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Algorithmic Justice and Online Platform Transparency Act

Congress: 117 (2021–2023, Ended)

Chamber: Senate

Policy Area: Science, Technology, Communications

Introduced: May 27, 2021

Current Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Latest Action: Read twice and referred to the Committee on Commerce, Science, and Transportation. (May 27, 2021)

Official Text: <https://www.congress.gov/bill/117th-congress/senate-bill/1896>

Sponsor

Name: Sen. Markey, Edward J. [D-MA]

Party: Democratic • **State:** MA • **Chamber:** Senate

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jun 7, 2022
Sen. Warren, Elizabeth [D-MA]	D · MA		Jun 8, 2022
Sen. Booker, Cory A. [D-NJ]	D · NJ		Sep 6, 2022

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	May 27, 2021

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

Bill	Relationship	Last Action
117 HR 3611	Identical bill	May 31, 2021: Referred to the Subcommittee on Consumer Protection and Commerce.

Algorithmic Justice and Online Platform Transparency Act

This bill establishes requirements for certain commercial online platforms (e.g., social media sites) that withhold or promote content through algorithms and related computational processes that use personal information.

The platforms must

- make disclosures about their collection and use of personal information and their content moderation practices;
- retain specified records that describe how the algorithms use personal information and assess whether the algorithms produce disparate outcomes based on race and other demographic factors in terms of access to housing, employment, financial services, and related matters;
- employ algorithms safely and effectively; and
- allow users to access and transfer their personal information.

If a platform uses algorithms to publish or sell advertising, it must maintain a library of the advertisements. The Federal Trade Commission must also adopt rules concerning deceptive advertising.

A platform's chief executive officer or other senior officer must certify compliance with disclosure requirements.

Additionally, platforms may not (1) employ algorithms or other design features that result in discrimination or similar harms based on demographic or biometric factors, or (2) process information such that it impairs voting rights. Further, users of a platform may not violate civil rights laws using the platform's algorithms.

The bill prohibits waivers or other methods that limit rights under the bill; provides whistleblower protections for individuals who report violations; and authorizes enforcement by specified federal agencies, states, and private individuals.

The bill also provides funding for an interagency task force to study the discriminatory use of personal information by platforms' algorithms.

Actions Timeline

- **May 27, 2021:** Introduced in Senate
- **May 27, 2021:** Read twice and referred to the Committee on Commerce, Science, and Transportation.