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May 21, 2025

The Honorable Andrew Ferguson

Chair

Federal Trade Commission

600 Pennsylvania Avenue NW

Washington, DC 20580

Re: In the Matter of Technology Platform Censorship, Docket No. 25-0023

Dear Chair Ferguson,

On behalf of The Leadership Conference on Civil and Human Rights and its Center for Civil Rights and Technology ("The Leadership Conference"), we appreciate the opportunity to submit these comments in response to the Federal Trade Commission's ("FTC" or "commission") Request for Information published on February 20, 2025, regarding Technology Platform Censorship. As discussed in these comments, we urge the FTC to center its inquiry on the deeper structural forces shaping platform governance—specifically, the unchecked spread of misinformation, disinformation, malinformation, and hate speech.

As a coalition charged by its diverse membership of more than 230 national organizations to promote and protect the rights of all persons in the United States, we welcome the commission's attention to the online experiences of users. The commission is correctly asking what drives platform decisions about moderation and content governance. The most urgent and overlooked threat to both consumer welfare and democratic integrity is the systemic harm caused by the unchecked spread of misinformation, disinformation, and malinformation. Through our extensive engagement on these issues, we have found that the content moderation policies and enforcement practices at issue in this docket are more accurately understood as responses, often incomplete or belated, to the deeper problem of a broken digital information ecosystem.

This comment offers our perspective as civil rights advocates, which is that technology platform decisions are often not motivated by ideology, but by other competing dynamics such as the rapid spread of misinformation and disinformation, the design of engagement-maximizing algorithms, the habitual user behaviors that reward virality over accuracy, and the profit incentives rooted in advertising-based business models. All of these dynamics allow harmful content to proliferate unchecked, often at the expense of historically marginalized communities. This comment does not defend the adequacy of platform

May 21, 2025
Page 2 of 11

responses, as we know they often fall short. But to understand why content moderation exists at all, one must begin with the overwhelming challenge of disinformation, hate speech, and digital harm.

I. Broken Information Ecosystems Drive Technology Platform Decisionmaking

The FTC has asked what motivates technology platform decisions to deny or degrade user access to services.¹ Based on our experience, platforms have adopted moderation policies not to target specific viewpoints, but to address widespread harms emerging from the online spread of misinformation, disinformation, and malinformation.

The civil rights community has repeatedly called for meaningful accountability from technology platforms. For years, we have urged companies to address systemic harms in their content governance practices. Despite these efforts, which have included letters and other outreach, platforms have too often failed to respond, let alone implement meaningful reforms. This inaction has allowed digital threats to grow unchecked.²

A. Understanding the Growth of Misinformation, Disinformation, and Malinformation

The rise of false and manipulative information on technology platforms is central to understanding why companies adopt and enforce content moderation policies, albeit often inconsistently, belatedly, and under pressure. These informational threats generally fall into three categories:

- Misinformation is false information shared without harmful intent;
- Disinformation is deliberately false information created and disseminated with the intent to deceive, manipulate, or sow division;
- Malinformation is true information shared with the intent to cause harm, such as disclosing private information to humiliate, intimidate, or endanger someone.³

Each of these categories presents distinct but overlapping challenges. Collectively, they have become key stressors in digital public life that cause profound harm to democratic institutions and historically marginalized communities.⁴ From a civil rights perspective, the rise of false and manipulative information

¹ Federal Trade Commission, *Request for Public Comment Regarding Technology Platform Censorship*, Question 5.

² *The Leadership Conference on Civil and Human Rights Demands Meta Restore Content Moderation and Fact Checking*, Leadership Conference on Civil & Human Rights (May 8, 2025), <https://civilrights.org/2025/05/08/leadership-conference-civil-human-rights-demands-meta-restore-content-moderation-fact-checking/>.

³ See, Claire Wardle & Hossein Derakhshan, *Information Disorder: Toward an Interdisciplinary Framework for Research and Policy Making*, at 20, Council of Eur. (2017), <https://rm.coe.int/information-disorder-toward-an-interdisciplinary-framework-for-research/168076277c>; see also, National Hispanic Media Coalition, *Seeing Beyond Information Fraud: Practical Transparency - A Guide for the Informed Individual*, Appx. (2024), <https://www.nhmc.org/information-fraud-guide/>.

⁴ Spencer McKay & Chris Tenove, *Disinformation as a Threat to Deliberative Democracy*, 74 Pol. Res. Q. 703 (2021), <https://www.jstor.org/stable/45420122>.

May 21, 2025
Page 3 of 11

on technology platforms is particularly dangerous, as it suppresses voter participation, distorts public discourse, incites hate, and undermines trust in democracy.

Platform design plays a pivotal role in amplifying the harms caused by false and manipulative content. Social media interfaces and algorithms are optimized to capture user attention, often by prioritizing content that provokes strong emotional reactions such as outrage, fear, or amusement. Research shows that false information spreads faster and more broadly than truthful content in part because it is more novel and emotionally resonant. In a foundational 2018 study, researchers found that false political news on Twitter was 70 percent more likely to be retweeted than the truth, largely due to its ability to evoke surprise and disgust.⁵ More recent work reinforces this insight: a 2023 study demonstrated that sharing misinformation is often habitual, driven by ingrained user behaviors and platform cues that reward speed and virality over accuracy.⁶

These design features are deeply intertwined with technology platforms' economic models. The dominant ad-based revenue structure incentivizes technology platforms to maximize time-on-site and user engagement, metrics that correlate directly with profitability.⁷ Content that goes viral, regardless of its accuracy, often yields higher click-through rates and shares, which generates more money for the creator and the technology platform.⁸ This likely creates disincentives for platforms to moderate or remove false content that performs well.

These structural dynamics shape which content gets promoted and which gets deprioritized. We understand that platforms are not indifferent to these harms. But their efforts, whether through automated detection or reactive policy changes, have proven insufficient, inconsistent, or short lived. In this system, proper moderation efforts are constrained by a number of factors, including technological limitations, labor capacity, policy ambiguity, and a fundamental conflict between profit motives and public interest.

B. Ongoing Advocacy by Civil Rights Groups for Platform Responsibility

For years, The Leadership Conference, together with its coalition members, have actively engaged with technology platforms to address the harms caused by broken information ecosystems. Despite consistent outreach, these efforts have often been met with insufficient action.

In October 2020, The Leadership Conference submitted a letter to the Senate Committee on Commerce, Science, & Transportation, emphasizing the need for major tech companies to address threats to civil

⁵ Soroush Vosoughi, Deb Roy & Sinan Aral, *The Spread of True and False News Online*, 359 Science 1146 (2018).

⁶ Gizem Ceylan et al., *Sharing of Misinformation Is Habitual, Not Just Lazy or Biased*, 120 Proc. Nat'l Acad. Sci. U.S. e2216614120 (2023), <https://doi.org/10.1073/pnas.2216614120>.

⁷ Carlos Diaz Ruiz, *Disinformation and Fake News as Externalities of Digital Advertising: A Close Reading of Sociotechnical Imaginaries in Programmatic Advertising*, 40 J. Mktg. Mgmt. 14 (2024), <https://doi.org/10.1080/0267257X.2024.2421860>.

⁸ *Id.*

May 21, 2025
Page 4 of 11

rights facilitated by their platforms and to improve civil rights infrastructure.⁹ In May 2021, The Leadership Conference submitted a letter for the record to the House Committee on Energy and Commerce’s hearing on “Disinformation Nation,” underscoring how unchecked disinformation and extremism online endanger democracy and disproportionately harm communities of color.¹⁰ Later that year, in November 2021, The Leadership Conference submitted an additional letter to the House Committee on Energy and Commerce highlighting the dangers of disinformation and urging platforms to take responsibility for ensuring their products and business processes protect civil and human rights.¹¹ On July 31, 2023, The Leadership Conference publicly addressed threats against social media monitoring of misinformation and hate speech, calling for sustained efforts to combat these issues.¹² In June 2024, The Leadership Conference, along with 13 advocacy organizations, called on major tech corporations to implement effective measures to protect U.S. voters and elections against online voting disinformation.¹³ Most recently, in January 2025, The Leadership Conference expressed concern over Meta’s rollback of content moderation policies, highlighting the potential dangers to users and threats to civil rights.¹⁴

These documented efforts underscore the civil rights community’s persistent advocacy for responsible content moderation and the need to protect marginalized communities from the harms of false and manipulative information. The lack of adequate response from technology platforms necessitates continued and enhanced regulatory scrutiny to ensure accountability and the safeguarding of civil rights in the digital sphere.

II. Online Disinformation Targets and Harms Marginalized Communities

Disinformation is often weaponized to target vulnerable populations and cause the spread of hate speech, incitement of violence, voter suppression, and other civil rights abuses. These harms are compounded by the inconsistent enforcement of platform policies across languages, geographies, and cultural contexts. The result is a digital environment in which vulnerable communities face both overexposure to harmful narratives and underprotection from moderation standards.

⁹ Leadership Conference, *Letter for the Record to Senate Commerce Committee*, (Oct. 27, 2020) <https://civilrightsdocs.info/pdf/policy/letters/2020/Leadership%20Conference%20Ltr%20for%20the%20Record%20SCC%20Hearing%2010-28-20.pdf>.

¹⁰ Leadership Conference, *Letter from The Leadership Conference on Civil & Hum. Rts. to Members of the H. Energy & Com. Comm.* (May 6, 2021), <https://civilrights.org/resource/letter-for-the-record-hearing-on-disinformation-nation-social-medias-role-in-promoting-extremism-and-misinformation/>.

¹¹ Leadership Conference, *Letter for the Record to House Energy & Commerce Committee* (Nov. 30, 2021) <https://civilrightsdocs.info/pdf/policy/letters/2021/House-EC-230-Hearing-Letter.pdf>.

¹² Leadership Conference, *The Leadership Conference Calls Out Threat Against Social Media Monitoring of Misinformation and Hate Speech* (July 31, 2023) <https://civilrights.org/2023/07/31/the-leadership-conference-calls-out-threat-against-social-media-monitoring-of-misinformation-and-hate-speech/>.

¹³ Leadership Conference, *Civil Society Organizations Demand Big Tech Protect Voters Against Disinformation* (Jun. 13, 2024) <https://civilrights.org/2024/06/13/civil-society-big-tech-voters-disinformation/>.

¹⁴ Leadership Conference, *Meta’s Content Moderation Rollback Dangerous for Users, Threat to Civil Rights* (Jan. 7, 2025) <https://civilrights.org/2025/01/07/metas-content-moderation-rollback-dangerous-for-users-threat-to-civil-rights/>.

May 21, 2025
Page 5 of 11

A. Election Disinformation and Voter Suppression

Marginalized communities have been primary targets of false election narratives. While voter suppression once relied on such tactics as distributing deceptive flyers in specific neighborhoods, today bad actors can use social media advertising tools to micro-target communities with precision and minimal expense.¹⁵ These digital tactics enable the widespread dissemination of misleading or suppressive content, such as false claims about mail-in ballots, election procedures, and policies, which are designed to confuse or deter civic participation, undermine access to the ballot, and erode trust in electoral systems.

During the 2020 presidential primaries, some users circulated messages on Twitter like this one: “warning that everyone over age 60 that #coronavirus has been reported at ALL polling locations for #SuperTuesday.”¹⁶ In 2024, digital disinformation suggesting electoral fraud through the destruction of mail-in ballots circulated by video just days before the general elections.¹⁷ U.S. intelligence agencies confirmed the video was a disinformation tactic and a “part of Moscow’s broader effort to raise unfounded questions about the integrity of the U.S. election and stoke divisions among Americans.”¹⁸

Latino voters are particularly vulnerable to digital election disinformation. Nearly nine-in-ten Hispanic adults (87 percent) say they often or sometimes get news from digital devices.¹⁹ Approximately one-in-five Hispanic adults (21 percent) say they prefer social media for getting news, making Hispanic Americans more likely than Black and White Americans to prefer social media for news.²⁰ Social media is a proven hotbed for disinformation campaigns; during the 2024 elections, a single piece of Spanish-language paid-ad content reached roughly 100,000 screens with a claim that electoral voter fraud had occurred in swing states due to alleged undocumented immigrant voters.²¹ Such sweeping generalizations have been debunked, yet they continue to persist and manufacture a false narrative of widespread illegality that undermines public confidence in the integrity of the U.S. electoral system.

False and misleading content about elections can persist on technology platforms and undermine democratic participation, particularly in communities targeted with culturally or linguistically tailored

¹⁵ Ian Vandewalker, *Digital Disinformation and Vote Suppression*, Brennan Ctr. for Just. (Sept. 2, 2020), <https://www.brennancenter.org/our-work/research-reports/digital-disinformation-and-vote-suppression>.

¹⁶ *Id.*

¹⁷ Reuters Fact Check, *Fact Check: Video of Pennsylvania mail-in ballots being destroyed is fake*, Reuters (Oct. 31, 2024) <https://www.reuters.com/fact-check/video-pennsylvania-mail-in-ballots-being-destroyed-is-fake-2024-10-31/>.

¹⁸ Joint ODNI, FBI, and CISA Statement, *ODNI News Release No. 24-24* (Oct. 25, 2024) <https://www.dni.gov/index.php/newsroom/press-releases/press-releases-2024/4011-odni-pr-24-24>.

¹⁹ Sarah Naseer, Christopher St. Aubin & Michael Lipka, *Hispanic Americans’ News Habits and Sources*, Pew Rsch. Ctr. (Mar. 19, 2024), <https://www.pewresearch.org/race-and-ethnicity/2024/03/19/hispanic-americans-news-habits-and-sources/>.

²⁰ *Id.*

²¹ Meta Ad Library, *Ad Details for “La Pura Neta” Page*, Meta, https://www.facebook.com/ads/library/?active_status=active&ad_type=all&country=US&id=877858694222051&is_targeted_country=false&media_type=all&search_type=page&view_all_page_id=103830841978849 and https://www.facebook.com/ads/library/?active_status=active&ad_type=all&country=US&id=1895947460908903&is_targeted_country=false&media_type=all&search_type=page&view_all_page_id=103830841978849 (last visited May 3, 2025) (listing multiple advertisements run by the “La Pura Neta” page between Jul. 25, 2025-Nov. 5, 2024).

May 21, 2025
Page 6 of 11

disinformation. For example, a Spanish-language TikTok video falsely claiming that “Democrats opened the border to get votes” remains publicly accessible and has not been flagged for violating the platform’s terms of service. This demonstrates how inflammatory, inaccurate narratives can evade enforcement and continue to mislead voters.²²

B. Hate Speech and Incitement of Violence against Vulnerable Communities

Online hate speech continues to disproportionately target marginalized communities, exacerbating existing societal inequities and posing significant threats to safety and civic participation. Technology platforms, while facilitating connection and discourse, have also become conduits for the spread of harmful narratives that dehumanize and endanger vulnerable populations. These narratives foster xenophobia, justify anti-immigrant policies, and in extreme cases, have incited real-world violence.

The LGBTQ+ community faces pervasive online harassment and hate speech, with transgender individuals often bearing the brunt of such attacks. A study analyzing more than 10 million online posts found a significant volume of transphobic content, highlighting the scale of the issue.²³ Reports indicate that social media platforms have struggled to effectively moderate anti-LGBTQ+ content, allowing harmful narratives to proliferate. This digital hostility not only threatens the mental well-being of LGBTQ+ individuals but also has real-world implications, including increased risks of violence and discrimination.

During the COVID-19 pandemic, certain public figures employed xenophobic rhetoric, such as referring to the coronavirus as the “Chinese virus,” which fueled anti-Asian sentiment and contributed to a surge in hate incidents against Asian American communities. Empirical studies have established a direct correlation between this stigmatizing language and increased anti-Asian bias. For instance, a study published in the *American Journal of Public Health* found that tweets containing the hashtag #ChineseVirus were significantly more likely to be associated with anti-Asian sentiment compared to those using #COVID19.²⁴ Additionally, research analyzing hate crime data from multiple U.S. cities revealed a substantial rise in anti-Asian hate crimes following the widespread use of terms like “Chinese virus” and “Kung flu” in March 2020.²⁵

Haitian migrants have been targeted by viral conspiracies portraying them as threats to public safety or disease vectors. During the 2024 presidential election, Haitians were the target of viral false and

²² @luis_sinfiltro, [Video claiming Democrats opened the border to get votes], TikTok (Jan. 15, 2024), https://www.tiktok.com/@luis_sinfiltro/video/7328560522868116779.

²³ Suyin Haynes, *A Study Analyzed 10 Million Online Posts Over 3.5 Years. It Found a Torrent of Transphobic Abuse*, Time (Oct. 25, 2019), <https://time.com/5710466/transphobic-abuse-online-study/>.

²⁴ Yulin Hsuen et al., *Association of “#covid19” Versus “#chinesevirus” With Anti-Asian Sentiments on Twitter: March 9–23, 2020*, 111 Am. J. Pub. Health 956 (2021), <https://ajph.aphapublications.org/doi/epdf/10.2105/AJPH.2021.306154>.

²⁵ Sungil Han, Jordan R. Riddell & Alex R. Piquero, *Anti-Asian American Hate Crimes Spike During the Early Stages of the COVID-19 Pandemic*, 38 J. Interpers. Violence 3513 (2023), <https://pmc.ncbi.nlm.nih.gov/articles/PMC9168424/>.

May 21, 2025
Page 7 of 11

manipulative information claiming they were abducting and eating pets.²⁶ This narrative led to discriminatory rhetoric and at least 33 bomb threats made against city hospitals, schools, private residences and businesses in Springfield Ohio, causing multiple evacuations.²⁷

Latino migrants have increasingly become targets of online hate speech fueled by false and manipulative content, with devastating real-world consequences. In 2019, a gunman who cited an “invasion” of Texas by immigrants opened fire in an El Paso Walmart, killing 23 people, most of them Latino.²⁸ The attacker’s manifesto echoed anti-immigrant rhetoric that had been widely circulated online, including conspiracy theories falsely claiming that migrants posed existential threats to American culture and security.²⁹

The alarming rise of disinformation and online abuse targeting women, especially women in politics, has been called a national security threat and a threat to democracy itself.³⁰ Women in public life—particularly women of color—are disproportionately subjected to coordinated online attacks that include false narratives, misogynistic slurs, and conspiracies aimed at discrediting them and driving them out of public discourse.³¹ Generally, platform algorithms amplify harmful content for engagement, enabling bad actors to weaponize misogyny for personal or political gain while platforms benefit financially.³²

These examples show how digital disinformation distorts public understanding and exacerbates long-standing inequities. Each example flows from the same root cause: a technology platform architecture that sustains a broken information ecosystem. These examples also demonstrate the urgent need for technology platforms to implement robust content moderation policies and for policymakers to enforce regulations that protect marginalized communities from false and manipulative information on technology platforms.

III. Claims of Widespread Denial or Degrading of User Access to Technology Platforms Based on Specific Types of Content is Driven More by Anecdotal Rather Than Empirical Evidence

Effective content moderation is essential to protecting civil discourse and democratic participation where users feel safe to express their views. To enforce content moderation rules, platforms deploy a variety of

²⁶ Jack Forrest, *What to Know About the False Rumor Targeting Haitian Immigrants in Springfield, Ohio*, CNN (Sept. 17, 2024), <https://edition.cnn.com/2024/09/17/politics/haitian-immigrants-springfield-false-rumor-what-to-know>.

²⁷ Phil Helsel, *30 Bomb Threats Made in Springfield, Ohio, After False Claims About Haitian Immigrants*, NBC News (Sept. 14, 2024), <https://www.nbcnews.com/news/us-news/30-bomb-threats-made-springfield-ohio-false-pets-claims-rcna171392>.

²⁸ BBC News, *El Paso Shooting: Walmart Gunman 'Wanted to Kill Mexicans'*, BBC News (Aug. 5, 2019), <https://www.bbc.com/news/world-us-canada-49226573>.

²⁹ Peter Baker and Michael D. Shear, *El Paso Shooting Suspect’s Manifesto Echoes Trump’s Language*, NY Times (Aug. 4, 2019) <https://www.nytimes.com/2019/08/04/us/politics/trump-mass-shootings.html>.

³⁰ Charlotte Alter, *Disinformation Campaigns Against Women Are a National Security Threat, New Study Finds*, TIME (Feb. 6, 2023), <https://time.com/6257188/disinformation-women-online-hate-study/>.

³¹ She Persisted, *Monetizing Misogyny: Gendered Disinformation and the Undermining of Women’s Public Voice Online* (Feb. 2023), https://she-persisted.org/wp-content/uploads/2023/02/ShePersisted_MonetizingMisogyny.pdf.

³² *Id.*

May 21, 2025
Page 8 of 11

responses relative to the specific content. Some have argued that such actions as demonetizing, shadow banning, or other similar steps are a result of technology platforms maintaining viewpoint discrimination. However, labeling such actions as viewpoint discrimination potentially chills platform policies that are designed to uphold the safety and well-being of vulnerable communities. Moreover, claims of widespread systemic viewpoint discrimination by technology platforms are not supported by credible, empirical data. While anecdotal concerns about content moderation may reflect individual experiences or policy inconsistencies, there is no substantiated pattern of intentional ideological suppression.

A. Rhetoric Around Viewpoint Censorship Undermines Technology Platform Moderation and Deflects from Disinformation Threats

The ongoing public discourse around alleged censorship on digital platforms presents a significant obstacle to the development and enforcement of responsible content moderation policies. Increasingly, narratives that conflate legitimate enforcement of community standards with ideological suppression risk impeding platforms' ability to address genuine harms, including the persistent spread of misinformation and disinformation. These narratives obscure the true nature of technology platform governance and divert attention from the systemic harms posed by unchecked falsehoods.

In recent years, claims of censorship have placed mounting pressure on technology platforms to scale back moderation efforts. This pressure can have a chilling effect, where content moderation is delayed or abandoned due to fear of reputational or political consequences. Such dynamics create a digital environment in which conspiracy theories, hate speech, and disinformation are allowed to flourish, thereby undermining user trust and weakening the very standards platforms profess to uphold.³³

Content moderation, particularly when it targets hate speech, incitement to violence, or coordinated campaigns of disinformation, plays a vital role in protecting public discourse and the well-being of users. For communities that are frequently subjected to targeted harassment and exclusion, these protections are foundational to equitable digital participation. When moderation is deprioritized or inconsistently applied, the result is not neutrality, but vulnerability for those already most at risk.³⁴

We urge the commission to distinguish between constructive critique of moderation practices and narratives that undermine accountability. The true threat to the integrity of our digital spaces is not an excess of moderation, rather its erosion. False equivalencies between “censorship” and responsible enforcement only delay urgently needed reforms, including greater transparency in algorithmic systems, consistent application of policies across languages and communities, and fair, accessible appeals mechanisms.

³³ Nora Benavidez, *Big Tech Backslide: How Social-Media Rollbacks Endanger Democracy Ahead of the 2024 Elections*, Free Press (Dec. 7, 2023), <https://www.freepress.net/big-tech-backslide-how-social-media-rollbacks-endanger-democracy-ahead-2024-elections>.

³⁴ Maya Wiley, *Meta's Content Moderation Rollback Dangerous for Users, Threat to Civil Rights*, Leadership Conference on Civil & Human Rights (Jan. 7, 2025), <https://civilrights.org/2025/01/07/metas-content-moderation-rollback-dangerous-for-users-threat-to-civil-rights/>.

May 21, 2025
Page 9 of 11

B. Insufficient Empirical Basis for Alleged Viewpoint Discrimination

In the past decade or so, allegations of systemic ideological bias in platform content moderation and algorithms have been the subject of significant public discourse. However, careful empirical study of these claims consistently reveals that there is insufficient evidence to support the theory of widespread viewpoint discrimination. The evidence overwhelmingly points to a far more nuanced reality, which is that the real dynamics at play are structural and systemic, rooted in platform moderation choices and user behavior rather than in deliberate viewpoint agendas.

Extensive examination of viewpoint bias on technology platforms reveals that the issue is more complex and runs contrary to the business model many platforms thrive on. Technology platforms are engineered to prioritize engagement, a dynamic that inherently favors provocative, emotionally charged content regardless of viewpoint.³⁵ Algorithms are "biased" toward content that triggers strong emotional responses such as anger, fear, or outrage.³⁶

In fact, research has shown that conservative-leaning media outlets and personalities frequently outperform their liberal counterparts in terms of engagement on major platforms, undercutting claims of systematic viewpoint suppression.³⁷ Twitter's own internal Machine Learning Ethics team conducted a large-scale randomized audit in 2022 that found that in six out of seven countries studied, including the United States, tweets from right-of-center political actors received greater algorithmic amplification than those from the left.³⁸ The same analysis showed that right-leaning news sources enjoyed higher visibility relative to left-leaning outlets in users' algorithmic feeds.³⁹

Internal whistleblower disclosures further substantiate the empirical consensus. Leaks of internal platform documents revealed that content ranking and moderation systems are optimized for engagement and that high-profile political figures across the ideological spectrum often receive preferential treatment rather than disproportionate penalties.⁴⁰ Search engine outputs have also been studied. An investigation into Twitter and Google found that any ideological lean in search results largely reflected user-generated content and query patterns rather than intentional platform bias.⁴¹ If a query produced more liberal or

³⁵ Siva Vaidhyanathan, *Antisocial Media: How Facebook Disconnects Us and Undermines Democracy* (Oxford Univ. Press 2018).

³⁶ *Id.*

³⁷ Paul M. Barrett, *False Accusation: The Unfounded Claim that Social Media Companies Censor Conservatives*, NYU Stern Center for Business and Human Rights (Feb. 2021), https://bhr.stern.nyu.edu/wp-content/uploads/2024/02/NYUFalseAccusation_2.pdf.

³⁸ Ferenc Huszár et al., *Algorithmic amplification of politics on Twitter*, PNAS (2021) <https://www.pnas.org/doi/full/10.1073/pnas.2025334119>.

³⁹ *Id.*

⁴⁰ Jeff Horwitz, *Facebook Says Its Rules Apply to All. Company Documents Reveal a Secret Elite That's Exempt*, Wall St. J. (Sept. 13, 2021), <https://www.wsj.com/tech/facebook-files-xcheck-zuckerberg-elite-rules-11631541353>.

⁴¹ Juhi Kulshrestha et al., *Search Bias Quantification: Investigating Political Bias in Social Media and Web Search*, 22 Info. Retrieval J. 188 (2019).

May 21, 2025
Page 10 of 11

conservative results, it was typically a mirror of the broader web ecosystem and search interests, not the result of deliberate curation or viewpoint discrimination by the platform.⁴²

Taken together, the empirical record does not support the assertion that technology platforms engage in systemic viewpoint discrimination. Instead, patterns of moderation and content distribution are better explained by user behavior, engagement-driven algorithms, and the enforcement of content standards against harmful or policy-violating material.

IV. Conclusion

As discussed in these comments, the most consistent driver of content moderation decisions is not political ideology, but a collision between user behaviors, engagement-maximizing platform architecture, and advertising-based business incentives that reward virality over accuracy, outrage over truth, and revenue over safety.

This dynamic has allowed harmful content to proliferate with devastating consequences for historically marginalized communities. Election disinformation, hate speech, targeted harassment, and conspiratorial falsehoods have undermined public trust, incited violence, suppressed civic participation, and endangered lives. These harms are well-documented and ongoing; yet despite years of advocacy from the civil rights community, platforms have failed to take sufficient action to contain them.

While claims of political censorship have drawn attention and driven policy debate, the empirical record does not support allegations of systemic viewpoint discrimination. Rather, it shows that technology platforms often struggle to apply their policies consistently, not because of ideological bias, but because of the scale and complexity of the problems they encounter. Efforts to equate legitimate moderation with censorship serve only to distract from the real threat: the erosion of truth, safety, and democratic norms in our digital public square.

The FTC now has an opportunity to refocus this national conversation on what truly matters—building a regulatory framework that promotes transparency, accountability, and civil rights in the governance of digital platforms. If the commission seeks to understand what drives moderation decisions, it must begin with a foundational truth: the information ecosystem is broken, and platforms do not manage it well. We urge the commission to act boldly in defense of users, especially those most at risk, and to ensure that the future of our online ecosystem is equitable, inclusive, and just.

We appreciate the opportunity to respond to this RFI and we look forward to collaborating on this crucial update to safeguard the privacy rights of individuals and families. Should you require further information or have any questions regarding this issue, please feel free to contact Jonathan Walter, senior policy counsel, at walter@civilrights.org.

⁴² *Id.*

May 21, 2025
Page 11 of 11

Sincerely,



Alejandra Montoya-Boyer
Senior Director, Center for Civil Rights and Technology