HOMELAND SECURITY EXPERTS GROUP (HSEG)

2022 HOMELAND SECURITY ENTERPRISE FORUM

DEBATE NIGHT

Salamander Resort & Spa

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Debate Night

MR. WALKER: Thank you, John. At least I got one fan out here. Wow, bright lights. Thank you, everybody for our new guests that have joined us tonight for the drinks, debate and the dinner pass. Welcome. You're at the Homeland Security Enterprise Forum 2022. This is our second annual event. Our first that we are co-hosting a debate with Intelligence Squared U.S. and you'll hear more about that after the session.

For HSEF participants that plan to take a car service either, you know, car service or an Uber, please coordinate tonight with the front desk of the Salamander. It takes at least an hour to get a vehicle out here for you. So there's not a whole fleet of Ubers running around Middleburg if you can imagine that. But again, we're delighted you're here. Part of the event tonight is really meant to drive home the importance of civil discourse and, you know, finding places where we can disagree and do it civilly and engagingly. To introduce our session here and our moderator and our debaters, I'd like to welcome up HSEF members Suzanne Spaulding.

MS. SPAULDING: Thank you, Rob. I am Suzanne Spaulding, a proud member of the Homeland Security Experts Group and Senior Advisor at the Center for Strategic and International Studies where I lead the Defending Democratic Institutions Project, where we have a particular focus on understanding and countering the threat that disinformation poses to our national security, to our democracy, and its institutions. And so, I am really pleased to be here tonight to welcome you all to this very special event, a collaboration between the Homeland Security Experts Group, Homeland Security Experts Forum and Intelligence Squared Debates.

And our experts tonight, we have four wonderful experts to unpack for us the interplay between the absolute urgency and necessity of finding ways to counter the pernicious impact of disinformation. Without chilling, First Amendment and free speech values that we are seeking to protect, at the same time, not letting allegations of censorship or claims of abridgement of free speech, chill, essential work that needs to be done in disinformation or intimidate government efforts or non-government efforts in that area. Complicated issue. And we have just the right person in the Intelligence Squared host and moderator, four time Emmy Award winner and Pulitzer Prize finalist, John Donvan to unpack all of this for us and guide this conversation. John?

MR. DONVAN: I don't think I need this. I don't believe I need that microphone, because I've got this one on my head. Thank you.

We're going to start in a minute. But this is the start, before the start. It's like pre-boarding, which phrasing makes no sense ever, but we all do it. I just wanted to talk very briefly. First of all, I want to say how delighted we are to be here with the Homeland Security Experts Group is a big deal to us to have you as an audience and to be taking on these topics that drew debaters of this quality. So, thank you so much for having us.

We record these debates and then we put them out as in many formats, but most recently, we've been regularly producing a radio program. So, to a degree, you're going to see how we make that sausage, but it's actually a fillet steak. And I -- the reason I wanted to share that with you, is for a few things. One is that a few points during the debate, in each round, I'm going to come to you to ask questions. I can only -- we only have time for one person to ask a question per round. But we really look forward to having somebody from you with your expertise, raise your hand and put a question to the debaters to get them to debate more.

So, the only restriction I will put on that and it proves to be onerous for many people, is I need you to not debate with the debaters, but actually ask them a question and a terse question. And my -- what I like to say is that if a question mark naturally lives at the end of whatever you've said, that means you've nailed it. So, think in those terms.

The other thing is, because this is in a sense an act of persuasion, because these debaters are really trying to make a point, and because we're going to ask you for your views on the questions; we want to let the audience that hears this on the radio know that you were here, that there were real people here. So unlike in the presidential debates, there is no restriction on applause or enjoying the laugh or something like that. We -- the only thing is we want to keep it positive. So, please no booing or hissing. More so, you know, if you hear something you don't like, a sardonic chuckle or a well-directed groan, something like that is good. But we really do want to keep it positive because that's what we tried to do.

So, we're going to ask you in a moment, we're going to make it part of the program when I start to take out your phones and tell us where you stand on the three questions that we're going to be asking. And then we're going to ask you again at the end to see what minds have changed. Because we really like to see if people are listening and willing to change their minds doesn't mean that it's an obligation in any way. But we just like to keep track of that at all of our debates.

So, I'm going to go to my lectern, I'm going to start. From that point on everything that you see will be happening will be material for the radio show. And just to help me get launched and to set the stage and to record your presence and to get your own clapping on the radio, I want to ask you if you could welcome us with a round of applause.

(Applause)

Welcome everybody to an Intelligence Squared program that we are calling unresolved information disorder, because as we all know, we are living in a time that is uniquely exposed to the perils of disinformation, which certainly makes it timely to hold a debate asking "What should be done about it?" And because at times, disinformation is a national security threat, we are delighted to be holding this debate in partnership with the Homeland Security Experts Group. A whole audience of experts that is really something. And of course, we have the experts on our stage.

In this debate, we are going to be working through three questions one at a time. And what we would like to do now is to ask you your opinion on these questions. The three questions we're going to be looking at are, should tech companies moderate misinformation that their users post? Does America need a governing body to regulate disinformation? And finally, was Twitter right to ban Donald Trump?

So, you can scan the QR code behind me or go to IQ to vote.org on a browser on your phone to complete the poll. And please make sure to answer all three questions. I'll give you all just a moment to do that because I want to, I'm going to wait for eye contact to return. Okay. I'm guessing most of you are there and getting started. So, while you're doing that, and again, applause would be lovely in this moment.

I want to say now let's welcome our debaters to the stage. First, former United States Secretary of Homeland Security and co-author of the Patriot Act, Michael Chertoff.

(Applause)

Next, internationally recognized expert on disinformation and democratization and author of How to Lose the Information War, Nina Jankowicz.

(Applause)

Now, please welcome Principal at Cornerstone Government Affairs, visiting fellow at the National Security Institute, former staff member on House Committee of Homeland Security, and Georgetown University Professor - Charles Carithers.

(Applause)

And finally, Former Assistant Secretary for Policy at the U.S. Department of Homeland Security under President George W. Bush, Stewart Baker.

(Applause)

Stewart, I want to point out the fact that you entered from the opposite side.

MR. BAKER: I planned, but --

MR. DONVAN: So it was all the logistics of the geography of the stage. It's without meaning. Please, the jury will disregard the entrance from this side.

So, let's get to the debate. We're going to go through three questions. And our first of three questions is this, "Should tech companies moderate misinformation that their users post?" Let's see where each of you is going to argue on this. On that question, Michael, are you a yes or no?

MR. CHERTOFF: I'm a yes.

MR. DONVAN: Nina?

MS. JANKOWICZ: I'm also yes.

MR. DONVAN: Charles?

MR. CARITHERS: Yes.

MR. DONVAN: And Stewart?

MR. BAKER: With an asterisk, no.

(Laughter)

MR. DONVAN: All right. I said Charles and then Stewart, sorry. Stewart? Let me just do that for the recording, Stewart?

MR. BAKER: Thank you.

MR. DONVAN: All right. So, Stewart, you have saved the day. So, let's get to hearing the arguments on the question, "Should tech companies moderate misinformation that there is users post?" Michael, you are, yes. Tell us why?

MR. CHERTOFF: Yes. So, first of all, again, the important thing is the question doesn't say they should be required, it simply says they should be allowed to. And that is really the function of anybody who edits any kind of publication. They have the right protected by the First Amendment to decide what gets put published and what doesn't get published and to curate accordingly. We don't make them do it, but we don't prevent them from doing it.

In this case, responsible social media platforms should evaluate whether something really is misinformation or disinformation. They've got to use their editorial judgment, just like every editor of every news organization does. And if they believe it's false and misleading and even harmful particularly, then they should take it down because that is part of their responsibility to their users and their customers. Finally, it's important to have terms of service that lay out the parameters of what is permitted and what's not permitted, so that people who actually use the site are warned in advance that if they step into a zone that is inappropriate they will be taken down.

MR. DONVAN: Thank you, Michael Chertoff. Nina Jankowicz, you're next. You're also a yes, on the question.

MS. JANKOWICZ: I am. You know, disinformation and misinformation have affected the functioning of our democracy, they've affected public health, and they are affecting public safety. Just a couple of weeks ago in Michigan, a man who was radicalized by the QAnon Conspiracy Theory, killed his wife, the family dog, and injured his daughter. This has very real world consequences. And I think we like to think of the things that happen online as staying online. But in reality, disinformation is causing offline consequences. And as Secretary Chertoff said, tech companies are private entities, they all moderate to some degree, they all have terms of service that we sign up to, when we log on to share pictures of our kids, or our dogs and cats, you know, we sign up to be moderated by them. Even truth social moderates despite saying otherwise, they've been found to actually be taking down some posts that are critical of President Trump. So, I think we should all note that.

And I think also important is that, you know, equal and transparent enforcement of those rules, which the tech company has to this point have not done would really reduce the uproar about moderation on those platforms. So, I'd like to see all of that. And, you know, my final point is that content moderation about dis and misinformation doesn't have to equal removal of speech. We can put friction on disinformative posts, reducing their amplification. Freedom of speech does not necessarily mean freedom of reach. Right? So, we're not talking about removing speech. Again, there are a lot of other elements to content moderation that we can be talking about. And it is incumbent on the social media platforms to be moderating the speech that users are posting.

MR. DONVAN: Thank you, Nina. Now, Charles, you are going to be next, but given the lineup here, interests of challenging monotony, I'm going to have Stewart jump in and then come to you. Are you good with that?

MR. CARITHERS: Sure. Sounds good.

MR. DONVAN: So, Stewart, you are a no on this.

MR. BAKER: I'm a no, obviously there is, is and must be some forms of content moderation. I and everybody does it including (inaudible) himself. But the content moderation system we have now is basically there are four companies that tell us what we can say to our friends, to our family, to our co-workers. They decide and they say as Mitre have said, not only is it something we choose to do, but it's our First Amendment Right to tell you what you cannot say. What the hell is that? This is the First Amendment to censor, that's the right we're talking about. And the idea that these four companies, right, Twitter, YouTube, Google, Facebook, and TikTok whose parent company's CEO apologized to the Chinese Communist Party for not doing a good enough job of censoring the views of people who disagreed with the Chinese Communist Party. There -- those are the four companies that will tell us what we can say. No.

(Applause)

MR. DONVAN: Thank you, Stewart. All right, Charles, it turns to you, you are a yes.

MR. CARITHERS: I am a yes. And I'm hope everyone can hear me, okay. Tech companies have a responsibility to not only their users, but to the nation to promulgate information that is healthy, that is truthful, and without doing so severely, severely impacts not only our national security, but the health and safety of U.S. citizens. So, for example, we saw with a COVID-19 pandemic, things went rampant with misinformation on various social media sites. Certain ones did a better job than others in taking down that misinformation and probably save, probably saved a lot of lives. Others who have a more political agenda think like 4chan. Those -- that content stayed up.

Also, I would like to say that there's an economic incentive for the social media companies to, you know, do really well content moderation. What I mean by that is this. If you have greater users that trust your platform, I think the information that you're promulgating is true, then more than likely, you're going to have greater advice. Right? So, it's within their own self-interest to self-moderate and to self-moderate well.

MR. DONVAN: Thank you, Charles. So, let's chat about this. Michael, I want to take it back to you since you're our first speaker and bring to you the main contrary point that came from the so, no vote on this conversation that it's a no with an asterisk. But the no is based on the fact that the content companies would be given enormous power that they would be acting as a government in their own without checks on what they're doing. So, can you respond to that?

MR. CHERTOFF: Sure. First of all, let me say this, there are issues about antitrust and whether we have too much of a monopoly by certain companies, which have much broader implications and it just moderation. It has to do with commercial advertising, the power over companies that use the media to reach people, and that's a discussion for another debate. But the reality is, it's like a popular newspaper or a popular channel, it's a Fox News, I use as an example. They don't have an obligation to air whatever somebody says, "I want to have my voice heard." They may choose to do that to balance, but they may choose not to do it.

And the First Amendment does protect the right of a speaker to curate what his platform is used to speak on. Some of you remember there used to be cases involving license plates, I think there was one live free or die. And somebody who said I don't agree with that, I want to put a piece of tape over the slogan and the courts upheld that under the First Amendment. You can't be required to propagate a position you disagree with, or you know, to be false. Now, obviously, the speaker has a right to start his own platform or to go to another platform. And as Charles pointed out, there are a number of different platforms out there, some of which are very sketchy. But if you want to put yourself out there, it'll reach an audience. But the key here is for the companies to be able to exercise their right to control what their platforms are being used to. And if we're concerned about too much market power, we would have to deal with that as a distinct issue.

MR. DONVAN: All right. Stewart, you're going to get a chance to do more talking as a result of your position, because I would like you to respond to what Mike had to say.

MR. BAKER: Yeah. With respect, that's not the world we live in. To say, let's not talk about the fact that there's only four companies that tell us what we can say, because that's an antitrust issue. And we'll talk about that some other day. This is -- the question is, should we allow them to do this? And to say, it's just like Fox News and anybody who wants to walk-in is not allowed to broadcast on Fox News? What is there a shortage of electrons that I didn't hear about? All of this stuff can be transmitted. And they're not doing it because they don't have enough bandwidth. They're doing it because they have chosen certain people that they don't want to hear speak and they don't want us to hear them speak. And I do not think that that is a power that should be conveyed just for private sectors companies, one of which is not even an American company.

MR. DONVAN: Nina?

MS. JANKOWICZ: Yeah, I think I'm curious to see if Charles would agree with me here. As a woman, I would say that there is definitely not enough moderation happening on the internet. People can say whatever they want and frankly, when they say it to women or people of color, there's very little moderation happening. In my own experience, I've probably sent thousands and thousands of reports to the companies for things that expressly violate terms of service.

MR. DONVAN: Literally, thousands and thousands?

MS. JANKOWICZ: Literally thousands of reports. I don't know if anybody in this room knows I was recently the subject of a disinformation campaign and hate campaign myself, literally thousands of reports have been sent to the companies on my behalf. And I would say fewer than I don't know, 200, have been actioned for things that were violently threatening me and my family, things that were lies about the work that I was meant to do at the Department of Homeland Security. And, you know, again, things that were expressly violative of those terms of service; I don't think the companies are doing enough to moderate based on the own the rules that they have set out.

MR. DONVAN: All right. You said at the outset, you're wondering if Charles would agree with you on that? Charles, what do you think?

MR. CARITHERS: I do to a certain extent and thank you for your remarks. If we did not allow social media or tech companies to self-moderate, then what would things look like? Every single election -- every single election season, African-Americans are disproportionately targeted by outside actors trying to influence us not to vote, not to participate in the electoral process. That's shameful. And it happens every 2 years.

Thankfully, because of content moderation, some of those posts are taken down. They're still up, but some of them are taken down. We can't allow, you know, the social media companies to not moderate. They have to do this, because it goes against our grain for not only our preserving our democracy and electoral process, but it disenfranchise certain groups of American citizens.

MS. JANKOWICZ: Can I just have one, two finger there?

MR. DONVAN: Please do.

MS. JANKOWICZ: Often the speech that is most moderated and this is backed up by research, the speech that is most moderated is not against the majority, it is against people of color, it is against women. And those that are not able to take their voice and speak it out, it's those people that are most moderated online, not the folks who are actually breaking the rules.

MR. DONVAN: In about 4 minutes, I'm going to come to the audience for questions. So please, if you'd like to take part in that, get ready for that. Stewart, all three of your -- all three of the debaters who are taking the opposite side of the question have used the word responsibility. And we've now just heard two examples of what that responsibility would be.

Now, you argued that there -- the enormity of these companies is to some degree concerns you about they're having this role, but the enormity of these companies would seem to amplify their responsibility as well. So, I'd like you to take on your perception of what the responsibility of these companies is to their users and to actually to the culture.

MR. BAKER: So, that takes me to the asterisks that I mentioned at the beginning. I, you know, we take it for granted, that is a bit brand new problem. It turns out that when the telegram was invented and Western Union became our telegram service provider. They said the same thing that the platforms are saying today. "Hey, this is our platform. You want to send messages about strikes. You're not going to be allowed on the platform. If you're Associated Press, you can send your stories because you give us good coverage. If united press -- if you're United Press International, we don't like your stories, we're not going to carry your stories over the telegram."

And the outrage from people in the benighted 19th century was loud and strong. And they were turned into because they had a monopoly, a natural monopoly, into a common carrier, which meant that they had to have non-discriminatory rules about what they were going to do. That was their responsibility. They had to make it clear what their rules were, they had to carry everybody subject to non-discriminatory rules that could be enforced by oversight and regulators. We are not in that world now.

MR. DONVAN: Michael?

MR. CHERTOFF: So, here's the problem with that. Stewarts confusing two things. There are common carriers like the telephone company and Western Union and they do have an obligation. They have to be -- they don't even have visibility actually into the content of what they transmit, necessarily. They have to open it to all comers. Good, better, indifferent.

But that's not what the platforms are. The platforms are content providers. In fact, their business model involves providing content that will stimulate people to buy things so they can get advertising revenue. In that sense, they are like a newspaper or like a television show. People do not get to simply say "I want to be on your television show. Therefore, you have to let me say whatever I want to say."

So, I think in this case, responsibility means -- and you can certainly, you know, there are more than four platforms to post things on. There are four big ones, but there are a lot of other ones. The key is to give them the power they have under the Constitution, the First Amendment to determine what they want to put out there and particularly to take down things that might be violent, that might cause harm, like drink Clorox to deal with COVID or that might be simply grossly defamatory.

MR. CARITHERS: But didn't you say that you're -- they had a First Amendment right to take down any damn thing they want to do?

MR. CHERTOFF: Yeah, that's okay. That's for the First Amendments.

MR. CARITHERS: Not misinformation, not special stuff, it's whatever they choose.

MR. DONVAN: Charles, you made the point that it's good business for the companies to moderate because there's an issue of trust that's involved. And I think some might push back and say, well, are they going to trust a company that's making these decisions, especially when they feel that their own speech has been somewhat curtailed?

MR. CARITHERS: Well, look, if citizens don't believe that the information and mass promulgated on social media sites is true, then they're going to go and move on to a different platform. That's just the reality. That's why it's in their best interest to moderate, to self-moderate, because at the end of the day, you know, they want a strong user base, you know, the more users that they have, right, the greater possibility of ads, right? The greater possibility of exposure to the masses.

MR. DONVAN: Okay. I'd like to go to the questions. Does anybody have a question that would like to jump into the conversation? Don't be shy. Right over here. Could you -- would you mind also, just telling us your name before you ask question?

MR. O'CONNOR: By all means, my name is John O'Connor.

MR. DONVAN: Thanks. And then also my requirement that you really get to a question fast, I appreciate it.

MR. O'CONOR: I'm highly mindful of it.

MR. DONVAN: Okay. Great.

MR. O'CONNOR: We've mentioned the word responsibility, but the word liability hasn't come up. Nina rightfully points out some degree of inconsistency. Some might say a whimsy with respect to application of rules. Do any of you believe there should be more liability in a bright line sense than just this amorphous responsibility? Question mark, question mark.

MR. DONVAN: That was a model question. I congratulate you. Thank you. I'm going to record that and play it at all of our debates. That was interesting. Who would like to take that question on?

UNIDENTIFIED SPEAKER: Nina?

MS. JANKOWICZ: Well, this is a whole can of worms, right? Because what we're getting at here is Section 230 of the Communications Decency Act and we can have an entire debate about that. I come down somewhere in the middle, I think Communications Decency Act, which says that the platforms are not liable for the content that their users post is not adequate for the Internet age. However, what we have seen in places like Germany, where there is a law that makes the companies liable if they do not remove illegal content within a certain period of time, we've seen the over removal of speech there.

And so, my answer would be we need something in between, right? We don't want to encourage the companies to just be flatly removing speech, because as I said before, that often affects women and minorities more than it affects the majority of countries. But as I also said, this is not just about removing speech, there are in-betweens, adding friction, reducing amplification. You can put that out there, you have the right to make that Facebook post to put that tweet, but you don't necessarily have the right to go viral or to have, you know, millions and millions of people feeding off of that or to make money off of it, which frankly, a lot of mis-informers do, make money off of the lies that they are putting out there as we saw with the Alex Jones defamation trial.

MR. DONVAN: Stewart, I'm giving you special space again, as the three against one position.

MR. BAKER: Why don't we try liability for the people who's sending the hate speech, right? If they're sending threats to you, Nina, they can be prosecuted? Why would we --

MS. JANKOWICZ: You want to be my defamation lawyer, Stewart?

MR. BAKER: I think it's a deal.

MS. JANKOWICZ: All right.

(Applause)

MR. DONVAN: Anybody else on the question? Charles, would you like to take on the liability question?

MR. CARITHERS: I think I would just say, well, Michael that, I would say that, I do think I'd be careful about liability for platforms. I certainly treat them with the same privilege we give editors in terms of acting in good faith. But I also think one area where we could impose liability, which we haven't talked about his algorithms. Algorithms aren't speech. They are ways in which they're able to manipulate the platform to drive individual users to wind up going down the rabbit hole on certain kinds of topics. And they often do that by relying upon analysis of data, personal data of the user, the user may not even know the platform has. So, it becomes a manipulative psychological tool using big data and huge amounts of private information that had been captured or purchased. There's an area where I would impose more liability.

MR. DONVAN: Charles, I'm going to give you the last word on this round.

MR. CARITHERS: Yeah, my only concern of liability is they could -- now, I don't have foresight there -- foresight here, but it could create an atmosphere reluctance by my tech companies to not take down posts that may be harmful, that maybe incite crime, or that may, you know, although otherwise could cause harm. So, that's my main immediate concern with liability. Would it create an atmosphere where companies are more reluctant to be proactive in self-moderation?

MR. DONVAN: All right. Thank you. I'm about to come up with an applause line. And that concludes debate on our first question.

(Applause)

MR. DONVAN: So, let's move on to the second question. Can you please put your blocks back to the neutral position? The question is, "Does America need a governing body to regulate disinformation?" Let's start with you, Stewart, are you a yes or no on that?

MR. BAKER: Oh, that's an easy no.

MR. DONVAN: And Charles?

MR. CARITHERS: I'm a no.

MR. DONVAN: And Nina?

MS. JANKOWICZ: I am a yes.

MR. DONVAN: Okay. And finally, Michael?

MR. CHERTOFF: No.

MR. DONVAN: All right. So, Nina, you're in the three against one position. But let's start our first debater on this one will be Stewart. Again, Stewart, you are a no on the question, "Does America need a governing body to regulate disinformation?" You have 90 seconds to tell us why.

MR. BAKER: So, the problem with having a governing body that tells us what is misinformation and what is not, is that governments cannot make those decisions without letting politics interfere in the decision that government is about politics. And when they decide something is misinformation, it will be informed by their political interests. And I would look at, we talked a little bit about the CDC. When they started offering us advice, we all wanted to believe them. And we wanted to believe that everything they said was true. And the first words out of their mouth practically was, you don't need a mask, followed six or eight weeks later by oh, yeah, maybe should get a mask. And the reason they told us we didn't need a mask is because they thought that health workers ought to have the mask, but they didn't tell us that. They didn't say they work, but you shouldn't get them. They said you don't need them. That repeated itself time and again even with the CDC, even with something like medical information. I think it's really dangerous they ask the government to make these calls across the board.

MR. DONVAN: All right. Thank you. I'm going to skip to the yes for a little back and forth. So Nina, you're 90 seconds.

MS. JANKOWICZ: Sure. So, Stewart, I don't think that that's what the government could or should do. I don't think it should be adjudicating whether something is true or false. And I don't think it should be asking any speech to be removed. I think before we talk about any regulation, we need to talk about transparency and oversight. Frankly, I am shocked and ask myself every day, how is it that an industry with such power, like social media with such an impact on our everyday personal and professional lives? We don't know how it works, really?

What we know about it comes from researchers like me based on the data that the social media platforms give us access to and whistleblowers. I believe what we need is a Federal Internet Commission, kind of like we have the FCC and the FAA, if a plane is crashing over and over, we're going to go investigate that airline, right? I think we've had a lot of plane crashes with social media. And I think we need to make effective policy based on frankly, you know, information that is unbiased. Right now, we have so much polarization over what's going on with social media that we need to kind of pull back the lid and understand that a little bit more.

And again, this wouldn't be about removing speech, it would be about understanding the algorithms that Secretary Chertoff mentioned before, it would be understanding the business practices in the content moderation decisions that are made. I believe all Americans need to know that. And it would increase the trust that that Charles was talking about before. So, that is what that regulatory body would do in my opinion and then eventually enforce some rules that would come later down the pike.

MR. DONVAN: Charles, it is your turn. You are no.

MR. CARITHERS: I can't believe it says I agree with Stewart Baker. I think Stewart is absolutely right. He's smart on. You know, do we really want to add another layer of bureaucracy on already, you know, bureaucratic United States government? That's number one. Second, you know, Nina mentioned polarization. So, who are going to be the arbiters of truth here, right? How are we going to honestly determine what's true, what's not, especially in 2022? I think you honestly would have an easier time mopping the ocean than getting individuals to decide together what's true or what's not. So, that's where I stand.

MR. DONVAN: All right. Thank you. Nina, I'm going to -- I'm going to again give you 45 seconds to respond to what you've just said because you're in this three against one position. And I found that interesting that you said you want information that's unbiased, who decides that?

MS. JANKOWICZ: Yeah, yeah. So, I mean, again, we have professionals who understand aviation and communications who are regulating that space, right? I think when we have, let's say, like the UK does Ofcom, Office of Communications, that is going to be soon moderating online safety in the UK. Professionals are able to do that. They are going to be civil servants. They are going to be faceless. And they're going to, you know, go forward and look at what's changing on the algorithms, what's changing in the content moderation policies.

I think again, we all deserve to know that. Before we can even have a conversation about what's true or false or online, we need to pull back that that lid.

MR. DONVAN: Michael Chertoff, you are a no.

MR. CHERTOFF: So, full disclosure, I co-chaired that committee for the Homeland Security Advisory Council that actually recommended not having a governance board at DHS for disinformation.

MR. DONVAN: Thank you. We appreciate the disclosure.

MR. CHERTOFF: And I agree with the fact that we don't want to have the government telling us what is true or not true or disinformation or not disinformation. Here's a thought experiment. Imagine Donald Trump is appointing the members of that board and every time someone puts something online that he lost the election in 2020, it has to get taken down. I mean, we could live in under Putin if we wanted to live that kind of experience. We don't even live it in the U.S.

Now, that doesn't mean there can't be any rules. I think you could have Congress create neutral rules for example, saying things like you have to disclose who actually posted something or you have to disclose your algorithms or you have to disclose what your terms of service are. But those will be rules of general application. They would not be rules that are designed to govern the content of the information you put on --

MR. DONVAN: But who would enforce the rules?

MR. CHERTOFF: Well, the answer is, if you violated the rules or with a statute, then presumably the Department of Justice would sue you get an injunction or something of that sort. I mean, there's several ways you can do that. But the point is, there wouldn't be about content. It would be about disclosure and transparency.

MR. DONVAN: Okay. Well, let's mix it up. Let's start the conversation. Nina?

MS. JANKOWICZ: Well, I got to clear something up here, Secretary Chertoff and I -- I'm hesitant to even open this can of worms, but so full disclosure -- (Cross talk)

MR. DONVAN: Are you sure about this?

MS. JANKOWICZ: Yes, I'm sure, I'm sure. I'm going to do it. Full disclosure, I was the chair of Executive Director of the Disinformation Governance Board and the Disinformation Governance Board was never going to tell people --

MR. CHERTOFF: Yeah.

MS. JANKOWICZ: -- what was true or false online. It was an internal coordination body meant to as you all know, DHS is a huge sprawling organization meant to hurt some government cats. That's all it was meant to do. And the fact that we're even talking about today, that it might have decided what was true or false online is extremely sad to me.

MR. CHERTOFF: No. You're absolutely right. And the reason we decided to actually suggest it not be used is because the title of it, governance board conveyed a misimpression.

MS. JANKOWICZ: Sure.

MR. CHERTOFF: Having the government coordinate to play by the rules is appropriate. But having something that suggests even erroneously if the government is going to govern speech is a very bad idea.

MS. JANKOWICZ: Yeah, yeah. The name is bad. I did not come up with it. But the fact that then, you know, we said, all right, we're not going to put this body forward and address this issue within the Department of Homeland Security, which has so many equities that cover, you know, disinformation at the border related to natural disasters with our elections, it was a very sad moment.

MR. DONVAN: All right. I got to get Stewart and Charles into this.

MS. JANKOWICZ: Yeah.

MR. DONVAN: So, Stewart, you made a sort of philosophical argument? Well, it's also a practical argument, you just said the government can't be doing politics. And Charles, you also made a practical argument that we just don't need one more layer of bureaucracy. So, let's dig a little bit into what you're talking about. And again, let Nina respond. So, why don't you take that first, Charles?

MR. CARITHERS: Sure. So, I just -- this would be a hard sell to the American people in this day of age, given how politically divisive our nation is. Right? No matter how you define it, how you spin it, at the end of the day, you know, there going to be certain aspects of the American populace that will call this the truth police. That's going to be the perception. And for many perception, perception is the reality. Then on top of that, you're going to formally establish this within the United States government. So, then we have to ask ourselves, okay, how is oversight going to be conducted on this? How can we possibly be unbiased in conducting oversight and trying to regulate disinformation? You're going to open up a can of worms here by establishing this and then you know, it's going to be a real sticky situation because I don't see how you reconcile this with protecting our First Amendment.

MR. DONVAN: All right. Let's stack up some notes before we come back to you, Nina. So, Stewart, so I needed with deepest sympathy, I want to say welcome to Washington.

MR. BAKER: You didn't deserve what happened to you. But the reason it happened is not because coordination or rumor control is a bad thing. But because in the last 10 years, it's not just what the government is saying, which we learned to listen to the government and to take it with a grain of salt, so they ask well what's their motivation in telling us this in particular. And we're all comfortable with that. But we're not comfortable with the idea that no one can say anything that contradicts it, which is unfortunately, under the rule of the four companies, pretty much how they administer their misinformation practices. And that's why it provoked such a reaction. And it shouldn't -- we shouldn't be in the business of saying, this is what can't be said. And I'm afraid people understandably, read it that way.

MS. JANKOWICZ: And I understand that people are rightfully skeptical of government intervention in this area. Again, that's not what I think should happen, could happen. Wouldn't have taken the job if that were the description. And frankly, it happened because of a poor communications effort on DHS' part. But I want to talk a little bit more about what Charles was saying, that this isn't about, you know, you don't want another layer of bureaucracy here.

I think we actually do need a little bit more bureaucracy in coordinating the efforts of our government related to counter disinformation activities. Right now, they are happening in parallel across the government at the DOJ within the IC at the Department of State. The countries that are doing good work in this area, which you can read about in my book --

MR. DONVAN: You wouldn't want to mention the title of your book?

MS. JANKOWICZ: How to Lose the Information War. The countries that are doing good work in this area have a belly button in government that is coordinating them. They have regular kind of fusion cell meetings where they're all talking about what they're doing rather than working cross purpose. And I am sad that it has taken us 6 years to kind of just be in stasis.

Since 2016, we've not made a lot of progress in this area. The companies are actually doing a whole lot more than the U.S. government is in terms of countering disinformation, both from foreign and domestic sources. So, that's another area that I think we could explore more. It's not about removing speech. It is about you know, making things work inside of government. And I think we need a little bit more of that. We got to talk to each other more.

MR. CARITHERS: Michael, if I may?

MR. DONVAN: Yeah, Charles, please?

MR. CARITHERS: We can certainly collaborate and increase cooperation without adding layers of bureaucracy, right? We've seen this play down downrange overseas with General McChrystal and how we revolutionized the establishment of jobs, and how we go after hard targets removing terrorists from the battlefield, having operators next until an analyst next to geospatial analyst, and it works really well. I think we can do that just without, you know, formally adding just another layer of government operation to the extent.

MR. CHERTOFF: Well, where we left it at DHS is that to encourage coordination among the existing institutions, including the general counsel and the privacy. But, you know, one thing is when you're creating new organization, as Charles you have suggested, it winds up looking for a mission. And the area of free speech is an area that's really fraught in this respect. One thing I will also observe to people this is not a new problem, go back to the founding of the nation. The Burr-Hamilton duel was fought over scurrilous newspaper articles accusing one of the combatants of fathering an illegitimate child. This kind of news has always been out there and we've relied upon the First Amendment as the principal defender.

Now, again, I'll emphasize where that has changed is the use of algorithms, because algorithms allow you to turbocharge misinformation by using data that has been taken or purchased or even stolen from you in order to figure out what are your particular hot buttons. And that's an area where I do think there is more room for some kind of rule or regulation as opposed to the content itself.

MR. DONVAN: So, do you have something sort of that, a concept for that?

MR. BAKER: Yeah, the concept of reasonably require the disclosure of data that is taken from private individuals that is being used to communicate information to them and also disclosure so researchers can look at algorithms, so there could be a way of people understanding I'm getting this message, because someone has looked at all my job searches or my online searches for the last year and they figured out looking for a particular job.

MR. DONVAN: Nino, would that be enough?

MS. JANKOWICZ: No. I mean, what we're talking about there is essentially microtargeting, right?

MR. BAKER: yeah.

MS. JANKOWICZ: And that's part of the problem, but it's not the entirety of the problem. A lot of times what we see is networked disinformation where there is coordination and amplification of the most enraging material people are knowingly lying because they know the most engaging content online is the most enraging content, right? That gets more at the algorithmic question there. Should the companies be promoting things that are inciting violence and hatred that are based in lies?

But it's a broader question than either one of those two things. And again, I think when it comes to questions of public safety, public health, and the functioning of our democracy, there is that responsibility that we were talking about before. And someone needs to conduct the oversight about the content moderation decisions that are being made not only by algorithms, but by humans. Then, we won't have this polarization this Ministry of Truth Conversation because we'll be able to pull back the lid and see what's going on.

MR. DONVAN: Stewart, it looks like you're ready to jump?

MR. BAKER: Yeah. So, I do want to change your vote to no on the first one because that's where I was on the first question that I -- that we cannot live with the status quo on content moderation with four companies doing this without the kind of oversight that lets us see exactly what they're doing and requires fairness and non-discrimination on their policies.

MS. JANKOWICZ: Well, then it sounds like you want to moderate content though, Stewart?

MR. BAKER: No, I want to moderate the moderators.

MS. JANKOWICZ: I think we need both. How about that?

(Laughter)

MR. DONVAN: We're going to go to a question in a moment. Is anybody ready to jump in? I see in the front rows.

UNIDENTIFIED SPEAKER: Suzanne.

MR. DONVAN: But if you could for the radio audience, tell us who you are.

MS. SPAULDING: Okay. Suzanne Spaulding from the Centre for Strategic and International Studies. I want to ask how this relates now to our ongoing election and the upcoming election in 2024. If you take the position I mean, I think, first of all, do you think that Putin might be attempted --

MR. DONVAN: Wait. You get one question, so make sure this is the one that you want to ask?

MS. SPAULDING: Do you think Putin might be tempted to jump in and spread disinformation undermining public trust and the legitimacy of the outcome of the election, thereby frustrating the peaceful transition of power? And are we then unilaterally disarming if we say the platforms can't do anything to moderate that and the government should be hands off?

MR. DONVAN: Well, could I get you to restate it? Because to take the questionnaire doing right now is what that the government should be regulating, so you had it at the end there, but otherwise, perfect.

MS. SPAULDING: So, if the government is being told to be hands off, are we unilaterally disarming in the face of a serious adversary threat that will amplify domestic voice?

MR. DONVAN: With the implication being should there be the government -- should the government be doing something? Should there -- the question, doesn't the governing body need to regulate disinformation? It would be yes. You're -- (Cross talk)

MR. CHERTOFF: So the answer is would you need by hands off? If you ask me, should the government censor and shut things down? The answer is no. Should the government say disclose publicly and loudly? This is coming from Vladimir Putin sitting in Moscow pretending to be John Donvan? Yes, the government can do it. The government can correct and amplify the correction. What they can't do is accepting some specific cases is shut it down and stop it.

MR. CARITHERS: That's already the law.

MR. CHERTOFF: Yes, correct.

MR. CARITHERS: If you are a media organization owned or controlled by Vladimir Putin, you need to register and disclose that when you send out your news.

MS. SPAULDING: Sure, correct.

MR. BAKER: And to your first question which was rescinded, absolutely, yes. Russia is doing that right now, other state actors and non-state actors.

MR. CHERTOFF: Yes.

MR. BAKER: But when it comes to foreign elements doing just as you suggested, like Cisco is actively engaging in trying to mitigate that right now.

MR. CHERTOFF: Yeah.

MS. JANKOWICZ: So, if only it were so simple, right, that we could say here's a Russian entity, they're spreading Russian disinformation, Americans be warned. Right? Unfortunately, the Russians, the Iranians, the Chinese have gotten a lot smarter over the past 6 years, while we've been sitting here treading water. What they are doing now is more information laundering, rather than just putting something out through trolls or bots or through RT or CGTN. They are finding willing individuals either witting or unwitting amongst us who are happy to amplify those narratives. And that's where we get into the domestic disinformation problem.

I agree, you know, Suzanne, if we are throwing our hands up and saying there's very little that we can do only if it's clearly foreign disinformation, we are winning Vladimir Putin's battles for him. And that is very scary to me.

MR. DONVAN: But I think Suzanne's question also implied, should there be a government agency that is directly involved in response?

MS. JANKOWICZ: Yes.

MR. CHERTOFF: It probably depends on what you mean by response. If you mean should a government agency be tasked with detecting this and then announcing that in fact, this is coming from Putin? I think that's perfectly fine. If it's, you have to take it down assuming it's not something that's illegal, like child pornography, then I think that goes through for.

MR. DONVAN: Charles, last word for you in this round?

MR. CARITHERS: I agree with Secretary, 100 percent. Yeah. Is Stewart too?

MR. BAKER: Yeah, I'm there too.

MR. CARITHERS: Yeah, you can go too far.

MR. DONVAN: That concludes conversation and debate on the second question.

(Applause)

MR. DONVAN: Now, we're going to do the third and the final question. The question is, "Was Twitter right to ban Donald Trump?" Let's look at where you stand on this question. Charles, can you go first?

MR. CARITHERS: You said Charles?

MR. DONVAN: Yeah, I'm going -- I'm not going for the answer. Can just for radio -- can you announce?

MR. CARITHERS: Yes.

MR. DONVAN: Stewart?

MR. BAKER: No.

MR. DONVAN: And Nina?

MS. JANKOWICZ: Yes.

MR. DONVAN: And Michael?

MR. CHERTOFF: Yes.

MR. DONVAN: So, we have three yeses and one no. Stewart, you get that little extra time again.

MR. BAKER: Some people will do anything for a little extra speaking time.

(Laughter)

MR. DONVAN: All right. We're going to ask Charles to go first on the question, "Was Twitter right to ban Donald Trump?" You've got 90 seconds, Charles.

MR. CARITHERS: Oh, thank you. So, obviously I support the First Amendment. I do not think -- let me count me on this. I do not think politicians shouldn't be removed from social media platforms unless they incite violence, unless they incite harm. And I am of the opinion that former President Donald Trump did just that more specially with his tweet on December 19th. That's where I am.

MR. DONVAN: Thank you. And next would be Stewart, you're the no.

MR. BAKER: Okay. So, I think -- look, he's the first Republican candidate for president in 40 years that I haven't voted for twice now. I hope I don't have a third opportunity. But when you say he can't speak, you're not just disrespecting him and showing contempt for him, you're showing contempt for the people who voted for him, who believes what he says and who wants to hear from him. And that's a serious, serious thing to do. And before we decide, we're just going to take him out, then take somebody who has that kind of responsibility out of the public square, you better have a good reason.

And, you know, Twitter's reason was he's inciting violence. That was on January 8th, that they said that. That wasn't January 6th. Whatever he had incited and, you know, the causation chain is what it is, was over. And what they said was, we think he's inciting future violence. He's glorifying future violence. And the case for that well, you know, where is that violence that he incited is really weak. And so, the idea that we took him off because he was inciting violence and then realized that he wasn't actually doing something that directly incited violence, I think discredits the decision.

MR. DONVAN: Michael, you're a yes.

MR. CHERTOFF: Yeah. So, again, this is a decision of the platform, it would be a different answer perhaps, if we said the government required him to be taken off. I would also observe he then started his own platform. I don't know how successful it is. But he wasn't deprived of his ability to speak. But the bottom line is incitement to violence as, you know, Oliver Wendell Holmes said you can't shout fire in a crowded theatre.

This takedown occurred a few days after January 6th, which I have to say, based on the public evidence looks an awful lot like an insurrection, which he fueled with his statements. Now, did he spell out, "Oh, I want you to go kill Mike Pence or oh, I want to overthrow the U.S. government." No. But let me tell you, I mean, he grew up in the milieu of New York, the construction industry where it was dominated by the mob, and I investigated and prosecuted the mob on the stuff that he was involved in. And you know what mobsters do when they want someone killed? They don't go, go kill so and so. They go, this guy's a problem. And then the guy wants him dead with submersion in the East River.

So, what Trump was doing was saying things that the people at Twitter legitimately had a concern about, whether they were mind reader's or not, legitimately had a concern about what's fueling another round of violence. And when Trump said in one of the tweets, "I'm not going to the inauguration," they were concerned that was being read as there ain't going to be an inauguration because there's going to be round two with this. We were dealing with a very fraught situation. Again, I'm not saying the government had the power to do this. But what I am saying is it's reasonable for Twitter to say, this is too close to incitement.

MR. DONVAN: Yeah, yeah. And the question is about whether Twitter was right to do it's opposed to the government's role. But Stewart, I'm going to let you do the three against one jump back into the conversation.

MR. BAKER: Yeah. So, I -- you're right, that that's what he said. This is the two tweets that Twitter objected to and said they were glorifying violence. I'll read them out. "The 75 million great American patriots who voted for me will have a giant voice long into the future, they will not be disrespected or treated unfairly in any way, shape, or form. And then to all those who have asked, I will not be going to the inauguration on January 20th." So, he was protesting clearly the inauguration.

Now, Twitter says that's a glorification of violence. If you've been a Court of Appeals judge, if a district court wrote an opinion saying there's a glorification of violence and I'm enjoying speech because of the glorification, how long would it take you on appeal to reverse that?

MR. CHERTOFF: You're absolutely right. But here's again, I keep heading down to this difference. For the government to do is a different standard than for me as an individual to say, this is my platform, my free speech rights, or I don't want to be in any way, shape, or form being seen as endorsing or promoting violence. Those are two dramatically different things. (Cross talk)

MR. BAKER: That's -- that's --

MR. DONVAN: Okay. I want to call a timeout because Nina did not get her 9O seconds.

MR. BAKER: Yes.

MS. JANKOWICZ: So, I would agree with what Charles and Secretary Chertoff have said. I would also say that, you know, we have these different standards for politicians, right? Because it is in the public interest to hear what they they're saying. I actually think that politicians should be held to a higher standard of speech because of the platforms that they have. And yes, Donald Trump got his poor little Twitter account shut down. But he still was the President of the United States, the most powerful man in the world from January 8th to January 20th, and had had plenty of, you know, a stage and audience to hear him speak.

I think even if this had happened earlier, that there would have been plenty of room and kind of oxygen and amplification of the words that he said. He could, you know, call cameras to the Oval Office at any time. When you are inciting to violence and maybe not in those two tweets Stewart, but certainly we could look back earlier before January 26th, as you said, Charles in December, as well as during the summer of 2020, during the George Floyd protests and the President's response to that, that polarized us that led extremists to frankly commit violent acts not only in the Capitol, but in several other instances before that. So again, I believe that politicians should be held to a higher standard than the rest of us and that those terms of service should be applied equally to everybody.

MR. DONVAN: Charles, you and your fellow yes votes are making the argument primarily that his behavior on Twitter was an incitement to violence and that justifies his Twitter's decision to take him off. And while Stewart has some pushback on that, he also made a second argument that none of you have responded to, which is it's an insult to the people who voted to them. It's a sly to the people who voted for Donald Trump to have him removed. I'm curious what your take is on that argument?

MR. CARITHERS: So, my take is, is this that the individual whom you voted for and wanted to be president of united states did a disservice to the country? Let me spell that out for you. Nina mentions a higher standard. You know, when a politician uses a platform that can reach millions, if not billions, of individuals and says that the election is fraudulent, that the results should not be trusted, how do you think in assuming that the former president Trump has a level of sophistication about himself? How do you not think that those remarks aren't going to galvanize individuals into thinking that democracy is now in question?

That democracy is being challenged. And then in same tweet, because it was one long rant. In that same tweet he says, "Come to D.C., it's going to be wild." And if I'm one of his supporters, you know, to Secretary Chertoff's point, I'm taking that as, you know, a call to action. And that just that's exactly what happened in the January 6th Select Committee methodically spells this out. There's testimony and depositions from individuals who said that they were directly galvanized to come to D.C., to storm the Capitol because President Trump told them to do so. So, you can't ignore that.

MR. DONVAN: So, yeah so, while Stewart is saying it's an insult to his followers, you're saying the fact that his followers would believe and trust him is the issue. But I want to take to Michael, also Stewart's point, that taking Trump -- Twitter's decision to take Trump offline was a sly to the people who voted him.

MR. CHERTOFF: I don't agree with that. You're not taking the followers offline. You're not even taking them off if they retweet something. But if someone for example, decides they want to tweet pictures of child pornography among other things, the fact that people follow that individual doesn't mean that if you take him down for violating the law, that you're insulting the followers.

The followers are totally free to follow Trump on whatever he has to social, wherever he's got. They're not flocking there. But that's their decision. They're not being disqualified because they followed him. So, I think this is an appropriate response. I think as Charles pointed out, it comes against the context of a lot of dog whistles. Like it's going to be wild, like those right wing, you know, people who ran over that woman in Charlottesville are good people. I mean, when you look in context, the people who run Twitter have to say, do we really want to continue to let someone propagate calls to action that involve violence and overthrowing the U.S. government? Followers, you're free to follow him elsewhere.

MR. DONVAN: Yeah.

MR. CHERTOFF: But the speaker isn't free.

MR. DONVAN: So, Stewart, you're -- you have not been persuasive with your opponents on that particular point. So, I want to know where you are on that in terms of their responses to it and how strongly you want to defend that point?

MR. BAKER: So, I -- it's true that these followers can continue to speak, but they wanted to listen, they wanted to hear what he has to say. And this is a rebuke to their views.

It is saying your views are not even acceptable in, you know, decent company. And I think that, if you're going to say that, you better be sure. And we talked about the responsibility of the president and he was not responsible.

But everybody up here agreed with that, Twitter had a responsibility and that they should explain themselves that we need more visibility into their decision processes. They gave us visibility. They said, our determination is that those two tweets, the one about how his followers might be disrespected and he's not showing up for the inauguration that they are likely to inspire others to replicate the events of January 6, and that there are multiple indicators that are being received and understood as encouragement to do so. And yet, in fact, there has not been any --

MS. JANKOWICZ: Well, for absence of evidence doesn't mean that --

MR. BAKER: Nobody -- they said, we're worried they're going to show up on inauguration day and cause a problem. Nobody did.

MR. CHERTOFF: Well, it's great to rescue a bunch of people.

MS. JANKOWICZ: Yeah.

MR. BAKER: This is their implausible excuse to ban him and then what are we going to do? We -- is he being punished with a timeout or is this something where we still think he is about to incite violence? He hasn't.

MR. DONVAN: So, you just said, they -- I think you implied they were looking for an excuse to ban him.

MR. BAKER: Yeah, of course, they were.

MR. DONVAN: Why didn't they earlier?

MR. BAKER: Precisely for the reasons we talked about. There are very good reasons for somebody who has that kind of following to leave them up. Again, you know, frankly, I'm not even sure it's good for him to be on Twitter. It gives us an insight into his mind. That's, you know, not the most appetizing thing.

And we all should, you know, we understand him and Elon Musk better than anybody else have similar problems. And I think Twitter has done us a public service by letting these folks air themselves and that's one of the reasons why they left him up. I think they should have done it. And now they're stuck, they don't know when are they going to let him back in.

MR. DONVAN: So, I just want to ask the panel in general, whoever wants to jump in on this, I think Stewart is implying that, while Twitter said he was banned for these two tweets, he was banned for 4 years of tweets and the joke broke the camel's back. Do you all -- does anybody feel that's actually what happened and is it somehow disingenuous for Twitter to cite these two tweets as the reason?

MR. CHERTOFF: I can't read the minds of people in Twitter, but it seems to me it's hard to evaluate this without recognizing a big thing happened on January 6th. And that made both his prior statements look much more problematic and meant that anything subsequent against that background was problematic.

Now, again, I want to keep going back to my point, I'm not saying the government should have banned it. But certainly, as a platform owner, as an editor, I've -- and the analogy I'm using, an editor could say this person wants to use my newspaper, my television show to inspire violence and shout fire in a crowded theater, and I don't want him to do it. And I think that's appropriate. And, you know, whether they're mind reader's or not, it certainly seems to me reasonable.

MR. DONVAN: Charles, go ahead.

MR. CARITHERS: Yeah. I mean, to the Secretary's point, you know, I'm not in the mind of Twitter executives. Wasn't a combination of tweets, probably possibly, right.

But one can ignore the fact that the leader of the oath keepers in Florida responded to that tweet and said yes, sir, I will go down to D.C. and stand with you and take our government back that was stolen from us, and then communicate in secure channels that really wanted to secure with leaders of the proud boys to organize and do the same.

MR. DONVAN: You know, what do you think is the impact of Trump having been banned from Twitter?

MS. JANKOWICZ: Well, with the de-platforming not only of Trump, but of QAnon conspiracists of Alex Jones, et cetera, we do see a downturn in the amount of harmful rhetoric online. De-platforming does work.

It is a decision that should not be taken lightly. Just like I would say, the decision to raid Mar-a-Lago for secret documents was not taken lightly. You don't take these decisions lightly when they have to do with influential individuals, but when they break the law, in the case of the documents, when they break the terms of service and are likely to be inciting violence, as in the case of Twitter, I think that that's important.

And I would say to Stewart, you know, we haven't had another January 6th, but there have been plenty of little tiny violent events that have been incited by the Trump Network. And by frankly, Trump's truth social posts that he continues to put out there. Look at the man who showed up after the Mar-a-Lago raid to the FBI field office in Ohio, and tried to shoot out the FBI.

I mean, these events keep occurring. And I think we're lucky that the president -- former president doesn't have a --

MR. BAKER: If you ban everybody who has a nut, who listened to them and then went to shoot --

MS. JANKOWICZ: Unfortunately, Stewart, there are a lot of knots.

MR. BAKER: Yeah. Exactly. And then they're going to attach themselves to whatever allows them to work out their demons in a violent way. Yeah, I just don't -- I think we probably would be more bored and less intrigued by Trump if we had left him up then if we took him down.

You know, that what's we will never know Twitter made a bad choice in my view. But the fact that he is off Twitter gives him a talking point that is plausible. That he was shut down by people who just don't share his values or the values of the people who voted for him. And we would be better off letting him display those values to everybody.

MR. DONVAN: It's time for our audience question. Your hand was first, front row. Oh, okay. I meant front row, but you overrule me, bypassing the second row. I'm good with that.

MR. GANLEY: Declan Ganley. Musk has announced today that he's closing his Twitter deal on Friday. He's told his bankers. Will he be right to reactivate Donald Trump's account?

MR. DONVAN: That was exactly the question I was going to ask if there was no audience question. So, thank you. Who would like to take it?

(Laughter)

MS. JANKOWICZ: So, I've been doing a lot of thinking about this. I'm not looking forward to Twitter under Elon Musk. If it survives, he wants to cut back 75 percent of the staff. So, it might end up like one of his self-immolating cars, we'll see. But --

MR. DONVAN: Do you want to be thinking about liability right now?

MS. JANKOWICZ: No, I've been through it already.

MR. DONVAN: Okay.

MS. JANKOWICZ: I mean nothing worse can come from me. I mean --

MR. DONVAN: I'll be your Plaintiff, not your Defendant.

MS. JANKOWICZ: So you know, I think it would be the wrong decision. But I think you know, Elon has said what he's going to do, and I'm scared to see what Twitter is going to look like, not only if the former President is let back on, but if we see the rollback of content moderation, Twitter, if you can believe it is among the best. And they do the bare minimum, if that. So, I'm scared to see what the platform is going to look like in a few weeks just before we're about to vote in consequential midterm elections.

MR. CARITHERS: Yeah, I agree 100 percent with Nina here. I mean, I wouldn't let him back on. But all indications are that Elon will. I still don't think that changes anything with his behavior and inciting and harming individuals or inciting violence. I do not want to even imagine what Twitter will look like under its new leadership.

MR. BAKER: So, if anybody wants to join me in saying we just don't think those four people should decide what we can say, you're welcome to come on over. But --

MR. DONVAN: So, we have time for a few more questions right here. It's a second row. Rob. Thanks.

MR. COOPER: Good evening. Scott Cooper with Peraton. I take note that Dwight Eisenhower was noticeably silent when Joseph McCarthy was transmitting what he was transmitting. What obligation do public figures have to respond to reprehensible public comments from someone like Donald Trump on Twitter?

MS. JANKOWICZ: That is an excellent question and one that I, myself have pondered a lot. I think that public figures appear a lot of responsibility in the current system that we have. And we are not seeing enough elected officials and others who are, you know, out there in the public eye, calling what's happening by its real name, which is the undermining of our democratic system, calling out the reprehensible behavior of the former president and some of their own colleagues in Congress.

Frankly, you know, I'll just say from my personal experience, every time Senator Hawley talks about me on the Congress floor, I get an influx of threats. That is something that our public officials should not be doing in the system that we have it is un-American, and we need to see more people calling it out. I hope many of you in this room would do the same if you were in the public eye.

(Applause)

MR. DONVAN: Anybody else like to join that question?

MR. BAKER: I agree.

MR. DONVAN: Everybody agrees on that? I think we have time for one more. Was there another hand? Everybody's out? Nobody?

UNIDENTIFIED SPEAKER: Right here.

MR. DONVAN: Okay. One more. Thanks. Mike's going to come back to you. So, if you can hang on for just one second. I'm sorry, it's hard for me to see with the lights.

UNIDENTIFIED SPEAKER: Just to limit, I just out of curiosity, I've heard a lot of defense allowing Putin and others like Xi Jinping and North Korea be able to be on these organizations and spew their stuff to the American people. But on the other side, you want to stop an American from having his free speech. They're doing a lot more damage to us in the long term. And isn't it appropriate for us to block people like that off of our website, off of these sites?

MR. CHERTOFF: So I was -- I absolutely agree that the platforms have the right to moderate content and take Putin and RT and Xi Jinping and, you know, Kim and everybody off. I think there it's completely appropriate and advisable for them to do that, just as they would do as what happened here with Trump. Again, I don't think the government ought to be mandating that.

I do think what the government can do is require disclosure of who the actual poster is and not allowing impersonation, and that there ought to be rules with respect to the algorithms. But I think you could certainly any one of these platforms could take down Xi Jinping or Putin if they did this in their own name, which of course, they don't do.

MR. DONVAN: And that is a wrap on question number 3. Thank you very much to our debaters. So, we are very interested in seeing what you all thought, as you listened to this debate, we're going to ask you to take the poll a second time. But we like to see evidence that people are listening to each other. And our one tool we have for that is seeing if anybody actually changed their mind. So, we want to take a look at that.

So go back to the QR code or to IQ to vote.org. And tell us again, whether you're a yes or no on these three questions. Should tech companies moderate misinformation that their users post? Does America need a governing body to regulate disinformation? Was Twitter right to ban Donald Trump?

And while we're tabulating the results and getting them in, I want to invite up to the stage our partner here, the Executive Director of the Homeland Security Experts Group, Rob Walker and the CEO of Intelligence Squared, Clea Conner. We're going to have a little chat. Hello.

(Applause)

MS. CONNER: Hello, John.

MR. WALKER: Hello, John.

MR. DONVAN: That was pretty. That was pretty good.

MR. WALKER: That was lively.

MR. DONVAN: We wanted to -- I'm going to come around the front here. What we wanted to do is just to chat a little bit about being here, being doing this partnership. And I'll start with you, Rob. Why did you -- what was the thought in bringing us here?

MR. WALKER: So, a bit of history, you know, a bit of history about the Homeland Security Experts Group. We've been around for 13 years and we're decided non-partisan group. And you can see that from the fact that our co-chairs or secretary-chaired often, Ms. Harman, best friends for the past 10 years, get along splendidly, represent both parties of the political process. Right?

We've come across so many conversations over the years of those 13 years, where we find a lot of agreement on a lot of the critical issues within this group. There's a little bit of disagreement, of course. We're not all singing in course. But we thought it would be valuable for the American people for the advancement of our country that we bring true debate in a civil fashion, where people can get together disagree, but not bash each other in the face, and really drive home why these topics, why the topic of misinformation specifically is so critical.

MR. DONVAN: And Clea, so, we're with a group of national security decision makers and they've heard these questions being debated here, just as you're listening to it, and how things are playing out in the real world right now; what do you see that they can take away from what just happened?

MS. CONNER: Well, I think what we saw tonight was actually pretty interesting. Because there was a lot of agreement, but really stark disagreement as well. And the tagline for this conference, Security Through Partnership, I kind of feel like we have you need disagreement and debate in order to have a strong partnership. And that was actually said I think last night by the head of the TSA, who said in fact, the strongest partnerships need very strong disagreement to function. If we all agree, we can't actually get worked on.

So, the debate format that we chose for this event was really intentional. It was meant to show a spectrum of opinion. It was meant to take us out of a total binary of one question and two sides. And kind of demonstrate as you all sort of changed with each question, well some of you bravely, that you don't have to be entrenched in a particular ideology, to really sort of challenge ourselves and one another.

So, when we're developing policy and we're a nonpartisan organization as well, we think that this is a great vehicle for exploring, you know, two sides and more than two sides. And that's why we brought this debate, you know, in partnership here.

MR. DONVAN: I'm curious about just a cultural question, Rob. I'm thinking in terms of the fields that everybody in the room represents, and that, you know, there are bureaucracies or agencies. Where there are also rivalries, there are also, you know, issues of national security and secrecy and privacy; can debate work in this arena given those possible headwinds against everybody speaking out front and disagreeing with one another?

MR. WALKER: Without a doubt, debate has to work. It's what gets us to an agreeable position. And it's okay to have those disagreements. But when the bureaucracy, when the professionals, when the security leaders arrive at that decision, then you speak with one voice and you move forward with that decision. That debate gets you to that final resolution.

MS. CONNER: And just to add on to that, it should be a synthesis of the ideas that are presented. But we're kind of at a scary moment we just talked a lot about democracy in the last question and there are several candidates running for office right now that refuse to debate one another. And we think this is actually a kind of a moment in time where we need to remind people to be open to debate, that it's a really important function of a working democracy. And that's -- I applaud HSEG, for bringing us here and our debaters for getting up here debate.

MR. DONVAN: Yeah.

MS. CONNER: It's not a panel discussion, and you really have to put a line in the sand. And it takes, you know, a lot of courage of conviction to stand by these opinions and do it in front of your colleagues. So --

MR. DONVAN: So how do we --

MS. CONNER: -- applause for you.

(Applause)

MR. DONVAN: How do we --

MS. CONNER: Maybe a reminder for some of those folks running for office.

MR. DONVAN: How do we tell people in the room to join Team IQ two?

MS. CONNER: We have a website. No, just subscribe. We're doing events all over the country, but really you can hear us weekly, we're now a weekly NPR show as of 2 months ago. There really is an appetite I think, from the public to bring more balanced civil respectful dialogue to the public square. So, we're working on that and we'd love for you to join us.

MR. DONVAN: Thank you. Thanks so much for coming up.

MS. CONNER: Thank you, John.

MR. DONVAN: I'm going to tell you shortly how you pulled on this. But so, thank you for everything and that was not a commercial. That was all truth. It's all true. I also want to say something I've done a lot of these debates now since 2006. I think this might be number 127 for me or something like that. I'm -- I love what we do, but I particularly love when four people like you get together and disagree with civility, with humor, but with facts and standing your ground at the same time. It's really, as Clea just said, it really does demonstrate that this can happen. And you all just did it as in a model fashion. So, I really want to thank you and came up for that.

(Applause)

MR. DONVAN: Okay. I'm just getting word from the back that the tabulation is taking a little bit longer. So, this is where I stretch and I talk slowly. But what I really wanted to actually find out, I would have asked you afterwards, did anybody here find anybody else's arguments more persuasive than they thought that they would? Did anybody hear something from the other side said, "Hmm, I've got to think about that now." And no, is this an acceptable answer.

MR. CHERTOFF: No, I mean, you know, I think some of the -- I mean, some of them aren't yours are closer than others for example, in the argument about Trump's followers. I mean, I take the point. And there is an argument that left, to be honest, letting a public official hang themselves, with their own words, has certain value, but again it was unusual.

In my view, it was an unusual circumstance with respect to what happened on January 6th, that moved me in the other direction, but some of these are not open and shut issues.

MR. BAKER: I thought that Nina, quite accurately pointed out that the governance board had an overambitious title, which he would use to hang it and that it was meant to be a coordinating body for what DHS did and that's a very fair point.

MR. CHERTOFF: Yeah. And the messaging was just really unfortunate, as we said in our report, I mean.

MR. DONVAN: Yeah, Nina, I felt like I wanted to get some like group love appreciation for you in this, like you really took a hit and I think everybody appreciates how you've stood up to it and you've been really great.

(Applause)

MR. DONVAN: All right. I do now have the results in. And so, once again, we polled you before the you heard all the arguments and we polled you again afterwards. We're just interested in seeing how people might have if at all changed their mind.

So, on the first question before the debate, where the question was, "Should tech companies moderate misinformation that their users post?" Before the debate, 75 percent said yes and 25 percent said no. After the second poll, 70 percent said yes and 30 percent said no.

(Laughter)

On the question, "Does America need a governing body to regulate disinformation?" Before the debate, 45 percent said yes, 55 percent said no. After the debate, 26 percent said yes and 74 percent said no.

And finally, on "Was Twitter right to ban Donald Trump?" Before the debate, 59 percent said yes and 41 percent no. After -- on the second poll, 60 percent said yes and 40 percent said no.

(Laughter)

MR. DONVAN: All right. We are -- there is no bow taken.

MR. CARITHERS: Everybody won.

MR. DONVAN: Well, no, it's not kid's soccer but, so let's wrap it up. We really appreciate this. Enjoyed it again. We appreciate our debaters in the Homeland Security Experts Group for having us here and our chairman -- Founder and Chairman, Robert Rosencrantz; Clea Conner, our CEO; and to you our audience, I'm John Donvan for Intelligence Squared, we will see you next time.

(Applause)

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