

Regulatory and Other Incentives and Disincentives for Behavior Change

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(views expressed are only mine and do not represent the Naval
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The government should not regulate misinformation

- A great deal of what is considered to be misinformation is constitutionally protected, for good reason
- Existing, narrow exceptions to the First Amendment, such as fraud, should remain narrow
- The government cannot and should not define the “truth” with the power of regulation
- Globally, when governments have the ability to regulate falsehoods, they abuse those powers
- The First Amendment protects not only the right to speak, but the right to receive information

Congress should not repeal or amend Section 230 to address misinformation

- Repealing Section 230 would encourage platforms to take an entirely hands-off approach to content moderation, or become overly aggressive and err on the side of taking down content. Neither outcome serves the public interest
- Society is better off when platforms can set their own moderation policies, free of government intervention, and consumers can decide which service is best for them
- Removing Section 230 protections for misinformation is equally dangerous because it allows the government to define misinformation

If not regulation, then what?

- The government should not be in the business of declaring misinformation
 - First Amendment concerns
 - Not terribly effective
- Schools and libraries could educate students about how to research and evaluate claims that they see online
- The government must be more transparent and candid to build trust with the public and be a more credible participant in the marketplace of ideas
- Look beyond government intervention for solutions to misinformation