

S 4534

Online Freedom and Viewpoint Diversity Act

Congress: 116 (2019–2021, Ended)

Chamber: Senate

Policy Area: Science, Technology, Communications

Introduced: Sep 8, 2020

Current Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Latest Action: Read twice and referred to the Committee on Commerce, Science, and Transportation. (Sep 8, 2020)

Official Text: <https://www.congress.gov/bill/116th-congress/senate-bill/4534>

Sponsor

Name: Sen. Wicker, Roger F. [R-MS]

Party: Republican • **State:** MS • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Blackburn, Marsha [R-TN]	R · TN		Sep 8, 2020
Sen. Graham, Lindsey [R-SC]	R · SC		Sep 8, 2020

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Sep 8, 2020

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

Bill	Relationship	Last Action
116 S 4632	Related bill	Sep 21, 2020: Read twice and referred to the Committee on the Judiciary.

Online Freedom and Viewpoint Diversity Act

This bill limits the immunity of a provider or user of an interactive computer service (i.e., social media platform) for screening and blocking offensive material on the service's platform, revises the applicability of civil liability for this moderation of offensive material, and changes a definition that governs applicability of the immunity.

Under current law, this immunity protects a provider or user of a social media platform from being treated as the publisher or speaker of information provided by another information content provider.

The bill removes this immunity from a decision, agreement, or action by a provider or user of a social media platform to restrict access to or availability of material provided by another information content provider. To avoid liability for this conduct, in addition to acting in good faith, the bill requires that the actor must have an *objectively reasonable belief* that the material is obscene, lewd, lascivious, filthy, excessively violent, harassing, promoting self-harm, promoting terrorism, or unlawful. Currently, a good faith actor must only *consider* such material to be obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable.

Further, the bill redefines *information content provider* to encompass any person who editorializes or affirmatively and substantively modifies the content of another person or entity.

Actions Timeline

- **Sep 8, 2020:** Introduced in Senate
- **Sep 8, 2020:** Read twice and referred to the Committee on Commerce, Science, and Transportation.

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