

**Forum:** United States Senate

**Issue:** Discussing the Implementation of Measures to Regulate Social Media

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## **Introduction:**

As social media has begun to permeate every aspect of American life, the United States Senate grapples with how to regulate it, while balancing user privacy and free speech. Both the Republican Party and the Democratic Party have recognized the negative impacts, leading to initiatives that address the urgency of the issue, and aim to safeguard national interests, particularly concerning youths. Despite this, there is still a clear contrast between the views of each party. The Democratic Party, which holds the current Senate Majority, generally advocates for stronger regulations on social media to protect user data, prevent the spread of misinformation, and ensure algorithm transparency. The party has pushed for legislation that aims to give users more control over their data, and Senators emphasise the need for social media platforms to take responsibility for the content on their sites, and to safeguard user rights and privacy. On the other hand, the Republican Party focuses on protecting free speech, and preventing censorship. While they acknowledge the potential threats social media poses, they argue that overregulation could stifle innovation and lead to biased content moderation practices that may target specific groups over another, silencing one side of the political spectrum, thus increasing political division.

Ethical dilemmas emerge as both parties debate this issue. The challenge of determining how much surveillance is necessary to prevent online harm without infringing on personal privacy has become a heavily contested topic. Both parties also need to navigate the fine line between preventing hate speech and misinformation and preserving the right to free speech. These considerations shape the nuances of proposed legislation and reflect the complex nature of governing digital spaces.

Public opinion also plays a significant role in shaping this debate. Recent surveys show that a substantial portion of the American public support measures for stronger social media regulation to protect privacy and curb the spread of misinformation and harmful content. A Media & Technology Survey conducted by Boston University's College of Communication found that 84% of Americans think it's important to protect the privacy of social media users. However, there is also significant concern about the potential overreach of such regulations, with 46% disagreeing or strongly disagreeing with the U.S. government regulating social media platforms. These mixed sentiments among the public influence how both parties craft their policies, striving to balance security, innovation, and freedom. A Morning Consult report highlighted that Democratic voters are nearly twice as likely as Republicans to favour stricter content moderation for social media platforms, showcasing the partisan divide on this issue.

While the priorities of both parties differ, the two show a willingness to collaborate on issues such as minor protection online, signing legislation that aims to mitigate the risks of exposure to harmful content and misinformation.

## Definition of Key Terms:

1. **Social media platforms:** Online apps or websites that give users a platform to create accounts, share content, and interact with other users. (e.g. Facebook, Instagram, X, TikTok, etc)
2. **Misinformation:** False or misleading information used to sway public perception and decision-making.
3. **Bipartisan:** Supported by both the Democratic and the Republican parties
4. **Grassroots movements:** Collective action or campaigns initiated by the local community to make change
5. **Algorithm:** A set of rules, signals, and data that governs how content is distributed, filtered, ranked, and recommended to users
6. **Algorithmic recommendations:** An automated process used by social media platforms to suggest content to users based on their preferences or behaviours
7. **Data privacy:** Protection of personal data shared online that ensures user information is not misused by social media companies
8. **First Amendment:** Part of the United States Constitution, protects freedoms concerning religion, expressions, assembly, and the right to petition
9. **Cybersecurity:** Practices and measures designed to protect networks, data, and devices from unauthorised access or attacks
10. **Consumer rights:** Protections and entitlements for individuals using social media platforms that ensures fair treatment and safeguarding of personal information

## Background Information

### The Relevance of Social Media in the US Senate

Discussions about social media, its importance and relevance within the US Senate have been increasingly prominent over the last decade. Bipartisan scepticism of the impact of social media on the nation has led to a drive to safeguard the nation's well-being, protect their privacy and consumer rights whilst engaging with social media, preventing the spread of false news, and addressing extensive grassroots movements over social media.

### **The balance between free speech and preventing hate speech**

Within the Senate, Senators are responsible for upholding all citizen's First Amendment rights, which ensure freedom of speech, while also evaluating legislation and perhaps passing bills aimed at restricting speech that could provoke violence, discrimination, or hatred, or in other words, hate speech. The difficulty is in determining what qualifies as hate speech without violating free expression amongst citizens. If the senate were to regulate speech, it could be perceived as censorship, leading to worries about senate overreach.

### **Public trust in social media and its capability to control perspectives**

Social media can democratise information, allowing multiple voices to be heard, especially those of a minority group. On the other hand, it can also amplify misinformation and harmful content, potentially depleting public trust. The Senate's role in this involves considering how regulation can protect users from harmful content without stifling free expression or further entrenching paternalistic control by either the government, technological companies, or MNCs.

### **The US Elections in 2016**

The 2016 US Election, which saw President Trump beat Democratic nominee Hillary Clinton, sparked the Senate's drive to initiate further safeguarding laws and regulations over social media. The abundance of misinformation, with intertwined supposed truths created an extensive, "grey area", regarding the Russian influence over the elections on numerous social media platforms.

### **Bipartisan acknowledgement of the negative impacts of social media in 2019**

Senators Richard Blumenthal (D - Connecticut) and Josh Hawley (R - Missouri) introduced the Kids Internet Design and Safety Act, or more commonly referred to as the KIDS Act, which essentially aimed to limit addictive features on platforms frequently visited by a younger age range. This saw an agreement by both sides that the impacts of social media on the public was a pressing issue, however, the importance of the negative impacts on the youth was to be tackled with more urgency.

### **Questioning Mark Zuckerberg about misinformation on social media 2020**

Both the Democratic and Republican parties have been increasingly involved in wanting to regulate social media, however, for varying differences. It is a quality special to the democratic party that the main contributing factor to regulate social media is to limit the spread of false news. This aligned with bringing Mark Zuckerberg, the CEO of Facebook, into the senate to question his app's involvement in the rampant spread of misinformation and harmful content.

### **Unification of both parties regarding stricter social media regulations in 2021**

Senator Amy Klobuchar (D - Minnesota) brought forward the "Social Media Privacy Protection and Consumer Rights" Act. This was essentially a direct follow up post the questioning of Mark Zuckerberg and other CEOs where the senate strived to give users more control over their data privacy, and ensure their personal information and consumer rights were being taken as a priority.

### **The KOSA signed in 2022**

In 2022, the Kids Online Safety Act or "KOSA" was introduced. Fundamentally, the KOSA aimed to give guardians and parents more control over their child's social media. Whether it is censoring certain graphic content or platforms, or minimising time spent on platforms where advertisements are infamous for pushing a certain opinion onto the vulnerable (children).

## **Current Situation**

### **Escalation of social media use**

According to the Global Web Index, Over the past decade, social networking platforms have seen their user base nearly triple, increasing from 970 million in 2010 to surpassing 4.95 billion users by October 2023. This clearly indicates the rampant increase and significance of social media globally. Furthermore, according to Data Reportal, as of 2023, the average American spends 3 hours and 12 minutes on social media daily, placing in the top 10 of the world's social networking usage. Considering this, it justifies the Senate's

sudden emphasis on passing bills and acts to regulate social media, to safeguard its population, as social media begins to infiltrate and embed into the average daily lifestyle, now more than ever.

### ***Global leaders and sphere of influence***

Being one of the world's center stage nations, the US. has the potential to lead by example for other nations through the enactment and passing of comprehensive regulations (through bills and acts) which aim to protect users and uphold ethical standards in this new digital age. These regulations not only establish a benchmark for best practices but also pave the way for enhanced international cooperation on critical issues such as data privacy, cybersecurity, and the mitigation of online extremism, issues that are widely known to be of utmost importance to the Senate. This proactive approach can foster a collaborative international environment, encouraging countries to adopt similar standards, thereby creating a cohesive global initiative to address the challenges of the digital age.

### ***Technological and Economic impact***

According to Statista, In 2023, Meta Platforms, which owns Facebook, Instagram, and WhatsApp, generated over 134 billion U.S. dollars in annual revenue. Though the negatives of social media are heard and seen by the senate and Americans alike, it is impossible to ignore the billions of dollars they generate for individuals and therefore the country as a whole. The internet economy's contribution to the U.S. GDP grew 22 percent per year since 2016 (IAB). This statistic highlights that though the societal impact of social media can be detrimental, the economic impact is almost as much, if not equally as growing.

### ***Democrats versus Republicans***

Though both parties have advocated for regulating social media, it is important to understand that currently, both parties have individual aims and agendas for why they both continue to push for stricter regulations. For instance, the Democratic party is more concerned about the spread of misinformation, privacy and data protection, protection of consumer rights, and the spread of harmful content to the youth. On the other hand, the Republicans can be seen being more concerned about free speech and censorship (often having the view that large platforms favour the democratic party), market fairness and similarly, children's safety. Though both parties have their own reasons behind advocating

for stricter laws, there have been significant bipartisan efforts that unite both parties, as both showed significant support for the KOSA and KIDS Act.

### **Ethicality and Societal impacts**

As mentioned prior, due to the increasing digital engagement, there is also an increase in digital awareness, as previously determined, one downside to social media is the incredibly fast spread of news (which can sometimes be misinformed), but as this news spread, so do positives such as being aware of the clouded reality social media can portray. Furthermore, individuals in the US have accounted for being aware of the realities of social media, and can attest to becoming increasingly skeptical of blindly trusting news online. The societal skepticism of social media's credibility is crucial in the senate's aim to uphold unity and foster cooperation amongst the population, to avoid social extremism, spreading misinformation and harmful content.

### ***Public participation and Grassroot movements***

The US has undergone numerous grassroot movements in the last 10 years. These movements have been centered around protecting children from the dangers of social networking, as well as protecting private data and consumer rights. According to the Pew Research Center, since June 2020, most of these grassroot movements regarding the dangers of social media cease to exist in real life, and instead exist solely online. The article goes on to specify that by using hashtags, joining chat groups, and advocating personal opinions see a far greater success in spreading the cause, compared to organising protests in real life. Though Covid and the lockdown should be granted more credit to why social media protests were doing much more than physical protests, it is still intriguing to see how thousands of Americans used such platforms to spread their perspectives. With this being said, it would be unwise for the Senate to let the public opinion go unnoticed. The societal participation and said movements further highlight to the Senate of the public's stance on the need to verify information being spread to their citizens, and to hear their voices.

### ***Innovation and benefits of free enterprise***

As mentioned before, social networking helps boost the US economy considerably. The realities of regulating social media, and being much stricter with the laws surrounding

social networking would without a doubt hinder free enterprise, and would consequently deter potential innovation. The Senate strives to draw a fine line between keeping their citizens safe from the dangers of social media and cyber crimes, however, still fostering an environment where their citizens have opportunities to create new social networking platforms, maintain current platforms, and improve outdated platforms.

## **Senators Involved and Their Views**

### **Chuck Schumer (D-New York)**

Schumer is a vocal advocate for comprehensive regulations on social media platforms, emphasising the need for accountability. He aims to address the challenges posed by misinformation and harmful content online, by fostering bipartisan cooperation.

### **Michael Bennet (D-Colorado)**

Bennet has a focus on the need for more content moderation and transparency in social media algorithms. He supports regulatory measures that hold social media companies accountable for the content on their platforms in order to protect users from potentially harmful misinformation and extremist content.

### **Chris Murphy (D-Connecticut)**

Murphy is a strong advocate for the protection of youth from harmful content on social media. Like Bennet, he supports legislation that aims to create a safer online environment, emphasising stringent content moderation and transparency from social media companies.

### **Jon Tester (D-Montana)**

Tester has urged efforts to combat recruitment by drug cartels through social media. Through his Combating Cartels on Social Media Act, he aimed to reduce the recruitment of Americans into illicit drug activities through social media, by requiring the Department of Homeland Security to study and report online platforms used for those purposes.

### **Joe Manchin (I-West Virginia)**

Manchin, having recently exited the democratic party and registered as an independent, takes a centrist approach to the topic. He seeks to balance the need for content

regulation with the protection of the First Amendment right of free speech, supporting measures that ensure user safety, whilst considering the implications for Constitutional rights.

### **Mitch McConnell (R-Kentucky)**

McConnell is cautious about overregulating social media platforms. Like Manchin, he advocates for protecting free speech, and is wary of any measures that may infringe on individual rights or stifle innovation.

### **Marco Rubio (R-Florida)**

Rubio is an advocate for targeted regulations, particularly to mitigate foreign disinformation campaigns. He emphasises the need to protect national security interests, and for social media platforms to take responsibility for the content shared on their sites.

### **Susan Collins (R-Maine)**

Collins is concerned about the impact of misinformation on democratic processes, advocating for transparency in political advertising. She supports measures that promote accountability among social media platforms, all while ensuring that user privacy is respected and maintained.

## **Previous Senate Involvement**

The senate has had numerous discussions and evaluations of whether or not to regulate social media more strictly, as well as what aspects of social media need to be more safeguarded. Although, the two most prominent bills/acts passed by the Senate are the KOSA Act, and the KIDS Act.

### **KOSA Act**

Senator Richard Blumenthal representing the state Connecticut, a Democrat, introduced the Kids Online Safety Act (KOSA) to the senate. The proposed legislation seeks to improve online safety for minors by imposing new regulations on social media platforms to strengthen protections for young users.

- Kids Online Safety Act, 2022 - 2024, (**S. 1409 - 118th Congress**)
  - The KOSA act specifically aimed to mitigate children being exposed to harmful and misinformed content
  - It focused on algorithm transparency, tightening parental controls, and further improving upon social networking platform's age verification systems

### **KIDS Act**

Similar to the KOSA Act, Senator Richard Blumenthal representing the state Connecticut, a Democrat, introduced the Kids Internet and Design Safety Act (KIDSA) to the senate. He worked alongside Senator Josh Hawley, a Republican from Missouri. Unlike the KOSA act however, the KIDS Act specifically looks towards how these social networking platforms are designed, and how they should be changed/tailored towards keeping children safe from the dangers of social media.

- Kids Internet and Design Safety Act, 2023 (Currently not passed, being debated upon), (**S. 1965 - 118th Congress**)
  - Other than data protection, the KIDSA focuses on the actual design aspect of said platforms, and aims to sieve out platforms that are detrimental to children's safety from the very beginning (how they were designed and promoted)
  - It further goes on to look at enforcement, and enforcing stricter regulatory laws to platforms that have the potential of spreading harmful content to children

### **Possible Solutions**

List a series of actionable solutions to the issue that you would like to see be discussed during debate.

Create a federal digital platform authority	Form an independent body to oversee social media platforms and enforce compliance with user protection standards, conduct audits, and ensure accountability with harmful practices
Youth protection measures	Create a framework that prohibits social media companies from using algorithms to push content to users under the age of 18, in order to address concerns about the impact of algorithm-driven content on the mental health and safety of underage users.  Introduce age verification processes and restrictions on data collection from users under a certain age.
Transparency reports	Mandate social media companies to publish regular reports

	detailing their content moderation practices, data uses, and algorithmic changes, such that these reports are standardised, easily accessible by the public, and in layman’s terms.
Accountability in algorithms	<p>Require social media companies to address the impacts of their AI systems on the health and safety of users, and undergo regular independent third-party audits to ensure compliance with user protection standards.</p> <p>Establish an AI ethics board to ensure that ethical standards are being upheld.</p>

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### Useful Links

[Pew Research Centre](#): Illustrates key statistics and data points on social media usage and its effect

[Brookings Institution](#): In-depth research and policy recs on tech regulation

[Federal Trade Commission](#): Regulations and guidelines for social media advertisement

[Stanford Cyber Policy Center](#): Analysis and research on various parts of social media policy

Each senator’s gov website			
Chuck Schumer (D-NY)	<a href="https://schumer.senate.gov">schumer.senate.gov</a>	Mitch McConnell (R-KY)	<a href="https://mcconnell.senate.gov">mcconnell.senate.gov</a>
Jon Tester (D-MT)	<a href="https://tester.senate.gov">tester.senate.gov</a>	Marco Rubio (R-FL)	<a href="https://rubio.senate.gov">rubio.senate.gov</a>
Mark Kelly (D-AZ)	<a href="https://kelly.senate.gov">kelly.senate.gov</a>	Mitt Romney	<a href="https://romney.senate.gov">romney.senate.gov</a>

		(R-UT)	
<b>Michael Bennet (D-CO)</b>	<a href="https://bennet.senate.gov">bennet.senate.gov</a>	<b>Susan Collins (R-ME)</b>	<a href="https://collins.senate.gov">collins.senate.gov</a>
<b>Dick Durbin (D-IL)</b>	<a href="https://durbin.senate.gov">durbin.senate.gov</a>	<b>Lisa Murkowski (R-AK)</b>	<a href="https://murkowski.senate.gov">murkowski.senate.gov</a>
<b>Chris Murphy (D-CT)</b>	<a href="https://murphy.senate.gov">murphy.senate.gov</a>	<b>James Lankford (R-OK)</b>	<a href="https://lankford.senate.gov">lankford.senate.gov</a>
<b>Kyrsten Sinema (I-AZ)</b>	<a href="https://sinema.senate.gov">sinema.senate.gov</a>	<b>Lindsey Graham (R-SC)</b>	<a href="https://graham.senate.gov">graham.senate.gov</a>
<b>Joe Manchin (I-WV)</b>	<a href="https://manchin.senate.gov">manchin.senate.gov</a>	<b>Ted Cruz (R-TX)</b>	<a href="https://cruz.senate.gov">cruz.senate.gov</a>

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