

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

AMENDMENT intended to be proposed by Mr. LEE

Viz:

1 Beginning on page 63, strike line 20 and all that fol-
2 lows through page 64, line 7, and insert the following:

3 (B) by striking paragraph (2) and insert-
4 ing the following:

5 “(2) CIVIL LIABILITY.—

6 “(A) IN GENERAL.—Subject to subpara-
7 graph (B), no provider or user of an interactive
8 computer service shall be held liable on account
9 of—

1 “(i) any action voluntarily taken in
2 good faith to restrict access to or avail-
3 ability of material that the provider or user
4 has an objectively reasonable belief is ob-
5 scene, lewd, lascivious, filthy, excessively
6 violent, harassing, or otherwise objection-
7 able, whether or not such material is con-
8 stitutionally protected; or

9 “(ii) any action taken to enable or
10 make available to information content pro-
11 viders or others the technical means to re-
12 strict access to material described in clause
13 (i).

14 “(B) REQUIREMENT.—Before a provider
15 or user of an interactive computer service takes
16 an action under subparagraph (A)(i) to restrict
17 access to or availability of material because the
18 provider or user has an objectively reasonable
19 belief that the material is otherwise objection-
20 able, the provider or user taking that action
21 shall publicly communicate the meaning of the
22 term ‘otherwise objectionable.’; and