



May 12, 2021

**Testimony of Adam Kovacevich
Founder and CEO, Chamber of Progress
Maine State Legislature
Joint Standing Committee on Judiciary
L.D. 1609 (H.P. 1198), “An Act To Stop Social Media Censorship”**

Senator Carney, Representative Harnett, and distinguished members of the Joint Standing Committee on Judiciary, my name is Adam Kovacevich, and I am the Founder and CEO of the Chamber of Progress (progresschamber.org), a new center-left tech industry coalition promoting technology’s progressive future.

Our organization works to ensure that all Americans benefit from technological leaps, and that the tech industry operates responsibly and fairly. I am a longtime Democratic political aide, and our Advisory Board is composed of Democrats in government, civil society, and industry.

Our organization’s commitment to a progressive society, economy, and workforce sets us apart from other business groups. For example, we strongly oppose legislation to curtail voting rights; support President Biden’s proposed corporate tax increase to fund infrastructure investments; back a national emissions reduction target of 50% by 2030; and support a stronger social safety net.

As a business group devoted to a progressive future, we **oppose L.D. 1609 (H.P. 1198), “An Act To Stop Social Media Censorship.”** This legislation would incentivize misinformation, hate speech, and hoaxes online and would tie online platforms’ hands in attempting to foster a healthier Internet.

We strongly support **healthy online communities** -- free of hoaxes, conspiracy theories, hate speech, incitement to violence, and election- and vaccine-related disinformation. We oppose L.D. 1609 (H.P. 1198) because it **would tie online services’ hands in the fight against toxic, incendiary content.**

- **The bill expressly forbids websites from acting against hate speech.** All leading Internet sites -- including Facebook, Twitter, and YouTube -- have policies in place expressly prohibiting hateful content. This legislation would effectively ban those services from removing hate speech, stating that “a social media website may not use a social media website user’s alleged hate speech as a basis for justification or defense” for removing their posts.
- **The bill would cause social media services to be overrun with disinformation and conspiracy theories.** The bill’s ban on deleting or censoring any “social media website user’s

religious speech or political speech” would impose a false impartiality standard that would hobble platforms’ constitutional freedom to remove or downrank QAnon conspiracies, vaccine disinformation, or former President Trump’s election “Big Lie.” For example, this rule would effectively prohibit Twitter, YouTube, and Facebook from removing an obviously false claim that a local elected official drank children’s blood.

- **The bill would empower white supremacists, conspiracy theorists, and election trolls to sue online platforms for removing their posts.** All websites benefit from broad latitude under the First Amendment and Section 230 of the Communications Decency Act to remove hateful or inappropriate speech. This makes the Internet better. But this legislation would expressly give individuals whose posts have been removed the ability to bring private lawsuits against the platforms. Under this bill, Donald Trump, Lin Wood, Mike Lindell or Sidney Powell could sue online platforms for removing their incendiary, misleading, or hateful posts.

Technology services have helped advance progressive goals -- democratizing access to goods and information, giving voice to the marginalized, and supporting millions of high-quality jobs. Wikipedia let anyone with an internet connection become an armchair expert on the topic of their choice. Amazon and eBay brought e-commerce to the masses. And social media facilitated conversations between friends and strangers across vast distances.

But no one wants the Internet to become a cesspool of hate and lies, and that’s why online services must retain the freedom to moderate healthy online communities -- **including taking action against incendiary or hateful content.** In severely limiting services’ ability to to remove or downrank the most egregious speech online today, this bill would only **incentivize people to spread hate and lies online.**

Republican legislators are advancing this measure despite its obvious violation of the Constitution and First Amendment. For the sake of history it’s vital to speak up against the harmful intent and impact of this bill.

We urge you to stand in **strong and vocal opposition** to L.D. 1609 (H.P. 1198).

Thank you.