



Senator Josh Hawley Proposes Legislation to Bring Transparency and Accountability to Big Tech for Political Censorship

Freshman Senator Josh Hawley (R-MO) authored a bill to end immunity granted to tech companies under Section 230 of the Communications Decency Act that shields them from publisher liability lawsuits if the companies provide an open public forum. However, the tech giants have engaged in political censorship. Under the legislation, the big tech companies could earn their immunity if external audits prove that their algorithms and content-removal policies remain politically neutral.

Sen. Josh Hawley (R-MO) proposed legislation Wednesday to end big tech companies' legislative immunity, which would prevent them from censoring conservative and alternative viewpoints without significant

recourse.

Sen. Hawley [proposed](#) the Ending Support for Internet Censorship Act, which updates the way the federal government treats social media companies under Section 230 of the Communications Decency Act (CDA).

The Missouri conservatives' legislation removes the big tech's immunity received under Section 230 unless they submit to an external audit that would prove that their algorithms and content-removal policies remain politically neutral. Sen. Hawley's legislation would only apply to large tech companies such as Google, Facebook, and Twitter, not small and medium-sized tech companies.

"With Section 230, tech companies get a sweetheart deal that no other industry enjoys: complete exemption from traditional publisher liability in exchange for providing a forum free of political censorship," said Sen. Hawley in a statement Wednesday. "Unfortunately, and unsurprisingly, big tech has failed to hold up its end of the bargain."

Hawley's legislation [arises](#) as the Donald Trump Department of Justice (DOJ) and the Federal Trade

Commission (FTC) will reportedly begin antitrust investigations into America's largest technology companies.

Other conservatives, such as Rep. Matt [Gaetz](#) (R-FL) and Sen. Ted Cruz (R-TX), have [proposed](#) eliminating or amending Section 230 to curb big tech companies' ability to censor conservative and alternative viewpoints.

Sen. Hawley's legislation would:

- Remove automatic immunity under Section 230 from big tech companies.
- Give big tech companies the ability to earn their immunity through external audits.
 - However, the Federal Trade Commission could not certify large social media companies from immunity except for a supermajority vote by the agency.
 - Big tech companies would have to pay for the cost of conducting the audits.
 - The companies would have to reapply for immunity every two years.
- Preserves immunity for small and medium-sized companies.
 - The bill would not apply to companies with less than 30 million active monthly users, more than 300 million active monthly users worldwide, or those companies that have more than \$500 million in global annual revenue.

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