Negative: Filter Bubble Transparency Act

By “Coach Vance” Trefethen

***Resolved: The United States federal government substantially reform the use of Artificial Intelligence technology***

Case Summary: “Filter Bubble” refers to Google and social media’s practice of returning customized search results to each person based on their past searches, particularly their political interests. In theory, this hardens people’s political views because it only gives them things that reinforce and agree with their existing beliefs. Democracy destroyed, etc… The Filter Bubble Transparency Act is a poorly written mass of confusion currently pending in Congress that’s supposed to stop this from happening by regulating internet search engines. But the problem doesn’t exist and even if it did, FBTA wouldn’t solve it.

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Negative: Filter Bubble Transparency Act

OPENING QUOTES / NEG PHILOSOPHY

FBTA is based on myths and panic

Mike Masnick 2021 ( founder of the Silicon Valley think tank, the Copia Institute) 10 Nov 2021 “The Latest Version Of Congress's Anti-Algorithm Bill Is Based On Two Separate Debunked Myths & A Misunderstanding Of How Things Work” <https://www.techdirt.com/articles/20211109/10460447910/latest-version-congresss-anti-algorithm-bill-is-based-two-separate-debunked-myths-misunderstanding-how-things-work.shtml> (accessed 21 Dec 2021)

It's kind of crazy how many regulatory proposals we see appear to be based on myths and moral panics. The latest, [just introduced](https://www.axios.com/algorithm-bill-house-bipartisan-5293581e-430f-4ea1-8477-bd9adb63519c.html) is the House version of the [Filter Bubble Transparency Act](https://s3.documentcloud.org/documents/21100766/buck_030_xml-filter-bubble.pdf), which is the companion bill to the [Senate bill of the same name](https://www.thune.senate.gov/public/index.cfm/press-releases?ID=0CA78D6E-C0A8-4BDB-9AA9-1900238810E5).

INHERENCY

1. Any user can turn off the “Bubble” today

Clear your search data

Robert Irvine 2020. (technology journalist) 21 Nov 2020 “6 Ways To Get Unfiltered Google Search Results” <https://www.makeuseof.com/google-unfiltered-search-results/> (accessed 22 Dec 2021)

Because your filter bubble is mainly (but far from entirely) based on things you’ve searched for previously, regularly deleting your search data from Google helps to depersonalize your results. You can view this data by signing into your [My Google Activity](https://myactivity.google.com/myactivity) page. Here, you'll see every term you’ve searched for, link you’ve visited, YouTube video you’ve watched, and all your other activities across Google services.

Switch to private browsing mode

Robert Irvine 2020. (technology journalist) 21 Nov 2020 “6 Ways To Get Unfiltered Google Search Results” <https://www.makeuseof.com/google-unfiltered-search-results/> (accessed 22 Dec 2021)

The easiest way to get unfiltered search results is to use your [browser’s private mode](https://www.makeuseof.com/tag/enable-private-browsing/). In theory, this lets you search the web without being logged into your Google account. This way, your previous search activity doesn’t influence the results. To switch to private mode, click the menu button in the top-right corner of your browser and choose **New incognito window** (in Chrome), **New Private Window** (in Firefox), or **New InPrivate window** (in Edge). Alternatively, press **Ctrl + Shift + N** on your keyboard (**Ctrl + Shift + P** in Firefox).

Clear cookies and site data

Robert Irvine 2020. (technology journalist) 21 Nov 2020 “6 Ways To Get Unfiltered Google Search Results” <https://www.makeuseof.com/google-unfiltered-search-results/> (accessed 22 Dec 2021)

As well as using data from your Google account to create your search bubble, Google draws on information stored locally in cookies. This is why websites you’ve previously visited through Google rank higher in your results than those you haven’t. One way to prevent this personalization is to [clear your cookies](https://www.makeuseof.com/tag/delete-cookies-chrome-firefox-edge-safari/) and other site data. In Chrome, click the menu button and go to **Settings > Privacy and security > Clear browsing data > Advanced**. Select **Cookies and other site data** and click **Clear data**.

HARMS / SIGNIFICANCE

1. Social Media “Filter Bubble” isn’t a problem

Social media is actually better at exposing people to new ideas than their local community is

Mike Masnick 2021 ( founder of the Silicon Valley think tank, the Copia Institute) 10 Nov 2021 “The Latest Version Of Congress's Anti-Algorithm Bill Is Based On Two Separate Debunked Myths & A Misunderstanding Of How Things Work” <https://www.techdirt.com/articles/20211109/10460447910/latest-version-congresss-anti-algorithm-bill-is-based-two-separate-debunked-myths-misunderstanding-how-things-work.shtml> (accessed 21 Dec 2021)

Also, the name of the bill is based on the idea of "filter bubbles" and many of the co-sponsors of the bill claim that these websites are purposefully driving people deeper into these "filter bubbles." However, as we again just recently discussed, new research shows that [social media tends to expose people to a wider set of ideas and viewpoints](https://www.techdirt.com/articles/20211017/18143347766/new-research-shows-social-media-doesnt-turn-people-into-assholes-they-already-were-everyones-wrong-about-echo-chambers.shtml), rather than more narrowly constraining them. In fact, they're much more likely to face a "filter bubble" in their local community than by being exposed to the wider world through the internet and social media.

2. Search engine “Filter Bubble” isn’t a problem

Fletcher Study finds: Use of search engines gets MORE diversity and better political balance than those who self-select

Dr. Richard Fletcher 2020. (PhD; Senior Research Fellow at Reuters Institute) 7 Jan 2020 “The truth behind filter bubbles: Bursting some myths” <https://reutersinstitute.politics.ox.ac.uk/news/truth-behind-filter-bubbles-bursting-some-myths> (accessed 22 Dec 2021)

[We compared](https://www.tandfonline.com/doi/full/10.1080/21670811.2018.1502045) the news diets of people who search for news with the news diets of people who say they don't use search engines for news in four countries, and we studied the news diets that these two groups have in terms of what we call diversity and balance. What we found is that a process of automated serendipity effectively diversifies people's news diets. People who use search engines for news on average use more news sources than people who don't. More importantly, they're more likely to use sources from both the left and the right.  People who rely mainly on self-selection tend to have fairly imbalanced news diets. They either have more right-leaning or more left-leaning sources. People who use search engines tend to have a more even split between the two.

Most other studies agree with Dr. Fetcher: Search engine filter bubble isn’t a thing. Without search engines, people get less balance and less diversity

Dr. Richard Fletcher 2020. (PhD; Senior Research Fellow at Reuters Institute) 7 Jan 2020 “The truth behind filter bubbles: Bursting some myths” <https://reutersinstitute.politics.ox.ac.uk/news/truth-behind-filter-bubbles-bursting-some-myths> (accessed 22 Dec 2021)

Our results are in line with different studies in the same area that have looked at this problem in a slightly different way. [A study](https://www.sciencedirect.com/science/article/pii/S0747563218303650) compared search results from different types of people, particularly people who were Republicans and Democrats in the US. And what this found essentially was that the results that people got when they searched for political topics were more or less the same. So there was no real evidence that people with different views are getting different search results. [**END QUOTE**] One of the problems with relying on survey data is that people are not great at remembering what news sources they used. This has been a consistent problem for some time. So we tracked the web use of a panel of people in the UK and we compared situations when people go directly to news sources with situations when people go to news via Facebook, via Twitter and a range of other different services. [**HE GOES ON IN LATER IN THE SAME CONTEXT QUOTE**:] [What we found](https://journals.sagepub.com/doi/abs/10.1177/1940161219892768) was that the more people use direct access, the less diverse their news diet was. Not only people are using more sources of news when they get their news on social media. They're using lots of different sources, and the balance between those different sources improves with respect to diversity. This is a sort of summary of the work we've done in this area. But it's fairly representative of work in this area as a whole. There are numerous studies that either find weak evidence of filter bubbles or, at best, mixed evidence. There are almost no studies that find a very strong evidence of these kinds of effects.

SOLVENCY

1. Exposure to ideas doesn’t solve much

Inventor of the term “Filter Bubble” advocates the AFF plan but admits he was wrong about it solving anything and says it won’t accomplish much

Eli Pariser 2019 (inventor of the term “Filter Bubble,” author, activist, entrepreneur) 12 Nov 2019 “‘Filter Bubble’ author Eli Pariser on why we need publicly owned social networks” <https://www.theverge.com/interface/2019/11/12/20959479/eli-pariser-civic-signals-filter-bubble-q-a> (accessed 21 Dec 2021)

One of the assumptions I had when I wrote The Filter Bubble was that some of the problems we’re seeing in civic discourse in society are really issues of exposure. But I’ve come to believe that’s not true. As a liberal, when I read Fox News, it confirms my bad opinions of Fox News. The research shows that it’s not just another whether we come into contact, it’s about how we come into contact. It makes all the difference. It’s all about the design.

2. Meaningless and misleading terminology in the FBTA (Filter Bubble Transparency Act)

Confusing, misleading terminology blocks solvency –even the bill’s sponsors don’t understand it.

Adi Robertson 2019 (technology journalist) THE VERGE 5 Nov 2019 “The Senate’s secret algorithms bill doesn’t actually fight secret algorithms It’s a lot more targeted than it sounds” https://www.theverge.com/2019/11/5/20943634/senate-filter-bubble-transparency-act-algorithm-personalization-targeting-bill

Limiting personalization sounds like a straightforward goal, but the FBTA’s sponsors have made it surprisingly hard to understand, starting with the term “opaque algorithm.” The phrase sort of makes sense in context. An algorithm (a word that broadly refers to flowchart-style rule sets) is considered opaque if it uses a certain kind of data that some people don’t realize they’re providing. It’s considered transparent if it doesn’t. On a larger scale, though, these terms are so misleading that even the bill’s sponsors can’t keep things straight. The FBTA doesn’t make platforms explain exactly how their algorithms work. It doesn’t prevent them from using arcane and manipulative rules, as long as those rules aren’t built around certain kinds of personal data. And removing or disclosing a few factors in an algorithm doesn’t make the overall algorithm transparent. This bill isn’t aimed at systems [like the “black box” algorithms](https://thecrimereport.org/2018/01/26/algorithms-and-justice-scrapping-the-black-box/) used in criminal sentencing, for example, where transparency is a key issue.

Wording of the bill is poorly drafted, poorly thought out, full of exemptions and baffling terminology

Mike Masnick 2021 ( founder of the Silicon Valley think tank, the Copia Institute) 10 Nov 2021 “The Latest Version Of Congress's Anti-Algorithm Bill Is Based On Two Separate Debunked Myths & A Misunderstanding Of How Things Work” <https://www.techdirt.com/articles/20211109/10460447910/latest-version-congresss-anti-algorithm-bill-is-based-two-separate-debunked-myths-misunderstanding-how-things-work.shtml> (accessed 21 Dec 2021)

“While some of the reporting on this suggests that the bill "targets" algorithms, it only does so in the stupidest, most ridiculous ways. The bill is poorly drafted, poorly thought out, and exposes an incredible amount of ignorance about how any of this works. It doesn't target all algorithms -- and explicitly exempts search based on direct keywords, or algorithms that try to "protect the children." Instead, it has a weird attack on what it calls "opaque algorithms." The definition itself is a bit opaque:
*The term "opaque algorithm" means an algorithmic ranking system that determines the order or manner that information is furnished to a user on a covered internet platform based, in whole or part, on user-specific data that was no expressly provided by the user to the platform for such purpose.”*

False and inflated claims about what FBTA does because they don’t understand their own terminology

Adi Robertson 2019 (technology journalist) THE VERGE 5 Nov 2019 “The Senate’s secret algorithms bill doesn’t actually fight secret algorithms It’s a lot more targeted than it sounds” https://www.theverge.com/2019/11/5/20943634/senate-filter-bubble-transparency-act-algorithm-personalization-targeting-bill

This confusion has carried over into press coverage of the bill. [The Wall Street Journal says](https://www.wsj.com/articles/legislation-would-require-search-engines-to-disclose-algorithms-11572540266) the FBTA would “require big online search engines and platforms to disclose that they are using algorithms to sort the information that users are requesting or are being encouraged to view.” Again, nothing in this bill requires companies to disclose the use of algorithms. They just have to disclose when those algorithms use personal information for customized results. And that makes sense because algorithms are a basic building block of web services. Search engines couldn’t exist without them. The FBTA’s sponsors are using “algorithm” to mean “sorting program” and “bad, manipulative social media recommendation tool” and “social media personalization system.” In the process, they vastly overstate the bill’s goals.

Bill is so confusing and full of buzzwords that we ought to stop and rewrite it so it makes sense

Adi Robertson 2019 (technology journalist) THE VERGE 5 Nov 2019 “The Senate’s secret algorithms bill doesn’t actually fight secret algorithms It’s a lot more targeted than it sounds” <https://www.theverge.com/2019/11/5/20943634/senate-filter-bubble-transparency-act-algorithm-personalization-targeting-bill> (accessed 21 Dec 2021)

The proposal still raises interesting questions. If an “input-transparent” sorting system can’t incorporate users’ search histories, would it require platforms like YouTube to turn off “watch next” recommendations since your viewing history might include the video you’re already watching? Would Uber have to disclose if it [charges higher fares](https://www.theverge.com/2016/5/20/11721890/uber-surge-pricing-low-battery) when your phone battery is low? Companies use personalization in bizarre ways, and a bill requiring them to disclose those methods could be fascinating. But those issues are hard to discuss when they’re cloaked in the blanket shorthand of “algorithms.” If Congress wants to help people understand the web better, members could start by actually explaining what they’re doing instead of scoring rhetorical points with buzzwords.

Lawmakers who wrote this bill have completely no grip on reality, and don’t even know how social media works

Scott Shackford 2021 (associate editor at REASON magazine) Let's Not Have a Bunch of Posturing Politicians Decide How Online Algorithms Should Work 11 Nov 2021 <https://reason.com/2021/11/11/lets-not-have-a-bunch-of-posturing-politicians-decide-how-online-algorithms-should-work/> (accessed 21 Dec 2021)

There's nothing new about lawmakers being completely out of grip in reality with their tech regulation proposals. One of the bill's co-sponsors Rep. David Cicilline (D-R.I.), [last seen](https://reason.com/2021/10/21/anti-amazon-congressman-appears-unfamiliar-with-the-concept-of-store-brands/) going after Amazon for having the temerity to sell its own brand of products on its site, something nearly every major retail chain does. About this particular piece of legislation, he [tells](https://www.axios.com/algorithm-bill-house-bipartisan-5293581e-430f-4ea1-8477-bd9adb63519c.html) Axios:
“Facebook and other dominant platforms manipulate their users through opaque algorithms that prioritize growth and profit over everything else. And due to these platforms' monopoly power and dominance, users are stuck with few alternatives to this exploitative business model, whether it is in their social media feed, on paid advertisements, or in their search results.”
The lawmaker's ignorance here is not unlike his insistence that Amazon is using its own brand to create a monopoly on goods on its own site and concealing competitors, when simply searching any product on the site will show that's just not true. We don't need a bunch of lawmakers who don't even know how social media functions to tell tech companies how algorithms should be implemented.

3. False claims about what the bill does

“Order of search results” – False. Nothing in the bill regulates order of search results

Adi Robertson 2019 (technology journalist) THE VERGE 5 Nov 2019 “The Senate’s secret algorithms bill doesn’t actually fight secret algorithms It’s a lot more targeted than it sounds” <https://www.theverge.com/2019/11/5/20943634/senate-filter-bubble-transparency-act-algorithm-personalization-targeting-bill> (accessed 21 Dec 2021)

Sen. Marsha Blackburn (R-TN), another sponsor, [explicitly claims](https://www.blackburn.senate.gov/blackburn-joins-thune-bipartisan-bill-increase-internet-platform-transparency-provide-consumers) this is part of the FBTA: “When individuals log onto a website, they are not expecting the platform to have chosen for them what information is most important,” said Senator Blackburn. “Algorithms directly influence what content users see first, in turn shaping their worldview. This legislation would give consumers the choice to decide whether they want to use the algorithm or view content in the order it was posted.” That’s just not true. Sen. Thune did [float the idea](https://www.bloomberg.com/news/articles/2019-06-25/thune-wants-google-and-facebook-to-have-algorithm-free-options) of an “algorithm-free” Facebook and Twitter this summer. But this bill never mentions viewing content “in the order it was posted” — a fact I confirmed with Warner’s office.

“Discloses secret algorithms” – False. Nothing in the bill requires disclosure of software code or rule sets

Adi Robertson 2019 (technology journalist) THE VERGE 5 Nov 2019 “The Senate’s secret algorithms bill doesn’t actually fight secret algorithms It’s a lot more targeted than it sounds” https://www.theverge.com/2019/11/5/20943634/senate-filter-bubble-transparency-act-algorithm-personalization-targeting-bill

Despite this, a press release repeatedly claims the bill fights “secret algorithms” rather than micro-targeting or invasive data mining. Here’s a supposed summary of the FBTA’s rules:
Clearly notify [big web platform] users that their platform creates a filter bubble that uses secret algorithms (computer-generated filters) to determine the order or manner in which information is delivered to users; and
Provide [big web platform] users with the option of a filter bubble-free view of the information they provide. The bill would enable users to transition between a customized, filter bubble-generated version of information and a non-filter bubble version (for example, the “sparkle icon” option that is currently offered by Twitter that allows users to toggle between a personalized timeline and a purely chronological timeline).
If you’ve read the bill, this is baffling. For one thing, virtually all big recommendation and search systems are “secret algorithms” on some level, and the bill doesn’t ask companies to disclose their code or rule sets.

4. Won’t solve ideological manipulation or targeting

FBTA’s sponsors are either lying or confused when they claim it blocks manipulation, targeting and ideological isolation (the “echo chamber”)

Adi Robertson 2019 (technology journalist) THE VERGE 5 Nov 2019 “The Senate’s secret algorithms bill doesn’t actually fight secret algorithms It’s a lot more targeted than it sounds” https://www.theverge.com/2019/11/5/20943634/senate-filter-bubble-transparency-act-algorithm-personalization-targeting-bill

It’s not clear whether the lawmakers are intentionally exaggerating this fact or simply got it wrong. The press release claims the bill will let consumers “control their own online experiences instead of being manipulated by Big Tech’s algorithms and analytics.” Co-sponsor Jerry Moran (R-KS) says it would make companies “offer certain products and services to consumers free of manipulation.” But there’s lots of room for manipulation without hyper-personalized search or feed results. Even without targeting, nothing stops companies from delivering inflammatory content that encourages negative engagement, one of the biggest criticisms of Facebook and YouTube. The bill also allows personalization based on users’ friends lists, video channel subscriptions, or other knowingly provided preferences, which would allow for a pretty significant echo chamber.

5. “Filtering” happens offline too

Can’t compare internet news “filtering” to a hypothetical world of “no filtering”: People filter their own news sources offline just as much as online

Dr. Richard Fletcher 2020. (PhD; Senior Research Fellow at Reuters Institute) 7 Jan 2020 “The truth behind filter bubbles: Bursting some myths” <https://reutersinstitute.politics.ox.ac.uk/news/truth-behind-filter-bubbles-bursting-some-myths> (accessed 22 Dec 2021)

**Pre-selected personalisation** is the personalisation that is done to people, sometimes by algorithms, sometimes without their knowledge. And this relates directly to the idea of filter bubbles because algorithms are possibly making choices on behalf of people and they may not be aware of it. The reason this distinction is particularly important is because we should avoid comparing pre-selected personalisation and its effects with a world where people do not do any kind of personalisation to themselves. We can't assume that offline, or when people are self-selecting news online, they're doing it in a completely random way. People are always engaging in personalisation to some extent and if we want to understand the extent of pre-selected personalisation, we have to compare it with the realistic alternative, not hypothetical ideals. It's important in particular not to romanticise the nature of offline news use for many people. [One of the first studies](https://academic.oup.com/joc/article-abstract/67/4/476/4642154) we did in this area looked at how people self-select news online compared to offline. We looked at the extent to which audiences for particular news outlets in the UK overlapped with one another.  When people are offline, they stick to a couple of their preferred news sources. They dig very deeply into those news sources and tend not to deviate from them.

6. Negative net benefits

FBTA doesn’t solve some problems that don’t exist, causes more harm than good, and just puffs up the politicians

Mike Masnick 2021 ( founder of the Silicon Valley think tank, the Copia Institute) 10 Nov 2021 “The Latest Version Of Congress's Anti-Algorithm Bill Is Based On Two Separate Debunked Myths & A Misunderstanding Of How Things Work” <https://www.techdirt.com/articles/20211109/10460447910/latest-version-congresss-anti-algorithm-bill-is-based-two-separate-debunked-myths-misunderstanding-how-things-work.shtml> (accessed 21 Dec 2021)

So, in the end, we have a well-hyped bill based on the (false) idea of filter bubbles and the (false) idea of algorithms only serving corporate profit, which would require websites to give users a chance to turn off an algorithm -- **which they already allow**, and which would effectively kill off other useful tools like mobile optimization. It seems like the only purpose this legislation actually serves to accomplish is to let these politicians stand up in front of the news media and claim they're "taking on big tech!" and smile disingenuously.

DISADVANTAGES

1. Breaks web pages on mobile devices

It’s so poorly worded, it would forbid formatting web pages to fit mobile devices

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For example, a straightforward reading of this bill would mean that no site can automatically determine you're visiting with a mobile device and format the page accordingly. After all, that's an algorithmic system that uses information not expressly provided by the user in order to present information to you ranked in a different way (for example, moving ads to a different spot).

2. Increased Polarization (turn AFF harms)

Link: National Academy of Sciences Study finds exposure to opposing views online INCREASES polarization

Proceedings of the National Academy of Sciences 2018. (study written by Christopher A. Bail, Lisa P. Argyle, Taylor W. Brown, John P. Bumpus, Haohan Chen, M. B. Fallin Hunzaker, Jaemin Lee, Marcus Mann, Friedolin Merhout, and Alexander Volfovsky. Bail, Brown, Bumpus, Lee, Mann an Merhout are all with Department of Sociology, Duke University. Argyle – with Dept of Political Science, Brigham Young Univ. Chen – with Dept of Political Sci., Duke Univ. Volfovsky – with Dept. of Statistical Science, Duke Univ. Hunzaker – Dept of Sociology, New York Univ.) “Exposure to opposing views on social media can increase political polarization” 28 Aug 2018 <https://www.pnas.org/content/115/37/9216> (accessed 22 Dec 2021)

There is mounting concern that social media sites contribute to political polarization by creating “echo chambers” that insulate people from opposing views about current events. We surveyed a large sample of Democrats and Republicans who visit Twitter at least three times each week about a range of social policy issues. One week later, we randomly assigned respondents to a treatment condition in which they were offered financial incentives to follow a Twitter bot for 1 month that exposed them to messages from those with opposing political ideologies (e.g., elected officials, opinion leaders, media organizations, and nonprofit groups). Respondents were resurveyed at the end of the month to measure the effect of this treatment, and at regular intervals throughout the study period to monitor treatment compliance. We find that Republicans who followed a liberal Twitter bot became substantially more conservative post-treatment. Democrats exhibited slight increases in liberal attitudes after following a conservative Twitter bot, although these effects are not statistically significant. Notwithstanding important limitations of our study, these findings have significant implications for the interdisciplinary literature on political polarization and the emerging field of computational social science.

Backup Link Evidence: We shouldn’t focus on Filter Bubble because 1) other problems are more pressing; 2) online platform diversity is what causes polarization (not filtering); 3) Plan would make things worse

Dr. Richard Fletcher 2020. (PhD; Senior Research Fellow at Reuters Institute) 7 Jan 2020 “The truth behind filter bubbles: Bursting some myths” <https://reutersinstitute.politics.ox.ac.uk/news/truth-behind-filter-bubbles-bursting-some-myths> (accessed 22 Dec 2021)

Why shouldn’t we focus on filter bubbles? Focusing on filter bubbles can cause us to misunderstand the mechanisms at play and might also be distracting us from slightly more pressing problems. The reason this is important is because some of these problems in some ways are connected with the use of platforms. It's not that the platforms are the cause, but they are part of the picture.  Most of the best available independent empirical evidence seems to suggest that online news use on search and social media is more diverse. But there's a possibility that this diversity is causing some kind of polarisation, in both attitudes and usage. This is interesting, because in some ways it's the opposite of what the filter bubble hypothesis predicted.  The hypothesis states that we'll actually get less diversity and there'll be negative consequences from that. So the end result might be the same. But the hypothesis fails to capture the mechanisms.

Impact: AFF’s “polarization” harm gets worse

If “polarization” has any impact (meaning “someone gets hurt by it”) – and we challenge the Affirmative to prove that claim – but if it does, then whatever impact it has gets worse with an Affirmative ballot.