



Fact Sheet: The Social Media DATA Act of 2021

The Problem:

Although online advertising has proven beneficial to small and medium sized businesses, bad actors and fraudulent organizations have increasingly taken advantage of the opacity in online advertisement targeting rules and algorithms used to monetize data collected by dominant digital platforms like Google and Facebook. Especially egregious incidents of abuse have included:

- Political advertisements that promote false information or narratives targeting voters especially susceptible to voter suppression tactics;
- Fraudulent addiction rehabilitation facilities targeting vulnerable potential patients;
- Housing providers illegally discriminating with ease to ensure housing in top school districts are seen by mostly white potential homebuyers;
- High interest credit cards targeted to older women;
- “Affiliate marketers” targeting scams for miracle diet pills, instant muscle builders, brain boosters, and male enhancers;
- Student loan repayment scams targeting recent college graduates and predatory for-profit schools targeting veterans;
- Conversion therapy organizations targeting LGBTQ+ youth;
- And anti-vaccination disinformation being displayed to users most likely to believe it.

Compounding this problem are Google, Facebook, and other dominant platform’s role as the sole aggregators of these data sets, the largest in the world. The platforms have routinely declined to provide researchers access to the information necessary to publish reliable findings on the effects of ad targeting, instead choosing to make attempts at transparency that provide insufficient or incomplete data.

The Solution:

Introduced by Congresswoman Lori Trahan, the *Social Media Disclosure and Transparency of Advertisements (DATA) Act* will ensure academic researchers have access to data related to the targeting of online digital advertisements in order to study discrimination, manipulation of youth, election interference, and other consumer harms. The legislation will also clarify a set of best practices and policy changes needed for academic research into the spread of disinformation, hate speech, and information behavior that is both independent of corporate influence and prioritizes consumer’s data rights.

The Method:

The *Social Media DATA Act* accomplishes these purposes by:

Mandating that large digital advertising platforms maintain an ad library for academic researchers that includes details about the advertisements, such as:

- Ad targeting method;
- A description of the targeted audience for each advertisement;
- A description of the audience of the advertisement based on advertiser viewership;
- The number of views generated from the advertisement;
- Ad conversion (How often an ad was shared, liked or clicked-through);
- The amount an advertiser budgeted for the purchase of the advertisement on the platform and the amount paid for the purchase of the advertisement on the platform;
- The category of an ad as defined by the covered platform;
- And each language (e.g., English, Spanish, French, etc.) contained within the ad.

Establishing a working group tasked with providing guidance on how independent research using social media data can be done in a way that protects academic researcher independence and consumer's rights to privacy.

- Authorize the FTC to convene a working group that includes stakeholders such as social media researchers, privacy and civil rights advocates, technologists, representatives from social media companies, representatives from standards organizations, and representatives from international data governance bodies;
- The working group will consider various types of information, including the specific storage and access requirements;
- In collaboration with the working group, the FTC will publish a set of *Best Practices and Code of Conduct* for social media research;
- And the working group will compose a set of policy recommendation for Congress to consider.

The Support:

The *Social Media DATA Act* is supported by a diverse set of key organizations, including:

- Public Knowledge;
- The Anti-Defamation League;
- Public Citizen;
- The Center for Digital Democracy;
- Accountable Tech;
- The Campaign for Commercial Free Childhood;
- Common Sense;
- Decode Democracy;
- And Media Alliance