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For Immediate Release

**COMMISSIONER STARKS STATEMENT ON
NTIA'S SECTION 230 PETITION**

WASHINGTON, July 27, 2020—Today, the National Telecommunications & Information Administration (NTIA) filed a petition for rulemaking related to Section 230 of the Communications Decency Act of 1996, as required by President Trump's [Executive Order on Preventing Online Censorship](#). In response, FCC Commissioner Geoffrey Starks issued the following statement:

“The rules NTIA has proposed are ill-advised, and the Commission should dispose of this Petition as quickly as possible. As a threshold matter, NTIA has not made the case that Congress gave the FCC any role here. Section 230 is best understood as it has long been understood: as an instruction to courts about when liability should not be imposed.

“The proposed rules themselves are troubling. Among other substantive problems, NTIA seems to have failed to grasp how vast and diverse the ecosystem of interactive computer services is. Every comment section on the Internet would be subject to scrutiny. Imposing intermediary liability on those services—or creating an environment in which those services have an incentive not to moderate content at all—would prove devastating to competition, diversity, and vibrant public spaces online.

“I continue to believe that these rules reflect the President's attempt at retaliation and intimidation—at the very time when social media companies' decisions could impact his own electoral future. This dark cloud over online free speech will cast a lingering shadow on our elections. The FCC should act quickly to end this unfortunate detour and get back to the critical work of closing the digital divide.

“Even if there were a role for the FCC, adopting these rules now would be a terrible idea. Congress laid out Section 230's original scope, and Congress should decide whether to change it. In fact, members are already actively considering reform. Tomorrow morning, the Senate Subcommittee on Communications, Technology, Innovation, and the Internet will host a hearing on '[The PACT Act and Section 230](#).' There is no good reason for the FCC to insert itself into that process.”

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