

119TH CONGRESS
1ST SESSION

S. _____

To repeal section 230 of the Communications Act of 1934.

IN THE SENATE OF THE UNITED STATES

Mr. GRAHAM (for himself, Mr. DURBIN, Mr. GRASSLEY, Mr. WHITEHOUSE, Mr. HAWLEY, Ms. KLOBUCHAR, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mrs. MOODY, and Mr. WELCH) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To repeal section 230 of the Communications Act of 1934.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sunset Section 230
5 Act”.

6 **SEC. 2. REPEAL OF SECTION 230.**

7 (a) IN GENERAL.—Section 230 of the Communica-
8 tions Act of 1934 (47 U.S.C. 230) is repealed.

9 (b) CONFORMING AMENDMENTS.—

1 (1) COMMUNICATIONS ACT OF 1934.—The Com-
2 munications Act of 1934 (47 U.S.C. 151 et seq.) is
3 amended—

4 (A) in section 223(h) (47 U.S.C. 223(h)),
5 by striking paragraph (2) and inserting the fol-
6 lowing:

7 “(2) The term ‘interactive computer service’
8 means any information service, system, or access
9 software provider that provides or enables computer
10 access by multiple users to a computer server, in-
11 cluding specifically a service or system that provides
12 access to the Internet and such systems operated or
13 services offered by libraries or educational institu-
14 tions.”; and

15 (B) in section 231(b)(4) (47 U.S.C.
16 231(b)(4)), by striking “or section 230”.

17 (2) TRADEMARK ACT OF 1946.—Section 45 of
18 the Act entitled “An Act to provide for the registra-
19 tion and protection of trademarks used in commerce,
20 to carry out the provisions of certain international
21 conventions, and for other purposes”, approved July
22 5, 1946 (commonly known as the “Trademark Act
23 of 1946”) (15 U.S.C. 1127), is amended by striking
24 the definition relating to the term “Internet” and in-
25 serting the following:

1 “The term ‘Internet’ means the international com-
2 puter network of both Federal and non-Federal interoper-
3 able packet switched data networks.”.

4 (3) TITLE 17, UNITED STATES CODE.—Section
5 1401 of title 17, United States Code, is amended by
6 striking subsection (g).

7 (4) TITLE 18, UNITED STATES CODE.—Part I of
8 title 18, United States Code, is amended—

9 (A) in section 1462, by striking “(as de-
10 fined in section 230(e)(2) of the Communica-
11 tions Act of 1934)” each place the term ap-
12 pears and inserting “(as defined in section 223
13 of the Communications Act of 1934 (47 U.S.C.
14 223))”;

15 (B) in section 1465, by striking “(as de-
16 fined in section 230(e)(2) of the Communica-
17 tions Act of 1934)” and inserting “(as defined
18 in section 223 of the Communications Act of
19 1934 (47 U.S.C. 223))”;

20 (C) in section 2257(h)(2)(B)(v), by strik-
21 ing “, except that deletion of a particular com-
22 munication or material made by another person
23 in a manner consistent with section 230(c) of
24 the Communications Act of 1934 (47 U.S.C.
25 230(c)) shall not constitute such selection or al-

1 teration of the content of the communication”;
2 and

3 (D) in section 2421A—

4 (i) in subsection (a), by striking “(as
5 such term is defined in defined in section
6 230(f) the Communications Act of 1934
7 (47 U.S.C. 230(f)))” and inserting “(as
8 that term is defined in section 223 of the
9 Communications Act of 1934 (47 U.S.C.
10 223))”; and

11 (ii) in subsection (b), by striking “(as
12 such term is defined in defined in section
13 230(f) the Communications Act of 1934
14 (47 U.S.C. 230(f)))” and inserting “(as
15 that term is defined in section 223 of the
16 Communications Act of 1934 (47 U.S.C.
17 223))”.

18 (5) CONTROLLED SUBSTANCES ACT.—Section
19 401(h)(3)(A)(iii)(II) of the Controlled Substances
20 Act (21 U.S.C. 841(h)(3)(A)(iii)(II)) is amended by
21 striking “, except that deletion of a particular com-
22 munication or material made by another person in
23 a manner consistent with section 230(c) of the Com-
24 munications Act of 1934 shall not constitute such

1 selection or alteration of the content of the commu-
2 nication”.

3 (6) WEBB-KENYON ACT.—Section 3(b)(1) of
4 the Act entitled “An Act divesting intoxicating liq-
5 uors of their interstate character in certain cases”,
6 approved March 1, 1913 (commonly known as the
7 “Webb-Kenyon Act”) (27 U.S.C. 122b(b)(1)), is
8 amended by striking “(as defined in section 230(f)
9 of the Communications Act of 1934 (47 U.S.C.
10 230(f))” and inserting “(as defined in section 223 of
11 the Communications Act of 1934 (47 U.S.C. 223))”.

12 (7) TITLE 28, UNITED STATES CODE.—Section
13 4102 of title 28, United States Code, is amended—

14 (A) by striking subsection (c); and

15 (B) in subsection (e)—

16 (i) by striking “construed to” and all
17 that follows through “affect” and inserting
18 “construed to affect”; and

19 (ii) by striking “defamation; or” and
20 all that follows and inserting “defama-
21 tion.”.

22 (8) DANIEL ANDERL JUDICIAL SECURITY AND
23 PRIVACY ACT OF 2022.—Section 5933(7) of the Dan-
24 iel Anderl Judicial Security and Privacy Act of 2022
25 (28 U.S.C. 601 note prec.; Public Law 117–263) is

1 amended by striking “section 230 of the Commu-
2 nications Act of 1934 (47 U.S.C. 230)” and insert-
3 ing “section 223 of the Communications Act of 1934
4 (47 U.S.C. 223)”.

5 (9) TITLE 31, UNITED STATES CODE.—Section
6 5362(6) of title 31, United States Code, is amended
7 by striking “section 230(f) of the Communications
8 Act of 1934 (47 U.S.C. 230(f))” and inserting “sec-
9 tion 223 of the Communications Act of 1934 (47
10 U.S.C. 223)”.

11 (10) NATIONAL TELECOMMUNICATIONS AND IN-
12 FORMATION ADMINISTRATION ORGANIZATION ACT.—
13 Section 157 of the National Telecommunications
14 and Information Administration Organization Act
15 (47 U.S.C. 941) is amended—

16 (A) by striking subsection (e); and

17 (B) by redesignating subsections (f)
18 through (j) as subsections (e) through (i), re-
19 spectively.

20 (c) EFFECTIVE DATE.—The amendments made by
21 this section shall take effect on the date that is 2 years
22 after the date of enactment of this Act.