

# The Weekly Listen: Montana bans TikTok, Amazon jumps on the AI chatbot bandwagon, and space advertising

Audio

On today's episode, we discuss what happens now that Montana has approved a ban on TikTok, what Amazon's AI chatbot might look like, why Meta got a record fine from the EU, what space advertising looks like, a Supreme Court ruling on an infamous internet law, how good humans are at multitasking, and more. Tune in to the discussion with our director of Briefings Jeremy Goldman, analyst Evelyn Mitchell, and vice president of Briefings Stephanie Taglianetti.

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## Episode Transcript:

Marcus Johnson:

Hello, everyone and thanks for hanging out with us for the Behind the Numbers Weekly Listen. An eMarketer podcast made possible by InMobi. This is a Friday show that looks like

everyone has purple eyes. It's very disconcerting. It's like I'm doing an episode with the Sanderson Sisters from Hocus Pocus. I'm your host, Marcus Johnson. It's truly terrifying. In today's show, Montana bans TikTok. Kind of.

Evelyn Mitchell:

So this is less about privacy or data protections and more about national security. And then, to no one's surprise, Montana is being sued so far by a group of TikTok creators. And then, of course, by TikTok itself.

Marcus Johnson:

Amazon is getting an AI chatbot to help you shop.

Stephanie Taglianetti:

My first reaction was just, "Duh." I feel like it would be more surprising if Amazon said, "We're not interested in AI-generated search."

Marcus Johnson:

Meta is fined over a billion dollars.

Jeremy Goldman:

They're expecting, essentially, these fines every so often. They're very expensive parking tickets. You just know you're going to get them.

Marcus Johnson:

And how good are humans at multitasking? Spoiler alert. Not very. Join me for this episode. We have three people. Let's meet them. We start with our vice president of all things briefings. Based out of New Jersey, it's Stephanie Taglianetti.

Stephanie Taglianetti:

Cheers, mate.

Marcus Johnson:

I should be ready for this by now. And it catches me off guard every time. Hi, Stephanie. We're also joined by one of our senior analysts on the digital advertising and media team. Based out

of Virginia, it's Evelyn Mitchell.

Evelyn Mitchell:

Howdy.

Marcus Johnson:

Hello. Hello. Finally ... Is anyone going to say hi normally? Jeremy, please pull through for us. Finally, we have one of our senior directors of briefings. Based out of New York, it's Jeremy Goldman.

Jeremy Goldman:

Greetings and Salutations.

Marcus Johnson:

Good God, people. What is happening?

Jeremy Goldman:

Sorry. Sorry. And happy birthday to my sister.

Marcus Johnson:

We're off to a terrible start.

Stephanie Taglianetti:

Happy birthday.

Marcus Johnson:

Happy birthday to sister Jeremy.

Stephanie Taglianetti:

Jeremy's sister.

Jeremy Goldman:

Sister Jeremy?

Stephanie Taglianetti:

That sounds like a nun.

Marcus Johnson:

That's what you call people. Like someone's partner. If it's Evelyn's partner, it's Mr. Evelyn.

Stephanie Taglianetti:

Sure.

Marcus Johnson:

That's how you do it. You add their name, and then just some kind of an attachment. Happy birthday sister Jeremy. Let's move to the episode. What do we have in store for you? Story of the Week. Talking about Montana banning TikTok.

Then, the Game of the Week, where our contestants, Stephanie, Evelyn, and Jeremy will go head-to-head-to-head. Give us the best takeaways they can from each of the four stories we have with you to win a championship belt. Then, Dinner Party Data. We just muck about. Talk about some random trivia.

All right, folks. We start, of course, with the Story of the Week. Montana banning TikTok. "Montana is set to become the first US state to ban Chinese-owned social app TikTok from personal devices," reports James Clayton and Annabelle Liang of the BBC. The ban is due to take effect on January 1st of next year, so 2024.

Why is TikTok being banned at all? The US authorities are concerned that TikTok data could be handed over to the Chinese government if it asked. The new law would make it illegal for app stores to offer TikTok, but wouldn't stop people who already have TikTok from using it. TikTok says the ban infringes on the First Amendment rights of people in Montana. They just sued to block Montana from banning them. Evelyn. Let's start with you. Your quick take on Montana trying to ban TikTok?

Evelyn Mitchell:

So this is less about privacy or data protections and more about national security. And then, to no one's surprise, Montana is being sued so far by a group of TikTok creators. And then, of course, by TikTok itself. I think the argument that Montana has no business enforcing national security is a compelling one. Montana national security. But the national security angle is the only angle that allows the legislation to focus exclusively on TikTok.

Taking that into consideration along with First Amendment and commerce arguments, I think this ban stands on pretty shaky ground. I think it's also worth noting that on Friday, just two days after signing the TikTok ban, Greg Gianforte, Montana's governor, signed Montana's privacy law. Montana just became the ninth US state to enact comprehensive privacy legislation. Montana has been pretty busy.

Marcus Johnson:

One of the battles here does seem to be the First Amendment, people should have the right to say what they want on this platform, versus National Security. Two very big, very weighty topics. First Amendment versus National Security. Which one will win out? National Security being Montana trying to protect its users from having their data shared with the Chinese government by TikTok.

A Wall Street Journal article was noticing a different battle between conduct versus speech. It points to a 1986 case. The Supreme Court upheld an order that closed an adult bookstore. The bookstore contended the closure violated the First Amendment. The Supreme Court ruled on the bookstore's conduct, not its content.

Joel Thayer, a lawyer who runs a think tank called The Digital Progress Institute was saying that the question comes down to, "Do the courts view Montana's law as regulating conduct versus the battle of First Amendment or National Security?" Stephanie, how do you look at this? Is it a battle between any of those? Or something different?

Stephanie Taglianetti:

I'm really doubtful that this is actually going to happen. I personally think that this sort of legislation is setting companies up for failure off the start. If we have a patchwork approach to app censorship across the United States ... How are we going to reasonably believe that tech companies will be able to successfully govern app downloads on a state by state basis?

Especially, when there are so many loopholes users can go through to download apps like TikTok. I think the article mentioned operating on a VPN. Or what if you're traveling in a state where TikTok is banned and you ping a cell tower in the area? What happens there? Is the tech company going to be fined?

I just don't foresee a nationwide exodus from TikTok. Especially, since there are so many young voters who are against a TikTok ban. And creators on the app. There's just too much

there.

Marcus Johnson:

Jeremy, zooming out then. The Biden administration has warned TikTok it faces a US ban if parent company ByteDance does not sell its stake in the US version of the app. There has been floating around this idea of a nationwide ban. This is the first statewide ban in terms of personal devices. Does this Montana ban, in your opinion, make it more or less likely that a nationwide TikTok ban will occur?

Jeremy Goldman:

Well, as you know, Montana is not exactly the most populous state that we have. It's really more so ...

Marcus Johnson:

Just the one million people.

Jeremy Goldman:

Right. It's a lot more so about, "Is it a portend of things to come?" Are there other state challenges where they can find a different angle? And then, bit by bit, this is in the news so much that people start saying, "Maybe I actually should be open to a TikTok ban." But it's interesting.

One thing that Stephanie pointed out is that, generally speaking, you've got younger TikTok users who also over-index with familiarity with things like VPNs and ad blockers. These are also the people who are going to find a way around. How do you actually enforce this? How do you make this meaningful?

Marcus Johnson:

Yep.

Evelyn Mitchell:

You mentioned, Marcus, in setting up our conversation, the BBC. The BBC article that we read said that the law would not ban users who already have the app from using it, but it seems like other outlets have interpreted the text of the law to mean that use of the app in the state of Montana is indeed banned.



I lean toward that second interpretation then. With TikTok, Apple, and Google responsible for the fines incurred if and, let's be honest, when users violate the law. Either way, I would be really curious to see whether there has been a spike in TikTok downloads in Montana in the last week or so. For users trying to just get ahead of it.

Because if there is that chance that a user that already has TikTok on their phone can use it, then those people who are concerned about making sure they maintain access to the TikTok community would of course want to have that on their phones.

Stephanie Taglianetti:

I would wonder if there's a spike generally in response even outside Montana.

Marcus Johnson:

People in other states are concerned that it's going to get banned in their own state. Then, we're really going to see how important those bug updates and patches are. Because you may be able to download the app now, but as well as it not being hosted after the ban, you can't provide any updates to the app. How quickly does the experience deteriorate? Therefore, making people less likely to perhaps use it.

Jeremy, you mentioned it's not a very big state in terms of population. Just over a million people. One estimate from Vox saying 200,000 TikTok users in the state. But it could set a precedent. Interestingly, more people ... At least, a few surveys that I've seen on TikTok bans. More people do want the ban than don't. You do wonder how much of this is a political play. Especially, going into next year. Pew Research had some numbers on more people wanting a ban than not.

The Wall Street Journal just had a poll. 46% of registered voters supporting a ban versus 35% who opposed it. Even though TikTok people don't want this thing to go away, the general population does agree with a ban more so than those who don't. It's not the first time though that a TikTok ban has been attempted, which is what's interesting. Maybe that's the reason people don't think that this is going to happen.

Because in 2020, the federal court stopped the Trump administration from banning messaging app WeChat, also owned by a Chinese company called Tencent, after users said it would violate their free speech rights. And in the same year, the federal court blocked then

President Trump's attempt to ban TikTok by arguing it overstepped the scope of presidential power.

I don't know what's changed to make Montana at least, or the US in general, think that the courts won't stop this from happening like they did three years ago. Maybe there's just more momentum. Smaller bans have been happening. Our very own senior analyst, Gadjó Sevilla, notes that as of the 8th of April, at least 35 US states ... The US military, the State Department, the Department of Homeland Security, the Transportation Security Administration, TSA, they've all banned the app on work devices citing security concerns.

This is the first statewide ban for personal devices, but we've also seen other countries ban TikTok. India has already done it, so we'll see. That's all we've got time for, for the Story of the Week. Time, of course, for the Game of the Week. Today's game, What the Hell is the Point? Where I read out four stories and the contestants, Stephanie, Evelyn, and Jeremy, tell us the main takeaway of the story.

Okay answers get one point. Good answers get two. Answers that leave you with the same feeling as when we see an older couple holding hands ...

Stephanie Taglianetti:

Aw.

Marcus Johnson:

There's a good one though. When it's a younger couple you're like ...

Stephanie Taglianetti:

Finally. Finally.

Marcus Johnson:

What do you mean, "Finally?" I've been crushing this segment.

Stephanie Taglianetti:

I don't think I've ever been on a Weekly Listen where you gave an example that everyone was like, "Yeah. You know what? That is good."

Marcus Johnson:

That's because everyone is so antagonistic and combative. By everyone, I mean Suzy. When it's an older couple, it's sweet. When it's a younger couple, you're like, "Yuck. Keep it inside." That's how we feel. Answers that leave you with the feeling of older folks holding hands. That gets you three points.

You get 20 seconds to answer before you hear this. If you run long, it's a technical foul. Minus two points. Two techs gets you ejected from the game. Most points wins. Gets the last words. What's up, Stephanie?

Stephanie Taglianetti:

I've never heard you say that you get ejected from the game.

Jeremy Goldman:

I would love to see you actually eject somebody mid-episode. That would be fantastic. I'm not saying it should be me, but ...

Marcus Johnson:

I've not yet had to do it. Yep. We would let you sit on the sidelines and watch the rest of the game, but if you got rowdy, Victoria will literally kick you out of the meeting. You'll get tossed. Round One. We start with Stephanie.

"Amazon jumps on the AI chatbot bandwagon," writes our very own retail briefings analyst, Rachel Wolff. She explains the company is re-imagining Amazon search with an interactive conversational experience. According to Bloomberg, "Allowing shoppers to compare products, receive personalized suggestions, and get answers to product questions." But Stephanie, Amazon jumping on the AI chatbot bandwagon. What's the point?

Stephanie Taglianetti:

My first reaction was just, "Duh." I feel like it would be more surprising if Amazon said, "We're not interested in AI-generated search." But I will say that my team has been experimenting with generative AI firsthand. Jeremy knows well, because he's been involved in a lot of these pilots on the briefings team.

I imagine it's going to be a while and require significant investments and improvements before the tech gets anywhere near ready for deployment on any sort of helpful level. But I can ultimately see the utility. Because anecdotally, it's often been difficult for me to find product

information I'm looking for when I shop on Amazon. Its search can certainly use improvement. So it's only natural to assume expansion is going to go where the tech is going with AI.

Marcus Johnson:

Jeremy?

Jeremy Goldman:

So I'll say that this is actually something that is very fertile ground for Amazon. Because, to Steph's point, and I'll say it a little bit more bluntly ... The search experience is not great on Amazon. A lot of people really say that in the interviews that we conduct. Search is very fertile ground for innovation. Given the fact that it's not a great search experience.

Google is up against the situation where it kind of has a pretty good experience, and it has to worry about impacting its search ad revenues. But if you're Amazon, you can improve your experience, hopefully keep people on-site longer, and actually help them get to the products that they want. Unlike Stephanie's situation. I think it's a really compelling story to continue watching.

Marcus Johnson:

Evelyn?

Evelyn Mitchell:

I think I'm in agreement with Stephanie and Jeremy. Amazon can't really improve user experience on search while maintaining or increasing ad load. We have passed the point of no return on that front. Amazon has become notorious for its ad clutter. And if it wants to encourage adoption of its conversational search product once the tech does get to a good point ... Having fewer ads at first could be one way to do it.

Yes, that would have implications for advertisers' access to those coveted users that are actively demonstrating interest in a product by searching for it. This is a challenge that search advertisers are facing with Google and Bing as well. It'll take time for these platforms to figure out monetization of conversational search. At this point, it is a waiting game, but smart on Amazon's part.

Marcus Johnson:

Let's move to Round Two, folks. We start with Jeremy. "Facebook owner Meta fined \$1.3 billion by EU regulators for mishandling people's data when moving it between Europe and the US," writes Shiona McCallum of the BBC. Issued by Ireland's Data Protection Commission, it's the largest fine imposed under the EU's General Data Protection Regulation or GDPR Privacy Law.

The law says Europeans' personal data must be protected when transferred outside of Europe. Regulators think Meta's data flows exposed Europeans to America's weaker privacy laws, where US intelligence agencies can intercept communications from abroad. Meta says it will appeal against the quote, unquote, "Unjustified and unnecessary ruling." But Jeremy, Facebook owner Meta being fined \$1.3 billion by EU regulators. What's the point?

Jeremy Goldman:

I think that it's a very interesting thing. Meta has basically built this into their whole entire P&L at this point, which is that it's more expensive to do business in Europe. They're expecting, essentially, these fines every so often. They're very expensive parking tickets. You just know you're going to get them.

They are appealing it. I think it is important also to note that there is going to be a new data transfer mechanism eventually between the US and EU. But obviously, that's not something that's in place right now. Expect Europe to keep on pushing back against Meta. And Meta has a very tough task. They have to go very close to the line without stepping over it and incurring these fines more than necessary.

Marcus Johnson:

Evelyn?

Evelyn Mitchell:

This decision from the EU really underscores the idea that GDPR enforcers are stepping into their power now as the law hits five years in play. In many cases, the status quo in digital advertising from the collection and use of consumer data to where that data is stored, it's not going to fly anymore. And I think it's naive to think that enforcement will be limited to big tech.

I believe that's as true for businesses that operate in California as it is for businesses that operate in the EU. Even if the new Transatlantic Data Flow Agreement is in place by the end of

the Summer, I expect it to be challenged in court. Potentially, by Max Schrems, the same person who led the charge against the previous two data transfer frameworks. So I think there's a lot more to come here.

Marcus Johnson:

Stephanie?

Stephanie Taglianetti:

I think this is interesting juxtaposed with the TikTok ban in Montana, because there really is just so much pressure on tech companies to take responsibility for data sharing and protection. Legislators are cracking down to prevent data from moving around freely across the globe.

But then, if you think about it, I'm not sure that siloed nation by nation data exchange is really the answer. I don't think that it's realistic to assume that that's going to be easy to implement.

Marcus Johnson:

The fine surpasses the previous GDPR record. Sam Schechner of the Wall Street Journal pointing out that the \$1.3 billion fine is a record. It beat \$800 million, which was levied in 2021 against Amazon in Luxembourg for privacy violations related to its ad business. Amazon appealed the decision in Luxembourg courts. This is a record fine, so it's a big deal.

Another thing is, it could have been worse. GDPR allows for a fine of up to 4% of worldwide annual revenue. Meta could have been fined up to nearly \$5 billion, which is still a fraction of what it made in a single quarter. Let alone in a year. It's not a ton, but it's something. And it's becoming more of a thing. Fines are getting bigger, slowly but surely, under GDPR.

Meta has been fined about \$300 in November for a data leak. And then, in January, metals find \$400 million for forcing users to accept personalized ads as a condition of using Facebook. And now, \$1.3 billion. To Evelyn's point about stepping into their power, the fines are getting bigger. But supposedly, Evelyn, they can't get big enough where they'll have a sizable impact. If they're capped at 4% of revenue, to Jeremy's point about a parking ticket, isn't it just the cost of doing business?

Evelyn Mitchell:

Fines as an enforcement mechanism, they do have a limit. And that's something that's been brought up in conversations about California's law as well in the US. Will repeatedly fining companies actually move the needle on privacy? Because if companies stand to make more money by violating the law and it's more money than they would be fined, then it's just a simple risk assessment there.

But there are other enforcement mechanisms as well that I think will come into play. We can see the data protection authorities throughout the European Union have different ways they can keep a closer eye on big tech and other companies that repeatedly violate the GDPR. The longer that fines continue to not actually be effective, the more we'll see those kinds of mechanisms come into play.

Marcus Johnson:

Okay. Well, at the halfway mark, Evelyn and Stephanie are tied in joint first with five points a piece. Jeremy just behind with four. We move to Round Three. We start with Evelyn. One Giant Leap for Brand Kind.

Evelyn Mitchell:

No. It's so good.

Marcus Johnson:

It's so good.

Evelyn Mitchell:

So good.

Marcus Johnson:

Mr. Waters of The Atlantic. Yes, please. Cup of two points for Mr. Waters. Companies are sending their products into orbit and plastering their logos on spacecrafts. "Will space ads dull our sense of wonder about the universe?" Asks Michael Waters of The Atlantic. Stephanie, what has gotten into you?

Stephanie Taglianetti:

This story.

Marcus Johnson:

He notes America's first commercial spacecraft heading to the moon from private space company Intuitive Machines looks like an ATM kiosk with legs. Just like NASCAR vehicles, the next big moon mission will be festooned with an ad. But Evelyn, one giant leap for brand kinds. What's the point?

Evelyn Mitchell:

There are so many directions to go here. If you throw a dart, you'll land on a good point to make. This kind of seems like a step along the path toward the Disney-fied dystopia of WALL-E. But as long as ...

Stephanie Taglianetti:

Yes. I thought the same thing, Evelyn.

Evelyn Mitchell:

It just conjures that. They all seem pretty happy, but it definitely took me to that place. As long as capitalism prevails, advertising prevails. There will always be that handful of advertisers that take advantage of a new way to garner attention.

I think it's interesting though to be talking about this in the midst of a softer ad economy. Advertisers are still prioritizing performance tactics and space has got to be the biggest branding play of all time.

Marcus Johnson:

WALL-E has got to be the darkest film.

Evelyn Mitchell:

It is.

Marcus Johnson:

Ever.

Evelyn Mitchell:

It is heartbreaking.



Marcus Johnson:

It's a horror. It's chilling.

Evelyn Mitchell:

It's chilling, but I love it.

Marcus Johnson:

If you haven't watched it, don't bother. You'll see what happens in about 10 years.

Evelyn Mitchell:

Marcus.

Marcus Johnson:

What?

Evelyn Mitchell:

Definitely, everyone who hasn't seen WALL-E should watch WALL-E.

Marcus Johnson:

You should watch it, but you also don't have to. Because it's going to happen shortly.

Jeremy Goldman:

Spoilers.

Evelyn Mitchell:

No spoilers.

Marcus Johnson:

It's dark. It's dark. Stephanie, what have you got?

Stephanie Taglianetti:

I thought of WALL-E. I thought of Idiocracy. I thought of Don't Look Up. So many of these dystopian, weird realities. But what do I even say? I don't know much about this, but the claim that every brand wants to get in on space marketing seems extremely overblown.

To Evelyn's point, if brands aren't even all-in on spending on TikTok advertising right now ... What makes you think they're into spaceship advertising? I know that's overly simplified, but it sounds so silly to me.

Evelyn Mitchell:

Well, especially if they cost as much or more than a Super Bowl ad.

Marcus Johnson:

Is that the price for some of these?

Evelyn Mitchell:

Yeah.

Marcus Johnson:

Wow.

Evelyn Mitchell:

That's what The Atlantic said.

Marcus Johnson:

At least with sky advertising ... We were talking about sky advertising the other day. Like ads in the sky. At least those you can see.

Stephanie Taglianetti:

You can see with your human eyes.

Marcus Johnson:

You don't need a telescope or something. Or to watch it on television or just hear about it. But Jeremy, your thoughts?

Jeremy Goldman:

Well, two things. One thing is that this is going to really mess with our out-of-home ad spending forecast, if it really takes off. How do you allocate something to US versus rest of world and so on?

Marcus Johnson:

The forecasting team is going to be furious.

Jeremy Goldman:

Generally speaking though ... Why is this so expensive? Because there's very little inventory. Over time, if this is something that takes off, then you're going to see obviously the cost will come down dramatically.

And then, ironically, it becomes a little bit more of a, "Wow. This isn't that interesting." Because we just get used to it. I think that we're really in the, "Maybe people should pay attention to this," because it's the type of thing that you can't really tune out in the way that you can tune out so many other things.

We were talking about ad blockers before. People have become so desensitized to ads that you really want to find something that's compelling to put in front of them. That's why the Super Bowl stands out. But this is Super Bowl squared, essentially. Ultimately, over time, advertisers will keep finding new novel ways to get in front of customers. And then, advertisers will find a way to drive that new mechanism into the ground.

Stephanie Taglianetti:

Or into the sky.

Jeremy Goldman:

I set myself up for that.

Marcus Johnson:

Space puns.

Jeremy Goldman:

Wow. Wow. We could have thought of that one. That was great. Sorry. I'm a little spaced out today.

Marcus Johnson:

More space puns. Very nice, folks. Very nice. Going into Round Four, it's all tied up. Seven points a piece. All to play for. It's double points, Round Four, of course. We're going to be

starting with Stephanie. For Round Four, the Supreme Court ruling against reexamining Section 230.

Writes Adi Robertson of The Verge, "Section 230 is the internet law that lets online platforms host content, but not be held liable for that content." Ms. Robertson explains that the case of Google v. Gonzalez centered around this law involved the family of a woman who was killed in a terrorist attack, who was suing Google, which the family claimed had violated the law by recommending terrorist content on YouTube. So profiting from this video.

They sought to hold Google liable under anti-terrorism laws. The Supreme Court said the claims weren't substantial enough. But Stephanie, the Supreme Court ruling against reexamining section 230 of the Communications Decency Act of 1996. What's the point?

Stephanie Taglianetti:

Well, there are a lot of US laws that were made for a certain period in time that is no longer relevant. How are we going to govern tech companies with a law made almost three decades ago when the internet was vastly different from the contemporary digital landscape?

I think it goes without saying. There has to be modifications to content moderation. More and more content moderation at the same time is a double-edged sword, because some people are going to feel safer while others are going to be angry with more restrictions happening.

Marcus Johnson:

Jeremy?

Jeremy Goldman:

I think that everybody was a little bit too excited about these rulings. Because Evelyn and I have talked about them a few times and everybody thought, "Wow. This is going to be tackling 230." There was always a strong likelihood that the court was going to say that's just way too big for them.

I agree with Stephanie that people didn't really even understand the internet or what it could be or what these business models would look like when they initially made these rules. Because of that, they're incredibly outmoded.

But it's not really necessarily the court's place to get tricked into a ruling here. It's more that we need much better legislation to govern what is and what isn't okay. Because obviously,

they are a huge shield for pretty much every major tech platform.

Marcus Johnson:

Evelyn?

Evelyn Mitchell:

As Jeremy mentioned, when the Supreme Court granted certiorari to these cases last year, it was a big deal. Just the potential there. The potential energy of this case to change everything was huge. And it suggested that the justices did have something to say or to add to the ongoing discourse surrounding Section 230.

I predicted at the time that the Supreme Court wouldn't overturn Section 230, and then oral arguments in February gave me even more confidence in that prediction. They just seemed overwhelmed at the cascading effects that changing this law would have. But to Stephanie's point, the internet has changed tremendously since the Communications Decency Act was enacted in 1996.

AI is set to revolutionize things yet again. I do believe that it's likely that Congress will ultimately be compelled to bring the law into the 21st century. And it's happening in privacy as well. The Video Privacy Protection Act, the VPPA was enacted around a similar time and is still being used today as the basis for lawsuits in the privacy realm. Because Congress hasn't enacted a comprehensive federal privacy law.

Marcus Johnson:

Very nice, folks. That's the end of the game. Let's count the scores. A drum roll. That's suspense. Evelyn is this week's winner of the Game of the Week. 13 points to Jeremy, and Stephanie is 11 a piece in joint second. Heck of a game, folks. Well-played to Evelyn. She wins the Game of the Week and the championship belt, and of course, gets the last word.

Evelyn Mitchell:

I would like to apologize ...

Marcus Johnson:

Finally.

Evelyn Mitchell:

To my fiance, very soon-to-be husband, for running upstairs and telling him to be quiet just a few minutes ago. Because our hallway ...

Marcus Johnson:

The wedding is off.

Jeremy Goldman:

You took my joke. I was about to say that. All right.

Marcus Johnson:

Sorry, Jeremy.

Evelyn Mitchell:

Well, I think our hallway amplified. He's a loud speaker in general, but our hallway amplified the way he was talking. He was very passionate about something and I feel bad. So that's my apology. Sorry.

Stephanie Taglianetti:

Sorry, Mr. Evelyn.

Jeremy Goldman:

Mr. E.

Stephanie Taglianetti:

Mr. E. Nice.

Marcus Johnson:

Congratulations to the Evelyns for this victory.

Stephanie Taglianetti:

The Evelyns.

Marcus Johnson:

That's all we've got time for. For the Game of the Week. Time, of course, for Dinner Party Data. Who do we start with? Evelyn is going to kick us off. She won the Game of the Week. What do you have for us?

Evelyn Mitchell:

I'm going to start with a quick question. How many times per day do you all check the weather and where do you check it?

Stephanie Taglianetti:

Once, and on the Apple-native weather app.

Marcus Johnson:

Too often, because I'm English.

Jeremy Goldman:

Never. Because I don't care. I'm above such things.

Marcus Johnson:

Never?

Stephanie Taglianetti:

Never?

Evelyn Mitchell:

You don't even ... I feel like in New York it's really important to check the weather, because you have to decide on your shoes.

Marcus Johnson:

You're a maniac, Jeremy.

Stephanie Taglianetti:

Yes.

Jeremy Goldman:

Yeah, but no, no, no. See, I'm going to match my shoes no matter what. So it doesn't matter.

Evelyn Mitchell:

Match your shoes to each other?

Stephanie Taglianetti:

To the outfit?

Jeremy Goldman:

No. No. To my outfit. Even if it's going to be very inconvenient and it's like sleeting. I'm like, "All right. That's life. I'm going to slip."

Evelyn Mitchell:

All of that was to set up. YouGov America conducted a survey of Americans on how often they read, watch, or listen to their local weather forecast. And it's a lot. One in five US adult citizens checks the weather multiple times a day. Over half check it at least daily. There's only 4% of US citizens that never check the weather. So Jeremy, you are pretty special.

Marcus Johnson:

The crazy people.

Evelyn Mitchell:

Apps are the most common place for folks to check the weather. Although TV weather stations are generally considered much more ... Not much more accurate, but they got voted, "Very accurate," more often than weather apps did.

Marcus Johnson:

Have you guys ever ... You want to know what the weather is like now and you're by the door or a window, but you'll go look for your phone as opposed to just stepping outside into the weather.

Stephanie Taglianetti:

No.

Marcus Johnson:



You guys don't do that?

Stephanie Taglianetti:

I need to know a couple of hours from now, so that I can dress appropriately for the hours I'll be outside of the house.

Marcus Johnson:

You always want the future?

Stephanie Taglianetti:

Yeah.

Marcus Johnson:

Okay. Fair enough. Unless you're Jeremy.

Stephanie Taglianetti:

Unless you're Jeremy.

Marcus Johnson:

Then, you just throw caution to the wind and you run outside.

Jeremy Goldman:

Caution to the wind, but I don't even know if there's wind. Because I didn't check.

Marcus Johnson:

More puns. Three is too many folks. On one episode, three puns is too many.

Stephanie Taglianetti:

Rule of three. Rule of three.

Marcus Johnson:

No more. Very nice. Very nice. Stephanie, you're up.

Stephanie Taglianetti:

We're kicking off Memorial Day weekend. I thought I'd hit you with some Memorial Day travel stats, which I think could serve as a proxy for strong summer travel overall. Since this is pretty much the inaugural weekend of summer vacations.

The AAA projects that 42.3 million Americans will travel over 50 miles from home for this Memorial Day weekend. That's a 7% increase over 2022. The AAA went on to say this is expected to be the third-busiest Memorial Day weekend since 2000, when they started tracking holiday travel. Nearly 3.4 million travelers are going to fly this Memorial Day, which is 11% more than last year.

Air travel over this holiday weekend is actually projected to exceed pre-pandemic levels, with 170,000 more passengers. That's a 5% increase over 2019. Despite the high ticket prices, demand is still skyrocketing. That's interesting. Memorial Day weekend could be the busiest at airports since 2005. Thanks to lower fuel prices, Memorial Day road trips are up 6% over last year. 37.1 million Americans are expected to drive to their destinations. Two million more than last year.

Marcus Johnson:

The traveler up across the board it seems.

Stephanie Taglianetti:

Yeah. I'm wondering. Is this sort of a proxy for summer travel, generally?

Marcus Johnson:

What are you doing, Stephanie, for Memorial Day weekend? What do you normally do?

Stephanie Taglianetti:

I don't normally do this, but this weekend I'm going to a barber-cue, which is a barbecue for barber shoppers.

Marcus Johnson:

Stop.

Evelyn Mitchell:

I thought we said no more puns?

Marcus Johnson:

We did say no more puns and you broke the rules. That's four.

Stephanie Taglianetti:

You asked.

Jeremy Goldman:

For sure. It's Marcus's fault.

Evelyn Mitchell:

That's amazing.

Stephanie Taglianetti:

You literally asked for it.

Marcus Johnson:

I did. Very nice. That sounds amazing.

Stephanie Taglianetti:

It's a two-day event. People are camping out in Morristown, New Jersey for non-stop barbershop. And I will be singing at the show on Saturday.

Evelyn Mitchell:

Oh my goodness.

Marcus Johnson:

I'm free. Anyway, Jeremy, what do you have for us?

Jeremy Goldman:

Earlier this week, I think, Tuesday ... It's hard to remember all the way back to Tuesday, but it was World Turtle Day.

Marcus Johnson:

What?

Jeremy Goldman:

I thought I would actually look up a bunch of different interesting ... I thought I knew a lot about turtles, because my brother had one growing up. But apparently, there's all this interesting stuff about them that I did not know. Babies need to make it on their own. No single species of turtle nurtures their children at all. They're just like, "Good luck guys."

Evelyn Mitchell:

Finding Nemo was wrong?

Stephanie Taglianetti:

Yeah. It's a lie.

Marcus Johnson:

Oh my god.

Jeremy Goldman:

They didn't have really great fact-checkers available for Finding Nemo. Turtles can hear, but they hear without having ears, by listening through these middle ear bones that carry noise vibrations down their ear canals. Which is, I thought, kind of interesting. They cry, but they don't cry because they are sad. Like finding out that Finding Nemo was BS.

Marcus Johnson:

A fraud.

Jeremy Goldman:

It's to get rid of excess salt in their body.

Stephanie Taglianetti:

Sure.

Jeremy Goldman:

Anyway, they're really interesting.

Marcus Johnson:

A fake cry.

Jeremy Goldman:

I even found one or two facts that were NSFW, so I'm not going to share those here. Turtles. They're fascinating and they have been around for longer than us.

Stephanie Taglianetti:

Nice.

Marcus Johnson:

Very nice. All right, folks. I've got one for you quick. Before we let you go and enjoy those long weekends. Humans quite literally can't multitask. It's impossible. This is noted by Earl K. Miller, a neuroscience professor at MIT's Picower Institute for Learning and Memory.

He explains that our brains are wired to do just one cognitively demanding thing at a time. When we tell ourselves we're multitasking, we're actually task switching. Rapidly shifting from one thing to the next. Rachel Feintzeig of the Wall Street Journal was writing that we need to get back to monotasking. Doing one thing at a time.

According to David Strayer, a University of Utah professor who has done pioneering research on how brains handle tasks, "The first step is weaning ourselves from distraction." Not only do our phones and notifications disturb us, but we've grown to crave their interruptions too. Was that a sneeze, Stephanie? Bless you.

Stephanie Taglianetti:

No, I was cracking my knuckle.

Marcus Johnson:

Oh. Okay. Your face was scrunched up. Because people literally can't multitask, when we talk on the phone whilst driving, brake reaction time slows, people are more likely to hit other cars, and conversational skills also suffer. All of the things you're trying to do will be degraded. There are exceptions, interestingly, who Dr. Strayer calls, "Supertaskers."

In their daily jobs, they're often high-end chefs, fighter pilots, professional athletes. They can absorb multiple streams of information simultaneously and keep it in order. About 2.5% of

folks are supertaskers, but nearly 50% of people think they are. So if you think you are, you're definitely not.

The Harvard Business Review also noting that it takes about 15 minutes on average to reorient to a primary task after a distraction has happened. Like an email. It takes you 15 minutes to get focused again. And that by multitasking, efficiency can drop by as much as 40%.

Jeremy Goldman:

Wait, is Marcus still talking? I was writing an article.

Marcus Johnson:

Unbelievable. Jeremy is banned from the game. Throw him out, Vee.

Evelyn Mitchell:

Ejected.

Marcus Johnson:

Ejected.

Stephanie Taglianetti:

Marcus, I have a question. Does this make me a supertasker?

Marcus Johnson:

No.

Stephanie Taglianetti:

For those who are listening ...

Jeremy Goldman:

We need to turn it into a video podcast now.

Stephanie Taglianetti:

I was patting my head with my left hand and turning my right hand in a circle simultaneously.

Marcus Johnson:

It's nowhere near. This is the opposite of supertasker.

Stephanie Taglianetti:

Anti-supertasker.

Marcus Johnson:

This makes you an adult. Just. That's all we have time for. For today's episode, thank you so much to my guests. Thank you to Jeremy.

Jeremy Goldman:

Thanks as always for having me.

Marcus Johnson:

Thank you to Evelyn.

Evelyn Mitchell:

Thank you so much, Marcus.

Marcus Johnson:

This week's winner of the Game of the Week. Thank you to Stephanie.

Stephanie Taglianetti:

Yes. Thanks, Marcus.

Marcus Johnson:

And thank you, of course, to Victoria who edits the show, James, who copyedits it, and Stuart, who runs the team. Thanks to everyone listening in. You can say hi by sending us a message on Instagram, @BehindTheNumbers\_Podcast, and I will say hi back.

We'll see you guys on Tuesday for the Behind the Numbers Daily, an eMarketer podcast made possible by InMobi. Happy Memorial Day weekend. And if you're in the UK, Happy Third Bank Holiday of the month. Do some work, England. Do some.