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Section 230 Protections: Can Legal Revisions or Novel Technologies Limit Online Misinformation and Abuse?

Speaker Biographies

Valerie Brannon, J.D., is a legislative attorney with the American Law Division of the Congressional Research Service. Among other issues, she focuses on the First Amendment and the application of free speech protections online.

Brannon graduated from the University of Michigan with a Bachelor of Arts in Political Science, and from the University of Michigan Law School with a Juris Doctor *cum laude*. After law school, she clerked for Chief Justice Robert P. Young, Jr., on the Michigan Supreme Court. She is a member of the State Bar of Michigan.

Joan Donovan, Ph.D., is a leading public scholar and disinformation researcher, specializing in media manipulation, political movements, and extremism. As the Research Director of the Harvard Kennedy School's Shorenstein Center on Media, Politics and Public Policy and Director of the Technology and Social Change project, Donovan is a thought leader, and sought-after social scientist whose expertise is in internet and technology studies, online extremism, media manipulation, and disinformation campaigns.

Dr. Donovan has coined many of the terms that the disinformation field and mainstream media use to understand technologies' impact on society, and she has laid out the philosophical frameworks for how to research, report on, and understand this moment in internet history and American politics. Her conceptualizations of strategic silence, meme wars, and media manipulation campaigns provide crucial frameworks for understanding how the US got to this point.

Evelyn Douek, LL.B., is a Lecturer on Law and S.J.D. candidate at Harvard Law School, and Affiliate at the Berkman Klein Center for Internet & Society. She studies online speech regulation and platform governance. Before coming to Harvard to complete a Master of Laws, Evelyn clerked for the Chief Justice of the High Court of Australia, the Hon. Justice Susan Kiefel, and worked as a corporate litigator. She received her LL.B. from UNSW Sydney, where she was Executive Editor of the UNSW Law Journal.

Alex Feerst, J.D., is a lawyer and technologist focused on building systems that foster trust, community, and privacy. He is General Counsel at Neuralink, a startup developing ultra high bandwidth brain-machine interfaces, and leads Murmuration Labs, which works with tech companies to understand and address the human impact of their products and recently helped launch the Digital Trust & Safety Partnership, the first industry-led initiative to establish best practices for online trust and safety. He was previously Head of Legal and Head of Trust and Safety at Medium, and serves as a board member of the

Responsible Data Economy Foundation, an advisor to the Trust & Safety Professional Association, and a fellow at Stanford University's Center for Internet and Society.

Mary Anne Franks, J.D., D.Phil., is a Professor of Law and Dean's Distinguished Scholar at the University of Miami School of Law, where she teaches First Amendment law, law and technology, and criminal law and procedure. She is the President and Legislative and Tech Policy Director of the Cyber Civil Rights Initiative, a nonprofit organization dedicated to combating online discrimination and abuse, and an Affiliate Fellow of the Yale Law School Information Society Project. She is the author of The Cult of the Constitution: Our Deadly Devotion to Guns and Free Speech (Stanford 2019).

Jason Gallo, Ph.D., is the manager of the Science and Technology Policy Section of the Congressional Research Service (CRS), which covers federal research and development programs and activities, emerging technologies, and information and telecommunications policy and programs. He focuses on information and communication technologies.

Before joining CRS, he spent twelve years at the IDA Science and Technology Policy Institute, a federally funded research center that provides analysis to the White House Office of Science and Technology Policy, where he worked on information and communications technologies and geospatial and Earth observation policy. He received a doctoral degree in Media, Technology, and Society from Northwestern University.

Eric Goldman, J.D., M.B.A., is Associate Dean for Research and Professor of Law at Santa Clara University School of Law. He also co-directs the school's High Tech Law Institute and supervises the school's Privacy Law Certificate. Before joining the SCU faculty in 2006, he was an Assistant Professor at Marquette University Law School, General Counsel of Epinions.com, and an Internet transactional attorney at Cooley Godward LLP.

Goldman teaches and publishes in the areas of Internet Law, Intellectual Property and Advertising & Marketing Law. He blogs on these topics at the Technology & Marketing Law Blog, which has been inducted into the ABA Journal's "Blawg Hall of Fame." The California State Bar's IP Section has named him an "IP Vanguard," and Managing IP magazine twice named him to a shortlist of "IP Thought Leaders" in North America. He was the 2019 recipient of Santa Clara University's Award for Sustained Excellence in Scholarship (the university's highest award for scholarly achievement).

Goldman received his BA, summa cum laude and Phi Beta Kappa, in Economics/Business from UCLA in 1988. He received his JD from UCLA in 1994, where he was a member of the UCLA Law Review, and concurrently received his MBA from the Anderson School at UCLA.

Ellen P. Goodman, J.D., is a professor of law at Rutgers University Law School specializing in information policy law. Her research interests include smart cities, algorithmic governance, freedom of expression, platform policies, communications architectures, media and advertising law, and transparency policy. She is Co-Director and co-founder of the Rutgers Institute for Information Policy & Law (RIIPL).

Goodman is currently a Senior Fellow at the Digital Innovation & Democracy Institute at the German Marshall Fund working on new models of platform regulation and transparency. She served as Distinguished Visiting Scholar at the FCC and has been a visiting scholar at the University of Pennsylvania's Annenberg School of Communication and the Wharton School, as well as the London School of Economics.

Prior to joining the Rutgers faculty in 2003, Goodman was a partner in the Washington, D.C. law firm of Covington & Burling LLP and served as Of Counsel with the firm until 2009. Professor Goodman clerked for Judge Norma L. Shapiro on the U.S. Federal District Court for the Eastern District of Pennsylvania, after graduating from Harvard Law School and Harvard College.

David Kaye, J.D., is a clinical professor of law at the University of California, Irvine. From 2014 – 2020 he served as the United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. He is also the author of *Speech Police: The Global Struggle to Govern the Internet* (2019). Since October 2020 he has been serving as the Independent Chair of the Board of the Global Network Initiative. He has also written for international and American law journals and numerous media outlets. Kaye began his legal career with the U.S. State Department's Office of the Legal Adviser, is a member of the Council on Foreign Relations, and is a former member of the Executive Council of the American Society of International Law.

Cameron F. Kerry, J.D., is the first Ann R. and Andrew H. Tisch Distinguished Visiting Fellow in Governance Studies and the Center for Technology Innovation at Brookings Institution and a visiting scholar with the MIT Media Lab, where his work focuses on information privacy and security and the digital economy. He is former General Counsel and Acting Secretary of the United States Department of Commerce, where he played a leadership role in privacy, cybersecurity, and the flow of information and technology across international borders. He led development of consumer privacy policy expressed in the White House report on the Consumer Privacy Bill of Rights and, as part of the National Security Council "Deputy's Committee" discussions on cybersecurity, had a hand in the policies that led to the NIST cybersecurity framework. He was also senior counsel at Sidley Austin as part of the firm's global practice groups in Privacy, Security, and Information Law and in Trade Law.

Jeff Kosseff, J.D., is an assistant professor of cybersecurity law in the United States Naval Academy's Cyber Science Department. His latest book, *The Twenty-Six Words That Created the Internet*, a history of Section 230 of the Communications Decency Act, was published in 2019 by Cornell University Press. Early next year, Cornell will publish his next book, *United States of Anonymous*, a history of anonymous speech in the United States. He also is the author of *Cybersecurity Law*, a textbook and treatise published by Wiley in 2017, with a second edition released in 2019. Kosseff practiced cybersecurity, privacy, and First Amendment law at Covington & Burling, and clerked for Judge Milan D. Smith, Jr. of the United States Court of Appeals for the Ninth Circuit and Judge Leonie M. Brinkema of the United States District Court for the Eastern District of Virginia. Before becoming a lawyer, he was a technology and political journalist for The Oregonian and was a finalist for the Pulitzer Prize for national reporting and recipient of the George Polk Award for national reporting. He received a J.D. from Georgetown University Law Center, and a B.A. and M.P.P. from the University of Michigan.

Karen Kornbluh, M.P.P., has shaped public policy since the early days of the commercial Internet as a public servant and diplomat in the U.S. and internationally. The New York Times called her a passionate and effective advocate for economic equality.

Today, she continues that work in two key roles: At the German Marshall Fund of the United States, leading its Digital Innovation and Democracy Initiative to ensure technology supports democracies around the globe; and as chair of the Open Technology Fund, a government-funded nonprofit advancing global Internet freedom.

Kornbluh was confirmed unanimously by the U.S. Senate to serve as U.S. Ambassador to the Organization for Economic Cooperation and Development in Paris during the Obama Administration. There she spearheaded the first global Internet Policymaking Principles, gained OECD agreement to provide open access to its data, and launched the OECD Gender Initiative.

She served in the Clinton administration as both deputy chief of staff at the U.S. Treasury Department and director of the Office of Legislative and Intergovernmental Affairs at the Federal Communications Commission, negotiating early Internet policies. She was policy director for then-Senator Barack Obama, and the author of his 2008 platform.

Kornbluh began her career as an economic forecaster at Townsend-Greenspan and worked in the private sector at various points in her career, including as a senior advisor to McKinsey and executive vice president at the global data firm Nielsen where she launched the Nielsen Foundation.

Kornbluh has held a number of fellowships, including at the Council on Foreign Relations where she was the senior fellow for Digital Policy, Mozilla, the Center for American Progress, and New America. She is a member of the Council on Foreign Relations.

Genevieve Lakier, J.D., Ph.D., is Assistant Professor of Law and Herbert and Marjorie Fried Teaching Scholar at the University of Chicago Law School.

Lakier's research explores the connections between culture and law. She is currently engaged in a long-term project exploring the cultural history of the First Amendment, and another project exploring the changing role of the state in the regulation of sex.

Lakier has an AB from Princeton University, a JD from New York University School of Law, and an MA and PhD in anthropology from the University of Chicago. Between 2006 and 2008, she was an Academy Scholar at the Weatherhead Center for International and Area Studies at Harvard University. After law school, she clerked for Judge Leonard B. Sand of the Southern District of New York and Judge Martha C. Daughtrey of the Sixth Circuit Court of Appeals. Before joining the faculty, Genevieve taught at the Law School as a Bigelow Fellow and Lecturer in Law.

Emma Llansó, J.D., is the Director of CDT's Free Expression Project, where she works to promote law and policy that support Internet users' free expression rights in the United States, Europe, and around the world. Emma's work spans many subjects, including human trafficking, privacy and online harassment, terrorist propaganda, and disinformation, and involves legislative advocacy, amicus activity, and development of best practices. Her work includes a particular focus on the capabilities and

limitations of automation, including machine learning techniques, in content moderation and analysis of online speech. Emma earned a B.A. in anthropology from the University of Delaware and a J.D. from Yale Law School. She joined CDT in 2009.

Alexander "amac" Macgillivray, J.D., is a lawyer and technologist who is a co-founder and board member at Alloy.us (a dem/progressive data provider) and TSPA.info (a professional association for trust & safety practitioners); and a board member at Data & Society (a research institute) and Creative Commons (creator of easier global sharing). Previously he worked on Technology Strategy & Delivery for the Biden Transition; was Deputy U.S. CTO for the Obama Administration; was General Counsel, Head of Corporate Development, Trust & Safety and Communications for Twitter, and Associate General Counsel for Google. He also helped found the Berkman Klein Center at Harvard Law School. He holds a JD from Harvard, a BA in Reasoning and Decision Making from Princeton, and a NJ Teaching Certificate in Elementary Education.

Deirdre K. Mulligan is a Professor in the School of Information at UC Berkeley, a Faculty Director of the Berkeley Center for Law & Technology, and a co-organizer of the Algorithmic Fairness & Opacity Working Group. Her research explores legal and technical means of protecting values such as privacy, freedom of expression, and fairness in emerging technical systems. Her book, *Privacy on the Ground: Driving Corporate Behavior in the United States and Europe*, a study of privacy practices in large corporations in five countries, conducted with UC Berkeley Law Prof. Kenneth Bamberger was published by MIT Press.

Andy O'Connell leads the Product Policy teams across Facebook Inc, as well as the global Content Regulation team. His teams work on content governance, the future of news, election protection, and building emerging technologies in a responsible manner. A Seattle native and a graduate of the Harvard Kennedy School, O'Connell joined Facebook in 2014 after five years in the Obama administration, including service at the Pentagon and the State Department. He previously represented Facebook on the Board of the Global Network Initiative.

Matt Perault, J.D., is the Director of the Center on Science & Technology Policy at Duke University and an associate professor of the practice at Duke's Sanford School of Public Policy. He previously served as a director of public policy at Facebook. He led the company's global public policy planning efforts on issues such as competition, law enforcement, and human rights and oversaw public policy for WhatsApp, Oculus, and Facebook Artificial Intelligence Research. Prior to joining Facebook, Perault was Counsel at the Congressional Oversight Panel. He previously worked as a consultant at the World Bank and served as a law clerk for the U.S. District Court for the District of Columbia.

Perault holds a law degree from Harvard Law School, a Master's degree in Public Policy from Duke University's Sanford School of Public Policy, and a Bachelor's degree in political science from Brown University.

Sarah T. Roberts, Ph.D., is an Assistant Professor of Information Studies in the Graduate School of Education and Information Studies and Co-Director of the Center for Critical Internet Inquiry at the

University of California, Los Angeles. She is an expert on internet culture, social media and the intersection of media and technology. Roberts' research has examined information work and information workers and she is a leading authority on "commercial content moderation," the term she coined to describe the work of those commercial content moderators responsible for making sure the photos, videos and stories posted to commercial websites fit within legal, ethical and the site's own guidelines and standards. She holds a Ph.D. in Library and Information Science from University of Illinois at Urbana-Champaign and a M.A. in Library and Information Studies from the University of Wisconsin-Madison.

Marietje Schaake is the international policy director at Stanford University's Cyber Policy Center and international policy fellow at Stanford's Institute for Human-Centered Artificial Intelligence. She was named President of the Cyber Peace Institute. Between 2009 and 2019, Schaake served as a Member of European Parliament for the Dutch liberal democratic party where she focused on trade, foreign affairs and technology policies. Schaake is affiliated with a number of non-profits including the European Council on Foreign Relations and the Observer Research Foundation in India and writes a monthly column for the Financial Times and a bi-monthly column for the Dutch NRC newspaper.

Kate Sheerin is a Public Policy Manager at Google, where she leads the company's intellectual property and content regulation public policy strategy. A member of Google's public policy team for 9 years, Kate previously also worked on Google's U.S. policy strategy on immigration reform, education, the future of work, and economic opportunity. Prior to joining Google in 2010, she served as a Municipal and Community Development Volunteer for the Peace Corps in Niger, West Africa. Originally from New York, Kate received her B.A. in political science from Tulane University in New Orleans and studied at the American University of Paris.

Ashkan Soltani is an independent researcher and technologist specializing in privacy, security, and technology policy. His work draws attention to privacy problems online, demystifies technology for the non-technically inclined, and provides data-driven insights to help inform policy.

He has previously served as a Senior Advisor to the U.S. Chief Technology Officer in the White House Office of Science and Technology Policy and as the Chief Technologist for the Federal Trade Commission, advising the commission on its technology related policy as well as helping to create its new Office of Technology Research and Investigation. He also served at the FTC in 2010 as one of the first staff technologists in the Division of Privacy and Identity Protection, helping to lead investigations into major technology companies such as Google, Facebook, Twitter, HTC, and PulsePoint.

Soltani was also recognized as part of the 2014 Pulitzer winning team for his contributions to the Washington Post's coverage of National Security issues. He was also the primary technical consultant on the Wall Street Journal's investigative series: "What They Know", which was a finalist for 2012 Pulitzer Prize for Explanatory Reporting.

Most recently, Soltani was one of the architects of the sweeping privacy legislation, the California Consumer Privacy Act, that passed in California in 2018.

Dina Srinivasan, J.D., researches tech competition and policy and is a Fellow with the Thurman Arnold Project at Yale University. Her research and economic analysis of new tech markets has shaped government enforcement of antitrust laws. "The Antitrust Case Against Facebook," published in 2019, laid out the correlation between privacy and antitrust economics. Her 2020 research, "Why Google Dominates Advertising Markets," presented that Google distorts electronically traded ad markets by engaging in conduct that lawmakers normally prohibit (e.g., conduct analogous to insider trading). Srinivasan holds a J.D. from Yale Law School, where she studied law & economics and was an Olin Fellow with the Kauffman Program in Law, Economics and Entrepreneurship.

Alex Stamos is a cybersecurity expert, educator and entrepreneur working to improve the security and safety of the Internet as the Director of the Stanford Internet Observatory. Stamos is a lecturer in the Computer Science department and continues to work to respond to cybersecurity incidents as a Partner in the Krebs Stamos Group. As a Chief Security Officer at Facebook and Yahoo and a co-founder of iSEC Partners, Alex has investigated and responded to some of the most seminal events in the short history of cybersecurity, and has been called the "Forrest Gump of InfoSec" by friends. He was a leader of the Election Integrity Partnership, a member of the Annan Commission on Elections and Democracy and advising NATO's Cybersecurity Center of Excellence. He has spoken on six continents, testified in Congress, served as an expert witness for the wrongly accused, earned a BSEE from UC Berkeley and holds five patents.

Olivier Sylvain, J.D., Ph.D., is a Professor of Law at Fordham University. His research is in communications law and policy. His most recent popular writing, scholarship, and public speaking engagements are on liability under the Communications Decency Act and the social impacts of artificial intelligence. A few months ago, the John S. and James L. Knight Foundation awarded him a grant to support this work. He is a principal investigator, along with a team of telecommunications network engineers and social scientists, in an interdisciplinary National Science Foundation grant project that is prototyping a community-administered computing network in West Harlem.

Sylvain teaches Legislation & Regulation, Administrative Law, Information Law, U.S. Data Protection Law & Privacy, and information law related courses. At Fordham, he also is the Director of the McGannon Center for Communications Research, the Academic Director of the Center for Law and Information Policy, and a research affiliate at the Center on Race, Law, and Justice. Before entering academia, Sylvain was a Karpatkin Fellow in the National Legal Office of the American Civil Liberties Union in New York City and a litigation associate at Jenner & Block, LLC, in Washington, D.C. He is the Board President of the New York affiliate of the ACLU and sits on the Academic Advisory Board for the Open Markets Institute and the Advisory Committee for the Cyber Civil Rights Initiative. Before the COVID-19 outbreak, he taught a class on modern American literature for local incarcerated men.

Zeynep Tufekci, Ph.D., is an associate professor at the University of North Carolina and a contributing opinion writer at the Atlantic and the New York Times. Her work revolves around the interaction between society, technology and science with special focus on the public sphere as well as the role of new computational and digital technologies.

Joris van Hoboken, Ph.D., is Professor of Law at the Vrije Universiteit Brussels (VUB) and a Senior Researcher at the Institute for Information Law (IViR), University of Amsterdam. He works on the intersection of fundamental rights protection (data privacy, freedom of expression, non-discrimination) and the governance of platforms and internet-based services. He is a specialist in European data protection, algorithmic governance and the regulation of internet intermediaries.

He has been appointed to the Chair "Fundamental Rights and the Digital Transformation", which is established at the Interdisciplinary Research Group on Law Science Technology & Society (LSTS), with the support of Microsoft. He was a Postdoctoral Research Fellow at the Information Law Institute (ILI) at New York University, School of Law (2013-2016), where he co-organized the Algorithms and Accountability conference and led the interdisciplinary Seminar on IT and Security. He was also a Visiting Scholar at the NYU Stern Center for Business & Human Rights (2015-2016) and a lecturer in Information Policy at CornellTech (2016). In 2008, he was a visiting scholar at the Berkman Klein Center for Internet & Society at Harvard University. From 2007-2017, he was on the Board of Directors of the Dutch digital rights organization Bits of Freedom (Chairman of the Board from 2012-2016).

He obtained his PhD from the University of Amsterdam on the topic of search engines and freedom of expression (2012) and has graduate degrees in Law (2006, University of Amsterdam, cum laude) and Theoretical Mathematics (2002, University of Amsterdam, cum laude).

Charlotte Willner is Executive Director of the Trust & Safety Professional Association (TSPA) and the Trust & Safety Foundation Project. TSPA is building a shared community of practice between thousands of online trust & safety workers dispersed around the world. Through TSPA, trust & safety professionals can access expert resources, connect with their peers at different companies and in different locations, and convene to discuss timely topics. TSPA also works with young companies to set up trust & safety practices with a focus on equity, transparency, and scalability.

Charlotte began her career at Facebook as an early member of their community operations team; she was their first international user support manager before moving to build out their first safety operations team. She was instrumental in designing and implementing a number of Facebook's early policy enforcement systems and protocols, most notably the classification rubric for child sexual abuse material that undergirds the hash-sharing standards used by industry today. She went on to build and lead Pinterest's trust and safety operations team, overseeing online safety, law enforcement response, and intellectual property matters before joining TSPA.

Christopher Wolf, J.D., is a retired partner at Hogan Lovells US LLP, after a 40 year career in litigation, Internet law and privacy law. Wolf is on the national Board of the Anti-Defamation League where in 1995 he launched the ADL Internet Task Force focusing on online hate. He chaired the International Network Against Cyber-Hate, which allowed him opportunities to speak and confer internationally on the growing pandemic of Internet hate. With then-ADL National Director Abe Foxman, Wolf coauthored *Viral Hate: Containing Its Spread on the Internet*. In February 2021, Wolf keynoted a program on online hate presented by the UC Berkeley Center for Law and Technology and the Berkeley Program on Jewish Law, Thought and Identity.