The Verge 2018 tech report card: The US government

In 2018, tech needed government more than ever. We were surrounded by problems that the industry couldn’t solve on its own, whether it was Russian trolls, growing monopoly fears, or the ever-escalating pace of cybersecurity failures.

Unfortunately, in the second year of undivided Republican control, the US government was too busy punching itself in the face. This year saw unprecedented dysfunction in even the most basic mechanisms of government, a point driven painfully home by the ongoing government shutdown (the third of the year) which has left thousands of government employees without a paycheck over the holidays. This year, tech policy largely took a backseat to immigration, taxes and the ongoing Mueller investigation, but whenever there was a problem that needed to be solved or an issue that needed federal guidance, we ran head-first into that same basic brokenness.

The big story was what *didn’t* happen. The year began with a cataclysmic election interference investigation, as social networks slowly came to terms with their role disseminating Russian propaganda during the 2016 campaign. In March, Cambridge Analytica put the spotlight on Facebook, generating an unprecedented amount of political will for platform regulation. But instead of taking meaningful action, Congress descended into general tech support interrogations and increasingly petty accusations of platform bias, culminating in the painfully embarrassing Diamond & Silk hearing. We may still get comprehensive data privacy legislation or a telecom act for platforms, but this Congress didn’t do much to push it forward.



Photo by Chip Somodevilla/Getty Images

Meanwhile, President Trump's anti-immigration policies left tech employees expecting their companies to address problems that would usually fall to the state. The White House showed no interest in restraining ICE, so the agency's shameless belligerence became a liability for contractors like Microsoft and Amazon, inspiring a new wave of employee activism. At the same time, federal law enforcement's failure to recognize and respond to the threat of right-wing extremism put more pressure than ever on companies to take action, often de-platforming groups months before there could be any judicial action.

Other failures were more straightforward. For years, self-driving programs have been operating under hazy and often inconsistent state-level bills. The AV Start Act was Congress's chance to step in and make sense of it, creating new standards separate from easily-swayed state legislatures. The bill passed the House earlier this year, and the Senate planned to push it through during the lame duck session. But

the inherent complexity of the country's first federal self-driving bill was too much for lawmakers, and the effort fell apart at the last minute.

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When the government did take action, it generally made things worse. The trade war with China continues to be disastrous for American businesses, driving mass layoffs at GM, punishing the last remaining US electronics manufacturers, and casting an ominous shadow over the hardware supply chains everywhere. The most significant piece of tech legislation was FOSTA, which had catastrophic effects for both Craigslist and Tumblr while endangering sex workers throughout the country. The White House's hostility towards the trans community continued with an aggressively anti-scientific gender policy, while immigration restrictions continue to starve workforces, separate families and ruin lives. The best that can be said about Space Force or the administration's abortive 5G proposal is that they have been less damaging than they initially seemed.

The most significant failure was also the least surprising: in 2018, the US government once again failed to take any meaningful action on climate change, and US carbon emissions for the year rose, alongside with the rest of the world. The White House pushed to loosen auto efficiency rules that might keep transportation emissions in check, while continually questioning established climate science. At the same time, powerful hurricanes and wildfires made the effects of climate change clearer than ever. We need to take action soon – very soon – if we're going to preserve the Earth's capacity to support human life.

There were some points of light. The Music Modernization Act brought much-needed reform for music streaming rights and a rare moment of bipartisan competence from Congress. States have emerged as a leading force in the fight to save net

neutrality, led by California's landmark bill. The SEC was both restrained and effective in reining in the ICO boom. But at a time when the European Commission is crafting world-changing new rules for both data privacy and tech antitrust, it's hard to feel that those efforts are good enough.

It never feels good to give a failing grade, particularly when many in the tech world are looking for reasons to dismiss government action entirely. We need these institutions to work — to be thoughtful and to act with integrity. This year, even that basic task seemed out of the government's reach, which made this grade inevitable. As my Spanish teacher used to say, the real failure would be pretending that this level of effort was acceptable.

Final Grade: F

F 2018 Grade

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Gold Stars

- Laid important groundwork
- Cleaned up music licensing rules
- Failed to incite an unprovoked nuclear war

Needs Improvement

- Didn't address global climate crisis
- Failed to set a national data privacy standard
- Bad tweets

https://www.theverge.com/2018/12/31/18161810/2018-tech-recap-us-government-congress-conservative-bias-climate-change-ice-

trade-war