

HR 3421

SAFE TECH Act

Congress: 117 (2021–2023, Ended)

Chamber: House

Policy Area: Science, Technology, Communications

Introduced: May 20, 2021

Current Status: Referred to the Subcommittee on Communications and Technology.

Latest Action: Referred to the Subcommittee on Communications and Technology. (May 21, 2021)

Official Text: <https://www.congress.gov/bill/117th-congress/house-bill/3421>

Sponsor

Name: Rep. McEachin, A. Donald [D-VA-4]

Party: Democratic • **State:** VA • **Chamber:** House

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Castor, Kathy [D-FL-14]	D · FL		May 20, 2021
Rep. Levin, Mike [D-CA-49]	D · CA		May 20, 2021

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	May 21, 2021

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

Bill	Relationship	Last Action
117 S 299	Identical bill	Feb 8, 2021: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Safeguarding Against Fraud, Exploitation, Threats, Extremism, and Consumer Harms Act or the SAFE TECH Act

This bill limits federal liability protection that applies to a user or provider of an interactive computer service (e.g., a social media company) for claims related to content provided by third parties.

Specifically, the bill applies the liability protection to claims arising from third-party speech rather than third-party information. Additionally, the liability protection shall not apply if a user or provider (1) accepts payment to make the speech available, or (2) creates or funds (in whole or in part) the speech.

The bill changes legal procedures concerning the liability protection by (1) requiring a defendant in a lawsuit to raise the liability protection as an affirmative defense, and (2) placing the burden of proving that the defense applies on the defendant.

Some courts have held that the current liability protection bars claims for civil penalties and injunctive relief. The bill expressly excludes from the liability protection requests for injunctive relief arising from a provider's failure to remove, restrict access to, or prevent dissemination of material likely to cause irreparable harm. However, the bill protects a provider from liability for actions taken to comply with such injunctions.

Under current law, the liability protection does not apply to federal criminal law, intellectual property law, and other designated areas of law. The bill further specifies that the liability protection shall not apply to civil rights law; antitrust law; stalking, harassment, or intimidation laws; international human rights law; and civil actions for wrongful death.

Actions Timeline

- **May 21, 2021:** Referred to the Subcommittee on Communications and Technology.
- **May 20, 2021:** Introduced in House
- **May 20, 2021:** Referred to the House Committee on Energy and Commerce.