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February 28, 2023

The Honorable Mike Bousselot  
Chair, Subcommittee  
Committee on Technology  
Iowa State Senate  
1007 E. Grand Avenue  
Des Moines, IA 50319

The Honorable William Dotzler, Jr.  
Subcommittee Member  
Committee on Technology  
Iowa State Senate  
1007 E. Grand Avenue  
Des Moines, IA 50319

The Honorable Scott Webster  
Subcommittee Member  
Committee on Technology  
Iowa State Senate  
1007 E. Grand Avenue  
Des Moines, IA 50319

**RE: SSB 1189, Relating to Censorship of Expression on Online Platforms and Providing Penalties, Subcommittee Hearing, TechNet Oppose**

Dear Chair Bousselot, Sen. Dotzler and Sen. Webster:

I write on behalf of TechNet respectfully in opposition to SSB 1189, which will have the unintended effect of subjecting Iowa residents to more abhorrent and illegal content on the internet by creating liability risks for social media companies that remove objectionable content from their platforms.

*TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents more than five million employees and countless customers in the fields of information technology, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance.*

Our members are committed to keeping their users safe online, which is why social media companies review millions of pieces of content every day in order to remove harmful content that conflicts with their policies. Iowa should encourage these companies to have content policies, which should govern the removal of content showing the exploitation of children, bullying, harassment, gore, pornography, and spam. Instead, SSB 1189 creates a perverse incentive for companies to not prohibit and remove any objectionable content in order to avoid burdensome fees imposed by the State of Iowa, to the detriment of its citizens. The result would be the rapid

spread of abhorrent and illegal content that will cause real-world harm in Iowa's communities and beyond.

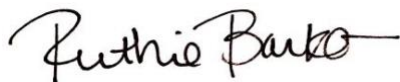
Social media companies understand that they have an obligation to remove objectionable content, otherwise, their users will be subjected to dangers like images of child endangerment, financial scams, spam, and other nefarious activity. Companies take this responsibility seriously, removing harmful content in an unbiased manner while keeping their services open to a broad range of ideas. In the overwhelming number of cases, removal of offensive content is accomplished as intended. However, the sheer volume of content – hundreds of millions of posts per day – ensures that both artificial intelligence and human reviewers at companies cannot get it right 100 percent of the time. Billions of transactions, after all, will inevitably lead to errors. It would be fundamentally unfair to implement such a draconian penalty for instances where code misfired or a simple mistake was made.

Instead of allowing these companies to apply community standards that keep their users – your constituents – safe online, SSB 1189 seeks to impose the will of the state on private enterprise. The bill would force private companies to host speech that violates its standards or risk costly enforcement action by the State while Iowa residents are deluged with spam, racism, misinformation, violence, and other objectionable but otherwise legal content.

Bills in Florida and Texas seeking to address “censorship” were enjoined by the courts over concerns that the bills violate the First Amendment to the US Constitution. SSB 1189 also has fatal legal flaws and would likely face the same fate.

For these reasons, TechNet must respectfully oppose SSB 1189. TechNet wishes to continue to work with the Senate Committee on Technology to explore this issue and find common solutions that are in the best interest of Iowans. We thank you in advance for your consideration of our comments, please do not hesitate to reach out with any questions.

Best,



Ruthie Barko  
Executive Director, Colorado & the Central U.S.  
TechNet

Cc: Sen. Chris Cournoyer, Chair, Senate Committee on Technology