Welcome to TBD: Technology by Design, I'm your host, Matt Perault.

In a moment of toxic politics, of hot takes, of diatribes fired off on Facebook and Twitter, how do you cover tech policy deeply and thoughtfully? David McCabe is a tech policy reporter for The New York Times, and as you'll hear, he's intensely dedicated to his craft. He's focused on fair, balanced reporting, developing the right stories in the right way, talking to enough people to represent diverse perspectives on the hard issues of tech policy that he covers, and he's doing it all with careful adherence to the exacting ethical standards of The Times. But there's a lot of tension now between the press and Silicon Valley, and some people believe the media is fueling the tech lash that's become increasingly pervasive over the last few years. I wanted to give voice to that perspective. Is it possible that when you add up a lot of fair, ethical reporting, you get a story that's incomplete or skewed. Maybe, or maybe not. Reasonable people might disagree on that question. But I wanted to raise the point. And I was interested in getting David's take. David's responses showcase his serious, thoughtful approach to his work as a journalist. We talked about his transition from a startup to The New York Times, about how he puts together a story, and about how being a journalist shapes his relationships in Washington. So let's get started.

David McCabe, tech policy reporter for The New York Times, welcome to the podcast.

Thank you for having me.

So, you recently made a transition from Axios, as a tech reporter there to the New York Times. Why'd you make the leap?

You know, The Times is a great institution that sort of has an unrivaled investment in the kind of quality journalism that they do. They're so committed to providing the sort of extensive support and resources to the journalists who work there to do important and impactful and independent journalism. And that was very attractive; the way they were driven by that mission was very attractive. I also had a great time at Axios, which for listeners who maybe don't know, is a digital media startup that I joined, actually before it launched. And that was a pretty incredible experience to be a part of a startup. I was like employee number 24 or 25.

Wow.

So, it was sort of the best possible situation, which is an exciting opportunity. But I was in an opportunity that I really loved. And I feel very lucky to have had the experience at Axios that I did, and I feel very lucky to be at The Times now.

So, I hear a lot of stories of people jumping from established institutions to startups, and fewer about jumping from startups to established institutions. What was the transition like for you? Were there things that were sort of surprising? Were the things that were difficult about going to an organization that had been around for much longer and presumably, had more established processes and stuff?
So I’ve done both actually. Before I worked at Axios, I worked for a congressional newspaper, that had been around since, I think the 90s. So that was a place, that was sort of my first real full-time job in journalism. And that was a place with a real set of procedures that had been around for a while. And the approach that had been around for a while, and then I had this experience of sort of witnessing and occasionally helping to build that from scratch. I think the transition, kind of, from a startup to a more established, longer term organization is interesting. I mean, any new job, you know, you have to learn the approach that an organization takes, regardless of whatever field you’re in. You know, I think one thing that is very striking about the times and this gets back to that investment that they make in the reporting is just the size of the newsroom. I think is 1700 journalists in the newsroom now, and that’s obviously newsroom wide around the world.

Matt Perault 3:43
Right. And what was Axios at the time that you left?

David McCabe 3:45
I couldn’t give you the newsroom count but the whole organization was under 200 people.

Matt Perault 3:49
Wow.

David McCabe 3:49
And so that transition, you just have more colleagues, but that’s super exciting because they’re all engaged and exciting work, and deeply committed to the mission.

Matt Perault 3:57
I was gonna say you say that with a smile on your face. One thing that I’ve sort of felt at Duke so far is even though there are a lot of people who are doing deep and fascinating work at the university, if I want to dork out on one particular aspect of tech policy, there are fewer people who are focused on exactly that particular issue. It’s a growing number, but it’s a small and mighty number. Is part of the reason that you have a smile on your face that when you were working on it at Axios, that you’re surrounded by great people. But there are more people who are looking at the exact issues that you’re looking at, at The Times.

David McCabe 4:28
I loved my team at Axios and had great professional relationships and friendships there with people that led to work that I think was collaborative and great. You know, I think one of the things that makes The Times sort of singular among many of its peers is this deep commitment to on-the-ground reporting around the world. So I know have colleagues on-the-ground in Asia and in Europe, and as you know, the tech policy story is totally global.

Matt Perault 4:50
Yeah.

David McCabe 4:51
And so that’s a very exciting opportunity. And it’s not that the people at Axios weren’t committed to covering those issues, but it speaks to sort of The Times’ approach to journalism and the investment they’ve made.

Matt Perault 5:04
So I assume you’re learning a lot being at an organization that has been established for so long. But I also think even for established organizations, having people come in with fresh perspectives and ideas about how to do things, that can be very helpful and making even
established organizations move better. Are there things that you've brought from Axios to The Times that you think are sort of helpful in the craft of tech policy reporting?

David McCabe  5:27
I wouldn’t presume to know exactly what I bring to my already very, very good colleagues. I think one thing that is true is that The Times is really committed to thinking in innovative ways about how to reach an audience. So I mean, you know, in the podcast space, they have The Daily, which has been hugely successful, and is a big investment to produce a daily podcast with the audio staff that they have. They have a TV show called The Weekly that I mean, as we tape this, just did a big special on the presidential endorsement that made some news. So they are very committed to thinking about, "how do we reach an audience in as many ways as possible" whether or not that’s on social media platforms, or in their ears or on their TV? And I think that's something that's really exciting. And, you know, our team has a lot of people who came from digital media. And I think The Times is very committed to that evolution.

Matt Perault  6:26
So talk a little bit about the process of crafting a story. So it seems like it’s fraught right now in the tech policy world in that there’s so much focus on the issue. People have incredibly strong feelings. And I’m curious about, from your perspective of trying to do stories that are compelling and interesting and also tell stories in a fair way. I'm curious about what you do to develop a story, how you get it off the ground, how you pick topics, how you decide who you're going to talk to?

David McCabe  6:52
So, there's no one way that a story starts. But it does always start with reporting. So, you know, in the course of my week, I talk to a lot of people: sometimes for a specific story sometimes just generally to say what's going on, what are you paying attention to?

Matt Perault  7:09
Yeah. So you really just sometimes pick up the phone with no particular agenda just to get a sense of what people are thinking about?

David McCabe  7:15
Yeah, I mean, I think a lot of good stories come from just having conversations with people. And so I have sources in DC. I have sources, sort of in other places who write who work in industry, and not in industry. And they are often paying very close attention to what’s going on in their world, whether it’s competition policy or content policy, and they are often great authorities on... "Well, actually, this is the thing that I'm paying attention to right now." And so that's often how a story starts is with either you hear something that's an interesting thought or idea or piece of information. And then from there, you sort of think about how do we report this out in a way that's independent and it makes an impact and is fair.

Matt Perault  7:55
And that seems like a challenging proposition for a bunch of different reasons in that the people who you're contacting, I assume you try to get as diverse a group as possible. But that’s incredibly challenging, perfect diversity is almost impossible. And then once you’re starting on a story, there are lots of different legitimate angles. How do you decide what makes a story fair?

David McCabe  8:18
The process of making a story ethical and in, kind of, accordance with our ethical guidelines, starts with again, the reporting: talking to as many people as possible, hearing people out, thinking about the various angles on an issue. And you know, you said, How do you pick a topic? A story is more specific than just a topic. So once you sort of figure out what the story
is, or the next story is and sort of an ongoing run of coverage, you've talked to as many people as possible, you talk to the people who you know, in an example of, you know, section 230 of the communications decency act is something that we've covered a lot. This is a law that says you can't sue a social platform, or you can to a web platform, which oftentimes means social media over content posted by their users, you also can't sue them over how they moderate that content. There are people who were very critical of the law, there are people who say the law is vital to speech on the internet, right? We talked to all of those people. If the story is about something or someone in particular, we contact that person for comment and give them a lot of visibility into what we plan to report so they can respond to that. And there's a huge, you know, at The Times in particular, effort and investment in making sure that our stories meet our ethical standards. So our ethical guidelines are published on the internet. Which, I think it's really cool and are very specific. I mean, you know, if you are a reader, The New York Times, you can go and look up the guidelines that I had to sign on my first or second day. And there's a standards department run by a standards editor named Phil Corbett that they actually just announced they're going to expand, so those people are responsible for for making sure that we're meeting the standards of The Times.

Matt Perault 9:53
And what is the difference between ethics and standards?

David McCabe 9:57
Standards is sort of the name of the department and standards also covers the language we use and the style we approach.

Matt Perault 10:03
I see... the ethics policies of The Times are enforced by the standards department.

David McCabe 10:08
Yeah, they are responsible for advising and developing those policies.

Matt Perault 10:12
What's an example of one of the ethical standards that helps to guide your work?

David McCabe 10:17
So one great example that's in the ethics guidelines has to do with speaking engagements. So for example, a reporter for The Times can't take a speaking engagement that would make it appear that they're aligned with some side of a debate they cover and I don't believe you can take paid speaking engagements too, from people, you've covered. With some allowance for academic honorariums, and stuff like that.

Matt Perault 10:42
It seems to me, I was just thinking even in the course of asking you to come on the podcast that it actually doesn't, it feels to me like the voice of reporters talking about the craft of building stories in tech policy is sort of an underrepresented voice. It makes sense to me, I guess that you wouldn't do speaking engagements that might suggest that you have a particular view on a particular issue or that might open you up to a biased perspective on a particular issue. But it seems like it's helpful to understand how reporters think about the process of developing stories and how you're going about thinking about the reporting of tech policy.

David McCabe 11:18
I mean, I think the major factor this is just that reporters are generally not the story, and we spend a lot of our time focusing on reporting and not being in the story, yeah, that's right. Yeah. So I think that is first and foremost, like, why oftentimes, you know, people aren't spending a
ton of time talking about the work we do. I do think, though, that there is a real effort at The Times and elsewhere to make it clear how reporting is done. So again, thinking about that show, The Weekly... The Weekly shows how stories are reported and all the work and investment that goes into them so that readers and viewers and listeners understand not just the finished product, but also all the work that goes into making it accurate and compelling and fair.

Matt Perault 12:02
Yep. So, the things that you are focused on right now, you said you’re covering section 230, which provides intermediary liability protections for content hosts, which actually includes I think sometimes people think that’s just tech companies. But if the New York Times has a comment section...

David McCabe 12:17
Which we do...

Matt Perault 12:18
It applies to New York Times, as well, when it is serving as a host of content.

David McCabe 12:22
Yeah, I mean, it was originally developed for message boards, or the context of message boards.

Matt Perault 12:27
Right, right.

David McCabe 12:28
If you think of anything that flowed downstream from message boards, I think it’s a good way start to think about it.

Matt Perault 12:34
Exactly. And then, so that’s one incredibly contentious issue that you’re focused on. You’re also focused on antitrust, which is another incredibly contentious issue. How are you going about thinking about telling that story? The field right now, there’s an incredibly established sense of how antitrust has been practiced for the last 40 years and there’s a strong anti trust bar that has generally, sort of thinks of that as settled and thinks of the principles that underpin that is principles that should endure. That’s a very simplistic way of describing it because I think there are lots of different voices. But generally there’s an established practice of antitrust. And then there are a group of people who are challenging that practice and have gotten a lot of traction in articulating the different vision for antitrust policy. I know you can’t get into the specifics of what you think about the issue, but I’m curious about how you go about telling the story.

David McCabe 13:31
So I think first and foremost, there are several active investigations of large tech companies. And we cover those closely and with a lot of interest. I mean, at the end of the day, if something comes out of one of these investigations, whether or not as they did last decade, close an investigation, right? They closed an investigation of Google last decade. Or whether or not they pursue a case. That’s something that’s going to be news and is important for us to cover and break down for readers. I think broadly there are a couple vectors along which this story has been covered. One is to look specifically at the behavior in question. So, as you know, an antitrust case ends up being about a specific behavior or act, that was allegedly anti-competitive. And helping readers understand what those issues are is something that journalists think a lot about. I think if you look at some of the coverage that we’ve done, my
colleague Jack Nicas just wrote about how Sonos, which is a speaker company, felt that over several years, Amazon and Google which make smart speakers, had sort of squeezed them in various ways. And so helping readers understand that story. And of course, that story included a response for Google and Google, I imagine, will continue to respond right to Sonos and other companies that say that they've engaged in anti-competitive behavior. One thing that I am very focused on here in Washington is helping readers understand and breaking down and breaking news on that political movement that you're talking about on both sides. So helping them understand the establishment, we wrote a story that was sort of a deep dive on the holdouts around antitrust. As you said, there's this huge movement to rethink antitrust in a way that might be able to better tackle "free" services like Facebook. And the fact is that there's a big antitrust establishment that is very powerful and very influential, that will be a big force in this. We wrote a big story about the academics right and lobbying groups...

Matt Perault 15:36
...And foundations, you did a story about foundations....

David McCabe 15:38
Yeah. So the foundations story came little bit later, but that was about the growing movement on the other side. So you know, to those of us who live in this space everyday, we know "well, these people believe this about antitrust and be people believe this and they'll clash on this issue." That is not something that everyday readers necessarily know. And so helping them understand that and doing it through deep independent reporting. So both of those stories, right, we talked to a lot of people, we understood their position, we understood where their funding was coming from, how they go about advocating their position. The foundation story is a great example. That story was reported both by talking to people who are engaged in this work in this movement to reform antitrust and potentially lead to like a breakup of a Facebook or Google. We also looked extensively at the grant databases that are maintained by private foundations are a huge influencer in this space. We obtained an internal document from one of the biggest sort of advocacy groups for antitrust reform that detailed their significant rise in their fundraising.

Matt Perault 16:42
Right. I'm not sure the group you're referring to, but I'm curious, was that, is that publicly disclosed? Or is that something that you got through the reporting process?

David McCabe 16:48
It was something that we got through the reporting process? Yes, it was a document that we obtained.

Matt Perault 16:52
Okay. Um, so the Sonos story example, I think is a fascinating one. Because it to me seems like, if one company is making an allegation of another in some form in which you're able to gather that information in a story, that is news, and that merits reporting. It also seems to me like at the point that you write that story, there is a certain light that's being cast on Google's practices, which is somewhat independent from whether there actually is an antitrust violation at issue. And so in the process of writing, what would be a fair story, there probably is a brand hit for Google, even just in publishing it. And so it seems to me like it's undeniable that it is news. And at the same time, the fact of publishing it seems to me to potentially harm a company in a particular way. And it's not as you know, from from studying antitrust, you know, it's not unusual for competitors to raise concerns about the anti-competitive practices of their competitors. That's sort of been true forever. In the world of antitrust. How do you strike that balance? How do you decide to write on stories of competitor allegations or not given that companies have an incentive to get stories in the press about their competitors?
David McCabe 18:13
So I can’t speak to reporting on that specific story, because it wasn’t my story.

Matt Perault 18:17
Of course.

David McCabe 18:17
I don’t want to speak to that, because I just I just what party to it. What I can say is that we take, you know, great care, when we report on anyone and anything. And so, you know, oftentimes, for example, lawmakers, will make allegations of anti-competitive behavior, oftentimes referencing the competitors, that you’re talking about, and and we scrutinize their allegation right as closely as we scrutinize the response. From the company.

Matt Perault 18:55
But I guess I’m curious like from a news perspective, the fact that a lawmaker’s made an allegation... that’s news, right? From a strict perspective of evaluating what is news. That seems like a story that merits being written. But it’s a separate question of how much of a substantive basis it has, and I think just the fact of writing about an allegation, pushes in the direction of... I guess it doesn’t necessarily lend credibly to the allegation, but in reporting about it, I think probably reporting about it in a way that where you’re attempting to be as fair as you possibly can be, even just the fact of it being written, might cause harm to the entity that the allegations about.

David McCabe 19:32
Yeah, I mean, I think you just pointed to the news, the news value of these allegations.

Matt Perault 19:36
Yeah. Exactly, right!

David McCabe 19:37
I mean, again, speaking the context I most understand, which is sort of regulators and lawmakers, you know, if the chairman of the House antitrust subcommittee is alleging anti-competitive behavior by one of the most valuable companies in America, that is a news story. But again, our job is to hold you know, again, I’m speaking specifically in the policy context, right... our job is to hold power to account and so that means holding businesses to account that are very powerful. It also means holding the lawmakers to account. They’re powerful in a different way. And so you apply that principle of accountability to the allegations that are coming from the lawmakers and to the statement you’re getting back from Facebook or Google or Amazon.

Matt Perault 20:16
So, how do you do that in practice? I mean, I think there’s... I know, there’s been a lot of discussion in the news community about how to do that with some of the dynamics around the current administration, where people say that people in positions of policy authority, say things that are false. And so I know that different news outlets have experimented with different ways to try to signal that even though a statement has been made, and that on its own has news value, to say that it’s unsupported by evidence or demonstrably false or whatever it might be. There are ways of characterizing it from a news perspective. That seems like a hard challenge with I mean, it’s hard enough when it’s related to the President. And it seems like it’s even more difficult when you’re talking about just what might be coming out of a particular subcommittee or how do you in your role report on what has been said, and also apply a gloss of evaluating the underlying substance of the merits of it?

David McCabe 21:10
You pay close attention to what evidence is presented and, you ask for more right? If someone says, "well, x is true," then you say, "well, how do you know that? What do you say to back that up?" If they cite a study, you go and you look at the study...

...and then if you think the methodology of the study is terrible, is then the next graph speaking with someone who raises concerns about the methodology of the study?

So, I couldn’t talk about a hypothetical. But, you know, part of it is you make a decision on what, whether or not you should cover it. And you provide you provide context as it is helpful. So, I’m sure you remember this on the other side of the coin, at one of the early hearings with Mark Zuckerberg in the Senate... He was asked a question about competition. I don’t remember the exact question or who asked it. But he was asked a question about competition. He said, "Well, actually people have eight communication apps on their phone." Facebook owns, I think it was four... three or four of those apps. Something that Mark Zuckerberg didn’t say. So journalists provided that context.

Matt Perault  22:16
Right. And just to be clear, so it’s Facebook, Instagram, WhatsApp, I think are what you’re referring to...

David McCabe  22:21
And messenger. I think messenger was the fourth one, right. So, that was a great example of someone said something. There was context that that person didn’t say, right. And then journalists went out and evaluated the claim and said, here’s what he said. And this is some, some context, it is important to understanding and you do that with all kinds of people making all kinds of claims, you know in the story. What we’re talking about right, ultimately, is a battle over how a particular policy problem should be viewed, whether it should be viewed as a problem at all. And then if it should be viewed as a problem, what the solution is, and that is an ongoing debate. It’s a debate that will have a big impact on American consumers and so you’re accurately representing that debate. Which includes the lawmaker, saying "these companies are more anti-competitive than anyone before them." It includes the historian saying, "well, I disagree." Because A and P did X, X or Y in the 40s. So you do that and also you steep yourself as much as you can in the subject. So I read a lot of history to understand the context of this particular debate.

Matt Perault  23:19
So one thing that I’ve been thinking about a lot is a quote I saw in reference to the new movie about Richard Jewell, who was alleged to be responsible for the bombing in the 1996 Olympic Atlanta games and was exonerated some amount of time later. And there’s a recent movie about him and the quote that I saw on the review of the movie was "we in the media got it wrong, even though our reporting was right." And I think what they are referring to is that he was actually a suspect. And so the media reported about him being a suspect, and the aggregate impact of that was problematic in that it essentially, you know, ruined this individual’s life. And the Sonos story that you mentioned, I think is a sort of good example of what I wonder about in tech policy reporting. And I’m kind of curious about whether there a similar dynamic is unfolding in tech policy reporting where each individual story is right. I don’t want to say every every story is right. But there is news value in the stories that are written because with user-generated content platforms, there is lots of content that’s problematic when you’re reporting on something like 230. For instance, there are lots and lots of examples of content that is problematic, that would bring for some people 230 into question, and it seems to me that it’s fair to report on that. But that doesn’t necessarily adequately, at least, from my perspective, adequately capture benefits of Section 230, intermediary liability protections and costs of Section 230, intermediary liability protections. And so I’m just curious about your thoughts on whether the incentives in reporting and the incentives in policymaking
are somewhat misaligned. In that we might have good policies in place that produce lots of mistakes or that result in errors. And each of those errors and each of those mistakes is for very legitimate reasons, a news story, but as the aggregate effect of reporting on those mistakes, it might be right. But is it getting the story wrong?

David McCabe  25:20
So I haven't seen the Richard Jewell movie,

Matt Perault  25:22
Haha, neither have I.

David McCabe  25:24
I think we talked a bit about how the core tenant of what journalists do right is hold power to account. Part of that is analyzing the power of private companies. It is also analyzing the power of the regulators and lawmakers who are going to go into try and rein them in. You know, I don’t think I can speak to like a broad pronouncement of the aggregate of the story, but I think just look at the impact. Reporting on Cambridge Analytica and Privacy Practices, lead to lead to a significant reckoning around privacy issues and brought to light activities that were eventually led to an FTC settlement between Facebook and the US government that is yet to be approved. So I think the impact of the work, has been to hold, lots of powerful people involved in this conversation, to account. And in fact, if you look more broadly, this is something that The Times that other news organizations bring to conversations about other industries too. So, The Times won a Pulitzer several years ago for a story about Walmart, which had been, I believe, bribing officials in Mexico to sort of juice its global expansion. The Times reporting on Boeing has been very aggressive and really looked at this question of how did events at Boeing play out ahead of the crashes of two 737 max planes that remain grounded to this day. And all of that is done in a way that, again, is impactful and important and fair and independent.

Matt Perault  27:01
That seems that seems right to me. I guess I just wonder. I mean, I guess it's a little hard to draw an individual example. But what we care about with Boeing, I think, is not that Boeing feels pain. Right? That may be a valuable thing based on Boeing's conduct. I don't have a view... I haven't looked closely at it. I don't have a view on it either way. But what we care about is that the American public flies in safe planes and that planes they fly in are ideally as comfortable and deliver the experience for them that we want them to deliver. And I guess I wonder sometimes about whether those two things go in different directions... that covering a particular story, and holding a particular company to account, that has value in its own right. But I wonder if the aggregate impact of lots of stories holding companies to account in particular types of ways, I wonder how that aligns with creating better planes. The Boeing example is probably a terrible one. But I do wonder about it in the tech policy perspective that, you know, section 230, I think is a very good example. There's so much content on the internet that is so problematic, and that is so distasteful to me and distasteful to you. That doesn't mean Section 230 is not good policy. And I guess that's the question for me if there's, if there's a significant volume of reporting on all of those instances of content that are problematic, do we end up having a skewed evaluation of the merits of the policy?

David McCabe  28:30
You know, I think it’s, again, sort of hard to say... a lot of these issues remain ongoing as does journalism's coverage of them. I think though, the Section 230 example is an interesting one. Because, you know, I have tried to approach it from as many angles as possible in my coverage and often within the same story. So a great example is several months ago, the US signed a limited trade agreement with Japan. And that trade agreement included provisions similar to Section 230, not exactly the same but similar to Section 230. Basically be
implemented to say, you know, any part of this trade agreement can't violate these basic terms. It’s more complicated than that: Japan had a side letter, it's called a side letter, which gave it some kind of leeway to continue to have the content liability regime that they do. Those provisions were also in the trade agreement with the United States, Mexico and Canada. So that’s a story where, you know, it is a law that is under debate in the US Congress. It is interesting that it is being baked into trade agreements that potentially impose it. Or impose similar protections on trading partners abroad. That story which I co-wrote with our trade reporter, obviously explored that dynamic. It also talked to a lot of people who believe that 230 is a good thing. And they talked a lot about the value of 230 with us and those some of those people were quoted in the story. It also quoted Ron Wyden who wrote section 230, is very involved in the trade debate, and defended 230 years and the protections in these trade deals as an important protection for free speech and made the case which the Trade Representatives made as well, that you're baking current American law into trade agreements, not some future possible law. The sir also included critics of 230, who said, “Wait, this is going to really make it harder for us to to reform this law.” And it also included the context of how trade agreements work, right, how trade agreements are actually enforced and what it means and include the context that they don’t that juries sort of tie Congress’s hands. So all of that together presented this important debate to our readers and our audience, while also giving them sort of the full contours of the debate. Not long ago, we wrote about how section 230 was reformed, several years ago by a law called Sesta Fosta. It allows you to sue platforms that knowingly facilitate sex trafficking, and we wrote about concerns that began around the time of that debate and have continued to this day from sex workers: people engage in adult consensual sex work. Who say this has made it harder for us to vet clients on the internet. Those stories include, both included perspective from people who say the law is important and an important defense of free speech. It include context from critics of the law. And it included sort of our background research on how the law works. And has for many years.

Matt Perault  31:16
Fascinating. What's it like just being a reporter in a place like Washington? So I'm kind of curious about how that affects and shapes the relationships that you have? The difference between people who are truly are friends and the people who are friendly to you professionally, but who have different perspectives than you and would use things that you say against you and that type of thing? I would assume it’s like, it’s hard as a reporter, in a place like Washington, I would assume that sort of shapes your relationships in interesting ways because you want to have friendly relationships, I assume with essentially as many people as you possibly can for exactly the reason that you just described. You want to tell full rich stories that offer a lot of different perspectives. And at the same time, I would think that there’s a wariness because of the of the power that you have as someone who helps to shape how those conversations unfold. What’s it like for you being in this profession in a place like Washington?

David McCabe  32:13
Well first of all, you said something about your friends and your not real friends and I think there’s a classic, right, if you want a friend in Washington get a dog...

Matt Perault  32:20
So do you have a dog?

David McCabe  32:21
I don’t have a dog. I sort of wish I had a dog.

Matt Perault  32:25
Real friends, and good listeners.

David McCabe  32:26
Yeah, yeah. Good listeners, good listeners. You can get some exercise walking them on the street. But I unfortunately don’t have the the North Carolina Research Triangle backyard that would really make owning a dog...

Matt Perault  32:37
We've got to get you to come down!

David McCabe  32:40
If you maybe you know if there's a dog, I can be persuaded. It all comes back to this this question that you asked before, right, about how do you make sure a story is fair? If you are viewed as an honest broker, and someone who is genuinely curious and paying attention and will hear people out, and will not surprise people with, you know, a story about them that they didn’t know was coming, which would be really not right. You can build, build trust with people and sources. And, you know, I think that it all goes back to are you being a dogged reporter? Are you following the mission of in, you know my case The Times, which is to seek the truth and help readers understand the world and are doing it in a way that comports with the ethics and standards of your profession.

Matt Perault  33:23
Right. So I, I feel like we’ve talked a lot about that and it’s clear in the way that you describe it that that is... you take that very seriously and apply the ethical standards and your own commitment to fair reporting to every aspect of the reporting process. But I’m curious about it from the other angle, which is the personal angle, just what it’s like for you in terms of forging relationships that feel deep and meaningful... for me, like a an example for me when I was working at a company is there are different organizations that you provide financial support for. And I, we may have different views on the merits and pitfalls of that, but I actually think that’s an important part of a company’s work. And companies fund lots of organizations they disagree with. But then once you introduce the fact that you are providing funding to someone, when you’re trying to establish a personal relationship with the people who you might be funding or when you're out at drinks in an event with organizations that you provide financial support for, there’s a question of, are we meeting as friends? Or are we trying to have a good time right now to ensure continued financial support? And we can debate the substance and ethics of that from a sort of professional perspective. But I’m curious just what it’s like in terms of having deep and meaningful relationships when your professional life is focused on crafting a story about the tech policy world here.

David McCabe  34:46
Of course, you have deeper meaningful personal relationships outside of your job. Right. So putting those aside I think, part of being a reporter is being very upfront about being a reporter. Right? You know, there are various complicated rules around this. But, generally speaking, everyone I interact with in the context of my job, knows that I’m a reporter. If I’m at, you know, a happy hour or something, and somebody says, you know, like, what do you do? I don’t obfuscate, I say, I'm a reporter for The New York Times I cover tech policy. And so you make clear to people, right, like, what the rules of the road are, you know, this is what off the record is. This is what on the record is, this is what background is. And so you're transparent about what your job is. And I think people understand what reporters do, and when they don’t understand you're trying to make sure that everybody’s on the same page. And that's an integral part of reporting and, obviously, you know, in time, right, people can come to trust you because you’re upfront with them. But it’s also an integral part of, you know, I talked to someone one time, right. They they know that I’m a reporter and what I’m doing and right. So transparency, transparency is key. And I think that builds the basis of responsible professional relationships.

Matt Perault  35:59
Yeah. So it makes it a lot of sense to me that the transparency would be the basis of responsible professional relationships. But are you, if you go into a happy hour and someone asked what you do and you say truthfully what you do, when you say truthfully what you do? Does it feel like there’s a guardedness? Or does it feel like there’s a barrier that goes up? Well, I’ll say it from my perspective, if I’m working for a company or actually even in my current experience at Duke. If we were meeting for the first time at a happy hour and you said you were a tech policy reporter at The Times I think I would feel, I think I would feel guarded. Maybe that’s the bargain you strike when you work in reporting that you recognize that you have this, You have this powerful tool. As a result, you should be transparent about it. And then when you’re transparent about it, that there would be some number of people who would feel a guardedness. But I’m just kind of curious what that’s like for you.

David McCabe  36:44
Yeah, I mean, of course people always respond to different ways, in speaking to a reporter and and often that has to do with their experience and dealing with the press of some people talk to the press all the time, for their jobs and those people sort of have a strong sense of how those relationships work. And other people, you know, might have questions about, like, Wait, are we on the record or off? And those kinds of conversations are important to making sure that they understand that you’re coming to the story with a, like, a sense of duty and care. You know, I think, yes, sometimes people are guarded. And that is not a surprise. And I think just, you try and show people again and again, that you’re a fair reporter, and that you pay attention to the details. And over time, if they, if they come to feel like they want to approach the relationship in a way that is more open or share things with you. And again, speaking mostly, you know, like, just in an off the record or on the record, I’m sorry, on the record context, like yeah, you know, when you’re interviewing someone, sometimes people want to be very candid and clear, and sometimes they are more guarded, right, of course, that’s something that anyone who watches you know, 60 minutes or something like that can see that dynamic. So again, it’s just being prepared, being transparent and being responsible and showing that.

Matt Perault  38:07
You report on tech policy and technology companies. What’s your relationship with the technology like? Do you sleep next to your phone? Do you do a technology Sabbath? And for some portion of the week, try to get away from your device? Do you feel tethered at all times? What’s it like?

David McCabe  38:24
You know, reporters use technology to do their jobs. It’s like a lot of modern jobs. That it’s often very reliant on technology, on the connection to technology. So I use encrypted chat apps to talk to sources. I use public databases that are maintained by private and government organizations to look at, like lobbying filings, for example. So you do spend a lot of time using technology. Though, like one thing you find is that the phone is often one of your best reporting tools. Sometimes it’s just better to talk to someone. And of course, you can always meet someone in person, and that is often one of the more careful ways to interact with someone. And just you know, like people have a better understanding of you if they’ve met you in person. On a personal level, I don’t do technology Sabbath. I am mindful of how I use technology. I try to take social media apps off my phone often on weekends.

Matt Perault  39:23
Oh, interesting. So you’re kind of curating what’s on your phone on a regular basis.

David McCabe  39:28
Yeah, I try and pay attention to that, and how it is affecting my life, because you can spend, you know, 48 hours over the weekend staring at an app on your phone. And I find that it’s a valuable time for me to see my friends and go outside and so, you know, I try and pay attention
to how I can disconnect just because I am so plugged in, during the work week. You know, I think if anything that’s like all sort of users of new technology and the last particularly 10 years of internet technology. And indeed, it is that sense of presence in our lives that I think drives a lot of the questions on Capitol Hill or at the FTC, right? It’s not that, you know, the people who work there use this technology too and have an understanding of how important it is to their lives. And I think that’s actually driving a lot of the questions when I talk to people on Capitol Hill.

Matt Perault 40:21
Yeah, I guess part of what I’ve wondered is whether the muddling of those two issues makes it harder to see both sides of them clearly. So we’ve asked on lots of episodes of the podcast, how people use the tools and it’s actually hard to kind of figure out what are the norms for good use of technology? I think most people say they spend more time on their phones than they’d like. I haven’t heard the thing about curating apps like on a Friday afternoon. That seems like pretty smart usage. Some people talk about turning notifications on and off. You know, there are different things that people do but I’m not sure, it doesn’t feel to me like there’s sort of a unified thought process on how people use their phones. And my guess is that the self reporting is also, sort of off, like people say, like, "Oh, I strive for distance from my phone," but they sleep next to it, they put it on the table when they’re at a restaurant. And then I sort of think on the other side, it doesn’t seem to me to be a good process for policymaking to have how we think about federal privacy legislation informed by the fact that we are frustrated that we put our phone next to our bed at night. And that makes us feel tethered to the phone. That feels to me like that's a personal choice that really doesn't have that much to do with whether or not there should be federal privacy legislation. And it feels to me like having those two things more divorced actually enables maybe a deeper conversation about each.

David McCabe 41:41
You know, I don’t know that I can speak to anyone’s experience other than my own. What undergirds some of these questions that are being asked about the companies... Again, when you talk to people, it’s not just like, "Oh, I sleep next to my phone. I’m pursuing x bill." It’s the broader understanding of the presence and the power that these companies have. So I, you know, in my reporting have never encountered someone who said, "Well, this thing happened to me on my phone. And so I’ve written a bill to make, you know, x thing that happened to me illegal..." Maybe you have in your various travels.

Matt Perault 42:18
Yeah, it feels to me like a decent amount of that happens actually.

David McCabe 42:21
You know, I’ve never encountered somebody said that explicitly to me. But I think the fact that, you know, these companies are extremely powerful. It’s just clear in our daily lives. And it would be clear, even if I picked up my phone, you know it at 8:15 or 8:30, when I start my work day, I, I put it down at 6:00, and I do nothing else because, it is just sort of the background music to the economic story right now, to the labor story right now, to the health story, right? So I think like, you know, obviously we are all, not we are all, but I am a user of this technology, and a lot of people are users of this technology. I don’t know that I can speak to like, that as a major factor, in the broader coverage or regulatory questions beyond this general sense of these companies are very powerful and have a lot of influence over our lives. And, you know, I think some regulators you talked to do have an understanding of the good and the ill that they see. Probably, in part because they do use the technology. And I think a lot of those things were covered for a long time. I mean, protest movements that were driven by social media were covered pretty widely...

Matt Perault 43:32
Right. But there are people even with the industry who thought that the way that the coverage was framed, actually put more focus on the companies than on the people who are driving those protest movements.

David McCabe  43:41
I mean, and I wasn't involved in that coverage, so I can't... but you know, I think like the story of big tech technology is a longterm one. And Google was founded in the late 90s. As well as Amazon was founded in the 90s. Facebook was founded a bit later, Apple obviously is the oldest of the bunch, but people bring to the table their whole, you know, if they're regulating it they bring to the table like, their entire adult life probably, using these technologies or watching them develop. So I don't think, you know, we've obviously seen this turn in sort of Washington views on some of these issues. But the people making those decisions didn't start using their phones two years ago. You know, one thing I would say, I guess is that I've been using these tools since I was, you know, I've been using a lot of these these tools that we now talk about, since I was 13 years old. 12 years old, right? And like, that doesn't make me a better tech reporter than someone who wasn't. But it definitely doesn't, you know, has informed my understanding of how powerful these tools can be in lots of different ways.

Matt Perault  44:48
I have recognized leaving Facebook, how quickly you have distance from the business models that companies are working on, and the products companies work on, and that to me is actually really frustrating. Like, regardless of what you're doing in tech policy, from my perspective, it's really important to understand the product in detail and understand the business models. And I, in my experience being outside the company, it's much harder to do that than it was inside. I should work hard to do it. And it's not impossible, but it requires more work. And so my assumption is there's a sort of similar dynamic in reporting where the more that you use technology, the more informed you are in writing about it. And so I have, I would assume that in your world, the reporters who use technology frequently are at an advantage relative in their personal lives are at an advantage relative to the reporters who don't or who use it less. Is that an accurate characterization, do you think?

David McCabe  45:43
The job at the end of the day is to go out and report, and some of that may be informed by, you know, something you saw or, or experienced, right? If you were at some family event and a young person in your family said "I'm using Facebook this way," right? And if you had never heard of that, and you go, "Huh, I wonder if other people using Facebook that way." That might sort of be the the genesis of the question. But to answer the question, you go out and you report. So young people are a great example. There are young people who use social media very differently than how social media was used when I was 14, or 15. Or an earlier generation of internet communication was used by the teenagers at that time. And so there are reporters who talk to high schoolers and middle schoolers, about how they're using technology, how it makes them feel. And those people may have, you know, a younger sibling or something that was a personal sort of connection to that behavior, but they may not and at the end of the day, they answer the question by doing this sort of deep, thorough independent reporting that is, that is their job to do.

Matt Perault  46:53
David McCabe, tech policy reporter for The New York Times, thanks so much for coming on the pod.

David McCabe  46:57
Thank you for having me.

Matt Perault  47:02
This has been TBD: Technology by Design podcast hosted by Matt Perault. Produced by Sarah Cromer. Music by Velvet Negroni.

Transcribed by https://otter.ai