

OV: amend/reform solves (lay only - included in tech NC)

A reform can solve the aff – repeal isn't necessary

Department of Justice-20 (Department of Justice, June 2020, , <https://www.justice.gov/file/1286331/download>) // teddy choe

1. Incentivizing Online Platforms to Address Illicit Content

The first **[a] category of potential reforms is aimed at incentivizing platforms to address** the growing amount of **illicit content** online, **while preserving the core of Section 230's immunity for defamation.**

a. Bad Samaritan Carve-Out. First, the Department proposes denying Section 230 immunity to truly bad actors. The title of Section 230's immunity provision—"Protection for 'Good Samaritan' Blocking and Screening of Offensive Material"—makes clear that Section 230 immunity is meant to incentivize and protect responsible online platforms. It therefore makes little sense to immunize from civil liability an online platform that purposefully facilitates or solicits third-party content or activity that would violate federal criminal law.

b. Carve-Outs for Child Abuse, Terrorism, and Cyber-Stalking. Second, **the Department proposes exempting from immunity specific categories of** claims that address particularly **egregious content, including** (1) **child exploitation and sexual abuse**, (2) **terrorism**, and (3) **cyber-stalking**. These targeted carve-outs would halt the over-expansion of Section 230 immunity and enable victims to seek civil redress in causes of action far afield from the original purpose of the statute.

c. Case-Specific Carve-outs for Actual Knowledge or Court Judgments. Third, the Department supports reforms to make clear that Section 230 immunity does not apply in a specific case where a platform had actual knowledge or notice that the third party content at issue violated federal criminal law or where the platform was provided with a court judgment that content is unlawful in any respect.

This is why partial reform is likely

Michael D. **Smith** and Marshall Van Alstyne, "It's Time to Update Section 230", August 12 20**21**, Harvard Business Review, <https://hbr.org/2021/08/its-time-to-update-section-230>

Today **there is a growing consensus** that we need to update Section 230. Facebook's Mark Zuckerberg even told Congress that it "may make sense for there to be liability for some of the content," and that Facebook "would benefit from clearer guidance from elected officials." Elected officials, **on both sides of the aisle**, seem to agree: As a candidate, Joe Biden told the New York Times that Section 230 should be "revoked, immediately," and Senator Lindsey Graham (R-SC) has said, **"Section 230 as it exists today has got to give."** In an interview with NPR, the former Congressman Christopher Cox (R-CA), a co-author of Section 230, has called for rewriting Section 230, because "the original purpose of this law was to help clean up the Internet, not to facilitate people doing bad things."

Therefore, the aff must prove a problem with 230's fundamental method - pointing out specific exceptions where 230 is harmful doesn't grant any true offense

a/2 terror

Freiheit literally talks about only reform - it's what i just talked about

2 T - even if you buy that social media is helping recruit terrorists it ultimately hurts them more than it helps – here's 4 turns in one card:

Daniel Byman and Jeremy Shapiro, October 9th, 2014, "We shouldn't stop terrorists from tweeting" The Washington Post.

https://www.washingtonpost.com/opinions/we-shouldnt-stop-terrorists-from-tweeting/2014/10/09/106939b6-4d9f-11e4-8c24-487e92bc997b_story.html //SG

Social media is a counterintelligence nightmare for Islamic State **militants**. Although tweets and Facebook

postings inspired them to fight and helped them get to Syria and Iraq, these **technologies are easily monitored**. As former FBI official Clint Watts points out, social media offers "a window into what's going on in Iraq and Syria right now." The same bragging the group did in Syria to inspire others can be turned against it: **[First,] Intelligence services can determine the identities of** supporters and potential **recruits,**

flagging individuals not previously **on the government's radar**. Share this article Share With data analysis,

governments can use social media to trace entire networks of contacts. A constant problem for intelligence services is detecting a terrorist before he acts. Now we have one good marker: The would-be terrorist is a "friend" or a "follower" of militants in Syria. The Carter Center, among many other organizations, has used online data to map the complex Syrian civil war with a level of fidelity that was never possible in previous conflicts. Intelligence agencies are putting it to similar good use. At the very least, **[Second,] intelligence officers can learn the most**

prominent ways jihadists recruit others **and** try to counter them. At best, they can communicate with actual and potential terrorists, **feeding** information — and **misinformation** — **to their networks**. Like political movements everywhere, terrorists have a message they

want to communicate. But **[Third,] because every fighter can broadcast anything to the world, leaders cannot control the narrative**. For example, the Islamic State is in a flame war with Jabhat al-Nusra, the official al-Qaeda affiliate in

Syria: The **contest makes both groups less appealing as it reveals divisions** within the jihadist camp **for all to see**. According to European security officials we interviewed, this dissension turns off potential recruits. If foreign fighters return home, they might find that they

have incriminated themselves on social media. In most Western countries it is illegal to join a designated terrorist group such as the Islamic State, but **[Fourth,] in the past it was** often **hard to prove that someone was a member** of such a group. **Tweets and**

Facebook pictures of fighters standing over dead bodies and **declaring their allegiance** to Islamic State leader Abu

Bakr al-Baghdadi **don't look good in a court of law**. Because the volunteers think they are heroes joining an army, they are not operating in a clandestine way. Despite Edward Snowden's leaks and other revelations about the power of the National Security Agency, terrorists seem to think that no one is listening — or that they don't care. As John Mueller, a senior fellow at the Cato Institute, told us, "We've had 13 years in which officials talk about how they listen to 'chatter' by jihadists, and yet the jihadists continue to chatter." Beyond the debate about the wisdom of barring terrorists from social media, it may simply be impossible. Web sites and Twitter accounts move and reappear as quickly as they can be taken down. Technological tools and methods quickly arise to circumvent controls — and those who most want to avoid scrutiny are the first to go underground. Even the Chinese government, with all of its vast apparatus and effort devoted to the Great Firewall of China, has not succeeded in completely cutting off

protesters from using social media. In most cases, social media promotes openness, collaboration, creativity and the spread of information. But **when it comes to terrorism, social media is both disease and cure**. It has helped the Islamic State recruit and grow, but **it** also strengthens the

counterterrorism response and **ultimately will weaken the group's message**. Even though terrorists can exploit social media,

these networks are an important source of our strength and our **advantage over repressive groups** such as the Islamic State.

Prefer on probability

3NQ: being addressed rn

White House, 6-15-20**21**, "FACT SHEET: National Strategy for Countering Domestic Terrorism,"

<https://www.whitehouse.gov/briefing-room/statements-releases/2021/06/15/fact-sheet-national-strategy-for-countering-domestic-terrorism/>

The U.S. Government **will** augment its efforts to **address online terrorist recruitment** and mobilization to violence by domestic terrorists **through increased information sharing with the technology sector and the creation of innovative ways to foster digital literacy and build resilience to recruitment and mobilization.**

Make them prove that the threat of terror is going up - its not

4 Their argument is that the threat of homegrown terror is catastrophic, but their own free evidence finds that such home grown terror accounts for literally less than a hundred deaths

5 Removing Terrorists on social media is impossible look to the China empiric

Daniel Byman and Jeremy Shapiro, October 9th, **2014**, "We shouldn't stop terrorists from tweeting" The Washington Post.

https://www.washingtonpost.com/opinions/we-shouldnt-stop-terrorists-from-tweeting/2014/10/09/106939b6-4d9f-11e4-8c24-487e92bc997b_story.html //SG

Beyond the debate about the wisdom of **barring terrorists from social media** it **may** simply **be impossible**. Web sites and Twitter **accounts** move and **reappear as quickly as they can be taken down**. Technological tools and **methods quickly arise to circumvent controls** — and those who most want to avoid scrutiny are the first to go underground. **Even the Chinese government, with all of its vast apparatus** and effort devoted to the Great Firewall of China, **has not succeeded in completely cutting off protesters from using social media.**

6 - their impact is literally 30 people who died a few years ago - that's tiny; don't let them read another impact

T: dark web

Stricter laws don't stop illegal activity; they just push it to the dark web

Kacy **Zurkus-18** (Kacy Zurkus, 4-9-2018, What Is the Dark Web and Why Would Businesses Use It?, Security Intelligence,

<https://securityintelligence.com/what-is-the-dark-web-and-why-would-businesses-use-it/>) // teddy choe

To ensure that your security controls don't prohibit users from being able to access information that can drive business productivity and actually enhance your overall security posture, it's important to understand the users of the Dark Web. As an introvert, I'm inclined to see the Dark Web through a different lens. I appreciate the solitude and the ability to search for information without being tracked, and I'm not alone. **Users**

from countries with censorship policies use the Dark Web to surf anonymously and reach content that is otherwise difficult to find.

People who want to leak important information may also use the Dark Web to publish sensitive information. Then there are users who just want to browse the web without being tracked. Additionally, many reputable organizations leverage previously unindexed data via the Dark Web and use it to their benefit.

1. **T - Empirics prove that removing S230 allows terrorists to sue social media groups, strengthening their message**

Jen Patja **Howell**, 3-14-2023, "Dual-use regulation: Managing hate and terrorism online before and after Section 230 reform," Brookings,

<https://www.brookings.edu/articles/dual-use-regulation-managing-hate-and-terrorism-online-before-and-after-section-230-reform/> //EO

Third, **adjustments to §230 risk litigation by violent or hateful actors against platforms themselves. In the United States, such lawsuits from white supremacists are now routinely dismissed based on §230. By contrast, in Italy a neo-fascist group successfully sued Meta, (formerly Facebook) for removing its page, and the page was reinstated as a result. Meta also now faces an order to pay fines directly to the neo-fascist group** itself. Calls to allow civil action against platforms that unintentionally host noxious content aim to provide relief to victims and incentivize platforms to more aggressively police such material. Penalties for egregious misconduct may indeed be warranted. But this is perilous ground if it inadvertently creates standing for hate groups to pursue civil action against platforms for removing content that is legal but violates platform rules.

a/2 msiinfo

they first tell you that misinformation is currently on the rise, 2 responses here.

1. People can already report it. [INT 23](#) tells us that,

"However, everyone can help to stop the spread. **If you see content online that you believe to be false or misleading, you can report it to the hosting social media platform.**"

2. The Reason for misinformation spreading is the structure of social media platforms, not section 230 as [Madrid 23](#) tells us that

USC researchers may have found **the biggest influencer in the spread of fake news: social platforms' structure of rewarding users for habitually sharing information.**

The team's findings, published Monday by Proceedings of the National Academy of Sciences, upend popular misconceptions that misinformation spreads because users lack the critical thinking skills necessary for discerning truth from falsehood or because their strong political beliefs skew their judgment.

Just 15% of the most habitual news sharers in the research were responsible for spreading about 30% to 40% of the fake news. The research team from the USC Marshall School of Business and the USC

Dornsife College of Letters, Arts and Sciences wondered: What motivates these users? As it turns out, much like any video game, **social media has a rewards system that encourages users to stay on their accounts and keep posting and sharing.** Users who post and share frequently, especially sensational, eye-catching information, are likely to attract attention.

"Due to the reward-based learning systems on social media, users form habits of sharing information that gets recognition from others," the researchers wrote. **"Once habits form, information sharing is automatically activated by cues on the platform without users considering critical response outcomes, such as spreading misinformation."**

Unless companies suddenly decide to change the structure of their platform, misinformation will continue to be spread.

1 T: bad solution

Removing 230 and blocking content is a sledgehammer - it's counterproductive whereas better solutions solve

Jillian C. York, David Greene, and Gennie **Gebhart-19** (Jillian C. York, David Greene, and Gennie Gebhart, 5-1-2019, Censorship Can't Be The Only Answer to Disinformation Online, Electronic Frontier Foundation, <https://www.eff.org/deeplinks/2019/05/censorship-cant-be-only-answer-disinformation-online>) // teddy choe

But **censorship cannot be the only answer to disinformation** online. **The anti-vax trend is a bigger problem than censorship can solve.** And when **tech companies** ban an entire category of content like this, they **have a history of overcorrecting and censoring accurate, useful speech—or, even worse, reinforcing misinformation with their policies.** That's why platforms that adopt categorical bans must follow the Santa Clara Principles on Transparency and Accountability in Content Moderation to ensure that users are notified when and about why their content has been removed, and that they have the opportunity to appeal. Many intermediaries already act as censors of users' posts, comments, and accounts, and the rules that govern what users can and cannot say grow more complex with every year. But **removing entire categories of speech** from a platform **does little to solve the underlying problems.** Tech **companies** and online platforms **have other ways to address** the rapid spread of **disinformation, including addressing the algorithmic “megaphone” at the heart of the problem and giving users control over their own feeds.**

2. Uniqueness evidence is bad - they say that social media thrives off of misinfo but this isn't necessary trueNU: incentives exist

The litigation incentive from removing 230 is non unique - stronger incentives exist now

Ashley Johnson, Daniel **Castro-21** (Ashley Johnson, Daniel Castro, 2-22-2021, Fact-Checking the Critiques of Section 230: What Are the Real Problems?, No Publication, <https://itif.org/publications/2021/02/22/fact-checking-critiques-section-230-what-are-real-problems/>) // teddy choe

While some bad actors may benefit from Section 230 protections, **the vast majority of the beneficiaries are legitimate, reputable sites** and services that do not take advantage of the law.¹⁴ **These companies have powerful economic incentives for keeping harmful or illegal content off their platforms.**¹⁵ The first is **to protect their brand and reputation,** exemplified by the recent “techlash,” or backlash against major tech companies that arose from widespread disinformation on social media surrounding the 2016 U.S. elections.¹⁶ This negative attention chases users away from companies' platforms and motivates lawmakers to consider policies that would be detrimental to companies' business models. The second is **[to ensure] advertising revenue. Advertisers do not want their products and services promoted next to harmful or illegal content.** If platforms gain a reputation for hosting this content, they risk losing

advertiser revenue. **And** a third incentive comes **from consumers, most of whom do not want to use online services that are full of harmful or illegal content.**

DL: root cause

Their advocacy doesn't solve the core problem

Tim **Hwang-20** (Tim Hwang, 8-1-2020, Dealing with Disinformation: Evaluating the Case for Amendment of Section 230 of the Communications Decency Act (Chapter 11), Cambridge Core, <https://www.cambridge.org/core/books/social-media-and-democracy/dealing-with-disinformation-evaluating-the-case-for-amendment-of-section-230-of-the-communications-decency-act/665B952A40A6A5F244E2141A84CA45D8>,) // teddy choe

Ultimately, **the end goal should not be to fully delegate responsibility** around the truth value of information **to the government or to the platforms.** Instead, **the primary objective should be the encouragement of publics that are themselves robust against** the ever-evolving nature of **disinformation.** If the wisdom of the crowds has been less robust than was expected a decade ago, it is in part because the online spaces in which they operate have failed to create the proper circumstances under which they could succeed. Fine-tuning the bounds of CDA 230 represents one step in realizing and revitalizing this original vision.

DL: insignificant

Misinformation is generally insignificant

Tiffany **Hsu**, 4-13-20**23**, "Misinformation Defense Worked in 2020, Up to a Point, Study Finds," No Publication, <https://www.nytimes.com/2023/04/13/business/media/misinformation-2020-election-study.html>

The shrinking audience may have been influenced by attempts, including by **social media companies**, to **mitigate misinformation, according to the researchers.** They noted that **5.6 percent of the visits to untrustworthy sites in 2020 originated from Facebook, down from 15.1 percent in 2016. Email also played a smaller role in sending users to such sites in 2020.**

Mr. Hancock said that **misinformation should be taken seriously, but that its scale should not be exaggerated. The Stanford study**, he said, **showed that the news consumed by most Americans was not misinformation** but that certain groups of people were most likely to be targeted. **Treating conspiracy theories and false narratives as an ever-present, wide-reaching threat could erode the public's trust in legitimate news sources**, he said.

3 T: over-moderation/censorship

No matter the incentive, the level of moderation they want is physically impossible

Augustina **Del Campo**, “Disinformation is not simply a content moderation issue”, Carnegie Endowment for Peace, Oct 19 20**21**,

<https://carnegieendowment.org/2021/10/19/disinformation-is-not-simply-content-moderation-issue-pub-85514>

Defining what constitutes disinformation and how to prevent its spread is complicated and requires special consideration. Disinformation is ill-defined and is different from other targets of content moderation—like hate speech, threats, or fraudulent activity. First, disinformation seemingly represents the introduction of a new social harm. Second, it encompasses different types of falsehoods and therefore differently defined social harms—some legal, others illegal—such as libel, slander, fraud, and propaganda. And, third, **[trying to moderate] disinformation assumes one can make a clear distinction between truthful and untruthful information—that there is a unique source against which truthfulness can be tested**. Policymakers increasingly assess disinformation to be an existential challenge to democratic governance. The European Union has argued that disinformation is a threat to democracy and European values. Across the Atlantic, statements from U.S. President Joe Biden’s administration on disinformation and its impact on the COVID-19 vaccine campaign reinforce this idea.

This turns their argument because the duffield evidence from our censorship contention specifically tells you that this is why companies would just blanket block everything and be overly cautious.

On vaccines Companies are already held accountable for playing a role in health misinformation EVEN under 230

117th Congress, July 22 20**21**, S.2448 - Health Misinformation Act of 2021, congress.gov

<https://www.congress.gov/bills/117/congress/senate-bill/2448> // SG

Health Misinformation Act of 2021. This bill **limits liability protection** that applies to a provider of an interactive computer service (e.g., a social media company) **for claims related to content provided by third parties if a provider promotes health misinformation during a declared public health emergency**. Specifically, **the liability protection** (sometimes referred to as **Section 230** protection) **shall not apply to a provider that promotes health misinformation using an algorithm** unless the algorithm uses a neutral mechanism for the promotion, such as chronological functionality. The Department of Health and Human Services must, within 30 days, issue guidance about what constitutes

on climate change - Their link is incoherent - they say that this misinformation has turned the public against climate change - their evidence for this is just that people are against climate change nowhere does it mention oil misinformation

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