

## **What is Section 230, the law at the center of Trump's executive order aimed at social media ?**

<https://www.youtube.com/watch?v=WOTgZn08WkM>

« Today I am signing an executive order to protect and uphold the free speech rights of the American people. Currently social media giants like Twitter receive an unprecedented liability shield based on the theory that they're a neutral platform. My executive order calls for new regulations under Section 230 of the Communications Decency Act to make it that social media companies that engage in censoring or any political conduct will not be able to keep their liability shield. »

Section 230 is a piece of the Communications Decency Act that was passed in 1996, so it's actually quite old, and it's actually a small part of the law, it's a provision. The key piece of the law is only 26 words long and it basically says that tech companies are not the publishers of what other people put on their websites. So they can't be held liable for the post that you and I put on Facebook or a tweet that somebody puts on Twitter. So even though Twitter or Facebook are hosting those comments, they can't be held liable for what those comments say. But it also includes some more controversial websites like 4chan, which is known for having quite a lot of hate speech pop up on its site.

This has come out because of President Trump's tweets that were critical of mail-in ballots. Twitter added a little label to those tweets, a fact-check label that pointed to different news articles that talked about how mail-in ballots really aren't fraudulent and pointed out that some of the claims the President was making have been debunked. The President objected to that label being added to his tweets and then it kind of dovetailed into conversations worth having about Section 230 and the powers of these tech companies to control what's on their site.

So Section 230 has come up quite a bit in recent years, because some people want tech companies to moderate their platforms even more. They say 'hey, there's hate speech on your site' or 'there's content that I find objectionable and you should be cutting down on that and make sure it doesn't pop up'. And on the other hand we have some people, including Republican members of Congress, as well as President Trump, who are saying that tech companies are actually biased against Conservatives and they feel like tech companies have too much power to choose to censor what people are saying.

But Section 230 actually protects against both of those. It allows internet companies immunity from both what is posted on their sites and what they decide to remove, with certain exceptions in each case.