

Getting Transparency Right | Lawfare

By Daphne Keller

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Transparency is essential to getting every other part of platform regulation right. But defining sound transparency rules—identifying what information is needed most from platforms like Twitter or YouTube, and how to get it—is quite complicated. In a Senate hearing this spring, one of us [testified](#) about these complexities. This post builds on that congressional testimony. Its substantive points are relevant to EU regulators and U.S. state lawmakers currently considering transparency legislation, in addition to members of Congress.

New legal models for platform transparency can be found in laws like the EU’s [Digital Services Act](#) and [proposals](#) like the draft [Platform Accountability and Transparency Act](#) and the [Digital Services Oversight and Safety Act](#) in the U.S. Collectively, these models set forth multiple transparency measures, each serving different purposes.

Public [transparency reports](#), for example, can disclose aggregate data that helps consumers and lawmakers understand the scale and evolving nature of abusive online speech, and track platforms’ responses. Special disclosures of more sensitive data to [vetted researchers](#) can allow independent analysis of information currently known only to platforms. New legal protections for researchers who “[scrape](#)” data from platforms can expand the pool of thinkers involved in assessing platform behavior, and avoid creating platform or government “gatekeepers” for data access. An optimal transparency framework likely includes all of these components and more.

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