

FACEBOOK, GOOGLE AND TWITTER: EXAMINING THE CONTENT FILTERING PRACTICES OF SOCIAL MEDIA GIANTS

HEARING BEFORE THE COMMITTEE ON THE JUDICIARY HOUSE OF REPRESENTATIVES ONE HUNDRED FIFTEENTH CONGRESS SECOND SESSION

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TUESDAY, JULY 17, 2018

HOUSE OF REPRESENTATIVES
COMMITTEE ON THE JUDICIARY
Washington, DC

The committee met, pursuant to call, at 10:09 a.m., in Room 2141, Rayburn House Office Building, Hon. Bob Goodlatte [chairman of the committee] presiding.

Present: Representatives Goodlatte, Smith, Chabot, Issa, King, Gohmert, Jordan, Poe, Marino, Labrador, Collins, DeSantis, Buck, Ratcliffe, Gaetz, Johnson of Louisiana, Rutherford, Handel, Rothfus, Nadler, Lofgren, Jackson Lee, Johnson of Georgia, Deutch, Bass, Jeffries, Cicilline, Lieu, Raskin, Jayapal, Schneider, and Demings.

Staff Present: Shelley Husband, Staff Director; Branden Ritchie, Deputy Staff Director; Zach Somers, Parliamentarian and General Counsel; John Coleman, Counsel, Subcommittee on the Constitution and Civil Justice; Dan Huff, Counsel, Subcommittee on Regulatory Reform, Commercial and Antitrust Law; Amy Rutkin, Minority Chief of Staff; John Doty, Minority Senior Advisor; Perry Apfelbaum, Minority Staff Counsel; Danielle Brown, Minority Deputy Chief Counsel and Parliamentarian; Aaron Hiller, Minority Deputy Chief Counsel, Oversight Counsel and the Subcommittee on the Constitution; James Park, Minority Chief Counsel, Subcommittee on the Constitution; Slade Bond, Minority Chief Counsel, Subcommittee on Regulatory Reform, Commercial and Antitrust Law; David Greengrass, Minority Senior Counsel; Arya Hariharan, Minority Counsel; Matthew Morgan, Minority Professional Staff Member; and Veronica Eligan, Minority Professional Staff Member.

Chairman GOODLATTE. Good morning. The Judiciary Committee will come to order. And without objection, the chair is authorized to declare a recess of the committee at any time.

We welcome everyone to this morning's hearing on Facebook, Google, and Twitter: Examining the Content Filtering Practices of Social Media Giants. And I'll begin by recognizing myself for an opening statement.

Today we continue to examine how social media companies filter content on their platforms. At our last hearing which we held in

April, this committee heard from Members of Congress, social media personalities, legal experts, and a representative of the news media industry to better understand the concerns surrounding content filtering. Despite our invitations, Facebook, Google, and Twitter declined to send witnesses. Today, we finally have them here.

Since our last hearing, we've seen numerous efforts by these companies to improve transparency. Conversely, we've also seen numerous stories in the news of content that's still being unfairly restricted. Just before July 4, for example, Facebook automatically blocked a post from a Texas newspaper that it claimed contained hate speech. Facebook then asked the paper to review the contents of its page and remove anything that does not comply with Facebook's policy.

The text at issue was the Declaration of Independence. Think about that for a moment. If Thomas Jefferson had written the Declaration of Independence on Facebook, that document would have never seen the light of day. No one would be able to see his words because an algorithm automatically flagged it, or at least some portion of it, as hate speech. It was only after public outcry that Facebook noticed this issue and unblocked the post.

Facebook may be embarrassed about this example. This committee has the opportunity today to ask, but Facebook also may be inclined to mitigate its responsibility, in part, because it was likely software, not a human being, that raised an objection to our founding document.

Indeed, given the scale of Facebook and other social media platforms, a large portion of their content filtering is performed by algorithms without the need of human assistance. And Facebook is largely free to moderate content on its platform as it sees fit. This is in part because, over 20 years ago, Congress exempted online platforms from liability for harms occurring over their services.

In 1996, the internet was just taking shape. Congress intended to protect it to spur its growth. It worked because the vibrant internet of today is no doubt a result of Congress' foresight in part.

But the internet of today is almost nothing like the internet of 1996. Today we see that the most successful ideas have blossomed into some of the largest companies on Earth. These companies dominate their markets, and perhaps rightfully so, given the quality of their products.

However, this begs another question. Are these companies using their market power to push the envelope on filtering decisions to favor the content the companies prefer. Congress must evaluate our laws to ensure that they are achieving their intended purpose. The online environment is becoming more polarized, not less. And there are concerns that discourse is being squelched, not facilitated.

Moreover, society as a whole is finding it difficult to define what these social media platforms are and what they do. For example, some would like to think of them as government actors, as public utilities, as advertising agencies, or as media publishers, each with its own set of legal implications and potential shortfalls. It's clear, however, that these platforms need to do a better job explaining how they make decisions to filter content and the rationale for why they do so.

I look forward to the witnesses' testimony.

It is now my pleasure to recognize the vice ranking member of the Judiciary Committee, the gentleman from Maryland, Mr. Raskin, for his opening statement.

Mr. RASKIN. Mr. Chairman, thank you very much.

In terms of today's hearing, clearly the majority would prefer to focus on made-up threats, fabricated, phony, and inflated threats instead of the real threats that are facing the United States of America. So today, we resume consideration of the entirely imaginary narrative that social media companies are biased against conservatives, companies, I should add, whose platforms were used to spread vicious Russian propaganda that helped to elect Donald Trump President.

It is ironic but entirely predictable that today's hearing, which is ostensibly about the silencing of minority voices, begins by silencing the minority on this committee, by denying us a witness of our own choosing, as is our committee custom and is our right. This decision to exclude a minority witness continues the majority's recent outrageous assault on the committee's standard rules, conventions, and practices.

Yesterday, the ranking member sent a letter to the chairman to protest this decision, and I now ask unanimous consent that it be entered into the record.

Mr. ISSA. I object.

Mr. RASKIN. On what grounds?

Mr. Issa. Every bit of the discussion you're having is outside the fair decorum of this body.

Mr. RASKIN. Mr. Chairman, who controls the time right now?

Chairman GOODLATTE. The gentleman will suspend. And the gentleman from California has made his objection. However, I would urge the gentleman to reconsider. It is the custom of this committee that we make documents in order, and I don't see any reason why we should stop doing that now. So—

Mr. ISSA. Mr. Chairman, I do not object to the letter. I do object to the gentleman's depiction of so much, so inappropriate to the decorum of the body, but I withdraw my objection.

Chairman GOODLATTE. I thank the gentleman and dually note his—without objection, the document will be made a part of the record.

Mr. RASKIN. Thank you, Mr. Chairman. And thank you for withdrawing that objection.

This hearing was called as a followup to the one that we conducted in April on the content filtering practices of social media platforms. So to be clear, the majority intends to pick up where it left off with Diamond and Silk when we last met, and to dedicate one of the last working days before the 5-week August recess to this conservative fantasy, instead of examining a long list of real and pressing issues facing America, beginning with the crisis caused yesterday by President Trump's abject humiliation before the eyes of the world in his cooperation with Vladimir Putin and his choosing Putin's narrative over that of the U.S. Intelligence Community and the U.S. law enforcement community.

The majority would have us believe this conspiracy theory about anti-conservative bias despite the fact that the Republican Party controls every elected component of our Federal Government: the

House, the Senate, the White House, the Supreme Court. And they're working, of course, to try to control the workings of the FBI and the Department of Justice, as well as the majority of State legislators and governorships, which, in turn, have allowed them to gerrymander congressional and State legislative seats to cement their political control over our country.

While there are legitimate questions to be raised about social media companies' practices in general, alleged anti-conservative bias is simply not one of them. We continue to go down a road of pure fantasy.

It might instead be helpful to know what these companies are doing to weed out the prevalence of false information, fake news spread by hostile foreign powers and by others in order to poison our political discourse and divide our people. It might also be useful to know how social media companies enforce community standards that target racist, bigoted, or other inappropriate content and whether their enforcement practices need more refinement and focus.

Finally, we might take advantage of the fact that we have representatives from three of the major social media companies here to ask them what they are doing to protect their users' data privacy and whether we ought to consider establishing a single governing framework to protect user data as the European Union has done. And, in fact, the State of California has moved dramatically in that direction recently as well.

One need only point to the revelation surrounding the unauthorized use of Facebook user data by the political research firm Cambridge Analytica to see the true dangers posed by a lack of such protection for user data privacy and the people who use social media every day.

Mr. Chairman, there is no evidence to back the specious claim that social media companies intentionally target conservative content for disfavored treatment because of their political ideology. Moreover, even if they were, it would be their right as private companies to do so, just like Sinclair and FOX News have a clear ideological bent and clearly promote their own form of censorship on their own media platforms.

Rather than wasting our time pursuing fairy tales, I hope the majority will find some time to examine the pressing substantive issues that now should be the focus of our hearing and our committee instead.

I yield back the balance of my time.

Chairman GOODLATTE. We welcome our distinguished witnesses. And if you'd all please rise, we'll begin by swearing you in.

Please raise your right hand.

Do you and each of you solemnly swear that the testimony that you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Thank you very much.

Let the record show that all the witnesses answered in the affirmative.

Our first witness is Monika Bickert, the head of Global Policy Management at Facebook. Our second witness is Juniper Downs, the global head of Public Policy and Government Relations at

YouTube. And our third and final witness is Nick Pickles, a senior strategist of public policy at Twitter.

I look forward to hearing from all of our witnesses today.

Your written statements will be entered into the record in their entirety, and we ask that you summarize your testimony in 5 minutes. And to help you stay within that time, there's a timing light on the table in front of you. When the light switches from green to yellow, you have 1 minute to conclude your testimony.

Welcome to all of you.

And Ms. Bickert, you may begin.

TESTIMONY OF MONIKA BICKERT, HEAD OF GLOBAL POLICY MANAGEMENT, FACEBOOK; JUNIPER DOWNS, GLOBAL HEAD OF PUBLIC POLICY AND GOVERNMENT RELATIONS, YOUTUBE; AND NICK PICKLES, SENIOR STRATEGIST, PUBLIC POLICY, TWITTER

STATEMENT OF MONIKA BICKERT

Ms. BICKERT. Thank you.

Chairman GOODLATTE, Ranking Member Nadler, and members of the committee, thank you for the opportunity to be here today. My name is Monika Bickert, and I am the vice president of Global Policy Management at Facebook. We appreciate this committee's hard work as it examines content filtering policies on social media platforms.

At Facebook, our mission is to give people the power to build community and bring the world closer together. More than 2 billion people come to our platform each month to stay connected with friends and family, to discover what's going on in the world, to build their businesses, and to share what matters most to them. Freedom of expression is one of our core values, and we believe that the Facebook community is richer and stronger when a broad range of viewpoints are represented on our platform.

Chairman GOODLATTE. Let me ask the witness to suspend for a moment, and let me ask those members of the audience who are displaying things in violation of the decorum of the committee to take them down.

Thank you very much. You may proceed.

Ms. BICKERT. Thank you, Mr. Chairman.

People share billions of pictures, stories, and videos on Facebook every day. Being at the forefront of such a high volume of sharing means that we are also at the forefront of new questions about how to engage in automated and manual content filtering to keep our communities safe and vibrant. We know that there have been a number of recent high-profile content removal incidents across the political spectrum, and we are working to respond to the concerns raised by the Facebook community, this committee, and others. Let me highlight a few of the things that we are doing.

First, we recently published a new version of our community standards, which includes the details of how our reviewers, our content reviewers, apply our policies governing what is and what is not allowed on Facebook. We've also launched an appeals process to enable people to contest our content decisions. We believe this will also enhance the quality of our automated filtering.

We have engaged former Senator Jon Kyl to look at the issue of potential bias against conservative voices. Laura Murphy, a national civil liberties and civil rights leader, is also getting feedback directly from civil rights groups about bias and related topics.

As part of Facebook's broader efforts to ensure that time on our platform is well spent, we're also taking steps to reduce the spread of false news. False news is an issue that negatively impacts the quality of discourse on both right and left, and we are committed to reducing it. We are working to prioritize news that is trustworthy, informative, and locally relevant. We are partnering with third-party fact-checking organizations to limit the distribution of stories that have been flagged as misleading, sensational, or spammy. We recognize that some people may ask whether in today's world it is possible to have a set of fact checkers that are widely recognized as objective.

While we work with the nonpartisan International Fact-Checking Network to make sure all our partners have high standards of accuracy, fairness, and transparency, we know this is still not a perfect process. As a result, our process provides for appeals. And if any one of our fact checkers rates a story as true, we do not down rank that content.

Similar to our community standards, we have also published advertising policies that outline which ads are and are not allowed on Facebook. We recently announced changes designed to prevent future abuse in elections and to help ensure that people on Facebook have the information they need to assess political and issue ads. This is significant and challenging engineering work.

Our goal is transparency, and we will continue to strive to find a right balance that is not overinclusive or underinclusive. We hope that these improvements will ensure that Facebook remains a platform for a wide range of ideas.

Before I close, I do want to acknowledge the video bloggers known as Diamond and Silk. We badly mishandled our communications with them. And since then, we've worked hard to improve our relationship. We appreciate the perspective that they add to our platform.

And, finally, I want to reiterate our commitment to building a community that encourages free expression. We recognize that people have questions about our efforts, and we are committed to working with members of this committee, our users, and others to continue this dialogue.

I appreciate the opportunity to be here today, and I look forward to your questions. Thank you.

Chairman GOODLATTE. Thank you, Ms. Bickert.

Ms. Downs, welcome.

TESTIMONY OF JUNIPER DOWNS

Ms. DOWNS. Thank you.

Chairman Goodlatte, Vice Ranking Member Raskin, and members of the committee, thank you for the opportunity to appear before you today. My name is Juniper Downs, and I serve as the global policy lead for YouTube.

The internet has been a force for creativity, learning, and access to information. Products like Google Search and YouTube have ex-

panded economic opportunity for small businesses; given artists, creators, and journalists a platform to share their work; and enabled billions to benefit from a broader understanding of the world.

Supporting the free flow of ideas is core to our mission to organize the world's information and make it universally accessible and useful. We build tools that empower users to access, create, and share information like never before. We build those products for everyone in the U.S. and around the world. People will value these services only so long as they continue to trust them to work well and provide them with the most relevant and useful information. We have a natural and long-term incentive to make sure that our products work for users of all viewpoints.

We strive to make information from the web available to all of our users, but not all speech is protected. Once we are in notice of content that may violate local law, we evaluate it and block it for the relevant jurisdictions. For many issues, such as defamation or hate speech, our legal obligations may vary as different jurisdictions deal with these complex issues differently. In the case of all legal removals, we share information about government requests for removal in our transparency report.

Where we've developed our own content policies, we enforce them in a politically neutral way. Giving preference to content of one political ideology over another would fundamentally conflict with our goal of providing services that work for everyone.

Search aims to provide all users with useful and relevant results based on the text of their query. Search handles trillions of queries each year, and 15 percent of the queries we see each day we've never seen before. For a typical search on Google, there are thousands, even millions, of web pages with potentially relevant information. Building a search engine that can serve the most useful and relevant results for all of these queries is a complex challenge that requires ongoing research, quality testing, and investment.

Every year, we make thousands of changes to Search to improve the quality of our results. In 2017, we ran over 270,000 experiments with trained external evaluators and live user tests, resulting in more than 2,400 improvements to Search.

We put all possible changes through rigorous user testing and evaluation. We work with external search quality evaluators from a range of backgrounds and geographies to measure the quality of search results on an ongoing basis. These evaluators assess how well a website gives searchers what they're looking for and rate the quality of the results. These ratings help us benchmark so we can meet a high bar for users of Google Search all around the world. We publish our search quality evaluator guidelines and make them publicly available through our how search works website. Our ranking algorithms have one purpose only: delivering the best possible search results for our users.

YouTube's mission is to give everyone a voice and show them the world. It has democratized how stories and whose stories get told. We work to provide a place where people can listen, share, build community, and be successful.

To put our work in context, it's important to recognize the scale of our services. More than 1½ billion people come to YouTube every month. We see well over 450 hours of video uploaded every

minute. Most of this content is positive. In fact, learning and educational content drives over a billion views on YouTube every single day.

Many creators are able to make a living using the platform. YouTube channels making over six figures in revenue are up 40 percent over the last year. And digital platforms like YouTube have long been a place for breaking news, exposing injustices, and sharing content from previously inaccessible places.

We are dedicated to access to information and freedom of expression, but it's not anything goes on YouTube. We've developed robust community guidelines which we publish to provide clear guidance on the rules of the road. For example, we do not allow pornography, incitement to violence, or harassment. Keeping YouTube free from dangerous, illegal, or illicit content not only protects our users, it's a business imperative.

Our policies are crafted to support an environment where creators, advertisers, and viewers alike can thrive. That includes certain restrictions we may apply to content, including disabling advertising on videos that don't comply with our advertiser-friendly guidelines and age restricting content that may not be appropriate for all audiences.

We also provide user controls like restricted mode, an optional setting for users who want to filter out more mature content. Of course, videos that are unavailable in restricted mode or are not monetized through advertising remain available on the site.

We don't always get it right, and sometimes our system makes mistakes. We hear these concerns from creators of all stripes. Accordingly, we have a robust process for appeal of both the monetization and removal decisions. We encourage our users to take advantage of this process if they feel we've acted in a way that's inconsistent with our policies.

As I mentioned from the start, we build our products for all of our users from all political stripes around the globe. The long-term success of our business is directly related to our ability to earn and maintain the trust of our users. We will continue to pursue that trust by encouraging and acting on feedback on ways we can improve.

Thank you for the opportunity to outline our efforts in this space. I'm happy to answer any questions you may have.

Chairman GOODLATTE. Thank you, Ms. Downs.

Mr. Pickles, welcome.

TESTIMONY OF NICK PICKLES

Mr. PICKLES. Chairman Goodlatte, Vice Ranking Member Raskin, and distinguished members of the committee, thank you for the opportunity to be here today. My name is Nick Pickles. I'm the senior strategist on Twitter's public policy team.

Twitter's purpose is to serve the public conversation. We have committed Twitter to help increase the collective health, openness, and civility of public conversation, and to hold ourselves publicly accountable towards progress. Twitter's health will be built and measured by how we help encourage more healthy debate, conversations, and critical thinking. Conversely, abuse, spam, and manipulation detract from it.

We are looking to partner with outside experts to help us identify how we measure the health of Twitter, keep us accountable, to share our progress with the world, and to establish a way forward for the long term.

We strive to protect expression, including views that some of our users may find objectionable or with which they vehemently disagree. We do not believe that censorship will solve societal challenges, nor that removing content will resolve disagreements. Threats of violence, abuse of conduct, and harassment are an attack on free expression intended to silence the voice of others, thereby robbing Twitter of valuable perspectives and threaten the free expression that we seek to foster.

Accordingly, the Twitter rules prohibit this and other types of behavior on our platform. Our rules are not based on ideology or particular sets of beliefs. Instead, the Twitter rules are based on behavior. Accounts that violate our rules can be subject to a range of enforcement actions, including temporary and, in some cases, permanent suspension. We are increasing the transparency of these decisions so that users better understand our rules and why we are taking action.

Because promoted tweets, our ads, are presented to users from accounts they have not chosen to follow, Twitter applies a more robust set of policies that prohibit advertising on, among other things, adult content, potentially unsafe products, and offensive content.

We see a range of groups across the political spectrum regularly use our advertising to promote a variety of issues and causes. Our enforcement processes rely both on technology and manual human review. Every day, we have to make tough calls, and we do not always get them right.

When we make a mistake, we acknowledge them, and we strive to learn from them. For example, our decision to hold Congressman Blackburn's campaign launch advertisement was a mistake. And when it was brought to our attention, we rectified it the same day. We apologized to her campaign at the time, and I'd like to apologize to her again today. Importantly, the tweet itself was never removed from Twitter.

We've made significant progress combating abuse and manipulation. But our work will never be complete. We have made more than 30 policy and product changes since the beginning of last year. Additionally, we recently took steps to remove locked accounts from follower counts globally. This step will ensure that indicators that users rely on to make judgements about an account are as accurate as possible. This change applies to all accounts active on the platform regardless of the content they post.

We also recently have integrated new behavioral signals into how tweets are presented and search results in conversations targeting behavior that may not violate our rules but is disruptive. Significantly, this approach enables us to improve the overall health of the platform without always needing to remove content.

Some critics have described these efforts as a banning of conservative voices. Let me make clear to the committee today that these claims are unfounded and false. In fact, we have deliberately taken this behavior-led approach as a robust defense against bias as it re-

quires us to define and act upon bad conduct, not a specific type of speech.

Our success as a company depends on making Twitter a safe place for free expression. We are proud of the work we do in the world. However, we will never rest on our laurels.

As senior strategist, my role is at the intersection of public policy, product, and trust and safety work. This juncture is unique in allowing an insight into how our company defends free expression. And I hope to provide both insight and reassurance to the committee today.

Thank you again, and I look forward to your questions.

Chairman GOODLATTE. Thank you, Mr. Pickles.

We'll now proceed under the 5-minute rule with questions, and I'll begin by recognizing myself.

All three of you represent companies that have very strong, in many instances, dominant market shares in the sectors that you provide services. So I'll ask this to each of you, and we'll start with you, Ms. Bickert.

All other things being equal, which company is likelier to be concerned about consumers leaving in response to discriminatory filtering practices, one with a 75 percent market share or one with 10 percent?

Ms. BICKERT. I'm sorry, Mr. Chairman. I want to make sure that I understand your question. Would you mind repeating it?

Chairman GOODLATTE. Sure. All other things being equal, which company is likelier to be concerned about consumers leaving in response to discriminatory filtering practices, one with a 75 percent market share or one with 10 percent?

Ms. BICKERT. Well, I know that at Facebook we want to make sure that everybody feels welcome. We are a platform for broad ideas across the political spectrum, and we don't want anybody on our platform to feel discriminated against. We want to make sure that our policies are applied neutrally and fairly.

Chairman GOODLATTE. And you think that the lack of competition in your space does not in any way affect that position?

Ms. BICKERT. Mr. Chairman, I know that right now, the average user of social media in the United States uses eight—approximately eight internet communication services. So, clearly, people have a choice in the United States when they go online. And Facebook is one service they can use, but they can also use many others.

Chairman GOODLATTE. But Facebook owns more than one of those, right?

Ms. BICKERT. We do. We have Facebook, we have Instagram, and we have WhatsApp. But, again, users have a lot of choice here, as do advertisers.

Chairman GOODLATTE. Ms. Downs.

Ms. DOWNS. Thank you, Mr. Chairman. We operate in an incredibly competitive environment. The tech industry is very dynamic. There are new players and entrants to the market all of the time. And so we have a natural incentive to continue delivering the most trustworthy, high-quality product to our users because we know competition is always one click away.

Chairman GOODLATTE. Mr. Pickles.

Mr. PICKLES. Thank you, Mr. Chairman. And it's always grateful to remind sometimes that our companies themselves are quite different. YouTube is arguably smaller than our peers here today.

But from our perspective, the primary focus is that every user has paramount rights to free expression. And providing the apps within our rules, we're going to defend that right for them. I think the question mark of why we make those decisions is focused solely on the behavior of the user and whether they violated our rules.

Chairman GOODLATTE. Thank you.

Ms. Bickert, do you think that the host of content producers whose speech has been filtered by Facebook would complain as loudly if they could simply switch to a competitor?

Ms. BICKERT. Mr. Chairman, I think that people do have a choice to use other services. We are keenly aware that users have choice, that advertisers have choice. And that's why we work hard to make sure that Facebook is a place where both users and advertisers want to be.

Chairman GOODLATTE. Thank you.

Ordinarily, the sort of liability exemptions the social media platforms enjoy are only granted to regulated utilities, like phone companies. The rationale is that since phone companies do not have full discretion to determine who to serve to set the terms and conditions of their services or to interfere with the content they must carry, they should not be held culpable for harms caused by use of their services. Nonutilities, by contrast, are typically subject to judicial liability if they have not done enough to mitigate harms from use of their services.

At some point, for example, hotels have a legal obligation to curb sex trafficking in their rooms, or clubs have a legal obligation to curb sale or use of illegal drugs on their dance floors, and pawnshops have a legal obligation to curb fencing of stolen goods in their stores. Property owners have a legal obligation to curb hazards on their grounds, and traditional newspapers and programming networks have a legal obligation to curb defamation over their outlets.

Therefore, I'd like to ask, I'll start with you, Ms. Downs, why should your company be treated differently than these other non-utilities that I've just described?

Ms. DOWNS. YouTube is a service provider that hosts user-generated content at an unprecedented scale. And section 230 was crafted to allow service providers like us to remove user-uploaded content that violates content policies without assuming publisher liability for all the user-generated content on our site. Without section 230, we wouldn't be able to remove harmful content like child pornography without fear of liability.

Chairman GOODLATTE. Mr. Pickles.

Mr. PICKLES. I think it's fundamental to competition, is how do we ensure that new entrants can come into the market and compete with our businesses. And 230 is an essential part of that.

And just to build on that point, in our case, for example, we're able to now detect 95 percent of terrorist accounts on Twitter ourselves using our own technology and remove them quickly in 75 percent of cases before they have even tweeted. So we're able to

take those strong steps because of the legal framework that's in place but that also protects people competing with us.

Chairman GOODLATTE. My time's expired.

The chair recognizes the ranking member, the gentleman from New York, Mr. Nadler, for 5 minutes.

Mr. NADLER. Thank you, Mr. Chairman.

Before I begin my questions, I have a motion at the desk.

Mr. Chairman, on July 10, 2001, the Phoenix field office of the FBI forwarded a memorandum to headquarters to advise the Bureau of an effort by Osama bin Laden to send associates to the United States to enroll in civil aviation courses. In the words of former CIA director George Tenet, the system was blinking red.

For a host of complicated reasons, the Bush administration did not follow up adequately. And 2 months later, on September 11, in my district, the World Trade Towers fell.

Mr. Chairman, last Friday, Special Counsel Robert Mueller indicted 12 Russian nationals for hacking into the Democratic National Committee, the Democratic Congressional Campaign Committee, and several State election systems. This indictment is a remarkable piece of forensic work. With the aid of the intelligence community, the special counsel can name the specific Russian military intelligence officers at the keyboard on a given day. And in the words of Director Coats, a distinguished former Republican Senator and President Trump's hand-picked Director of National Intelligence, our digital infrastructure is literally under attack, unquote, by the Russian Government as we speak.

Mr. Chairman, this latest indictment can surely be seen as the equivalent of the Phoenix memo about 9/11. It is a warning. We must heed it.

Yesterday in Helsinki, President Trump said he does not believe it. He sided with Vladimir Putin over his own intelligence community. And he continues to undermine American law enforcement proclaiming on the world stage that our laws are meaningless, that the work of investigators has been worthless, and that no one should take the special counsel seriously.

This is a catastrophe in the making. If we do not take any action, the American people may not trust the outcome of the next election. And instead of taking action in this committee, instead of refuting the President with information you and I have both read, Mr. Chairman, we spent 6 more hours questioning Lisa Page about Cheryl Mill's laptop and Hillary Clinton's email.

This is a national emergency, and our silence is unacceptable. Our Nation is under attack. Accordingly, under committee rule 3(b) and House rule XI (g)(2)(A), I move that the committee go into—do now go into executive session for the purposes of discussing the evidence in our possession that speaks directly to the special counsel's indictment and to the President's apparent submission to the Russian Government.

Mr. CICILLINE. Second.

Chairman GOODLATTE. The motion is not debatable, and the clerk will call the role.

Mr. ISSA. Mr. Chairman, a point of order.

Did you recognize him for a motion or recognize him for an opening statement?

Chairman GOODLATTE. I recognized him for an—for—to question witnesses. He's offered this motion. It's not debatable. We're going to vote on it immediately.

And the clerk will call the role.

Ms. ADCOCK. Mr. Goodlatte?

Chairman GOODLATTE. No.

Ms. ADCOCK. Mr. Goodlatte votes no.

Mr. Sensenbrenner?

[No response.]

Ms. ADCOCK. Mr. Smith?

[No response.]

Ms. ADCOCK. Mr. Chabot?

[No response.]

Ms. ADCOCK. Mr. Issa?

Mr. ISSA. No.

Ms. ADCOCK. Mr. Issa votes no.

Mr. King?

Mr. KING. No.

Ms. ADCOCK. Mr. King votes no.

Mr. Gohmert?

Mr. GOHMERT. No.

Ms. ADCOCK. Mr. Gohmert votes no.

Mr. Jordan?

Mr. JORDAN. No.

Ms. ADCOCK. Mr. Jordan votes no.

Mr. Poe?

[No response.]

Ms. ADCOCK. Mr. Marino?

Mr. MARINO. No.

Ms. ADCOCK. Mr. Marino votes no.

Mr. Gowdy?

[No response.]

Ms. ADCOCK. Mr. Labrador?

Mr. LABRADOR. No.

Ms. ADCOCK. Mr. Labrador votes no.

Mr. Collins?

[No response.]

Ms. ADCOCK. Mr. DeSantis?

[No response.]

Ms. ADCOCK. Mr. Buck?

[No response.]

Ms. ADCOCK. Mr. Ratcliffe.

[No response.]

Ms. ADCOCK. Mrs. Roby?

[No response.]

Ms. ADCOCK. Mr. Gaetz?

Mr. GAETZ. No.

Ms. ADCOCK. Mr. Gaetz votes no.

Mr. Johnson of Louisiana?

Mr. JOHNSON of Louisiana. No.

Ms. ADCOCK. Mr. Johnson votes no.

Mr. Biggs?

[No response.]

Ms. ADCOCK. Mr. Rutherford?

Mr. RUTHERFORD. No.
 Ms. ADCOCK. Mr. Rutherford votes no.
 Mrs. Handel?
 Mrs. HANDEL. No.
 Ms. ADCOCK. Mrs. Handel votes no.
 Mr. Rothfus?
 Mr. ROTHFUS. No.
 Ms. ADCOCK. Mr. Rothfus votes no.
 Mr. Nadler?
 Mr. NADLER. Aye.
 Ms. ADCOCK. Mr. Nadler votes aye.
 Ms. Lofgren?
 Ms. LOFGREN. Aye.
 Ms. ADCOCK. Ms. Lofgren votes aye.
 Ms. Jackson Lee?
 [No response.]
 Ms. ADCOCK. Mr. Cohen?
 [No response.]
 Ms. ADCOCK. Mr. Johnson of Georgia?
 Mr. JOHNSON OF GEORGIA. Aye.
 Ms. ADCOCK. Mr. Johnson votes aye.
 Mr. Deutch?
 Mr. DEUTCH. Aye.
 Ms. ADCOCK. Mr. Deutch votes aye.
 Mr. Gutierrez?
 [No response.]
 Ms. ADCOCK. Ms. Bass?
 Ms. BASS. Aye.
 Ms. ADCOCK. Ms. Bass votes aye.
 Mr. Richmond?
 [No response.]
 Ms. ADCOCK. Mr. Jeffries?
 [No response.]
 Ms. ADCOCK. Mr. Cicilline?
 Mr. CICILLINE. I vote for America. Aye.
 Ms. ADCOCK. Mr. Cicilline votes aye.
 Mr. Swalwell?
 [No response.]
 Ms. ADCOCK. Mr. Lieu?
 [No response.]
 Ms. ADCOCK. Mr. Raskin?
 Mr. RASKIN. Aye.
 Ms. ADCOCK. Mr. Raskin votes aye.
 Ms. Jayapal?
 Ms. JAYAPAL. Aye.
 Ms. ADCOCK. Ms. Jayapal votes aye.
 Mr. Schneider?
 Mr. SCHNEIDER. Aye.
 Ms. ADCOCK. Mr. Schneider votes aye.
 Mrs. Demings?
 Mrs. DEMINGS. Aye.
 Ms. ADCOCK. Mrs. Demings votes aye.
 Chairman GOODLATTE. Has every member voted who wishes to vote?

The clerk will report.

Mr. ISSA. Mr. Chairman, while they're counting that, I have a question for you. Isn't—don't the rules require that each member receive a copy of the motion?

I've just received it. And since it wasn't spoken about, I'm surprised at what it says.

Can we see that every member has a copy of the motion before we close the vote?

Chairman GOODLATTE. The clerk will report.

Ms. ADCOCK. Mr. Chairman, 10 members voted aye, 12 members vote no.

Chairman GOODLATTE. And the motion is not agreed to. But the gentleman's point is well taken, and the motion will be distributed to all the members.

How much time is left on the gentleman from New York?

Okay. The gentleman is recognized.

Mr. NADLER. Thank you.

I'll begin my questioning by saying that to the shock of the Nation yesterday, President Trump stood next to Vladimir Putin and accepted the Russian President's word over America's own intelligence community's assessment that the Russian Government attacked our democracy during the 2016 Presidential election.

He said, quote, I have great confidence in my intelligence people, but I will tell you that President Putin was extremely strong and powerful in his denial today, close quote.

He went on to call the special counsel probing into that attack a disaster for our country and a total witch hunt.

I trust the assessment of the U.S. Intelligence Community, not that of Vladimir Putin. And the facts are clearly laid out in the grand jury indictment obtained by the special counsel. Thirteen Russian nationals associated with several Russian-based organizations, quote, posing as U.S. persons and creating false U.S. personas operated social media pages in groups designed to attract U.S. audiences. These groups and pages which addressed divisive U.S. political and social issues falsely claimed to be controlled by U.S. activists when, in fact, they were controlled by defendants. The defendants also used the stolen identities of real U.S. persons to post on defendants' organization controlled social media accounts. Over time, these social media accounts became defendants' means to reach significant members—significant numbers of Americans for purposes of interfering with the U.S. political system, including the Presidential election of 2016, close quote.

That's obviously from the indictment issued a few months ago.

Now, do each of you agree that Russian Government exploited the social media platforms your company provide—your companies provide to attack our democracy?

Why don't we go left to right. Ms. Bickert first.

Ms. BICKERT. Ranking Member Nadler, as we have stated publicly, we did find accounts run by the Russian internet research agency both before they posted content on Facebook both before and after the 2016 election, and we did remove those accounts and report on them.

Mr. NADLER. Thank you.

Ms. Downs.

Ms. DOWNS. Thank you, Ranking Member Nadler. We take election interference very seriously. And as we described last year, we did find limited activity on our services; limited because of the strong security controls we had in place leading up to the election. But we found two accounts linked to the internet research agency that had a total spend of less than \$5,000 on our advertising products, and 18 YouTube channels containing a thousand videos. We terminated all of those accounts pursuant to our investigation.

Mr. NADLER. Thank you.

Mr. Pickles.

Mr. PICKLES. Thank you, sir. Yes, we removed accounts we believe were linked to the internet research agency. And also, based on the findings of the U.S. Intelligence Community, took the decision to off-board Russia Today and all its associated entities from our advertising products worldwide.

Mr. NADLER. Thank you.

To the extent you haven't answered this question just now, what steps have your companies taken to prevent further attacks on our democracy?

If you've already answered it, you just say that.

Ms. BICKERT. Thank you, Congressman. We are working actively with academics, with others in industry, with government officials to make sure we're doing all we can to protect the elections coming up here and around the world. We're also improving our technology to help us find bad actors earlier.

Ms. DOWNS. We're committed to working with Congress to ensure the integrity of our elections. We've undertaken a wide range of approaches, including a suite of tools called Protect Your Election that we've been using in our outreach to campaigns. We've worked with both the RNC and the DNC to educate them about these tools to protect election websites from hacking and interference. We also have adopted new transparency measures around election advertising requiring verification of those purchasing ads and ad labeling, and we will publish election ads publicly.

Mr. PICKLES. Thank you. So we have also improved advertising transparency, ads.twitter.com, for such transparency. One point I would like to flag is the improvement in technology that we have made in a year on year from this time last year, we now challenge 9.9 million accounts every week for suspicious activity, and that's a 299 percent increase on this time last year.

Mr. NADLER. Thank you.

Ms. Bickert, according to Cambridge Analytica whistleblower Christopher Wylie, Facebook data from 87 million Facebook profiles was used to develop psychographic profiles abuses which were then used by the Trump campaign to target users with online pro-Trump advertisements.

Cambridge Analytica reportedly acquired this data from researcher Aleksandr Kogan who collected the data through a person—personality quiz app he created for Facebook's platform. According to news accounts, Facebook learned that Mr. Kogan had passed this data to Cambridge Analytica in 2015, demanded that this data be deleted, and asked the parties to certify that it was deleted.

At that time, did Facebook take any additional steps, beyond the self-certification, to confirm this data has been deleted? And currently, when Facebook determines that data has been acquired to use by a third-party app in violation of company policies, does your company take active steps to confirm that any improperly acquired user data is secured or destroyed?

Chairman GOODLATTE. The time of the gentleman has expired. The witness may answer the question.

Ms. BICKERT. Thank you, Mr. Chairman.

Congressman, after we were notified of the potential breach in December of 2015, we did take steps to obtain a certification from Cambridge Analytica. And this is—I'll echo the comments of our CEO when he testified before Congress on this. But we are taking many steps now to make sure that we understand the extent of any data that may have been passed to Cambridge Analytica and that we are also taking steps to make sure that this has not happened with other apps, or that if we do uncover any abuse, that we disclose it to anybody who may have been affected.

Mr. NADLER. Thank you very much.

Chairman GOODLATTE. The chair recognizes the gentleman from California, Mr. Issa, for 5 minutes.

Mr. ISSA. Thank you, Mr. Chairman.

Ms. Downs, I'm sorry you're from YouTube. I understand the request was for Google, and you're a subsidiary. And you may find this not as on point to YouTube, but there are similar examples at YouTube, so—but I'm going to phrase this in a Google corporate fashion, if you don't mind.

Last month, Google provided a link for the California GOP, the official website of the Republican Party in California, that, unfortunately, because of a decision made by Wikipedia not to discipline and control their own content, had a reference to Nazism for the California Republican Party.

Now, I'm a big supporter of emerging technologies, and I will always defend that things can happen in emerging technology that are unintended and, over time, they get corrected, and each of your three companies and the many companies that your companies have acquired deal with that every day. But when Google was a younger company, it was a blue box reference company, meaning that, by definition, what you did was, if I clicked on—if I Google searched something, what I would end up with is I'd end up with a list of places that I could then click on and go to.

In the case of Wikipedia, currently, Google is using Wikipedia, scraping the information, and essentially using it almost as though its own content, meaning you're providing not a link to this site but you're, in fact, putting their information out as your information.

Since Wikipedia is an external, fairly broad, in many cases, list of people, sometimes with political biases that will deliberately distort or do bad things to a site, and YouTube faces the same situation, how are we to hold you accountable when, in fact, instead of simply being a search source, you, in fact, are scraping the information? And this could be—obviously, we could look at how you treat restaurants in some cases making them your own, and so on. But specifically, when you absorb the content, aren't you absorbing

the responsibility? And since, in the case of Wikipedia, clearly you were not scrubbing the content.

Ms. DOWNS. Thank you. So knowledge panels are derived from a variety of sources across the web, including Wikipedia and other sources like the CIA—

Mr. ISSA. That's not the question, ma'am. The question is, aren't you absorbing the responsibility, and can't—and shouldn't we hold you responsible at least to the level of care that newspapers, ever so poorly, are held to?

Ms. DOWNS. So we have robust protections in place to protect from this type of vandalism. And when we include information from other sites, like Wikipedia or any other site, we also include a link to their site so that users can click through to the original website and read the information there. So we still are following the traditional model of search to link to information across the web. It's just an opportunity for users to get information at a glance alongside organic search results.

In the case of the California Republican Party, you're correct that Wikipedia was vandalized. We have protections in place to protect our services from showing information that's shared across the web pursuant to that kind of vandalism. Unfortunately, our systems didn't catch it in time in this instance, but we did fix it as soon as we were on notice and apologized to the California Republican Party for the—

Mr. ISSA. So now for each of you, a question that piggybacks the chairman's question. As your technologies now across the board are, by definition, mature, not just because they're more than a decade old in most cases, but because in the, if you will, the quarterly speed that goes on in San Jose and in other emerging technology areas, if we don't hold you accountable after a decade, then the reality is we never get past a decade. New technologies typically come in.

So each of your technologies, why is it today that this side of the dais shouldn't begin looking at holding you accountable for what you publish that you—no matter where you scrape it from, if you make it your own, if you adopt it, why shouldn't we hold you at least to the level of care that we hold public newspapers and other media to?

And I'll go right down the aisle.

Ms. BICKERT. Thank you, Congressman. We feel a tremendous sense of accountability for how we operate our service, and it is in our business interest to make sure that our service is a safe place.

Mr. ISSA. Mine is a strict liability question. Should we open you up to litigation under the standards of care that the, if you will, other media are held to?

And if you could answer briefly, because my time is expired, each of you.

Ms. BICKERT. Congressman, we believe that section 230 of the Communications Decency Act is essential for online companies like those represented here today. And we also believe it's consistent with operating safe products that give consumers choice.

Mr. ISSA. Anyone else, please?

Ms. DOWNS. We believe that the openness that's enabled by 230 has brought tremendous benefits to the world. And for most of our

products and services, we don't do the things many traditional publishing operations do, like author or copy edit content.

Mr. PICKLES. I think such an approach risks putting speech at risk and it risks competition. Our role is to have clear rules, to enforce those rules well, and to be more transparent in how we're doing that to build trust and confidence.

Mr. ISSA. Mr. Chairman, I appreciate all their comments, but I would note that free speech was created and supported by a newspaper system from our founding that lived by different rules. And I yield back.

Chairman GOODLATTE. I thank the gentleman.

The chair recognizes the gentlewoman from California, Ms. Lofgren, for 5 minutes.

Ms. LOFGREN. Well, I think this is such an interesting hearing, I think, motivated by a sense of persecution on the part of Republicans and conservatives that somehow they're being unfairly treated when they have a majority in the House, the Senate, the White House. And when the analysis shows by NewsWhip that conservative news sites have three times more user engagement than liberals do, there's been no evidence whatsoever that I have seen and that the majority has been able to provide that there's any bias whatsoever.

I—you know, the idea that we would adopt SOPA somehow in response to this feeling of persecution is astonishing to me. But I'd like to get into another issue, which is really the business model that is used in the digital environment that I think has an unintended consequence.

Whether it's content discovery or user engagement or targeted advertising, your algorithms target what a user wants to see. And so, in other words, what I see is really tailored to my interests. And that's really for an advertising purpose. But the net result is that Americans have been isolated into bubbles. Now, where the purpose was really to sell ads, the net effect is that all of us have sort of ended up in echo chambers with confirmation bias that has allowed the American public to be exploited by our enemies.

And, you know, the Russians tried to attack our infrastructure. We know that now, from the indictments, the Russian military was involved. This isn't meddling. This is an attack on the United States. And our people have been made more vulnerable because of the isolation that is the side product of your advertising model.

So I'm wondering if you have, each of you, given some thought on how the model might be adjusted so that individuals who end up in these bubbled echo chambers can be freed from those echo chambers and have a more generic experience so that Americans can begin talking to each other again instead of just being led down the rabbit hole of conspiracy theories related to one political theory or another.

If each of you could share your thoughts on that.

Ms. DOWNS. Thank you, Congresswoman. We let users know when information that we're providing to them has been personalized. We believe transparency there is very important. So, for example, on YouTube, with watch next with the recommended videos, we label recommended for you if something is based on things that

the user has watched before, and it's a personalized recommendation. And our search—

Ms. LOFGREN. But most people don't look at that. They're just getting the next—and it's—they're getting the next view because it's something that—it's a preference, and so you can sell ads. But it isolates further and further down that rabbit hole.

What else are you doing?

Ms. DOWNS. So in our research and recommendations generally, we aim to show users information from a variety of sources. In fact, we have research that shows that users do like to engage with content from a variety of sources. So we are very conscious of not wanting to isolate people. And because we have such a breadth and depth of content on our services, we aim to design products in a way that shows content from diverse sources.

Ms. LOFGREN. What about Facebook?

Ms. BICKERT. Thank you, Congressman. We've got a number of initiatives that are designed to increase the breadth of information that people come across if they're interacting with news on Facebook. First, we announced back in, I believe it was December, that we were working with third-party fact checkers. If we have indications that something on Facebook, a news story may be false, then we are sharing beneath the news article related articles from around the—

Ms. LOFGREN. Let me ask a follow-up question, because millions of Americans were sent material by the Russian military. Would Facebook contact each Facebook user and say, you were sent this by the Russian military in an effort to influence you?

Ms. BICKERT. Anybody who saw content that was put on Facebook by Russia's IRA, we did proactively send notice to and let them know. And all of those accounts violated our policies. The mistake we made was we didn't catch them fast enough, and we've improved our systems to make sure that we do.

What we're doing going forward to combat the issue that you mentioned of people getting into bubbles, first, I would note that our research does suggest actually—and we're looking at studies from other places as well—that suggest that people actually come into a broader range of views when they are online versus when they are offline.

On Facebook, there are—people, in general, have about 23 percent of friends come from different political ideologies than themselves. So we know that diversity is already out there. What we're trying to make sure we're doing is giving people the information to make educated choices about the news they want to interact with. And we're doing that through this related articles and other programs that we put out since December and January.

Ms. LOFGREN. Thank you, Mr. Chairman.

Chairman GOODLATTE. The time of the gentlewoman has expired.

The chair recognizes the gentleman from Iowa, Mr. King, for 5 minutes.

Mr. KING. Thank you, Mr. Chairman. And I thank all the witnesses.

I know that you can't necessarily see the entire gallery behind you. But I would point out that there's not one gray head in the entire packed gallery today. There must be a message in that for

all of us sitting on this panel and in this room and for America. A lot of youth has stepped up and are paying attention to where this goes. And I would say remember these days and look back about 20 years ago when section 230 was passed with an anticipation of what the internet would grow into and what great care to making sure it had the kind of flexibility to grow into the companies we have before us today. We shouldn't be surprised if we have a few problems and maybe some serious ones that have emerged. But on the other hand, we do have a lot of freedom.

And so I'd turn first to Ms. Bickert, and I'd point out that it's a matter of congressional record that Gateway Pundit Mr. Jim Hoft has introduced information into the record that, in the span of time between 2016 and 2018, he saw his Facebook traffic cut by 54 percent. And could you render an explanation to that for him and for me, Ms. Bickert?

Ms. BICKERT. Thank you, Congressman. I can't speak to any one individual's decline in reach or popularity on Facebook. I can say that we do change the way that our news feed algorithm works. The algorithm basically—it's individualized, and it gives people—it sorts or ranks content for each individual user based on people that they follow, pages that they follow, groups that they belong to. So it's an inventory of content that they have chosen.

And we do make changes to that over time, and we have made some this year that might affect whether or not people have—it might affect their reach in some way. But there are also other factors such as how appealing their content is or what sorts of content they're producing and who they're trying to reach that would also affect it.

Mr. KING. But we actually did speak to Diamond and Silk. But their issue—and they watched their traffic drop too. And I saw them repeat a tweet after you lifted the—apparently the algorithm that had cut down on their distribution or their content.

But what you've described to me, I think, are a series of judgment calls that are being made. Can you be more precise on how an algorithm actually works?

Let me just try this definition. A series of if then formulas that are written so that—let's just say if a certain word shows up, then that sets up a software alarm bell that, perhaps, connected with another word or two or a phrase would cause it automatically to be kicked out. Is that a fair explanation of what goes on?

Ms. BICKERT. It works a little differently than that, Congressman. What the algorithm looks to is what is the type of content—it looks at things like what is the type of content that an individual user tends to interact with, what's the recency of a certain piece of content, what type of engagement is that content generating.

There is no—there is no point at which an individual Facebook employee decides where an individual piece of content will go in somebody's news feed. This is based on giving users the content that is the most relevant to them based on their interactions with the—

Mr. KING. Okay. And but there's still judgment calls involved, and you have people that are ethics experts that are applying a certain strategy to the algorithms. Is that a fair assessment?

Ms. BICKERT. We definitely do have—the algorithms are written by people, and we do definitely look at the——

Mr. KING. With the counsel of your ethicists——

Ms. BICKERT. We definitely make sure we are taking into account ethics and fairness as we work on our algorithms——

Mr. KING. Have you used the Southern Poverty Law Center as one of those advisory groups?

Ms. BICKERT. No, Congressman, we do talk to more than a hundred organizations in the course of setting our content policies, and that includes organizations from around the world. They do not have any—no organization has decisionmaking over our content policies——

Mr. KING. But not SPLC, has not been under contract or been a formal advisor to Facebook in any way?

Ms. BICKERT. No, Congressman, not that I'm not aware. We have talked to SPLC along with more than a hundred other organizations in the course of getting input from our community about what we can do better.

Mr. KING. Okay. I could go further with that. But, instead, I think I'll just in the seconds I have left, I would ask you to contemplate an alternative, Ms. Downs, now—and by the way, I tweeted out the picture of the gallery, so you know that, Mr. Pickles.

But, Ms. Downs, I think you have a sense and a concern about where this is going, and I'm all for freedom of speech and free enterprise and for competition and finding a way that we can have competition itself that does its own regulation so government doesn't have to. But if this gets further out of hand, it appears to me that section 230 needs to be reviewed. And one of the discussions that I'm hearing is, what about converting the large behemoth organizations that we're talking about here into public utilities? How do you respond to that particular query, Ms. Downs?

Chairman GOODLATTE. The time of the gentleman has expired. The witness may answer the question.

Ms. DOWNS. Thank you, Chairman. As I said previously, we operate in a highly competitive environment. There are—the tech industry is incredibly dynamic. We see new entrants all the time. We see competitors across all of our products at Google, and we believe that the framework that governs our services is an appropriate way to continue to support innovation.

Mr. KING. Thank you. I yield back.

Chairman GOODLATTE. The chair recognizes the gentleman from Georgia, Mr. Johnson, for 5 minutes.

Mr. JOHNSON of Georgia. Thank you, Mr. Chairman. Yesterday, the President of the United States humiliated America on the world stage. He lavished praise upon a dictator known to have interfered with our election in an effort to destabilize our democracy and then proceeded to criticize American law enforcement's investigation into the Russian misconduct.

When asked that the now infamous press conference with President Putin whether or not he, quote, held Russia at all accountable for anything in particular, end quote, Trump said that he, quote, holds both countries responsible, end quote. President Trump has gone from acting like a dictator to prostrating himself before a for-

eign dictator on the world stage. This is a moment of great national peril where Americans must be alarmed at the danger that lies ahead for our country under current leadership.

No longer can we pretend that what President Trump is doing is normal. Rather than hearing this bullying Facebook about how it treated Diamond and Silk or bullying Twitter about how it treated Marsha Blackburn, the powerful House Judiciary Committee should be holding hearings on what the Russians are doing now to disrupt the upcoming November elections. Instead of holding a salacious 11-hour marathon hearing last week about Peter Strzok's emails to Lisa Page, this committee should be holding hearings on how to protect rather than undercut the Mueller investigation.

Now, moving to my questions, I want to thank you all for being here today. In 2016, both the Russian Government and independent foreign actors took advantage of advertising rules, account rules, and posting rules, to help sway the Presidential election in favor of Donald Trump. And for the past year and 9 months. We have been paying the price. From Russian bots to fake news, Americans heading to the polls have had to grapple with the question of what is real and what is fake? I care about the security and sanctity of our elections, and I believe that we all share a responsibility in keeping misinformation out of our elections and minimizing foreign influence.

Mr. PICKLES, in January of 2018, Twitter disclosed that it had removed more than 50,000 Russia-linked accounts. Isn't that true?

Mr. PICKLES. Yes, sir.

Mr. JOHNSON of Georgia. How many Russian-linked accounts have you suspended since that time?

Mr. PICKLES. I don't have that figure at hand. I'm happy to follow up. However, I would say our systems our catching behavior from accounts across the spectrum. Our systems are designed to defend Twitter from manipulation by any actor. And we see different actors attempting to use our platform. That's why we now catch 9.9 million accounts every week and challenge them because of suspicious behavior. That is up 299 percent in 1 year.

So I think we're doing much more to learn from 2016 and to put robust protections in place to the forthcoming elections.

Mr. JOHNSON of Georgia. Thank you. How do you differentiate these fake accounts from real people? Are you using software, or are these human vetting decisions?

Mr. PICKLES. Thank you for that question. It's a good opportunity to explain our work. So, firstly, we have a lot of technology—

Mr. JOHNSON of Georgia. Quickly.

Mr. PICKLES [continuing]. That is working across this. And, secondly, we do have teams of people. So we have a dedicated information quality team at the company, which was established after 2016, to focus on these issues, to understand behavior about actors, and then reinforce our technology. So it's a combination of the two.

Mr. JOHNSON of Georgia. Thank you.

Ms. Bickert, Facebook's 2016 woes with fake news have been well documented. Foreign actors used your platform to generate and cultivate untrue stories, and Russian-backed Facebook posts reached millions of Americans. Your company has been working to fight fake news since then, but misinformation still exists. Does

Facebook believe that it has a responsibility to fact-check our platform, and looking ahead to November, are you planning on doing anything different for the midterm elections compared with what you're doing now?

Ms. BICKERT. Yes, Congressman, we're doing a lot more, and I think we've gotten a lot better since the 2016 election. I'll point to three things quickly. One is we've gotten much better at removing fake accounts. The accounts that Russia's IRA had on Facebook around the 2016 election were inauthentic. We now have a mix of technical tools and human reviewers that have gotten much faster at identifying and removing those types of account. And before the French election, the German election, we removed tens of thousands of such accounts that we know to have been inauthentic.

The second thing we're doing is requiring much greater transparency around advertising. Now if somebody runs a political or issue ad in the United States, you can see who paid for that advertisement. You can also see all the ads that that entity is running, even if they are not targeting you at all. We're requiring identity verification for anybody who is running those ads.

And, finally, we are working to reduce the spread of false news through Facebook. We know this is a problem, and we're doing things like working with third party fact-checkers to identify when content might be false and then providing relevant information to users so that they can make an informed decision about what to trust.

Mr. JOHNSON of Georgia. Thank you.

And, Mr. Chairman, Ms. Downs, could she respond to that briefly?

Chairman GOODLATTE. Yes. And I will, without objection, extend another minute because I want to follow up with one of the questions that Ms. Bickert answered of yours.

Mr. JOHNSON of Georgia. I'll yield to the gentleman.

Chairman GOODLATTE. The second point you made about disclosing who paid for a political ad. Do you also disclose how much they paid or the rate they paid for the ad?

Ms. BICKERT. No, Mr. Chairman, we just disclosed—I believe we just disclosed who paid for it. I can follow up with details on how we do that.

Chairman GOODLATTE. Thank you. Ms. Downs, you can answer the question.

Mr. JOHNSON of Georgia. Thank you.

Ms. DOWNS. Google has strong security protections in place to protect against state interference. And we have worked to extend those security protections to campaigns. We've trained over 1,000 campaign professionals on a suite of tools called Protect Your Election. These are digital tools designed to protect election websites and political campaigns from digital attacks.

As I mentioned, we also have implemented more transparency with election advertising, as I described previously, and we're continuing to fight misinformation on our products, both through enforcement of our policies against deceptive behavior and through surfacing more authoritative content when people are looking for news or current events. We do that across both search and YouTube.

Mr. JOHNSON of Georgia. Thank you, and I yield back.

Chairman GOODLATTE. The chair recognizes the gentleman from Texas, Mr. Gohmert, for 5 minutes.

Mr. GOHMERT. Thank you, Mr. Chairman.

We appreciate you being here today. And I want to that my colleagues across the aisle for their concerns about Russian interference with our elections because it's been going on for 70 years. It helped Truman get elected in 1948. Eisenhower called the Russians on it in '56, the manipulation there. Khrushchev bragged in '60 that he helped throw the election to Kennedy. It's been going on. The Progressive Party, as they were called previously, and now it's been reemerged, and the Democratic help to Jimmy Carter. It's—or the help from Russians.

So I am thrilled that we're going to get help across the aisle to get to the Russian input stopped. But I need to ask each of you: You have been asked specifically about Russian use of your platforms, but did you ever find any indication of use of your platform utilized by the Chinese, North Korea, or any other foreign country, intelligence, or agency of that country? First, Ms. Bickert.

Ms. BICKERT. I would note, Mr.—I would note, Congressman, that we are not in North Korea or China. In terms of whether we've seen attacks on our services, we do have—we are, of course, a big target. We do have a robust security team that works to—

Mr. GOHMERT. But that is not my question. It's just very direct question. Have you found use? You don't have to be in North Korea to be North Korean intelligence and use—we have foreign governments' intelligence agencies in this country. So have—it would seem to me you were each a little bit vague about how, oh, yes, we found hundreds or whatever. I'm asking specifically, were any of those other countries, besides Russia, that were using your platform inappropriately? It should be a yes or no.

Ms. BICKERT. I don't have the details. I know we definitely work to detect and repel attacks—

Mr. GOHMERT. I know that, but were any of them foreign entities other than Russia?

Ms. BICKERT. I can certainly follow up with you on that.

Mr. GOHMERT. So you don't know? You sure seemed anxious to answer the Democrats' questions about Russia influence, and you don't really know of all the people—of all of the groups that inappropriately used your platform, you don't know which were Russians and which were other foreign entities?

Chairman GOODLATTE. Congressman, we certainly have seen attacks from people other than Russians. As far as the details of from whom those attacks have come, I would have to have my team follow up with you on those.

Mr. GOHMERT. So you don't know about China? You're sure about Russia, but you don't even know about China?

Ms. BICKERT. I would have to have my team follow up with you—

Mr. GOHMERT. So you came prepared to help the Democrats establish about Russia, but you can't point out any other country. Is that right?

Ms. BICKERT. Congressman, we have put public statements—

Mr. GOHMERT. Well, let me go—you're not answering the question.

Let me go to Ms. Downs. How about on Google, did you detect any other countries besides Russia utilizing your platform inappropriately?

Ms. DOWNS. Our security team is trained to protect our services from foreign interference—

Mr. GOHMERT. Are we going to get to an answer to my question?

Ms. DOWNS. So the team has certainly—

Mr. GOHMERT. Are we going to get to an answer of my question? Did you find any other countries besides Russia that were using your platform inappropriately? Very simple.

Ms. DOWNS. The investigation that we conducted was specific to Russian interference in the 2016 election, but—

Mr. GOHMERT. You don't know if China did or not?

Ms. DOWNS. My guess would be that our security team has—

Mr. GOHMERT. You're here to guess?

Ms. DOWNS [continuing]. At breaching our security from other foreign governments as well, but that information is held confidentially, even internally.

Mr. GOHMERT. So you're only here to condemn the Russians. Thank you.

How about you, Mr. Pickles, are you prepared to identify any other foreign countries or just here to help the Democrats blast Russia after 70 years of Russia helping Democrats?

Mr. PICKLES. Well, certainly happy to help the committee and yourself understand our work to defend elections.

Mr. GOHMERT. I understand that. But did you find any other countries besides Russia that inappropriately used Twitter?

Mr. PICKLES. So we suspend these accounts because they are breaking our rules.

Mr. GOHMERT. I understand that. Did you find any other countries or their agencies inappropriately using Twitter?

Mr. PICKLES. Well, to echo points of my colleagues, I think our services, people—

Mr. GOHMERT. So did you find any other countries besides Russia that inappropriately used your Twitter?

Mr. PICKLES. Sir, I'm happy to follow up on that specific question.

Mr. GOHMERT. But you did not come prepared to answer any questions about any other country but Russia? Is that correct?

Mr. PICKLES. So I think it was important on the election—

Mr. GOHMERT. You answered the question about Russia. You can't answer about China? Yes or no.

Mr. PICKLES. So we make these decisions based on our rules—

Mr. GOHMERT. You're very good at dodging refusing to answer the questions. Let me just say, I think Mr. Raskin had the key to the solution here when he said that he didn't think they discriminated, but if they did, they have every bit as much right as FOX News and Sinclair. There's the key. They should be just as liable as FOX News and Sinclair. I yield back.

Chairman GOODLATTE. The time of the gentleman has expired.

And the gentlewoman from Texas, Ms. Jackson Lee, is recognized for 5 minutes.

Ms. JACKSON LEE. Please forgive me, I am probably going to be coughing, and I apologize. But let me thank Ms. Bickert, Ms. Downs, and Mr. Pickles, first of all, for representing the kind of technological engines that have been a real asset, an anchor of America's genius.

It is a responsibility of Congress to give guidance and regulation, as we have noted the expanse of both, including—not both, it's three of you: Twitter, Facebook and Google. And I think you recognize that in your businesses that it's important for congressional oversight.

Ms. BICKERT. I'm just getting a yes or no. Is that your appreciation?

Ms. BICKERT. Yes, definitely.

Ms. JACKSON LEE. Ms. Downs.

Ms. DOWNS. Yes, we're always happy to work with Congress.

Ms. JACKSON LEE. Mr. Pickles.

Mr. PICKLES. Yes, absolutely.

Ms. JACKSON LEE. And you have done so. And so I'm going to have a line of questioning. I know my colleague earlier, Mr. Raskin, mentioned a lot of issues that this committee should be addressing, and my time is going, but I will reiterate: We have not had hearings dealing with the snatching of children from families. And we're not and have not had elections dealing with the intrusion and the invasion of the election, in particular by certain countries.

So let me just ask you this: On July the 13th, the Mueller investigation issued an indictment of 12 Russian intelligence officers, some of them military. Again, I will be asking yes or no questions. Ms. Bickert, did your company have any involvement in that indictment?

Ms. BICKERT. Congresswoman, we have cooperated with the investigations since we have been asked, and we've been public about that cooperation.

Ms. JACKSON LEE. You have cooperated, but did you have any direct involvement with the ultimate result of an indictment?

Ms. BICKERT. I can't speak to the indictments or how they were put together, but we have cooperated with investigations.

Ms. JACKSON LEE. Ms. Downs.

Ms. DOWNS. Not to my knowledge.

Ms. JACKSON LEE. Mr. Pickles.

Mr. PICKLES. We have cooperated, but specifically on the indictment, not to my knowledge.

Ms. JACKSON LEE. So we have three people here that have provided the necessary information, but if we are to extrapolate what a prosecutor does—and we know that they do that independent of the information that they receive. So I want to pose a comment and then proceed with a series of questions.

First of all, as I indicated, this committee needs to proceed with hearings involving the question of the Russian intrusion and stealing of the 2016 election. And I have come to a conclusion now that it was truly stolen. And dealing with these engines that have been effective for the United States on that issue seems to be a stretch and inappropriate. But I do think it's important that we have the ability to provide to allow freedom to the extent that people are utilizing the First Amendment.

Do you believe that the First Amendment covers your—each of your companies? Ms. Bickert, I'm just going down the line.

Ms. BICKERT. Well, Congresswoman, we do have community standards about what is acceptable and not acceptable. But certainly, to the extent that the First Amendment regulates the governments, we operate consistent with U.S. laws.

Ms. JACKSON LEE. Ms. Downs.

Ms. DOWNS. As a private company, we aren't bound by the First Amendment, but obviously we work with the U.S. government on meeting any of our obligations in terms of how speech is regulated in the U.S.

Mr. PICKLES. I'd echo those points. Just to emphasize again, we have our own rules that we're proactive in enforcing to make sure that speech on Twitter is within those rules.

Ms. JACKSON LEE. Well, I think what you're saying, I think private companies are bound by the First Amendment. I think what you're saying is that we can't cry "fire" in a crowded theater. So you're able to regulate accordingly.

Let me ask the question: Ms. Bickert, what are doing to prevent Unite the Right, the organizer of the Charlottesville rally, from using the FB to plan their upcoming rally mid-August if it is declared and is conspicuously hate speech?

Ms. BICKERT. Congresswoman, any time that we see somebody organizing an event for violent purposes or engaging in calls for violence or hate speech, we will remove it from the site.

Ms. JACKSON LEE. Ms. Downs, what are you doing as relates to your company's data privacy policies and methods in which you comply with these policies?

Ms. DOWNS. We've invested considerable resources at Google to create one of the most sophisticated privacy programs in existence. Thousands of employees are dedicated across the company to daily to ensure that we protect the privacy and security of our users. Our three guiding principles are transparency, control, and choice. We believe in being transparent with users, communicating in clear language, and there's a single destination called My Account that we have created where users can see all of the data we collect and store, and have control over revoking any permissions they have given previously, et cetera. It is a very well-used site, over 1.6 billion visitors in 2016.

Ms. JACKSON LEE. Mr. Pickles, can you share any of the changes—you've made about 30—of your product changes, so can you share some of them with us?

Mr. PICKLES. Absolutely. So one example might be we rolled out a new policy focusing on violent extremist groups. Those are groups who focus on encouraging violence against civilians, which we clarified our policy. We also rolled out a change last week, you may have seen, where we updated people's following numbers to make sure they're authentic and don't include locked accounts. And we've also rolled out for the U.S. midterms specific new labeling for accounts that belong to candidates in those elections.

Chairman GOODLATTE. The time of the gentlewoman has expired.

Ms. JACKSON LEE. I thank you, Mr. Chairman. My final sentence is just to thank them. They are international companies; I wanted to clarify that. But I also want to clarify that they do represent an

economic engine that we have to appreciate, work with, and protect others from bad speech.

Chairman GOODLATTE. We thank the——

Ms. JACKSON LEE [continuing]. And also recognize their value.

Chairman GOODLATTE. The chair recognizes the gentleman from Pennsylvania, Mr. Marino, for 5 minutes.

Mr. MARINO. Thank you, Chairman.

I want to that all—over here. I want to thank all of you for being here. I am going to start with you, Mr. Pickles, because Ms. Bickert gets hit with usually the first, tell us what you think. I'm going to read a legal term: libel. You're all familiar with that. Liable is to publish in print, including pictures, writing, or broadcast through radio, television, or film, an untruth about another which will do harm to that person or his or her reputation by tending to bring that target into ridicule, hatred, scorn, or contempt of others. So we all understand what that is.

Given the fact that your companies reach, I think, far more people than a conglomeration of the newspapers, radios, and televisions combined in the United States. Have any of you sat back and considered libel, or do you think you are immune from it. Sir?

Mr. PICKLES. I'm happy to start, and thank you for the opportunity to outline what we do in this area. So, as I say, we have clear rules that govern what happens on Twitter. Some of those behaviors are deplorable, and we want to remove them immediately. So terrorist content is one example where we now detect 95 percent of the terrorist accounts that we removed——

Mr. MARINO. I understand that, sir. But how about—we, in Congress, we put up with it all the time. I know that we are public officials, the same way as people in the movies or so on, but do you specifically look for and address republication can be used in a defamation case. Do you look at libel and defamation content?

Mr. PICKLES. So we—as I say, we focus on our rules. Those rules govern a wide range of behavior.

Mr. MARINO. With all due respect, I've heard you focus on your rules about 32 times today. Do you look for libel or defamation in your company's opinion?

Mr. PICKLES. Sir, I think our company's opinion is expressed in those rules that publicly available——

Mr. MARINO. Okay. Now you've answered my question. Thank you. Next.

Ms. DOWNS. Thank you, Congressman. So YouTube is a platform for user-generated content, and we respect the law in the nearly 200 countries where we operate, which means once we're on notice of content that may violate the law, we take action by blocking it for the relevant jurisdictions.

Mr. MARINO. Is it specific towards defamation and/or libel?

Ms. DOWNS. Including defamation removal, yes.

Mr. MARINO. Because you know the reproduction of those statements—have you ever been sued, that you know of, based on defamation and libel?

Ms. DOWNS. I don't know the answer to that question.

Mr. MARINO. Okay.

Ms. Bickert.

Ms. BICKERT. Thank you, Congressman. Similar to YouTube, we do have a notice and takedown approach where people can submit legal—notifications to us of illegal speech, and that would include, where appropriate, notifications of libel.

Mr. MARINO. Where do you draw the line, each of you? We still have some time. I'll start with you, Ms. Bickert. Where do you draw that line? Do you have specific rules, a policy, that determine in your company's opinion what is libel and what is defamation?

Ms. BICKERT. There's two ways this might be addressed. One would be if it was a violation of say our bullying or harassment policies.

Mr. MARINO. Because we know young people are committing suicide because of things that are said about them on the internet. But please go ahead.

Ms. BICKERT. And we take that threat extremely seriously, which is why we don't allow bullying, and we do consider it a safety-related policy.

Mr. MARINO. I appreciate that.

Ms. BICKERT. Those are our own lines. And then separately we sometimes will receive notifications that are legal takedown requests for speech that breaches the law in a specific jurisdiction. Our legal team evaluates those, and if appropriate, then we'll remove that speech.

Mr. MARINO. Ms. Downs.

Ms. DOWNS. We have a very similar process in place for legal removals. Once we're on notice of content that has been deemed to violate the law, then our team evaluates and then blocks the relevant jurisdiction. On top of that, we also have content policies for our platforms like YouTube that prevent and prohibit things like harassment and so on.

So we take those policies particularly seriously when it comes to young people, and we have various protections in place to ensure that we're enforcing them robustly.

Mr. MARINO. Mr. Pickles.

Mr. PICKLES. One additional, hopefully useful, piece of information is we also work with a site Lumen, which is a project that discloses when we do take content down, subject to legal orders as described. And we also publish the number of times we do that in a transparency report.

Mr. MARINO. Do you do that through AI, artificial intelligence, and/or individuals reviewing? Could you all three quickly answer that because my time has just run out, and I yield back.

Mr. PICKLES. People.

Ms. DOWNS. We use a mix of humans and technology to enforce our policy, and legal removal requests are reviewed by a special legal team.

Chairman GOODLATTE. The time of the gentleman has expired. The chair recognizes the gentlewoman from California, Ms. Bass, for 5 minutes.

Ms. BASS. Thank you very much, Mr. Chair. And I also want to thank my colleague, Representative Deutch, for allowing me to go out of order. There's been an awful lot of discussion and questions today about social media and conservatives, but I wanted to ask, particularly, Ms. Bickert, about over-censorship of activists on the

left as well, and what is Facebook doing to address disproportionate censorship of people of color on the platform. And an example is, over the last few years, multiple well-known black activists have had their content removed or accounts banned for speaking out about racial injustice.

What is your plan to ensure that voices like this are not silenced on your platform?

Ms. BICKERT. Thank you, Congresswoman. It is so important to us that we are a platform for all of these voices. We know that at our scale we have billions of posts every day, and we review more than a million reports every day. We know that we sometimes will make mistakes, and sometimes those mistakes have affected activists.

One of the things that we're doing is offering appeals so that if we get a decision wrong, people can ask us to take a second look, and we will. That is live now. We're continuing to increase the robustness of the appeals process, but that is something that we—something that we rolled out after talking to many of these groups.

Ms. BASS. How would a person know about the appeal? So, in other words, if you remove content, then do you send a message saying you can appeal?

Ms. BICKERT. So, if somebody posts something on Facebook and we remove it, we send a notification, and then that gives them the opportunity to stay: Facebook, I think you got it wrong.

And then we will—

Ms. BASS. When did you start doing this?

Ms. BICKERT. We began—well, let me be clear. We did have appeals for pages and groups and profiles for years. But in early May, late April, early May of this year, we began offering appeals for when somebody has a post or a photo removed. By the end of this year, we're hoping to have this also available for—if you reported something to us, and we have failed to remove it, and you think it should be removed. That's one thing we're doing.

We're also talking to a number of groups directly, and that's something that we do with groups across the political spectrum and around the world to understand mistakes that we've made and how our policies affect them. And we've also hired Laura Murphy, prominent civil rights attorney and law firm Relman, a civil rights law firm, to do a comprehensive assessment of how our policies and our practices affect civil rights.

Ms. BASS. So maybe some of the activists that had their sites removed are not aware of that, so you know, Facebook might consider taking another look at that for some of the groups that have had their sites removed.

Ms. BICKERT. Thank you, Congresswoman.

Ms. BASS. What is Facebook doing to prevent Russians from pretending to be black activists and buying ads targeting black users? You remember that. The ads that went out really to discourage African Americans from voting. And then the pretend sites that seemed as though they were from black activists, but they were not.

Ms. BICKERT. Congresswoman, there are two primary things that we're doing. The first is we've gotten a lot better at removing fake accounts like those that were—that the Russian IRA had on

Facebook. Those were inauthentic accounts. We should have caught them sooner, but they always violated our policies. We have now gotten much better at finding those accounts.

The second thing we're doing is requiring transparency around political and issue ads in the United States such that now, if you see an ad on Facebook about a political issue, you can see who has paid for that ad. You can also see any ad that a particular entity is running by going to their page and clicking on a button that will take you to their ads library, even if you haven't been targeted with any of the ads.

Ms. BASS. You mentioned a woman that was working with you from civil rights arena, and you announced that there was a civil rights review that would evaluate how the platform impact people of color, and specifically what is the audit looking at?

Ms. BICKERT. We want to make sure that the policies that we have are being enforced consistent with civil rights. So we need to understand how these policies are affecting all these different communities. We're hopeful that what we learn from this assessment and from the audit will help us become a better platform that will respect voices across the political spectrum.

Ms. BASS. So, since you're receiving so much criticism today, let me just end by thanking Facebook, actually, for never taking down memorial pages for people who have passed away, even for years and years after they have passed away. I appreciate that.

Chairman GOODLATTE. Would the gentlewoman yield?

Ms. BASS. Yes.

Chairman GOODLATTE. I just want to follow up with a question, Ms. Bickert made a comment again about the ability to—now requiring that a campaign has to disclose who is paying for the ad, which I think is a good thing. And I wanted to follow up—I asked earlier about whether you also disclosed the rates. Now, with television or radio, an opposing campaign, I guess the media, can probably check and find out what the rates are. Can you do that with Facebook, too? If the opposing campaign sees a lot of Facebook advertising, can they find out the rate and see if their rate is comparable to the rate for the ad that they're seeing—

Ms. BICKERT. Mr. Chairman, the way that Facebook's ads pricing works, through an auction model is something that's fairly complex, and I'm afraid I'm probably not the best equipped to explain the details of that, but we can certainly follow up with you—

Chairman GOODLATTE. Yeah, we'll follow up, and I do—would like to know more about that.

Ms. BICKERT. Will do. Thank you.

Chairman GOODLATTE. Thank you very much. The chair recognizes the gentleman from Texas—actually, I have a unanimous consent request, too, and you may want to comment on this, if anybody allows you time. I just want to put this in the record. Asia Times, June 2, 2018, "Is Facebook helping Vietnam suppress online dissent?"

Without objection, that will be made a part of the record.

The gentleman from Texas, Mr. Smith, is recognized for 5 minutes.

Mr. SMITH. Thank you, Mr. Chairman. Americans deserve the facts objectively reported. They know media bias is pervasive. A re-

cent Morning Consult poll found that only a quarter of voters now trust the media to tell them the truth, a record low. The media savages the President and portrays his administration in the worst possible light. Over 90 percent of his network news coverage has been negative, higher than any other President.

The muting of conservative voices by social media also has intensified. Social media companies have repeatedly censored, removed, or shadow-banned conservative journalists, news organizations, and media outlets that do not share their liberal political views. Facebook's new algorithm for what users see on their timeline has disproportionately harmed conservative publishers. They are getting fewer readers, while their liberal counterparts haven't been impacted to the same degree.

Recently, Google's employees easily convinced the company's management to cut ties to contracts with the military. And Google has long faced criticism from fact checkers over manipulating search results to slight conservatives. Google has also deleted or blocked references to Jesus, Chik-fil-A, and the Catholic religion. When will it stop?

Also alarming are the guidelines being written by these companies to define hate speech. Facebook's newly published community standards, which determines what content is allowed, defined these terms for the American people. It violates Facebook rules, quote, to exclude or segregate a person or group, end quote. So a conservative organization, for example, calling for illegal immigrants to be returned to their home country could be labeled a hate group by the platform and their content removed all together.

Some platforms have allowed liberal interest groups to determine what information is available to the public. The Southern Poverty Law Center is allowed to influence platform guidelines and sometimes censor content that they deem hate speech. The SPLC has a hate map that lists over 900 organizations. These include pro-life, religious freedom, and border security groups, all popular with the American people. And they are unfairly targeted by the SPLC.

It's no secret the social media organizations are typically controlled and run by individuals who lean liberal, sometimes radically so. It will require a constant effort by these entities to neutralize this relentless bias if in fact they really want to do it. All media entities should give the American people the facts, not tell them what to think.

Mr. Chairman, I'd like to ask all of our panelists today one question that is pretty direct and I think can be answered yes or no. And the question is this: Would you pledge publicly today to make every effort to neutralize bias within your online platforms?

And, Ms. Bickert, we'll start with you.

Ms. BICKERT. Congressman, we're making those efforts now. There is no place for bias on Facebook.

Mr. SMITH. Thank you.

Ms. Downs.

Ms. DOWNS. Yes, we design products that are for everyone, and we enforce our policies in a politically neutral way.

Mr. SMITH. And you feel every effort should be made to try to neutralize the bias?

Ms. DOWNS. Correct. We design our algorithms to check for bias.

Mr. SMITH. Mr. Pickles.

Mr. PICKLES. I think you're right to highlight that people have biases when they come to work, and our focus, as you say, should absolutely be making sure that bias is not a factor. And our rules are enforced impartially.

Mr. SMITH. Thank you all.

Thank you, Mr. Chairman. I yield back.

Chairman GOODLATTE. Would the gentleman yield?

Mr. SMITH. Yes, I will be happy to advance my time to the chairman.

Chairman GOODLATTE. I wonder, Ms. Bickert, are you familiar with the story about the contention that Facebook's content filtering practices, which, as has been testified here earlier, comply with local law, is effectively censoring free speech in Vietnam?

Ms. BICKERT. Mr. Chairman, I can speak to how we respond to requests under local law. If we get a request from a government telling us that speech is illegal, the first thing that we do is see if that speech complies with our community standards. If it doesn't, then we will remove it. If it does comply with our standards but is nevertheless illegal, we will look at the legal requests that we've received. Our legal team will look at the requesting authority, the process itself, who was affected by the speech, any human rights implications, and then we will make a decision about whether or not we should restrict content in accordance with that local law. If we do, then we remove that content only in the jurisdiction where it is illegal, and we report on that in our government transparency report.

I do want to emphasize that this is very different from us providing data to a foreign government. There is a process through which governments can ask us for data, like an FBI search warrant, let's say, and our legal team analyzes those. But I think you mentioned that the article was about Vietnam. We do not store data in Vietnam. They can present legal process to us. If they do, we will scrutinize that, and you can see from our government transparency report that those requests from Vietnam are very low, and we don't comply with all of them.

Ms. LOFGREN. Mr. Chairman, could I ask unanimous consent?

Chairman GOODLATTE. The gentleman's time has expired, but we'll follow up in writing with a question about that.

And the gentlewoman is recognized.

Ms. LOFGREN. I ask unanimous consent to put into the record a letter sent by a bipartisan group this week on the issue in Vietnam to both Facebook and Google.

Chairman GOODLATTE. Without objection, that will be made a part of the record.

The chair recognizes the gentleman from Florida, Mr. Deutch, for 5 minutes.

Mr. DEUTCH. Thank you, Mr. Chairman.

Mr. Chairman, there was an interesting article in this morning's Wall Street Journal entitled "Publishing Executives Argue Facebook is Overly Deferential to Conservatives." Ms. Bickert, I just wanted to follow up on what you had talked about earlier. In particular, the review that's being led by former Senator Jon Kyl, along with the Heritage Foundation about what many articles re-

cently point out as unsubstantiated claims of anticonservative bias. But the question is: You put this together. They're conducting this review. After the review started, my understanding is that the RNC Chair, Ronna McDaniel and Brad Parscale, the campaign manager for the President's reelection campaign, then doubled-down on the narrative, complained of suppression of conservative speech. And rather than pointing to this review that is taking place, instead there were meetings immediately scheduled between the head of the RNC, the President's reelection campaign, and high-ranking officials at Facebook. Is that right?

Ms. BICKERT. I'm afraid I don't know about that. I could follow—have our team follow up.

Mr. DEUTCH. If you could just follow up on that and get back to us, we'd appreciate it.

I represent Parkland, Florida, and in this discussion of social media the first thing that comes to mind to me is the savage attacks on the student survivors of Stoneman Douglas. One of the most virulent strains of these attacks was that the students didn't survive a school shooting, that they were crisis actors, that they were planted by some mysterious cabal to finally get Congress to do something about gun violence.

And in the weeks after the shooting, Alex Jones' YouTube channel posted a video that was seen by 2.3 million subscribers alleging that these were merely—that these were actors and not real students who had experienced the most horrific thing anybody one could possibly imagine. The video violated YouTube's rule against bullying, and it was removed. An article posted to Slate.com describes this as a strike against the channel.

Ms. Downs, how many strikes does a channel get?

Ms. DOWNS. Typically, a channel gets three strikes, and then we terminate the channel.

Mr. DEUTCH. So the reason I ask is, Alex Jones obviously is one of the conspiracy theorists whose brand is bullying. He wants similar attacks against the families whose 6- and 7-year-old kids were slaughtered at Sandy Hook, and he's not the only one. Truthers have spread these lies claiming that Sandy Hook never happened at all.

A Slate article references a study by Jonathan Albright, director of the Tow Center for Digital Journalism at Columbia who found 9,000 videos on YouTube with titles that are—and I quote, a mixture of shocking vile and promotional themes that include rape game jokes, shock reality, social experiments, celebrity pedophilia, false flag rants, and terror-related conspiracy theories dating back to the Oklahoma City attacks in 1995.

Ms. Downs, does Google think that this is a problem, and what is the solution that you're coming up with to address it?

Ms. DOWNS. Thank you for the question. So, as you noted, when Alex Jones posted the video you described saying that the survivors at the Parkland massacre were crisis actors, that violated other harassment policy. We have a specific policy that says if you say a well-documented violent attack didn't happen and you use the name or image of survivors or victims of that attack, that is a malicious attack, and it violates our policy.

In terms of conspiracy theory content generally, our goal is to promote authoritative content to our users. So we have two principles that guide the way here. That's the first one, as we want to provide users with authoritative, trustworthy and——

Mr. DEUTCH. I'm sorry to cut you off. I only have a minute and a half, and I don't really need to hear what you're trying to provide. I want to know how you're dealing with all these conspiracy theorists on your platform.

Ms. DOWNS. So the first way is by demoting low-quality content and promoting more authoritative content. And the second is by providing more transparency for users. So we're introducing boxes that provide factual information at the top of results that have shown themselves to turn up a lot of information that is counterfactual, such as searching for the Earth is flat on YouTube, where you see a lot of videos claiming——

Mr. DEUTCH. Okay. Your response is to put a box saying, "Nope, the Earth is not flat"?

Ms. DOWNS. Correct.

Mr. DEUTCH. I have a question, Ms. Bickert, for you. You recently decided not to ban Infowars. Can you explain that decision? And do you use a strikes model like YouTube?

Ms. BICKERT. Congressman, we do use a strikes model. What that means is, if a page or a profile or a group is posting content and some of that violates our policies, we always remove the violating post at a certain point, and it depends—it depends on the nature of the content that is violating our policies. At a certain point, we would also remove the page or the profile or the group at issue.

Mr. DEUTCH. So the question is, how many strikes does a conspiracy theorist who attacks grieving parents and student survivors of mass shootings get? How many strikes are they entitled to before they can no longer post those kinds of horrific attacks?

Ms. BICKERT. I want to be very clear that allegations that survivors of a tragedy like Parkland are crisis actors, that violates our policy and we removed that content. And we would remove and continue to remove any violations from the Infowars page. If they posted sufficient content that it violated our threshold, the page would come down. That threshold varies depending on the severity of different types of violations.

Mr. DEUTCH. Thank you. I yield back.

Chairman GOODLATTE. The chair recognizes the gentleman from Idaho, Mr. Labrador, for 5 minutes.

Mr. LABRADOR. Thank you, Mr. Chairman.

Ms. DOWNS, you mentioned in your opening statement or sometime in the beginning that there was only limited activity on your side from some of the Russian trolls and some of these entities. Is that correct?

Ms. DOWNS. That is correct.

Mr. LABRADOR. What did you mean by "limited activity"?

Ms. DOWNS. Pursuant to our investigation around the 2016 election, we found two accounts that had a spend of less than \$5,000 in advertising and 18 YouTube channels with just over 1,000 videos in English that we terminated as soon as we identified them. Those were all linked to the Internet Research Agency.

Mr. LABRADOR. Mr. Pickles, would you consider that limited activity that happened on Twitter?

Mr. PICKLES. We have 336 million users. As a proportion of that, yes, this was a small proportion, but the accounts we believe that were linked to the Internet Research Agency did run to several thousand. That was too many. We have taken steps to make sure——

Mr. LABRADOR. But there were millions of users, and there were several thousand of these accounts.

Mr. PICKLES. Yes.

Mr. LABRADOR. Ms. Bickert, what about on Facebook?

Ms. BICKERT. Congressman, we have more than 2 billion people using the site every month, and we had fewer than 500 pages, groups, and accounts.

Mr. LABRADOR. So what all three of you are telling us is that the Democrats' campaign was so weak that this limited activity apparently influenced the elections and cost the United States to actually choose the wrong person for President. Is that what you're telling us? That's a rhetorical question. You don't have to answer it. I yield the rest of my time to the current chairman of the committee.

Mr. GAETZ [presiding]. I thank the gentleman for yielding.

Mr. Pickles, is it your testimony or your viewpoint today that Twitter is an interactive computer service pursuant to section 230, sub(c)(1)?

Mr. PICKLES. I'm not a lawyer, so I don't want to speak to that, but I understand that, under section 230, we are protected by that, yes.

Mr. GAETZ. So, if section 230 covers you, and that section says no provider or user of interactive computer service shall be treated as the publisher or speaker of any information provided by another, is it your contention that Twitter enjoys a First Amendment right under speech while at the same time enjoying section 230 rights?

Mr. PICKLES. Well, I think we discussed the way the First Amendment interacts with our companies. As private companies, we enforce our rules, and our rules prohibit a range of activities.

Mr. GAETZ. I am not asking about your rules. I'm asking about whether or not you believe you have First Amendment rights. You either do or you do not.

Mr. PICKLES. I'd like to follow up on that. As someone who's not a lawyer, I think it very important——

Mr. GAETZ. Well, you're the senior public policy official for Twitter before us, and you will not answer the question whether or not you believe your company enjoys rights under the First Amendment?

Mr. PICKLES. Well, I believe we do, but I would like to confer with my colleagues.

Mr. GAETZ. So what I want to understand is if you say, I enjoy rights under the First Amendment and I'm covered by section 230 and section 230 itself says no provider shall be considered the speaker, do you see the tension that that creates?

Mr. PICKLES. Yes, but I also see that Congress we worked with previously to identify why it's important to remove content that is of child sexual abuse and why it's important to——

Mr. GAETZ. Well, let's explore some of those extremes then. I know Twitter would never do this; I'll disclaim that. But could Twitter remove someone from their platform because they're gay or because they're a woman.

Mr. PICKLES. Well, we would remove someone breaking our rules, and that behavior is not prohibited under our rules.

Mr. GAETZ. So it's your contention that Twitter does not have the ability then to remove someone because they are gay or because they are a woman?

Mr. PICKLES. I say that context is not part of the context of whether they break our rules.

Mr. GAETZ. Okay. Well, Jared Taylor is a horrible human being who you're currently litigating with, but that litigation seems—the transcript from it seems to have some tension with what you're telling Congress. The court in that litigation asked the question: Does Twitter have the right to take somebody off its platform because it doesn't like the fact that the person is a woman or gay? And the response from the attorney for Twitter was: The First Amendment would give Twitter the right, just like it would give a newspaper the right to choose to not run an op-ed from someone because she happens to be a woman. Would Twitter ever do that? Absolutely not. Not in a million years. Does the First Amendment provide that protection? It absolutely does.

So was your lawyer correct in that assessment? Or were you correct when you just said that that would not be permitted?

Mr. PICKLES. Well, I'm not familiar with the facts of that case, and I can appreciate—I can't comment on ongoing litigation. But this is absolutely a critical public policy issue, one that is important we debate, because as our companies seek to reassure you in this committee, the way that we take our decisions in a neutral way, not taking into account political beliefs, I think the fact our rules are public and that we're taking steps to improve the transparency of how we improve the enforcement of those rules are important steps to take.

Mr. GAETZ. Right, but it is not in service of transparency if your company sends executives to Congress to say one thing, that you would not have the right to engage in that conduct and then your lawyers in litigation say precisely the opposite. That serves to frustrate transparency.

But my time has expired, the gentleman from Rhode Island, Mr. Cicilline, is recognized for 5 minutes.

Mr. CICILLINE. Thank you, Mr. Chairman. I begin by saying that America has stood as a beacon of hope to the rest of the world, and America has been defined by a set of ideals that have established our moral leadership in the world, propelled by our respect for freedom, human rights, and the rule of law.

Yesterday, the President's statements and behavior as well as his conduct in the preceding weeks has severely damaged our standing in the world by siding with Russia and its brutal thuggish dictator against the United States, and he has created a crisis in our beloved country. But rather than conducting any oversight of these important issues relating to the integrity of our elections, the disgraceful conduct of the President, and the threat to our democracy, we have this hearing.

So I'd like to begin by associating myself with the remarks of several of my colleagues about the seriously misguided priorities of this committee under Republican leadership. Let's make something very clear: There is no evidence that the algorithms of social networks or search results are biased against conservatives. It is a made-up narrative pushed by the conservative propaganda machine to convince voters of a conspiracy that does not exist.

But in spite of studies and research by data analytic firms that show that there is no systemic bias against conservatives online, the Republican effort to advance its victimhood complex is somehow working. Over the past 2 years, Facebook has bent over backwards to placate and mollify conservatives based on this fiction. It's refused to evenly enforce its platform policies against hate speech, conspiracy theories, and disinformation. It will not ban pages that share dangerous hoaxes. And it has tailored its news feed algorithm to boost posts based solely on engagement, resulting in significantly more traffic to hyperpartisan conservative sources and misinformation at the expense of local news and other sources of trustworthy journalism.

Facebook also fired its team of news curators in response to Republican criticism and legitimized the baseless claims of top Republican officials, including President Trump's campaign manager, by initiating a study on this issue conducted by the conservative Heritage Foundation and a former Republican Senator.

But aside from the obvious hypocrisy of the conservative agenda to delegitimize any information that undermines their media narrative, why does this matter? It matters because nearly three-quarters of Americans access news online through Facebook and Google while more than two-thirds of online traffic is channeled through Facebook and Google. Last year, these two companies alone pulled in more than \$42 billion from online ads, more than 60 percent of all online ad revenue, and are projected to account for 83 percent of growth in the digital ad market.

It is overwhelmingly clear that this enormous unchecked power to dictate and profit from what people see online is a fundamental threat to the free and diverse press in our vibrant democracy. News publishers, local businesses, and media companies are at the mercy of the dominant corporations. But don't take it from me, take it from the chief executive of News Corp, who recently warned that we have entered into an era in which the pervasiveness of the largest digital platforms make Standard Oil look like a corner gas station; or the chairman of The New York Times, who recently referred to Facebook CEO Mark Zuckerberg's approach to news, and I quote, a terrifyingly naive perspective that makes my blood run cold, end quote; or the editor in chief of Wired who said earlier this year that news publishers have been reduced to, and I quote, sharecroppers on Facebook's massive industrial farm, end quote.

There's no question that we've reached a tipping point. We're at the precipice sacrificing the news organizations that are essential of uncovering corruption, holding the government and powerful corporations accountable, and sustaining our democracy to the profit margins of a few dominant companies.

As Justice Robert Jackson remarked in 1937, we cannot permit private corporations to be private governments. We must keep our

economic system under the control of the people who live by and under it. It's long overdue that we take these concerns seriously, rather than listening to the fevered dreams and conspiracy theorists of conservatives. That's why we must restore and protect our democracy by creating an even playing field for news publishers and giving power back to Americans through greater control over their data.

So, Ms. Bickert, I'll start with you. My question is: I've introduced legislation to ensure fairness and an even playing field between publishers and dominant platforms such as Facebook. This bill provides for a limited safe harbor for news publishers to ban together for purposes of negotiating branding attribution and interoperability of news. What objection does Facebook have to collective bargaining by news publishers to promote access to trustworthy sources of news? And, second question is: Facebook and other companies are required by Article 20 of the European Union as general data protection regulation to give consumers the ability to take their data from Facebook to a competing service. Why has Facebook not made this right available to American users? And does Facebook oppose giving American consumers the right to move their data to competing services like you do as part of this agreement with the European Union?

Ms. BICKERT. Thank you, Congressman. We definitely support data portability. In fact, we've had that in place for years. And the services that we apply—that we offer in Europe for data portability, we are also offering similar options for users in the United States. And we have offered such options for years. That means that people can take their data with them from Facebook to another service.

I would note that when we hear concerns from any community on Facebook, whether it is news publishers or whether it is people on the right or people on the left, we want to make sure that we understand those concerns, are responsive to them. We always want to apply our policies fairly to all of these groups. That's the reason that we are undertaking various audits and assessments. We just want to make sure that we're doing our job right and that we're understanding if our policies are in fact being applied as fairly as we intend for them to be. We can always do better.

Mr. GAETZ. The gentleman's time has expired.

Mr. CICILLINE. Can she answer the first question?

Mr. GAETZ. Well, we've gone a minute over, Mr. Cicilline. So I am going to recognize the gentleman—

Mr. CICILLINE. Mr. Chairman, I have a unanimous consent request.

Mr. GAETZ. The gentleman is recognized to make his unanimous consent request.

Mr. CICILLINE. I request unanimous consent to enter the following materials into the record, a 2017 report by NewsWhip, an internet analytics firm, on the rise of hyperpolitical media; an article Nieman Lab entitled "Has Facebook's algorithm change hurt hyperpartisan sites? According to this data, nope"; an article by April Glaser in Slate entitled "Facebook won't make the bed it lies in."

Mr. GAETZ. Without objection.

The gentlemen from Louisiana, Mr. Johnson, is recognized for 5 minutes.

Mr. JOHNSON of Louisiana. Thank you, Mr. Chairman.

I thank all of you for being here. I know this is a difficult subject area. Prior to my election to Congress, I was a constitutional law attorney, and I litigated free speech cases in the courts for almost 20 years, defending religious liberty and the First Amendment. And so I'm very wary of censorship efforts. Sometimes they are well intended, but there's always a high degree of subjectivity, and it causes problems. And I'm still trying to understand what standards each of your organizations utilize to determine exactly how offensive or controversial or fake content is defined. And as you've noticed, many of us have come in and out of the hearing because we have other things going on. If you've answered some of these, I apologize in advance. But this is a question that I think my constituents back home really want to know because they ask me this all the time: How do each of your companies define fake news?

Let me start with Ms. Bickert.

Ms. BICKERT. Thank you, Congressman. First, I want to say that we actually published a new version of our standards in April that gives all of the detail of what we tell our content reviewers in terms of how to apply our policies against things like hate speech or bullying, so forth. We also include in there a section on what we're doing to combat false news.

It is not against our policies, meaning we don't remove the content just for being false. What we do instead is we try to provide—if we have an indication that a news story is false, and that would be because it's been flagged as potentially being false, and then we've sent it to third-party fact checkers who have rated it false, then we will provide additional information to people who see that content. And that will be related articles from around the internet. We will also try to counter any virality of that post by reducing its distribution.

Mr. JOHNSON. Okay. Ms. Downs.

Ms. DOWNS. Our goal is to provide our users with trustworthy information that's responsive to what they're looking for.

Mr. JOHNSON of Georgia. So how do you define fake news?

Ms. DOWNS. Fake news is obviously a term used to describe a spectrum of content. So at one end of the spectrum you have malicious, deceptive content that's often being spread by troll firms, et cetera. That content would violate our policies and we would act quickly to remove the content and/or the accounts that are spreading it.

In the middle, you have misinformation that may be low quality. This is where our algorithms kick in to promote more authoritative content and demote lower quality content. And then, of course, you even hear the term used to refer to mainstream media in which case we do nothing. We don't embrace the term in that context.

Mr. JOHNSON of Georgia. Let me ask you before I move to Twitter. If a content reviewer determines that something is fake news, is there an appeals process for the person who produced that content? I mean, are they notified formally?

Ms. DOWNS. Any time we remove content for violation of our policies, the user is notified and given a link to an appeals form.

Mr. JOHNSON of Georgia. How long does the appeals process take?

Ms. DOWNS. I'm not familiar with the average turnaround times, but I could get back to you with that information.

Mr. JOHNSON of Georgia. Well, I wish you would. I mean, the news cycle obviously is constantly changing. So if the appeals process takes days or weeks, then it's a moot point by the end of that process.

And our concern is, of course, that you would—any organization, any company, would filter things that they may or may not or their internal reviewers may not agree with. And then by the time the appeals process is exhausted, it's stale content anyway. And if the objective was to pull it down and take it out of the public's view, then that was accomplished just because of the time delay. So there's a due process concern that we have, even though you're not the government. I mean, it still should apply here, I think.

Let me ask you. I'm getting to Twitter next, but hold on.

Are individuals outside of your company consulted with regard to appropriate content or the purveyors of the content?

Ms. DOWNS. Our policies are developed by us, but we sometimes consult experts when we feel we need additional expertise to understand particular kinds of content. However, all enforcement decisions are made internally by the company.

Mr. JOHNSON of Georgia. A controversy developed this year with regard to you guys about the Southern Poverty Law Center, the SPLC. And they labeled some mainstream Christian and conservative organizations as hate groups because they didn't like what they were doing. And then Google and YouTube used the SPLC designation, at least allegedly, to flag the content of those groups.

Did that happen? Do you admit that that happened?

Ms. DOWNS. So that references to a program that we call the Trusted Flagger program which is one where we engage NGOs and government agencies with expertise on the particular kinds of things we prohibit per policy. They get access to a bulk flagging tool so they can flag videos to us in bulk rather than one at a time.

They do not have any authority to remove content, restrict content, or demote content on our services. All of those decisions are made by us. So we're leveraging our expertise, but decision-making authority is retained by the company.

Mr. JOHNSON of Georgia. I guess this goes to the appeals process. But, I mean, some of these groups I know personally are legitimate, well-respected, faith-based organizations. And I just want to say SPLC is not a neutral watchdog organization. So I'm glad to know they don't get editorial control where I think some of that needs to be looked at.

I got 2 seconds. I didn't get to get to Twitter. But I appreciate you all being here.

I'll yield back, Mr. Chairman.

Mr. GAETZ. The gentleman from California, Mr. Lieu, is recognized for 5 minutes.

Mr. LIEU. Thank you, Mr. Chair.

I served on Active Duty in the U.S. military. I never thought I would see the American Commander in Chief deliver the talking points of the Kremlin. This Judiciary Committee has oversight over

the Department of Justice. Our President disparaged members of the Department of Justice. Are we having a hearing on that? No.

As we sit here today, there is nearly 3,000 babies and kids ripped away from their parents by the Trump administration. They have not been reunified yet. Are we having a hearing on that? Because we have jurisdiction over immigration. No.

Instead, we are having this ridiculous hearing on the content of speech of private sector companies. It's stupid because there's this thing called the First Amendment. We can't regulate content. The only thing worse than the Alex Jones video is the government trying to tell Google not to do it, to prevent people from watching the Alex Jones video. We can't even do it if we tried. We can't even do any legislation on this committee. And we're having this ridiculous second installment hearing on the very first hearing about Diamond and Silk not getting enough likes on Facebook.

So let me just ask some very basic questions so the American public understands what a dumb hearing this entire hearing is.

So, Ms. Bickert, are you a private company?

Ms. BICKERT. Congressman, we are.

Mr. LIEU. All right. And you report to a board of directors, and you're publicly traded, correct?

Ms. BICKERT. Yes, we do.

Mr. LIEU. Okay. And as a publically traded private sector company, one of your goals and your duties to shareholders is to maximize profit, correct?

Ms. BICKERT. Yes.

Mr. LIEU. So if it turns out that elevating stories about cats generates more profit for your company, you have the absolute right to do that, don't you?

Ms. BICKERT. Within certain guardrails, we work to maximize the profitability of our company, yes.

Mr. LIEU. Thank you.

All right. So, Ms. Downs, are you a private company?

Ms. DOWNS. Yes.

Mr. LIEU. And you report to your shareholders. You have a duty to your shareholders, right?

Ms. DOWNS. Correct.

Mr. LIEU. All right. And so if it turns out that if you don't play Diamond and Silk because people don't like to watch them, but you elevate, let's say, pictures of kittens and that makes you more money, you could absolutely do that. Isn't that right?

Ms. DOWNS. We could.

Mr. LIEU. Okay. Thank you.

All right. So, Mr. Pickles, I'm going to ask you the same question. You're a private sector company?

Mr. PICKLES. Yes, sir.

Mr. LIEU. All right. And you have a duty to your shareholders to maximize profit?

Mr. PICKLES. Yes, sir.

Mr. LIEU. Okay. So if it turns out that you've got accounts that can generate revenue for you, but they're saying all sorts of crazy things, for example, that—let's say, I don't know, red tomatoes taste worse than purple tomatoes, but generates you revenue, you could talk about that and elevate that on your platform, right?

Mr. PICKLES. Yes, sir.

Mr. LIEU. All right. I notice all of you talked about your own internal rules, because that's what this should be about. You all get to come up with your own rules, but not because government tells you what to do or that government says you have to rule this way or that way. And the whole notion that somehow we should be interfering with these platforms from a legislative governmental sort of point of view is anathema to the First Amendment, and really, it's about the marketplace of ideas. So if you're a user and you don't like the fact that, you know, I don't know, Facebook isn't playing Diamond and Silk, well, go to some other social media platform. Go find Diamond and Silk on a website and watch their videos. Or if you don't like how Twitter is operating, well, go use WeChat or go use KakaoTalk or go use some other social media platform.

I don't even know why we're having this hearing. We should be having a hearing on the President of the United States, statements he has made that show that he has this bizarre relationship to Vladimir Putin, who is not our friend. Russia is not an ally. And yet we're sitting here talking about something we have no control over, we cannot regulate.

And it's from—actually, it's not a partisan issue. There were—there were questions from members of my own side that also trouble me. Because, again, you all need to be able to do whatever you want to do that maximizes your profit based on your internal rules, not because the House Judiciary Committee says that you shouldn't play, you know, Alex Jones or you shouldn't play Diamond and Silk or whatever it is that conservatives come up with or liberals come up with. This is an issue of the First amendment. That's why it's made America great.

Thank you all for being here. Just keep on doing what you're doing. Your duty is to your shareholders, not to the members of this Judiciary Committee.

I yield back.

Mr. GAETZ. Will the gentleman yield for a question?

Mr. LIEU. Sure.

Mr. GAETZ. Thank you. Thank you for yielding.

So I understand your argument and agree with most of it as it relates to the First Amendment. But is your view of section 230 that it's consistent with First Amendment principles? Or do you read section 230 to say that if you choose to be a public forum, then you surrender those First Amendment rights for the liability protections you get to host content?

I yield back for the answer.

Mr. LIEU. Thank you. I am a supporter of section 230.

I yield back.

Mr. GAETZ. The gentleman from Ohio, Mr. Jordan, is recognized for 5 minutes.

Mr. JORDAN. I thank the chairman.

Ms. Bickert, what percentage of digital advertising market does Facebook have?

Ms. BICKERT. Congressman, I can say that advertising I know is, in the United States, a \$650 billion industry. We have about 6 percent of that.

Mr. JORDAN. Six percent of—and just from the digital platform, though. I'm not talking advertising in general.

Ms. BICKERT. I don't have an exact statistic on that. Sorry. We can follow up on that.

Mr. JORDAN. How about you, Ms. Downs?

Ms. DOWNS. I'd have to follow up with that number as well.

Mr. JORDAN. Mr. Pickles.

Mr. PICKLES. I can follow up on that.

Mr. JORDAN. Because it's been reported that it's like somewhere around three-quarters of all digital advertising marketing dollars are with the three of you guys. Is that not accurate?

That's a number I've heard. Seventy-five percent of digital advertising market is controlled by Facebook, Google, and Twitter. That's not accurate?

Ms. Bickert.

Ms. BICKERT. Congressman, again, I know that we have about 6 percent of the overall advertising market, which is about \$650 billion.

Mr. JORDAN. Yeah. But that's not what I'm asking you. I'm not asking overall advertising. I'm talking about the digital area.

Ms. BICKERT. I'd be happy to have our team follow up with you on that.

Mr. JORDAN. Okay. If you could, that'd be fine.

Ms. Bickert, in your opening statement, you talked about fake news. I think you called it false news. And there's been discussions about third-party fact checkers who assist you in determining what, in fact, is fake news or false news.

Can you tell me how that process works at Facebook?

Ms. BICKERT. Yes, Congressman. We do work with third-party fact checkers. All of them are approved, they're pointer approved, and they are signatories to the International Fact-Checking Network code of principles. Although they meet these high standards, we also want to make sure that we are not—we know this is not a perfect process, so—

Mr. JORDAN. How many are there?

Ms. BICKERT. In the United States, I believe right now there are five currently. And that includes groups like the AP and The Weekly Standard.

We are open for others. They can apply to—

Mr. JORDAN. So do you use all five of those?

Ms. BICKERT. The way the process works is if something is flagged that's potentially false, it is sent to all five—or all participating fact checkers. Right now there—I believe there are five.

Mr. JORDAN. Who flags it?

Ms. BICKERT. If one of them—who flags it? It could either be from people reporting that content is false or it could be from our technology noting that, for instance, in comments people are saying that this content is false.

Mr. JORDAN. So your system can flag it or someone can just send you some kind of message, say, hey, we think this is fake news.

Ms. BICKERT. And if content is flagged as potentially being false, again, sent to these fact checkers. Now, if any one of the fact-checking organizations—organizations rates the content as true, then

the content is not downranked. But if they agree that this content is——

Mr. JORDAN. So if all five say this is fake news, then what does Facebook do?

Ms. BICKERT. We don't remove it, but we do reduce the distribution. And we also will put related articles beneath the content so that people see other stories from around the internet that are on the same topic.

Mr. JORDAN. Are these five entities who are making this determination, are they the same all the—I mean, are they them same five entities or does it rotate? Or how does—and who are these five entities? Tell me that.

Ms. BICKERT. The entities include AP, The Weekly Standard, *factcheck.org*. And, by the way, this list is—we are open to receiving additional fact-checking organizations. They can apply and——

Mr. JORDAN. Associated Press, The Weekly Standard, *factcheck.org*, and who else? Who are the other two?

Ms. BICKERT. I—PolitiFact, and there's one that I'm forgetting. I can get these to you. These are public. We've listed these five publicly.

And if others apply, they will also—and they meet the standards, they will also be added.

Mr. JORDAN. Okay. And then would it still be unanimous before this gets downgraded or flagged on your platform?

Ms. BICKERT. Right now our practice is, if any one organization flags it as true, then it will not be demoted. But, of course, over time, we are learning from this process. We know it's not perfect right now. We will continue to iterate and get better on it.

Mr. JORDAN. Okay. Ms. Downs, same question to you. How does it work for you guys? Same way?

Ms. DOWNS. We briefly introduced a fact-check feature and our knowledge panel who—the goal was to provide information about publishers. So users have greater context in evaluating what they read. However, it was an experimental feature. We got some critical feedback that we felt was valid, so we put the feature on pause until we could fix those concerns and decide whether to——

Mr. JORDAN. And who were the organizations doing it for you?

Ms. DOWNS. I think that—I would have to get back with you—to you on the details, but I believe——

Mr. JORDAN. Let me go to where Mr. Johnson was just a few minutes ago.

Was the Southern Poverty Law Center one of those entities for part of this third-party fact-checking operation?

Ms. DOWNS. I do not believe so, no.

Mr. JORDAN. Okay. All right.

Thank you, Chairman. I yield back.

Mr. GAETZ. The gentleman from Maryland, Mr. Raskin, is recognized for 5 minutes.

Mr. RASKIN. Thank you, Mr. Chairman.

Yesterday, a day that will live in infamy, the President of the United States openly sided with Vladimir Putin, a despot, a kleptocrat, and a tyrant who freely orders the assassination of journalists and political adversaries, as opposed to the American intel-

ligence community, the foreign policy community, and the law enforcement community.

The President, in the face of Russia's clear aggression against our political sovereignty and democracy in the 2016 election, instead apologized, which is the equivalent of America going out and apologizing to Japan after Pearl Harbor. This is an absolute outrage and a scandal. And, of course, this is what the Judiciary Committee in its right mind would be working on today. This is what we would be investigating.

Mr. Chairman, it seems as if Facebook and Twitter and Google have been arraigned here on charges of completely fanciful and mythical anti-conservative bias. When you look at, for example, Facebook's community standards, which I've read through, they are completely viewpoint neutral. They ban things like the advocacy of violence and criminal behavior, hate speech from whatever political perspective, child pornography, and so on.

What concerns me, and this is where I guess I suppose I would depart from my friend and colleague, Mr. Lieu—what concerns me is the political pressure that's apparently being brought to bear now on all of these entities and the suggestion that they are buckling under to this myth of some kind of anti-conservative conspiracy. So there is this article in this morning's Wall Street Journal saying publishing executives argue that Facebook is now overly deferential to conservatives. And so we know the dynamic of people working the refs and harassing and haranguing the entities.

And I wanted to ask Ms. Bickert, who's here to represent Facebook, is it true that you chose a former Republican Senator, Senator Jon Kyl, and the right wing Heritage Foundation to do a study about bias under the Facebook, and you chose no former Democratic Senator or independent or anybody else, and no liberal think tank, like the Center for American Progress, to participate in that review? Is that true?

Ms. BICKERT. Thank you, Congressman. We've hired Senator Kyl for a very specific purpose, which is to dig in and understand concerns about the way that our policies are applied and how that affects conservative voices.

I want to emphasize, though, that we have similar efforts, not just in the U.S., but also around the world—

Mr. RASKIN. Well, let me just ask you about that. Because my colleague, Mr. Deutch, raised a very profound concern about the continuing demonization and vilification of families and children who are victimized in episodes of mass gun slaughter. And we know it's now an ideological fixture on the right wing in America to deny the existence of these atrocities, like what took place in Newtown, Connecticut, what took place in Parkland, and then to allege that they're the product of some kind of conspiracy or hoax. And, of course, the founding myth in this vein is Holocaust revisionism which claims that the Holocaust never took place.

But so Mr. Deutch asks the question, what's being done about this. Have you appointed a committee to review the problem of bias against people who are victims of gun violence and the way that they are being treated on the internet and the way that there is voice being given to people who are denying the historical fact of their experience?

Ms. BICKERT. Certainly, if anybody alleges that the Parkland survivors are crisis actors, that violates our policies. We remove it.

But to your question about——

Mr. RASKIN. You remove it. And then—and they're allowed to continue to keep putting it up in the future or are they banned from Facebook?

Ms. BICKERT. We would remove that content if they put it up again. And at a certain point, their account or their page would be removed.

Mr. RASKIN. So just explain, what's happened with Infowars? Because they've made a cottage industry out of this. What they do is they deny that these events have happened.

Why are they still on Facebook?

Ms. BICKERT. We have removed content from the Infowars page to the extent that it's violated our policies. They have not reached the threshold at which they're entire——

Mr. RASKIN. What's the threshold?

Ms. BICKERT. It depends, Congressman, on the nature of the violation. So there are sometimes more severe violations and——

Mr. RASKIN. All right.

Well, look, I'm with Mr. Lieu, which is that you guys are private journalistic entities right now. But if you're going to be ideologically badgered and bulldozed to take positions in the interest of right wing politics, then we are going to have to look at what's happening there, because at that point there's not viewpoint neutrality.

Would you agree that you should not be catering to particular interests as opposed to everybody who's concerned about what's taking place online?

Mr. GAETZ. The gentleman's time has well expired.

So we're going to now recognize Mr. Rutherford of Florida for 5 minutes.

Mr. RASKIN. Mr. Chairman, can she answer the question?

Mr. GAETZ. Well, she—Mr. Raskin, she answered the first question that you asked after your time had expired, so we'll probably conclude it there.

Mr. Rutherford, you're recognized for 5 minutes.

Mr. RUTHERFORD. Thank you, Mr. Chairman.

Committee, I just want to go back to some earlier statements. My—one of our colleagues across the aisle who—listen, I believe that this is an incredibly important hearing. The potential censorship of free speech, I think, goes to the core of our country's freedoms. And to suggest that because we're not talking about some other items that are in the news is somehow this is, quote, ridiculous when considered in light of the balance between free speech and public safety.

When we look at what went on with Backpage, the lives that were destroyed, the children that were trafficked, the prostitution that was rampant. That—that's why this hearing, I think, is so vitally important.

And, Ms. Bickert, I'd like to ask you, today, citizens can hold newspapers and other media groups legally accountable if they knowingly lie, if they show indecent content, or if they use materials or photos that they are not authorized or did not pay to use

and so on. Technical platforms are currently making in-depth decisions about what information users receive and how they receive it, often driven by financial and other unknown motives. And Mr. Zuckerberg himself has repeatedly said that his platform is, quote, responsible for the content that they host.

Should the tech platforms be subject to the same content regulations and civil penalties as those who produce the content?

Ms. BICKERT. Thank you, Congressman. We do feel a sense of accountability and responsibility to make sure that Facebook is a place where people can come and be safe and express themselves. And that is at the core of everything we are trying to do.

In terms of regulation, we are happy to talk to this committee and others. We think that there is a place for—for these conversations, and we hope that we could be a part of guiding any regulatory efforts.

Mr. RUTHERFORD. I'm very pleased to hear you say that. Your platform generates revenue based on ads, yet the content provided in some cases is illicit, which is—why is it acceptable to Facebook, Google, Twitter, Bing, and others to make money off of illegal content while these other media outlets are held accountable civilly and criminally without the protection of section 230?

Ms. BICKERT. Congressman, we do—if content is brought to our attention that violates our policies or is illegal, we do have measures for removing that. And I would also note that we were supportive of the act to protect sex trafficking victims. That's something we care a lot about.

Mr. RUTHERFORD. In fact, this Congress, and I believe the public, are beginning to question the full protections afforded under section 230. And as you just referenced, on April 11 of this year, the President signed into law an additional provision under 230 that declared that 230 does not limit a Federal civil claim for conduct that constitutes sex trafficking, a Federal criminal charge for conduct that constitutes sex trafficking, or a State criminal charge for conduct that promotes or facilitates prostitution.

So my question is those are two examples, trafficking and prostitution, that are now exemptions to the protection under 230. Do you see any other—and this is for the whole panel. Do you see any other areas where those kinds of exemptions to the protections under 230 should be examined?

Let me throw out an example. How about sedition? Mr. Pickles, any comment?

Mr. PICKLES. Well, I think we've spent a lot of time talking about these issues today. And, firstly, you're right to highlight the work that's been done to tackle child trafficking. Before the passage of that bill, we already had a zero tolerance approach to this. We work very closely with the National Center for Missing and Exploited Children to help law enforcement bring to justice those people who are seeking to do harm to children.

And we also take a range of actions under our rules that we think are the right thing to do. Our rules go far beyond what's required by law, because this is—these are our rules that we set.

So I've highlighted previously terrorist content that we are proactively taking down at speed and scale, because we think it keeps our platform safe, and it's the right thing to do. And I think

the demonstration you're seeing is of companies who are responsible and taking the right—

Mr. RUTHERFORD. Do you think Congress should look at codifying that?

Mr. PICKLES. Well, I think the balance of regulation that we see—

Mr. RUTHERFORD. To have a rule is one thing; to have a law is another.

Ms. Downs, what do you think?

Ms. DOWNS. YouTube remains a service provider that hosts user-generated content at an unprecedented scale. We have a natural incentive to protect our product from harmful content, and we invest a lot of resources in enforcing our policies using both technology and humans.

Mr. GAETZ. The gentleman's time has expired.

The gentleman from New York, Mr. Jeffries, is recognized for 5 minutes.

Mr. JEFFRIES. Thank you very much. And good afternoon, everyone.

Ms. Bickert, am I correct that it was in May that Facebook engaged the former Senator Jon Kyl to investigate political bias?

Ms. BICKERT. I believe it was around that time.

Mr. JEFFRIES. And Senator Kyl was a Republican Member of the Congress. Is that correct?

Ms. BICKERT. Yes, that's my understanding.

Mr. JEFFRIES. And has Facebook engaged any former Democratic members of the House or the Senate to participate in this exercise as it relates to determining political bias?

Ms. BICKERT. With regard to this—to Senator Kyl's inquiry, he is working with his law firm; my understanding is they're reaching out to many people. But I want to emphasize that we do have conversations on both sides of the aisle. We've engaged Laura Murphy, civil rights attorney, to look at how our policies are affecting different groups who might have concerns about civil rights. And we have conversations—through my team, we have conversations on a weekly basis with groups that care about these issues from both sides of the aisle.

Mr. JEFFRIES. And are you aware that Senator Kyl is currently the White House designee to help the administration navigate through the confirmation process of arch conservative right wing justice nominee Kavanaugh?

Ms. BICKERT. I'm not aware of all of Senator Kyl's activities, nor was I a part of the Facebook team that is working on that audit. I'm just aware—or an audit assessment. I'm just aware of the assessment.

Mr. JEFFRIES. Are you aware that Senator Kyl once stated on the floor of the Senate that 90 percent of Planned Parenthood's activities were abortion related?

Ms. BICKERT. Again, Congressman, I'm not aware of everything about Senator Kyl. I just know that we have engaged him and his law firm to carry out this assessment.

Mr. JEFFRIES. And, actually, the figure is 3 percent of Planned Parenthood's activities are abortion related. So I guess I'm a little confused that we would embrace the notion of someone inves-

tigating political bias who himself, as a Member of the United States Congress, would broadcast such fake news. And that's just one example. He also has a close affiliation with the Center for Security Policy, which promotes the conspiracy theory that the Muslim Brotherhood has infiltrated the U.S. Government to threaten our democracy.

It's amazing how we get concerned about all of these other entities, but somehow we can live through what we witnessed yesterday as it relates to the President of the United States continuing to play footsie with Vladimir Putin. Nobody's alarmed, apparently, at any of these other affiliations as it relates to Senator Kyl.

Now, The Heritage Foundation has also been brought in to address the so-called conservative bias. Is that right?

Ms. BICKERT. We can follow up with you on the details of everybody that Senator Kyl's group is reaching out to.

Mr. JEFFRIES. Okay. I'd be interested in just understanding the political leanings of every organization that's been brought in. But it's our understanding that The Heritage Foundation, which obviously leans very right, has been brought in as well.

Now, Facebook has engaged third-party organizations to help filter what it calls fake news. Is that right?

Ms. BICKERT. Congressman, we use third-party fact checkers. In the United States we currently have five. We're open to more.

Mr. JEFFRIES. Am I correct that those five are AP, one; PolitiFact, two; factcheck.org, three. Snopes, is that correct, four? And the Weekly Standard, five?

Ms. BICKERT. Yes, that's correct.

Mr. JEFFRIES. Now, when I look at this list, I'm trying to figure out. So the Weekly Standard is a, again, right wing conservative leaning organization. I'm struggling to look at this list of five.

Is there a left leaning progressive organization in this list of five fact-checking organizations?

Ms. BICKERT. Each of these five fact-checking organizations was selected because it is pointer approved and it also adheres to the code of principles of the International Fact-Checking Network.

But I also want to make clear——

Mr. JEFFRIES. I guess the answer would be no, is that correct, to my question? Is there a progressive left leaning organization amongst these five different entities that are fact checking?

Ms. BICKERT. Congressman, I'm sure different people would characterize these organizations different ways. We know that—that people will have those opinions. And that's why we're not removing content if these organizations flag content as false. Instead, what we are doing is we are demoting content and we're providing relevant information about other articles on the internet about the same topics that people have better information.

Mr. GAETZ. The gentleman's time has expired.

The gentleman from Texas, Mr. Poe, is recognized for 5 minutes.

Mr. POE. Thank you, Chairman. Thank you all for being here.

Just as a note, the whole idea of now we are going to have corporations censor speech based upon their definition of fake news, based on their definition of hate speech is opening up a Pandora's box. What one person may think is fake news somebody else be-

lieves is the gospel truth. And we're going to turn that over to a group of people to decide. It's going to be, I think, very chaotic.

Are any of you familiar with the general data protection requirements regulations? Is anybody familiar?

Ms. Downs, are you familiar with it?

Ms. DOWNS. Yes, I'm familiar with GDPR.

Mr. POE. Okay. And, basically, if I'm correct, it's now the policy in the European Union that consumers must opt in to the dissemination of their private information that is carried by one of your organizations. Is that a fair statement, Ms. Downs?

Ms. DOWNS. There are consent requirements built into GDPR, yes.

Mr. POE. All right. And what do you personally think of this regulation in Europe?

Ms. DOWNS. We very much support a goal of protecting the privacy of our users, and we're—we are happy to continue to work with Congress on that here in the U.S. as we do with European Union for Europe.

Mr. POE. I agree with you. I think the privacy of most Americans and people—consumers should be something looked at by, not only your companies, but Congress so that the consumer is protected because we all know and have heard all of the stories about how our private—we think is private information is not private at all. It's disseminated by your organizations to people we don't even know, and so that citizens, users, should at least know where that information is going to and have the ability to opt in to the dissemination of private information, not to mention all of the cyber attacks that take place daily by nefarious organizations.

Mr. Pickles, did you want to say something?

Mr. PICKLES. Just to agree. I think privacy is, you're right, a defining public policy issue. We have a global privacy policy for this reason. So while Europe has passed GDPR, we think privacy is something important to all of our users all around the world.

Mr. POE. And you think that the United States Congress should look into that issue, working with all three of you all and other people that are providers, to come up with some privacy guidelines for consumers? Just your opinion, Mr. Pickles.

Mr. PICKLES. I think that conversation has already started. And you're absolutely right, I think it's one that Congress and industry can engage on to make sure that Americans citizens and, indeed, companies strike that right balance.

Mr. POE. All right.

Ms. Bickert, let me ask you this. What—I agree with you, Mr. Pickles.

What is your definition of fake news?

Ms. BICKERT. Congressman, we have a set of policies that are public that define everything that we are doing to counter fake news and how we—

Mr. POE. So what is fake news? Just tell me your definition of fake news.

Ms. BICKERT. Well, really, it depends how people use that term.

Mr. POE. I mean, it depends on what? What is fake news?

You said that you're going to try to keep it off of all these platforms. I'm not arguing with you. But what is fake news?

Ms. BICKERT. No, we don't have a policy of removing fake news.

Mr. POE. You just—but you point it out to individuals.

Ms. BICKERT. What we do is, if people have—

Mr. POE. Excuse me. I'm just trying to understand. If you think something is fake news, you have one of these five organizations—and Snopes is a left wing organization, by the way. If you want to have one of these organizations tag it, what is it? What are we talking about is fake news?

Ms. BICKERT. Congressman, what we do is, if people flag content as being false or if our technology detects that comments or other signals suggest that content might be false, then we send it to these fact-checking organizations. If they rate the content as false and none of them rate it as true, then we will reduce the distribution of the content and add the related articles.

Mr. POE. So you let somebody else determine what fake news is and whatever their opinion of fake news is. But you don't have a definition of fake news?

Ms. BICKERT. We do—sharing information that is false does not violate our policies.

Mr. POE. All right. Thank you.

I yield back to the chair.

Mr. GAETZ. The gentlelady from Washington, Ms. Jayapal, is recognized for 5 minutes.

Ms. JAYAPAL. Thank you, Mr. Chairman.

Let me associate my remarks with some of my colleagues earlier in saying that there are so many things we should be discussing, particularly given the news of yesterday, given something that I've been fierce about, which is the separation of families. So many things. And I was pleased today—shocked but pleased today to see that Chairman Goodlatte had said that time and time again, this is his quote, that Russia will stop at nothing to interfere with and undermine our system of government.

Just days ago, the Department of Justice announced more Russian nationals have been charged with attempting to interfere with the 2016 Presidential election. This is not a country that can be trusted.

I would urge Chairman Goodlatte to hold hearings on that very important topic. He seems to think it's a problem, and yet the Judiciary Committee that has jurisdiction over these issues has yet to hold a single hearing on election security, on protecting our democracy, on Russian hacking of our elections. And so I really hope that we do that.

All of that said, I do think that there are some important issues raised here. And I think that, in many ways, this hearing and the questions that it raises are a tribute to the success of social media platforms. That's what's happened.

Mark Zuckerberg, when he started Facebook, I don't think had any idea that it would take off, or maybe he did. I think he didn't. But, you know, that it would take off in the way that it has.

And so the questions that are before you are critical, and your responsibility and your actions and your timeliness around all of these issues is absolutely essential to making sure that these platforms aren't misused and don't actually contribute to the detriment of our democracy. And I appreciate that there has been some work

that all of your companies have done in trying to find the right answers, and I don't think it's easy.

I would like to just echo some of the comments that Mr. Raskin made and that Mr. Jeffries made about how Facebook ensures that it is not bending to the other side with the criticism that it gets.

And I want to point out—I don't know if you're aware of this, Ms. Bickert, but I just saw a news article 2 days ago that Facebook has recently donated to Chairman Nunes, who, as you may know, is one of the leading voices that's fighting Special Counsel Mueller's investigation into Russian interference in the 2016 election.

Now, I understand that you donate to Democrats and Republicans. I have a bill that I am working on now that would not allow donations to members of a committee where there is an interest at stake. Why? Because I think it's important for there to be transparency and for the American public to understand that those donations don't affect how we look at issues.

But are you concerned about the fact that Facebook has just in the last few weeks given money to an individual who is—who is countering the Russian investigation when you and Facebook are so deeply tied into what access the Russian Government and Russian operatives were able to get to our elections?

Ms. BICKERT. Thank you for the question, Congresswoman. I know that the Facebook PAC does have bipartisan contributions. They are publicly disclosed.

Ms. JAYAPAL. Were you aware that Facebook has—the Facebook PAC donated to Chairman Nunes just in the last month multiple times?

Ms. BICKERT. I don't keep up-to-date on the details—

Ms. JAYAPAL. Are you concerned that that would—that would taint the notion that Facebook really is trying to come to good solutions around these questions?

Ms. BICKERT. Congresswoman, I know that we try to be very evenhanded in the way that we donate, and we also make sure that we're very open about our donations.

I'd be happy to have a member of our team follow up with you on that.

Ms. JAYAPAL. That would be great. Because, again, look, I know you donate to everybody. I don't think that's right. But I know you donate to everybody. But I would just encourage you to look at this question of whether Facebook is bending too much to appease some of our right wing interests that I think are undermining our democracy.

Let me go to this question of false news, because I think the challenge here is that it is difficult to determine exactly what may qualify as false news. But the bigger problem to me is that we somehow get to a standard that truth is relative. Truth is not relative. An apple is an apple. It can't be a tomato tomorrow and a pear yesterday. It is an apple.

And so the question for you is, in your strategy, you say that you do take steps to try to not share false news, and yet at the same time, you're saying you don't take down any pages. And I guess I just don't understand what the lines are here and how you're determining the broad guidance.

Ms. BICKERT. Yes. There's a couple of different things we do. One thing is we know that the majority—the biggest amount of false news that you see on social media tends to come from spammers, financially motivated actors. And so we have tactical means—that violates our policies, and we have tactical means of trying to detect those accounts and remove them. And we've made a lot of progress in the past few years.

Then there is this content that people may disagree about or it may be widely alleged to be false. And we've definitely heard feedback that people don't want a private company in the business of determining what is true and what is false. But what we know we can do is counter virality by—if we think that there is—that there are signals like third-party fact checkers telling us the content is false, we can counter that virality by demoting a post, and we can provide additional information to people so that they can see whether or not this article is consistent with what other mainstream sources around the internet are also saying.

Ms. JAYAPAL. Thank you. Mr. Chairman, I yield back.

Mr. GAETZ. The gentlelady's time has expired.

I'll now recognize myself for 5 minutes. And I'll begin by associating myself with some of the comments from Mr. Lieu and Mr. Raskin. When they indicate that the government should not foist upon the technology community, the—you know, the overregulation of the government, I completely agree.

My question is, when you avail yourself to the protections of section 230, do you necessarily surrender some of your rights as a publisher or speaker?

The way I read that statute now, it's pretty binary. It says that you have to be one or the other. You have to be section 230 protected or you're a speaker with a full complement of your First Amendment rights.

I'm cool with that. I would love you guys to make the choice. I come from the Libertarian leaning segment of my party. I just think it's confusing when you try to have it both ways. When you try to say that, you know, we get these liability protections, but at the same time, we have the right to throttle content. We have the right to designate content. And in the most extreme examples, when you have a Twitter attorney saying in court, we would never do this, but we would have the right to ban people based on their gender or their sexual orientation. So I wanted to clear up those comments.

But my question—my next question is for you, Ms. Bickert. I've provided to you a screenshot I've taken from content that was published on Facebook from a page that is Milkshakes Against the Republican Party. There are two posts. Would you read the first one? And there is one naughty word there that you're welcome to skip over.

Would you read it aloud?

Ms. BICKERT. Congressman, this is a post, Milkshakes Against the Republican Party. It has a picture, and it says: Parents in the waiting area for today's school shooting in Florida.

And then it says: You remember the shooting at the Republican baseball game? One of those should happen every week until those

NRA—and then there are unpleasant words—and then there’s—I’m not sure if this is another post beneath it or not.

Mr. GAETZ. Yeah. That’s a second post.

Will you read that? That has no naughty words.

Ms. BICKERT. It says: Dear crazed shooters, the GOP has frequent baseball practice. You really want to be remembered? That’s how you do it. Signed, Americans tired of our politicians bathing in the blood of the innocent for a few million dollars from the terrorist organization NRA.

Mr. GAETZ. Do these posts violate your terms of service?

Ms. BICKERT. Any call for violence violates our terms of service.

Mr. GAETZ. So why is Milkshakes Against the Republican Party still a live page on your platform?

Ms. BICKERT. I can’t speak—I haven’t reviewed this page. I can’t speak to why any page is up or not up. But we can certainly follow up with it.

Mr. GAETZ. So a member of my staff provided these comments to Facebook. And we said, based on our reading of your terms of service, and, frankly, based on your testimony today where you say we are committed to removing content that encourages real world harm, based on that, this would be a facial violation. But I received back what I’ve provided to you, and the highlighted portion of Facebook’s message back to my staff includes: It doesn’t go against one of our specific community standards.

So do you see the tension between your public testimony today, your terms of service, and then your conduct when you’re presented with violent calls to shoot people who are members of my party at baseball practice?

Ms. BICKERT. Congressman, there’s no place for any calls for violence on Facebook. I will certainly follow up after the hearing and make sure that we’re addressing content you bring to our attention.

Mr. GAETZ. Thank you. Yeah. I mean, I brought it to your attention when I emailed it to you. And then I brought it to your attention when I went to Facebook with Mr. Ratcliffe. We went to California. We went to your corporate headquarters. I showed these posts to your executives. And the response I got from your executives is: Well, we removed those specific posts, but we’re not going to remove the entire page.

So I guess if a page hosts repeated content that threatens violence and that references the shooting of Republicans at a baseball game, why would you not remove the page?

Ms. BICKERT. Thank you, Congressman. Okay. So these posts were removed but the page has not been removed. Is that correct?

Mr. GAETZ. Correct.

Ms. BICKERT. Okay. So we remove pages or groups or profiles when there is a certain threshold of violations that has been met. So—and this depends. If somebody, for instance, posts an image of child sexual abuse imagery, their account will come down right away. But there are different thresholds depending on different violations. So I can follow up with you on that.

Mr. GAETZ. Yeah. How many does a page have to encourage violence against Republican Members of Congress at baseball practice before you will ban the page?

Ms. BICKERT. Congressman, I'm happy to look into this and look at the page specifically and then come back to you with an answer.

Mr. GAETZ. You agree this is a mistake, right?

Ms. BICKERT. These—the posts should not be on Facebook. I have to look at a specific page before—with my team before we can—

Mr. GAETZ. Do you think that this page should be hosted on Facebook with these multiple calls for violence against people in my party?

Ms. BICKERT. Congressman, I personally have not seen the page on Facebook. But I will look into—

Mr. GAETZ. You've seen these posts, though, right?

Mr. RASKIN. Would the chairman yield?

Mr. GAETZ. Yeah.

Mr. RASKIN. I just had a question. I'm agreeing with the chairman about this. And I think we arrived at the exact same place when we were talking about at what threshold does Infowars have their page taken down after they repeatedly deny the historical reality of massacres of children in public schools.

And so when you follow up with it, and obviously you want to look into specifics of the case, I would love it if you would follow up also about Alex Jones and Infowars. If certain content you're saying has been taken down when they are taunting the students from Parkland, but at what point does the whole page get taken down?

And I agree, certainly, that the—that these posts should be taken down that the chairman's talking about.

I yield back.

Mr. GAETZ. I thank the gentleman, and would concur with his sentiments.

My time has expired.

And seeing no further business before the committee, this concludes today's hearing.

Thank you to the distinguished witnesses for attending.

Without objection, all members will have 5 legislative days to submit additional written questions for the witnesses or additional materials for the record.

The hearing is adjourned.

[Whereupon, at 12:54 p.m., the committee was adjourned.]