security challenge that we all face should be somewhere up at the top of the list because it creates enormous challenges for all of us around trust and faith with respect to how people choose to use and access online capabilities. And there are so many benefits on the flip side to continue to make this stuff digitally available. I need go no further and when I think about how people manage diabetes. In the old days that one was completely on you, but in a digital world you can actually put on a device that will actually help you manage your diabetes and send information associated with how you're doing directly to a care center, which will keep track of it.

Charlie Baker:

So if God forbid you start to move in the wrong direction they can help you resolve that problem before it becomes a much bigger deal. That's the benefit of this interconnected world we're living in as it becomes more interconnected, but obviously with that comes enormous threats associated with security. The second big issue I just want to raise is this whole question about defining the public square. I think it's an enormous challenge. I talked a lot about my genuine dislike and distaste for much of what takes place in that public square. But I certainly appreciate the fact that when I want to find information on practically anything, I can find it. But then it's up to me to figure out the difference between the stuff that's there to manipulate me and the stuff that's there to actually inform me. And I think this is a huge challenge, not just for this commission, but for those that operate many of these sites as well.

Charlie Baker:

And I don't have a good answer for this one, but I certainly think you are brave and as I said before, aspirational to take on that challenge and to try and figure out what the best approach there is. I think the third big issue, and governor Patrick talked about this one as well, is access. He may remember that during his time in government one of the projects he started was creating broadband access to Western Massachusetts, which didn't have it. Here they were living in Massachusetts, 55 communities in Western mass, living in Massachusetts, one of the great tech centers, not just of this country, but of the world. You had 55 communities that did not have access to high-speed internet. And his administration started that project and we're finishing it. And in many respects it's like plumbing or heat or electricity. It's almost impossible to imagine how you make it work if literally you're the local fire chief and you have a part-time job working as a salesman and you're doing almost all of your work.

Charlie Baker:

This is a true story. Sitting in a pizza shop that's in your downtown square where you can actually access their Wi-Fi to do the work associated with your day job. I think in many ways this access question was laid bare by the pandemic and we're continuing to build out that infrastructure here in Massachusetts.

We're thrilled that ARPA is providing federal resources to help states and localities continue to build out that infrastructure, but once you build it out you then have a lot of work to do to make sure people have the ability to access and use it on their end. And I think one of the things we should all accept as a challenge, and I hope you all take on, is this question of how are we going to go about making sure that this technology and this kind of activity, which for all intents and purposes is almost at this point, the equivalent, as I said before, of having a heat or hot water. Can find its way into people's hands and make it possible for them to be part of that connected society that so many of us benefit from.

Charlie Baker:

The two final things I'll mention, theft. I think most people know, there was a lot of media attention brought to bear on it, that some very sophisticated people used the pandemic to attack unemployment systems all over the country. And they not only attacked unemployment system, eventually they started stealing bank accounts and web addresses from beneficiaries, the actual legal person who is subtitled to and supposed to be receiving benefits. And I think, again, this is just a great example of the challenge we all face, which is this sort of connectivity and the desire we all have to make it relatively easy for people to access and to take advantage of it because it's so important in so many ways to conducting so many transactions that matter, creates real opportunities and open doors for people who want to take advantage of it.

Charlie Baker:

And I think in some ways the connectivity piece is way ahead of the security piece and we have a lot of work to do to try and catch up and figure out what the best approach is to deal with that. And then the final thing I'll just mention is I think part of your challenge going forward is just going to be the diversity of opinions and points of view about how this should be dealt with. And this is going to be one of those debates and conversations where you'll have people at 180 degrees from each other who are both making perfectly good sense about why they're where they are. But I think in the end for this wonderful tool and at the end of the day, that's kind of what it is. To be everything it's supposed to be and to minimize some of the things that are enormously difficult and challenging.

Charlie Baker:

And rip to the faith of the whole and the trust of the whole concept of being connected in the first place. That's a really tough act for you to pursue. And we will certainly do anything we can to help you. We're thrilled you picked Massachusetts for one of your town halls because obviously we have a ton of talented people here. We do have a cyber center that we set up, which has become a community of its own to help us wrestle through these issues. It's part of the Mass Tech collaborative. I heard you mention earlier, John, that Carolyn Kirk is on this and that universe, that community that's been created by that has been a really terrific asset to us as we wrestle with some of the very questions that you all have taken on.

Charlie Baker:

And again, I just want to close by thanking you for doing so and I look forward to hearing what my Massachusetts colleague, Senator Markey has to say about this. He's been in the chair in Washington on these issues a number of times over the years and I'm sure his remarks will be equally important as the feds start to think about how to deal with some of these issues as well. Thank you.

John Haigh:

Thank you governor Baker. I am going to turn to Senator Markey. I will be very quick. But as you know he obviously was elected to the Senate in a special election in 2013. He was in the house of representatives for 37 years before that. And as I'm sure many of you are aware his long history in government, he has an unparalleled record of energy and environmental legislative achievements. He's been a national leader on telecommunications policy, technology, and privacy issues. He was one of the first to introduce the Internet Freedom Preservation Act and introduced a bill on net neutrality. He has been focused on providing privacy protections for personal information, such as medical records and financial records.

John Haigh:

He's been strengthening privacy protections for children. He had the Children's Online Privacy and Protection Act, or COPPA, and more recently, just literally a few days ago, I think he introduced the Children and Teams Online Privacy Protection Act with Bill Cassidy, the Republican Senator from Louisiana. And obviously quite importantly to him and to us is he was born in Malden, Massachusetts. So with that, Senator Markey, the floor is all yours. Thank you so much for taking the time to join us.

PART 1 OF 4 ENDS [00:25:04]

John Haigh:

The floor is all yours. Thank you so much for taking the time to join us today.

Ed Markey:

Well, thank you, John, and hello to everyone. Thank you to the Future of Tech Commission for having me here today and thank you to the Kennedy School for hosting this event. But I also want to just thank governor Patrick and secretary Spellings and Jim Stier for inviting me to speak at today's town hall and for their leadership on this issue.

Ed Markey:

Thanks to governor Baker for him bringing Massachusetts' perspective to these issues. Thank you to Jonathan Zittrain and Joan Donovan and Deb Roy. That is just an all-star cast representing the best of the base state. We are the brain state. So thank you all for participating.

Ed Markey:

So it's just a pleasure to be with you. So from my perspective, the question is how do we bring greater accountability to the tech titans in ways that advances transparency, responsibility to the people who use their services? How can we address algorithmic discrimination that fuel inequities, the lack of algorithmic choice and transparency and the lack of adequate privacy and data protection?

Ed Markey:

How do we ensure a broadband equity in terms of both access and affordability? How do we promote policies that restore and advance democratic values rather than undermining confidence in our democratic institutions? How do we push the frontiers of tech innovation while ensuring safe, healthy, online spaces for all Americans? In short, how do we create the internet we want, the internet we deserve?

Ed Markey:

These are the challenges the United States faces today. The nation that gave the internet to the world now stands at an inflection point. Are we ready to reclaim the internet for the people? Can we craft policies that maximize openness, investment, innovation, equity, and justice?

Ed Markey:

We will create a promising digital future if, and only if we put the principles of inclusion, equity and non-discrimination at the forefront. We need a plan for America, a plan to benefit all Americans, a plan that will have America looking over its shoulders at number two and three in the world. And I believe we can do that. And this commission's work will help to set the stage for significant progress.

Ed Markey:

The bottom line is that in 2021, if you want to have smart education policies, smart climate change policies, smart healthcare policies, and smart transportation policies, you need a wicked smart internet policy. And Massachusetts has been the wicked smart hub of the internet policy universe since its beginning.

Ed Markey:

And you have to hark back to 1966 when IBM having a monopoly and AT&T having a monopoly did not want the job of building a packet switch network for the country. So that contract went to Cambridge, Massachusetts to Bolt, Beranek and Newman on Memorial Drive. And they are the ones who began this original internet connection process across America. Our opportunities are immense. If we take the initiative to make concrete progress right now, we can do it.

Ed Markey:

And let's just start with connectivity. The COVID-19 pandemic has taught us that we have to begin with connectivity. Before Congress passed the bipartisan telecommunications act of 1996, a bill I authored while serving as chair of the telecommunications committee in the house of representatives, no residential consumer in America had access to broadband internet service. That was only 25 years ago. No one had broadband at home.

Ed Markey:

The 1996 act and its goal was to take on entrenched incumbents in the phone and cable industries, break down monopolies and unleash a revolution. It embraced the internet, it embraced the open architecture of the net and worked to crack open markets to new entrepreneurial activity.

Ed Markey:

Triggering paranoia inducing Darwinian competition in the marketplace was key. It unleashed hundreds of billions of dollars, trillions of dollars actually of private sector investment that drove broadband deployment. And my E rate provision in that law connected public libraries in K to 12 schools to the internet in a way that makes it possible for children to get that access at their desk.

Ed Markey:

It was a bill that changed America and in so doing it changed the world, but the pandemic has showed us that there's a lot more work yet to be done. And we have to begin with connecting kids. We have to close the homework gap experienced by as many as 12 million children in the United States who still do

not have internet access at home and who are unable to participate in online learning and finish their homework.

Ed Markey:

And it's why I'm proud to say that the American rescue plan, which president Biden signed into law in March included my emergency educational connections act, which provided more than $7 billion to ensure that all K through 12 students have the internet and tools they need to continue their education online at home. In the Berkshires, in the inner city, all across this country, urban and rural, every child should be connected.

Ed Markey:

And why, because we simply cannot allow the homework app to become a larger opportunity gap for these kids. And let me also put that historic $7 billion investment in context. As part of the 1996 telecommunications act, the E rate was designed to require equitable distribution of funding to our most vulnerable communities.

Ed Markey:

And since the '90s, that program has spent more than $54 billion matched by another 50 billion from cities and towns and states across the country. And over three quarters of a billion dollars has gone just to Massachusetts, but the additional seven billion we just secured for distance learning is only a natural extension of the work we have done. We have to move it just from the classroom to the kitchen table to make sure the kids get access to it.

Ed Markey:

And to build on this tremendous victory, we're now debating president Biden's American jobs plan, which includes $100 billion in broadband funding to finally close the digital divide for all Americans. And that's our opportunity to build back better, to connect every person in our country. And I'm now fighting to make sure these funds are used to promote both broadband access, bringing broadband to every corner of the country and adoption ensuring broadband is affordable for all so that everyone can sign up for this essential service.

Ed Markey:

When we invest in broadband, we're also investing in education, healthcare, renewable energy, so many other sectors for which the internet is absolutely indispensable. And as we expand access to the internet, we also have to ensure that the online ecosystem remains free, remains open, and that means reinstating net neutrality and giving the FCC its rightful authority over broadband.

Ed Markey:

Net neutrality is just another way of saying non discrimination. And it must be at the top of our agenda. I've been saying that ever since I introduced the first net neutrality bill in Congress in 2006, and right now entrepreneurs are in crisis, the little guys online and offline are struggling to get by.

Ed Markey:

We need to get net neutrality so that small businesses aren't shoved into online slow lanes. We need net neutrality so that internet service providers aren't able to throttle access to certain websites in order

to benefit their bottom line. We need net neutrality so that powerful social media companies can't step on their competition by cutting deals with big broadband providers.

Ed Markey:

We know that much of the commercial activity in greater Boston over the last 20 years has been related to the telecommunications act of 1996. You can't have these companies that get started from Wayfair to TripAdvisor without the 1996 telecommunications act. So it's key that this economic development continue, that the small entrepreneur can start up without getting permission.

Ed Markey:

And also it's a civil rights issue as well from black lives matter to the me too movement, from high school students demanding gun control, the teacher's calling for fair pay, today, individuals of all walks of life are carrying the torch of American activism. They're doing it in the streets, they're doing it online. And we have to make sure that we protect that openness of the internet.

Ed Markey:

And we also have to make sure that the internet of tomorrow is safe for children. Kids are spending more time online than ever before, particularly because of the pandemic. But the digital ecosystem is a gauntlet of privacy threats and manipulative marketing, which is particularly harmful to children and teens. That's why recently I just re-introduced with Senator Cassidy, Republican from Louisiana, a proposal to update the children's online privacy protection act of 1998, a bill I authored back then.

Ed Markey:

This new child protection law would ban targeted advertising directed at kids and give teens age 13, 14, and 15, the heightened privacy protections they need to safely navigate today's digital world. Right now it's just age 12 and under. We can't have teenagers be targeted by these unscrupulous tech companies.

Ed Markey:

And I'll also be reintroducing my kids internet design and safety act. The kids act, which would stop websites and apps from using design features like auto play and push alerts that coerce children and create bad habits. Children are a uniquely vulnerable population online and it's time for Congress to put in place the protections that they deserve.

Ed Markey:

If we close the homework gap but fail to give children the online safe guides they need, we're only doing half the job. And finally, we need to face head on the civil rights violations that are taking place online. We must address issues around discriminatory data uses and biased algorithms that are harming vulnerable populations in our country. And that means enacting a comprehensive federal privacy law that builds upon, but moves beyond requirements that companies simply get our consent to collect and oftentimes abuse our information. That means enacting data use limitations.

Ed Markey:

For example, no website, regardless of consent, should be able to use information about your race or your agenda in discriminatory ways online. Our digital future must be one without digital redlining today

known as web lining. One without employment discrimination through online profiling and one without predatory lending practices that rely on demographic data for targeted advertising.

Ed Markey:

It is urgent that we root out bias in the artificial intelligence systems that are spreading into every corner of our society. Antitrust law, section five of the federal trade commission act, cybersecurity issues, they all have to be on the table because we know that there is a Dickensian quality to the internet. It is the best of technologies and it is the worst of technologies simultaneously.

Ed Markey:

It can enable, it can ennoble, it can degrade, it can debase. It can be a force for innovation and massive job creation, allowing a young woman with a great idea to launch a global business, or it can be a force of chaos, allowing bad actors to launch ransomware attacks on our oil pipelines. We have to animate technologies with our values.

Ed Markey:

Right now we have an opportunity to do just that with a bold agenda for equity and innovation. This is our moment. This is what we must add. We spent the 1990s spurring investments and creating this new industry. Now the job is to hold that industry accountable and imbue it with the kind of justice that we need throughout our society. I commend the Future of Tech Commission for taking on this important task. And I look forward to working with you now and in the years ahead. Thank you so much.

John Haigh:

Thank you, governor Markey for very inspiring and very important words. At this point-

Ed Markey:

I don't think governor Baker heard you.

John Haigh:

And to governor Baker, I wanted to thank both governor Baker and you Senator Markey for taking the time with us. Obviously, I think it's a critically important issue that we address and you framed it well. So let me, at this point, we're going to turn, we have a panel of three individuals. I'll give you a little bit of their background, but one of the things you'll be happy to know, we have no PowerPoint presentations, no slides, because this is a town hall.

John Haigh:

And we really would like to hear from all of you about your questions and a number of you have sent questions in, we will start. First of all, we have Joan Donovan with us and she is the research director of the Harvard Kennedy School Shorenstein Center on media, politics and public policy and the director of something we call TASC, the technology and social change project and a lecture at the Kennedy School.

John Haigh:

She's leading scholar on this information in specializing in media manipulation, political movements, critical internet studies and online extremism. We have Jonathan Zittrain with us. Jonathan is the George Bemis Professor of International Law at Harvard Law School. He's also a professor at the Harvard

Kennedy School of Government, professor of computer science at the Harvard School of Engineering and Applied Science and co-founder and director of Harvard's Berkman Klein Center for Internet and Society.

John Haigh:

His research interests, as you can imagine with those titles are very far reaching and broad. The role of intermediaries such as social media companies within the internet architecture, privacy frameworks for users of online services, ethics and governance of artificial intelligence and I could go on and on. And then our third candidate, our third person involved is Deb Roy. And he's the professor of media arts and sciences and executive director of the MIT Media Lab and director of the MIT Center for Constructive Communication.

John Haigh:

And he does a lot of research around applied machine learning and human machine interactions with a focus on designing systems for learning and constructive dialogue. I think he actually used his, I believe it was his son to develop one of the best Ted Talks I've ever seen. I'd encourage you to go find it, but he's also the co-founder of something called Cortico, which is a non-profit social technology company that develops and operates kind of a local voices network to surface under heard voices and bridge divides.

John Haigh:

He also brings a little bit of a private sector background, which certainly I appreciate. He founded Bluefin Labs, which was acquired by Twitter. And from 2013 to 2017, he served as Twitter's chief media scientist. So I'm going to turn to each of them and start with a question. It's one that came up in some of the submissions that people made and the real issue there that started this was what are your top two to three priorities the administration can, should focus on to ensure a vibrant, but safe online space and healthy democracy?

John Haigh:

And that's the question I want you each to think about, but I also want to encourage everybody in the audience, in your Zoom chat, in your Zoom Q and A function, if you have a question you can submit it. We'll try to get to as many of them as we can. And hopefully we have a lot to talk about. So, like I said, we'll get to as many of them as we can. With that, Joan, I will turn it over to you to start the discussion.

Joan Donovan:

Thank you so much for having me. And I'm really excited that everybody's finally starting to get a sense of the problem as it relates to infrastructure and access. If I were to start to think about this problem though, I want us to finally settle on a metaphor, at least for dealing with misinformation at scale, which is really what I've been researching.

Joan Donovan:

So not long ago, cigarette smoke filled the air everywhere from airplanes to restaurants, workplaces, lecture halls, churches, doctor's offices, and even movie theaters. And while secondhand smoke seems like a matter of fact today, the tobacco industry fought hard against it because they knew that if policy makers understood the risks that they would act to defend society against a dangerous products. And today's misinformation is not simply about an individual being wrong on the internet. Instead, misinformation at scale is like secondhand smoke.

Joan Donovan:

It affects the quality of public life and only a few companies are profiting by passing the costs on to other professions like journalism, academia, public health, law enforcement, and even our public officials. And the future of social media is really about the quality of our digital information infrastructure, which is right now easily overrun by disinformation campaigns, memetic warfare, corrosive false hoods, and networked conspiracies on a moment's notice.

Joan Donovan:

And because of the lack of a cross sector plan to counter disinformation, it's grown into an industry with rewards for those willing to traffic in it, and a few politicians using it to gain a strategic advantage over opponents. And I want to give one example that I think policy makers really need to be paying a bit more attention to, which is an example of how social media companies are behaving like the tobacco industry.

Joan Donovan:

Because reaching scientific consensus does take years, the tobacco industry emphasized scientific uncertainty as a PR strategy to ensure that they could carry on business as usual, even as evidence of harm mounted. Right now we're in the same position with social media companies. For example, Nick Clegg, former politician, and the current vice president for global affairs and communications at Facebook issued a very long, medium post refuting research on social media's damaging effects on society.

Joan Donovan:

All in an effort to counter the overwhelming volume of research that outlines the harms and costs of unmanageable misinformation at scale. That's when misinformation reaches millions before we can access the truth. So as we look at the information crisis caused by misinformation at scale, through the use of these social media products, we should demand more than just minor tweaks to the current social media products like adding filters or AI supervised content moderation. We should remember similarly when cigarette companies added filters and advised smokers to moderate their intake, a very similar situation.

Joan Donovan:

So why should we regulate at all? That's the big question. And it took a whole of society effort to make the tobacco industry responsible for their products. And I think it's going to take a whole of society effort to deal with misinformation at scale. So I think there's a few things that can be done. One is the entire internet infrastructure needs an ecosystem wide overhaul, so that tech companies are not able to siphon personal data and leverage it to maximize an advantage over consumers, which often allows for civil rights violation and price fixing.

Joan Donovan:

Moreover, we need a plan for public interest obligations online that ensure timely, local relevant and accurate information reaches everyone. We can't just simply rely on television and radio at this juncture. And my last point is that as scholars, we must be advocates for the truth. And that includes providing key stakeholders with the research necessary to bring about a public interest internet that puts community safety and privacy at the center of design, rather than profit-making.

Joan Donovan:

And at the Shorenstein Center, we're excited to be in these conversations and we will also be organizing a serious effort with the Belfer Center to bring more diverse voices into these debates and to help map out the future of technology. And I thank you for being here and I'm excited to get to Q and A.

John Haigh:

Thanks, Joan. Jonathan.

Jonathan Zittrain:

Thanks very much, John. And thanks for professor Stier and governor Patrick for venturing into this zone with the new commission and to governor Baker, who in particular, on COVID over the past year has really led an effort faced with an entirely new and unprecedented set of circumstances and a public health system in long-standing dire need of buttressing, really took up the mantle there and worked on that.

Jonathan Zittrain:

And of course to Senator Markey who's been working on these issues for so long and who's been really showing up and thinking creatively about it. I think as I think about the problems of digital governance, including platform governance in 2021, I think we basically just have two problems. The first is we don't know what we want. And the second is we don't trust anybody to give it to us.

Jonathan Zittrain:

If we could just solve those, we'd be in really good shape, but I don't mean that as a recipe for sort of advocation or paralysis, but just understanding that we are faced with a lot of problems for which many of the solutions carry their own problems. And there's going to be hard choices ahead, exactly the kind of stuff the commission will want to sort out.

Jonathan Zittrain:

It's just not as simple as sort of power to the people when propagandizing states are people too, and are manipulating what looks like otherwise to be organic conversations and when individual actions can add up to a sustained and chilling harassment in the online platform world. And it's of course not as simple, especially if we're thinking content moderation as power to the representative government, because a lot of the stuff that I imagine the commission will take up in online speech moderation, including a lot of disinformation is protected from government interference under the first amendment.

Jonathan Zittrain:

So thinking about how to deal with stuff that is lawful, but awful where the platforms have traditionally been free to act, but not required to and have been inconsistent and opaque about how to act, I think there's a lot of room to encourage improvement there. So just a couple of thoughts on some specific areas, maybe for action as the commission sets its agenda, particularly for regulation.

Jonathan Zittrain:

I'd highlight Senator Schatz's data care act, co-sponsored by Senator Markey, which embodies some of the ideas by my colleague and I've worked on it too, Jack Vulcan on information fiduciaries, which is to say, if we share sensitive information with a physician, a doctor, that doctor owes special duties above

and beyond if it were just Dr. Inc, to protect that information and duties to the public at large, same with lawyers and clients.

Jonathan Zittrain:

These are learned professions that owe special duties because of the power they exercise and the sensitive information they collect and use. And if that's the standard, certainly thinking ...

Jonathan Zittrain:

... and if that's the standard, certainly thinking about the kinds of data that the platforms collect, the great hay that they continuously make out of it, and the ways in which they can in turn influence us, they can set the agenda for what we think is going on in the world and what we believe to be true or false, or what our neighbors think, provides, I think, the basis for much larger responsibilities towards the users to shoot straight, and the Data Care Act is one effort at that. I can paste the link to it into the chat room online.

Jonathan Zittrain:

And also ways of thinking about Governor Baker's security challenge, that actually thinking about some stronger duties that the platforms might have to safeguard that information they collect would make a lot of sense. California led the way 20 years ago by simply requiring disclosures of incidents as they happen. Security incidents, fought by many in industry because they'd rather not let it be known, but it's turned out to be good for everybody, including industry. California, more recently, led again with the California Consumer Protection Act. Maybe Massachusetts can take the baton and do a little more as well. And we can see stuff at the federal level.

Jonathan Zittrain:

The other thing I would just highlight here is the phenomenon of companies like Clearview AI, which have scraped sites like LinkedIn, Facebook, Instagram, of up to 4 billion images and associated tags, and then applying AI to that so that any photo or video snippet of same can be instantly identifiable as to who's in it, even if they're not attempting to identify themselves. These are the sorts of massive societal changes in surveillance that, to Joan's point, should not just be a function of a marketplace of whatever you can grab, including against the site's own terms of service, but something that actually takes up the massive issues of privacy and invasion of same, including by the government as it uses these things as well, and to think about how to animate those values in cyberspace.

Jonathan Zittrain:

A second area would be thinking about a case that is ongoing right now in California, Epic versus Apple, a truly epic battle over Apple's own use of its app store to constrain what people can load on their phone between a willing vendor and a willing buyer or accessor of an app. And there are lots of complications to this that we can't go into right now. But thinking about alternatives to opaque, ever-changing rule gate-keeping by one or two platforms in order to make the most of your mobile device, which is a real gateway onto the world. It's the kind of thing that Senator Markey was thinking about in 1990 over cable boxes with the Cable Act. I think of his more recent hashtag, from about five years ago, #UnlocktheBox, could be applied as much to Apple.

Jonathan Zittrain:

There are some interesting efforts at alternative app stores, certainly in the Android space, where they can exist, and those might be of interest as alternatives to a single stop for your app needs. And I say that understanding that apps like Parler, even today, they were banned from the Apple app store because they lacked any meaningful policy on hate speech. They have since reached a concordat with Apple. They'll be coming back to the app store on Apple, filtering out hate speech, but they will be leaving the hate speech up on Android and on the web, since they're not being required there to deal with it. This is again a strange cat and mouse battle on what kind of speech people will be able to say and see, and there are surely public policy dimensions to trying to settle those sorts of tugs of war.

Jonathan Zittrain:

A final, third area I would identify is just figuring out how much of our problems with online speech should be thought of as a customer service problem. We just need consistent standards, and the platforms should implement them. And if they can't do it well, they should be regulated into doing it well versus really a self-governance problem, a self-governance problem that we didn't have to take up until now because there simply weren't these avenues for speech and for conflict and, indeed, for disinformation and harassment that there are today.

Jonathan Zittrain:

I know Joan, my colleague has done work involving librarians in efforts at sifting through things, which is an interesting example of self-governance, of how to get outside the corporate customer service fear for thinking about this stuff, without thinking the only alternative is a government regulatory sphere. And I think there's lots of other areas in which that can take place. I have a somewhat provocative proposal myself for asking high school students in their civics classes to be looking at political ads, destined for platforms like Facebook and judging whether they meet the bar for not having this information, and having those students judgements stand on Facebook and other platforms, and in turn, helping to educate those students about how to critically assess information.

Jonathan Zittrain:

There are so many issues to take up here. I'm so glad the commission is working on it. For our part of the Berkman Klein Center for Internet and Society here, we're just embarking on what we're calling a pop-up institute, an evanescent institute that'll last about three years, also working on these issues. And we look forward to taking them up and including as many voices as we can in the spirit of self-governance, as we think through, indeed, as Senator Markey put it, these Dickensian bi-modal opportunities. Thanks very much.

John Haigh:

Thanks, Jonathan. So Deb, you have an extensive background in a number of these areas, but more so than anyone, probably, around some of the issues around children on the internet and on online platforms. But the floor is all yours.

Deb:

Well, thank you, and thank you so much for organizing this and inviting me to share my thoughts.

Deb:

For me, a central challenge to democracy is social fragmentation. It's happening in our politics and in our media and social media, in the workplace, on the streets, even at home. The sense of social fracture or fragmentation, does go to the context I look at some of the challenges through. I want to share three ideas or recommendations.

Deb:

The first is a way to think about defining and limiting harms of information. And I think, as we continue to focus on misinformation and the importance of things like fact-checking, I think it's important to also examine the patterns of impact on society that the flow of information has and to get clear on the categories that we're most worried about. I think it would be interesting to have some kind of, perhaps, a bipartisan group that can actually define major categories of harm that we can just all agree on. It goes to Joan's analogy to the secondhand smoke, that once we understand and agree on the harms that the information causes, we can think about how to reign them in.

Deb:

For example, just to give you possible categories, propagating false beliefs to large numbers of people about civically important matters that lead people to act in ways that harm public health, public safety, election integrity, this is a category. Intentionally sowing unjustified doubt is is the second category, in my opinion, inciting hate between groups.

Deb:

If we can agree on these categories, I think it is possible to then focus, in particular, on the large platforms, the social platforms, maybe defined as having tens of millions or hundreds of millions of users. And I think there's a couple of places for regulation. One is to require sufficient data transparency in these platforms so that independent evaluators can actually measure the harmful impacts that these platforms are having. And that would include identifying what might be a relatively small number of broadcasters and so-called super-spreaders that are behind these harms, and then be able to focus regulatory action on limiting the harm caused both by the platforms and those external actors that are using the platforms as vectors. That's my first suggestion.

Deb:

The second, I'll share two ideas now that draw from work that we're doing on the constructive side on creating new alternatives. One is I think we should look at one of the most dangerous kinds of information disorder are those that systematically erode social trust and eventually turn groups against one another. I think, as we all understand now, for all of the value and positive merits of public online spaces, increasingly the social platforms are dominated by loud, reactive, extreme perspectives that often feed the problem. And the underlying ad supported business models, which benefit from this provocative emotional content, is part of the problem.

Deb:

I do think that change is possible. I think we can create, we can design new kinds of spaces that are more effective for listening and learning across divides. In particular, I think there's a lot of opportunity to do this at a local level. We are doing work in the space that this recommendation is drawn from. I'll just paste in a link here to something, John, you mentioned, the Local Voices Network, which is operated by a nonprofit organization, Cortico, that I co-founded in cooperation with MIT.

Deb:

We are seeing encouraging results, including work we're doing in Massachusetts, and just informed by that specific project, I think a recommendation I have really for our country is to think about establishing government-subsidized funding to develop and operate local online spaces that are designed for listening and nuanced conversation. I think this funding could come from, for example, taking some of the revenues or taxing profits from ad-supported internet services. In its time, when we created resources for public television, we taxed television set manufacturers. There's equivalents that we can imagine today.

Deb:

I think it would be interesting to experiment with ways to empower American citizens to choose what spaces get funded. So using something like a voucher to actually allow citizens to decide how to create these spaces. And we could have a set of regulations that are established to ensure that these new communication spaces remain locally rooted, they're operated transparently, they're governed with input from nonpartisan citizen councils, and they are operated in a not-for-profit mode. I think that could actually create a lot of new possibilities.

Deb:

Finally, John, to your point about children and safety, Gen Z is the first generation in history to join the world of social media in middle school. During this most formative period of development, today our kids are consumed by platforms like Instagram and YouTube, and it's shaping their self-worth and identity. There's increasing research that is showing upward trends in teen rates of anxiety, depression, mental health hospitalizations, and even suicide, which can be traced to adoption of social media to some degree. In particular, for girls sort of in the 10 to 14 year age range, the impact is acute. And this is not inevitable. We know that environment shapes behavior. Rather than parents trying to limit screen time, we should recognize both the incredible virtues of these online spaces and create new pro-social online spaces that are designed for kids, designed with kids through co-design, that rather than being optimized for addiction and promoting commercial interests, instead, we could actually develop systems that are optimized for social and emotional wellbeing, different optimization targets.

Deb:

We are doing work in this space as well. We have a project at MIT that's in the research phases with these concepts. And I hope that there'll be many more efforts, like what we're trying to do, that will flourish. And again, having, new business models, which could involve again, having funding from the non-profit, from foundations, or from government sources, to establish the research that we need to develop and operate, what I hope will be, not-for-profit online spaces that are designed with this kind of user, kids in focus.

Deb:

And again, I think this mechanism of having citizens choose and direct resources to create these new spaces that are operating in the not-for-profit sector, are really promising. It's like television in the 1960s was commercially-dominated ad-supported, addictive, and then along came the Corporation for Public Broadcasting, Sesame Workshop, and there were new spaces, new alternatives, new programming, in that case. And here, I think we need to create new spaces.

Deb:

Thank you.

John Haigh:

So I've got to tell you, there are a lot of questions coming in, and I'm worried we're going get to a small fraction of them, just because of the magnitude and nature of the issues we're trying to address. The one thing I would tell the audience and all the attendees is we are capturing these. They will be sent along to the commission, and there will be ongoing efforts to try to think through some of the questions that people are raising. So if we don't get to it, don't be concerned that it's not having some effect or impact in how the commission thinks about the issues.

John Haigh:

There are a number of questions coming in around what a number of you have touched on, which is how do you address disinformation, false information, and harmful speech on the internet, but in particular, one version is how should we balance the need for safety and protection, managing these categories of harmful content, with the long-held importance of protecting free speech, even false speech.

John Haigh:

I guess I would ask is the speech question a red herring? I know a number of our own faculty have worked on ways to think about some of these free speech questions in the context of this court decisions. What's the state of mind? What's the magnitude of the harm? What's the likelihood of the harm? What's the timing of the harm? And things that are lies that are grave in magnitude and certain likelihood and imminent seem to lose a little of the protections that they might otherwise have.

John Haigh:

How should we think about this issue of trading off or balancing that? And I'll give you each... We'll do these a bit as lightning rounds. So if you can give your relatively brief, quick discussion, I'll let each of you comment in what order you choose to talk.

Joan Donovan:

I don't mind kicking it off. Yeah, the problem is, again, an order of magnitude. We have to get really sober about what these platforms are, which they are amplifiers in many cases. You put in a piece of information into the ecosystem, and depending upon people's reactions, the company, or the algorithm maintained by the company, makes decisions about who else is going to hear or see this message. That choice is the product of social media. That algorithm itself is the product that we're talking about, not individual speech. That product ranks information, it sorts information, and it distributes information. That's where we need to think about, well, how do you regulate that then, when, especially, you can pay to reach more people. That's not the same use case as someone like me, who's just trying to say happy birthday to someone, as a politician, trying to reach millions of people with information about their campaign.

Joan Donovan:

That's why, when we talk about scale, we actually have to talk about the company's products themselves and what they do, rather than talk about any individual piece of information. And then when we do start to get into the nitty-gritty of harms, and we do look at the content, overwhelmingly, we see the same thing that Deb was just describing, which is small networks of people, using the technology as

designed or paying for a little bit of extra amplification power in order to reach the masses with what could be considered, in the nicest sense, propaganda, and in the worst sense is the content that my team tends to look at, which is networked harassment, hate speech, and disinformation.

Joan Donovan:

It's engineered by these groups. There was a great report out, great reporting as well in the Washington Post yesterday, about GNEWS, which is essentially a network of accounts and a website operated by a Chinese billionaire, who linked up with, you guessed it, our friend Steve Bannon, essentially replicated the Breitbart model of putting disinformation on a website and then using social media to trade it up the chain. And now, what we have is an industry, where there's a lot of money to be made, and the victims are really the audiences, not just the ones that are getting inundated by these overwhelming sets of messages, but also because they don't fully understand how this stuff is getting in front of them in the first place. We need to have more public education about what social media products actually are and how this information is reaching people.

Joan Donovan:

And the last point I'll make, which is the tricky one, is not just that the information reaches people, but it mobilizes them. It makes them do something different than they wouldn't have ordinarily done, like storming the Capitol. The storming of the Capitol proves to us that we're moved beyond individual psychological motivations, where one person has become over-excited by certain kinds of information and takes a, what we might consider, lone-wolf action. Here, you have thousands of people, believing that the election has been stolen and that they're going to get a pardon once they overturn it. To me as a sociologist, it sparks in me that there's something very different about the way this information ecosystem mobilizes people and legacy media, like print, radio, or television.

Joan Donovan:

I'll leave it at that for now. But I've got a lot more to say.

Deval Patrick:

Hey, Joan. Joan, this is Deval. I'm sorry, John.

John Haigh:

Not at all.

Deval Patrick:

I know our time is really short, and I want to hear from everybody else, but I just want to get, make sure I get to the nub of part of what you said because it sounded like you were saying that the answer to the free speech argument is not to target the speaker so much as the device algorithm, what have you, that amplifies that speech? Is that a fair summary?

Joan Donovan:

Yeah, because that's what the product of social media is. Certain actors cannot reach this volume of people without this mediating factor, without this technology in and of itself. So we have to look at that.

Deval Patrick:

I'm going to save for a separate conversation whether that's government regulation or something else. But I just want to make sure that I understand that part of what you were saying. Not the speaker, but the means of amplifying.

Joan Donovan:

Yeah, and Rep [inaudible 01:11:44] has been looking into this as well, about what do you do when you have to regulate a product for dangerous impacts, instead of trying to get at well, how do we moderate the entire system? Because the entire system has, as John pointed out earlier and others, it has many, many benefits. So how do we hone in on the negative impacts?

Deval Patrick:

Okay. Thank you.

John Haigh:

Thanks, Governor Patrick. I want to hear from Jonathan and Deb, and I want to add a little bit on what the governor just mentioned, and that is really around this question of algorithms and their amplification capacity. You had talked earlier a little bit about transparency and accountability. What should the government be doing to address some of those AI, algorithmic, and other forms of amplification that occur from the social media platforms? What actions, consistent with this issue that we were just talking about?

Jonathan Zittrain:

Well, so much of the space is entirely constructed by people. It's not a natural phenomenon that's just the laws of physics. It can be changed. And it was constructed years ago with engagements, as has been well documented in mind, which is very different from establishing truths. What tends to get many of us riled up and continue to keep us online is, in the wonderful words of Randall Munroe of XKCD, "Someone is wrong on the internet." And simply pushing that in front of us - "Can you believe this?" Well, apparently people can - generates, societally, a different baseline than other forms of media would be.

Jonathan Zittrain:

I would just really think it'd be great for the commission to explore just as a brainstorming thing, before you even think about regulatory interventions of any kind, what could other forms and structures of technology, whether foundational or in the apps, look like? I've long thought it would be interesting to experiment with a Voltaire button instead of just a Like button. You can tell I'm not an advertising person. But the Voltaire button would be, you see something and you click on it, and it says, "I disagree with everything you just said, and I'm really glad you said it. That was really interesting and gave me some insight." And if you had that button, people would then be posting, trying to optimize to earn Voltaire clicks, which is to say, speaking outside their choir and looking to engage with others, especially if that, in turn, led to more propagation in the otherwise hidden algorithms of what they're saying.

Jonathan Zittrain:

Another example of foundational technology would be the ability to certify certain facts about yourself that might help people understand where you're coming from, without having to share your identity. To be able to say, "I'm a doctor, and here's a view I have about COVID," or "I'm a teacher, and here's how I

feel about school re-openings," or "I live in Massachusetts, and this is what I think about what's going on Massachusetts," again, without having to disclose further, could help shape conversations.

Jonathan Zittrain:

Can disclose further, could help shape conversations and interplays that aren't just these weird sort of one thing after another of back in the day Twitter eggs, going back and forth about stuff and maybe half of them are Russians or maybe none of them are Russians. It's just so hard to know.

Jonathan Zittrain:

And finally, I would just say, I think it's really helpful to look at systems that would ask and discern better. Why are even people online at the moment they are online? Are they there to make friends? Are they there to learn? Are they trying to answer a question that's like health related or are they just there to cheer on their team, which is an entirely acceptable reason to be online, but each of those would yield very different sets of interactions. And especially when you have people who are there to cheer on their team, talking to somebody that thinks they're there to learn and to share, no wonder when it bonks in their conversation as they go back and forth. So thinking about ways to help people along. This goes back to information fiduciaries to achieve the goals they have online and to better understand with whom they're interacting and what the kind of norms of the conversation would be might lead to a very different environment than the one we have right now.

Deb:

So maybe I'll try to make just a couple of quick points. One is to just completely agree with Jonathan's point that we should be thinking about creating new alternatives. And there are a lot of promising tools out there. Some of which come to mind, Jonathan, when you talk about some of these possibilities that just putting a spotlight on them and bringing them more into the mainstream as alternatives because one of, I think, the reasons we're all having this conversation is that there's just a growing recognition of some of the lessons we have learned. The worldwide web is roughly one human generation old. And so now we understand both the power, but also the peril of the internet and these services.

Deb:

And so I think there is a market and a demand for different spaces. So just trying to reign in these platforms are playing a game of whack-a-mole, right? In some ways, it's going to be impossible to completely constrain the behavior of billions of people, but a lot of us are seeking alternatives. So I think just creating these new options is so important.

Deb:

I just wanted to make one other point about, again, in addition to misinformation and falsehoods that are spreading, sometimes it's truths that can do damage when cherry picked, when there are systematically certain things, certain truths that are just never brought to the attention of entire swaths of society and when that is done deliberately. So there is a researcher at Johns Hopkins named Thomas Rib that's written a book on active measures, this notion of designing a wedge and driving it into the seams of society in order to turn groups against groups. And that wedge can be made of falsehoods for sure, but you can also cherry pick truths and amplify them in a way that's designed to divide people.

Deb:

So I think looking at the harm side and understanding when some kind of an intentional program of sort of driving that kind of a wedge as a society, we should decide, how do we feel about that? And if there are certain points of leverage in the system that we've created that allow actors to do that, how do we identify those and reign them in and stop those actors? And often, it's not just propagation of falsehood that's doing the damage.

Deval Patrick:

So Dev, can you do that in real time in every case? In other words, do we know what's a wedge on day one or do we only appreciate it as a wedge on day 30 when we've been riven? And I guess another question I would ask of you and the others on the panel, is there a modern web version of the old fairness doctrine that can possibly make any sense and get us into some balance in terms of the flow of information and communication on the online platforms?

John Haigh:

Before you respond to that, I want to add on to what Governor Patrick was saying, because a number of questions have come in raising this issue of, first of all, is the issue broader than social media platforms? So for example, how do you think a broadcast and the kind of quote dis-information that comes through broadcast channels? And should we be thinking of it more broadly? And on top of that, there are a number of questions about a regulatory structure. So should there be a new fairness doctrine, like applies to broadcasters, should or did apply? Should there be modifications to section 230? And I don't want to roll in too many regulatory questions into it, but what's your reaction to what Governor Patrick raised and what I'm talking about with some of these other regulatory considerations?

Deb:

I mean, I think there are limits to what you can do in real time and some things do happen real fast, but going back to Jones pointing to the storming of The Capitol, this built up over time. And when I made my remarks earlier, I talked about super spreaders and broadcasters and media companies that are actually using multiple platforms as a vector for distribution.

Deb:

You do have kind of the long tail distribution of social media users kind of like hitting the lottery, where suddenly something you tweet goes viral, and then you have the kind of equivalent of broadcasters, right? They are broadcasters. You could think of social networks, social platforms as social broadcast networks. And there are certain accounts that have millions or tens of millions of followers and have just a real track record of reach. And so there's a kind of history there that we can understand where you don't have to just catch it in the moment. You can sort of see the building up over time, and I think it's important to do work where we have data and can see those patterns over time. It's harder to catch the things in real time.

John Haigh:

And you can downgrade it and not amplify it through the platforms.

Joan Donovan:

Yeah, but the key here is that the platform companies have to agree on the shape, the scope of the problem, and then look for it. For many years, we fought definitionally just to get people to understand the phenomenon of fake news as a product of social media companies, where people were able to, like the governor was saying, create fake websites and then use the companies to amplify them. And we have to understand this as a problem through the entire tech stack, not just located solely in social media.

Joan Donovan:

In each social media platforms, once you start to get into the nuances of disinformation, performs a different function within this disinformation industry. And so we have to be cognizant of the fact that Facebook is very different from Twitter and YouTube when it comes to the distribution of the content and even the shaping of the wedge issues where YouTube tends to be much more hospitable to this kind of hyperpolarizing hate group rhetoric, whereas Twitter in some respects has tried to clean it up in a different way.

Jonathan Zittrain:

Yeah. YouTube has a run under the radar for quite a while from a public accountability and discourse standpoint. I think on the question of is online media somehow distinct from traditional media, there's been some really interesting work that shows how much they're sort of glued together. And that if you think of one, you should be thinking of the other as well.

Jonathan Zittrain:

My colleague Yo-Kai Benkler coauthored a book called Network Propaganda, that kind of makes that point. I've put the link to that in the chat room. But at the same time, as you've heard today, I think that through their spectacular ability to amplify and personalize and to segment audiences, which makes it a lot harder for the normal public discourse process of somebody plops an inaccurate ad in the middle of the Super Bowl broadcast, and then somebody else can respond to it. There's a lot less of that going on when things are so derivatively segmentable. That's a way of setting people's agendas and their frame of reality that traditional media hasn't done. And being able to think about that, I think, is really important.

Jonathan Zittrain:

I don't know how much a fairness doctrine would be adaptable. I'm open to the ideas, but it's certainly not as simple as a copy and paste from a doctrine that even at its height in the seventies was a little bit observed in the breach with the classic sort of the station editorial. Okay, now we're going to go find somebody to say something different. How you do that in this kind of environment is much trickier, especially with a lot of the pressure is to make things hugely out of the mainstream, like anti-vax stuff, harder to find rather than, and now let's just contribute to your sense of epistemic paralysis by for every persuasive point, having an equal and opposite framed point, even though on the substance, they're maybe not so equal.

Jonathan Zittrain:

For CDA 230, gosh, that's a big question. I'll just observe. It really to me fits this paradigm of, we don't know what we want in the sense that you have people like candidate, if not President Biden saying that 230 should be repealed or greatly looked. In part because it lets the platforms off the hook too much in propagating disinformation and such, and maybe they should be legally responsible when the person

originally posting the content would be legally responsible, whether it's defamatory or injurious, physically injurious, and 230 would protect them.

Jonathan Zittrain:

On the other hand, you have people who want to get rid of 230, like Senators Cruz and Holly. And I think as best I could discern from his tweets back in the day, former President Trump, who want to get rid of it because of some bank shot idea that if it weren't there, you would suddenly have the platforms wanting to be deemed neutral carriers or distributors. And as a result, they would step back from any content moderation if it were gone. And so how interesting that you have two sets of people wanting to get rid of it, expecting the opposite results? They can't both be right if it's gotten rid of.

Deval Patrick:

Jonathan, I should have interrupted you earlier, just to say very briefly for participants who don't know what 230 is.

Jonathan Zittrain:

Well again, put very briefly and Senator Markey then Congressman Markey was there for its creation. Part of the Communications Decency Act, most of which was struck down, trying to keep kids away from materials that would be harmful to minors, but for which adults have a constitutional right to see, namely indecent materials, but there was a little pocket of it, 230 that stayed. And what it said was that online, if you're an information content provider, you're not responsible legally for what other information content providers post in many, but not all instances.

Jonathan Zittrain:

So if somebody says something defamatory and it would only normally be heard by three people, but then CompuServe, now Facebook or YouTube, broadcasts it and promotes it to millions, YouTube wouldn't be responsible. And under most state common law back in the day, they would have been. And the common law development there was stopped because CDA 230 just said kind of blank check as a way of letting there be comments and videos that get posted by people without YouTube lawyers having to prevet the 10,000 videos a minute getting posted.

John Haigh:

As a friendly amendment to what Jonathan just described as that there are two parts to 230, one is you're not liable for things you leave up, and the other is you're not liable, legally liable for things you take down. So it gives you a shield, a legal liability shield, on both sides of that equation. And then as many people attribute that to the success of the internet, but now it's obviously become a major impediment to many of the issues we're talking about.

John Haigh:

I do want to be respectful of people's time. It is 1:33. I don't know if I can speak for everybody. I'll stay on. Maybe some of the panelists can stay on if people want to continue talking about some of these issues. I do apologize that we were not able to get to many of the questions that have come up in the Q and A chat portion of this. We've tried to run this as a town hall, which is actually an interesting challenge in a virtual world and appreciate your patience as we go through it. I have a couple other things to say, but Governor Patrick, is there anything you would like to say to our attendees before we?

Deval Patrick:

I was just thinking, and I'm admonished not to think out loud, but just in terms of the questions we haven't gotten to during the town hall, this being the first for them. Maybe the way to do it is to start to post an aggregation of the questions because many are in common and then ask our panelists as we go along to just offer comments and suggestions. I don't mean just obviously today, but as we work through as a commission over the next several months, because I know we'll be staying in touch with you and then there are additional panelists who'll be coming on.

Deval Patrick:

So we'll figure that out, but I just want our participants to know that the questions you thoughtfully submitted will not go unthought about, unread, unconsidered. And if we can, we'll start to get some feedback on those questions from some of the experts that we are engaging as we go along. And with that, I'm going to thank you all and vanish into the ether.

John Haigh:

So I will say, I want to thank you all for joining. I found it incredibly interesting. A couple of things, today's event focused on health and the safety of online platforms, but obviously it was very broad and far reaching. As the governor mentioned early, there are a number of other town halls that are coming up. You can find them on their website, futureoftechcommission.org. And the other topics are things like digital equity and access, innovation in the social sector, market competition, and privacy issues. So please consider joining those if you find those topics interesting.

John Haigh:

Also as the governor was saying, the commission really wants to hear from all of you. So this is again, I'm sure it was somewhat frustrating given the nature of a virtual town hall. In the chat, there was a link earlier to the commission's public input form. So if you have comments or questions, you can put them into that form and submit them. Many of you I've noticed in the box, we have experts on our panel, but many of you are experts as well. And so your comments are appreciated. And as the governor was saying, I think we need to find a way for the commission to kind of engage in some of those other questions and some of those contributions.

John Haigh:

But with that, I really would like to thank first of all, Senator Markey, Governor Baker. I would like to thank all the panelists for taking the time to join. I think it's a start on a critically important set of questions and of course, to thank Jim Stier for helping set this up and in particular, Governor Patrick for taking the time. And as was mentioned earlier, being willing to take the risk of trying to take on this incredibly difficult set of issues and problems. I think that takes actually real courage to decide to move down that path, so thank you. Thank you, governor, for doing that.

John Haigh:

And with that, like I said, you should feel free to go. I will continue the discussions for another, I don't know how long our panelists have, but another five minutes or so. And I'm going to violate every rule to take advantage of this as the host. There are a number of questions that have come up in the Q and A around the relative roles of the government versus for example, the specific tech companies themselves. And to some extent, because the tech companies make their money by selling advertising,

and they have a strong incentive to provide information that is sensationalist and reaffirms people's prior beliefs and biases that they are contributing.

John Haigh:

The business model contributes to the polarization of views within the US and the broad question, if I kind of put it as broadly as I need to, to get everybody in, what should be done by the tech companies themselves to help address some of these issues? And can they actually be incented and motivated sufficiently to deal with some of the social issues, given the business model and the sources of their revenues and profits? Sorry, that's a big topic and we could spend the next day talking about it, but if you have a few thoughts, we'd love to hear them.

John Haigh:

Jonathan, I know you have views on this because I've heard some of them before, and Dev, you too, actually.

Jonathan Zittrain:

Go ahead, Dev.

Deb:

I would love to defer to Jonathan. I unfortunately am overdue eight minutes on another place I'm supposed to be. So I didn't want to rudely disappear either.

John Haigh:

Dev, you should depart and thank you so much for taking the time.

Deb:

Absolutely. Thank you so much for having me. And you're in much better hands with Jonathan answering that question. Okay. Bye-bye.

John Haigh:

Thanks again.

Jonathan Zittrain:

I mean, I feel like your question once again gets to this distinction between a regular company that's making pig iron or potato chips and what its responsibilities are versus these companies in particular ones that have become so singular, so central and that their product and service is shaping speech. And how to think about what heightened responsibilities we'd want to see them take up and how best to hold them accountable when traditionally government was the one with monopoly on speech, including on public spaces and that it was about holding government accountable, so it didn't pick winners and losers in the so-called marketplace of ideas. I think a phrase that's looking a little ragged right now. So it's a really hard problem. I just want to acknowledge its gravity. And that trying to just say, hey, it's private industry, it's potato chips and they don't trust government either, can't be the only answer to it.

Jonathan Zittrain:

And that's why to my eye, acknowledging the kind of societal and ethical valence of what they do, looking for ways for them to be less singular, for instance, allowing different people to select different recipes for a news feed, whether it's on Twitter, or on Facebook, or even on YouTube and still letting those companies put ads in the middle of the feed. Let me say, I'd like the Harvard Kennedy School and John Donovan shop to be 20% working the variables for my feed. Maybe the NRA, the National Restaurant Association can do the other 30% or whatever it might be, that these are ways of trying to make the companies both less central and to kind of center what people are looking for.

Jonathan Zittrain:

It's not going to work for everything, and it may even create kind of more filter bubbles, but I would be thinking about that for some of the lawful but awful stuff. And then to really identify and for that which rises to the level of incitement or harassment, to make it a much quicker process, to hold individuals accountable for that. And if you fail to, then maybe you should stand in their shoes. Those are the kinds of approaches I think that try to take this stuff up and I hate to invoke it, but Wikipedia to this day remains pretty vibrant for all of its many problems. And it is with all its works a self-governing community rather than one that has that corporate customer service view. And I'd love to see what parts of that could be transplanted without having it wither.

John Haigh:

Interesting. So I must editorialize just very briefly. There's a group of us that had worked on some of these issues and sent some recommendations to the Biden administration that Claire, my assistant, posted it in the chat if people are interested. And one of the things that we found is first, it was a number of us, about 12 of us that worked on it. And you can't solve this problem by government alone because of the nature of the technology and the control mechanisms and the kind of existing rules and regulations that the tech platforms operate with them and their business models.

John Haigh:

You have to engage them and somehow finding and developing a set of, whether you call it standards of conduct and holding them to degrees of transparency and accountability on data, to hold them accountable against those codes of conduct. Maybe through the federal trade commission's section five actions that they could take, maybe through other actions of other agencies has to be part of the solution. You may agree or disagree, but I think we could have an interesting conversation about that.

John Haigh:

Okay. With that, Jonathan, thank you so much for staying on. I see a fair number of people have stayed on. I appreciate your patience with us and staying on the discussion. With that, we are going to sign off. I would like to thank Jim Stier and also all of the people that helped make this work. Again, thanks everybody, and thanks Jonathan.

Jonathan Zittrain:

Thanks everybody. Bye. Bye.