

AMENDMENT NO. _____ Calendar No. _____

Purpose: To improve the bill.

IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.

S. 4632

To amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, to amend the Communications Act of 1934 to modify the scope of protection from civil liability for “good Samaritan” blocking and screening of offensive material, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. HAWLEY to
the amendment (No. _____) proposed by Mr. GRAHAM

Viz:

1 On page 64, line 10, insert “or the terms of service
2 of the provider” after “United States”.

3 On page 66, line 11, strike “others.’; and” and insert
4 “others.”.

5 On page 66, between lines 11 and 12, insert the fol-
6 lowing:

1 (ii) by adding at the end the fol-
2 lowing:

3 “(B) RESPONSIBILITY.—For purposes of
4 subparagraph (A), being responsible in whole or
5 in part for the creation or development of infor-
6 mation—

7 “(i) includes any instance in which a
8 person or entity—

9 “(I) affirmatively and sub-
10 stantively modifies the content of an-
11 other person or entity; or

12 “(II) editorializes with respect to
13 the content of another person or enti-
14 ty; and

15 “(ii) does not include a change to the
16 format, layout, or basic appearance of the
17 content of another person or entity.”; and
18 (B) by adding at the end the following:

19 “(5) EDGE PROVIDER.—The term ‘edge pro-
20 vider’—

21 “(A) means an entity that—

22 “(i) provides an interactive computer
23 service—

24 “(I) through a website, online ap-
25 plication, or mobile applica-

1 tion(including a single interactive
2 computer service that is provided
3 through more than 1 such website or
4 application);

5 “(II) through which information
6 provided by another information con-
7 tent provider is distributed; and

8 “(III) that, in any month during
9 the most recently completed 12-month
10 period—

11 “(aa) more than 30,000,000
12 users in the United States
13 accessed, without regard to the
14 means by which the users
15 accessed the service; or

16 “(bb) more than
17 300,000,000 users worldwide
18 accessed, without regard to the
19 means by which the users
20 accessed the service; and

21 “(ii) during the most recently com-
22 pleted taxable year, had more than
23 \$1,500,000,000 in global revenue; and

24 “(B) does not include an organization de-
25 scribed in section 501(c) of the Internal Rev-

1 enue Code of 1986 that is exempt from taxation
2 under section 501(a) of such Code.”; and