Amendment to Division A of Rules

Committee Print 117-55

(Transportation, Housing and Urban Development, and Related Agencies Appropriations Division)

Offered by Mr. Clyde of Georgia

At the end of division A (before the short title), insert the following:

SEC. ____. (a) Except as provided in subsection (b), none of the funds made available by this Act may be used by the head of any Federal agency to direct or encourage a social media company to—

(1) remove or suspend a user from the social media platform of the social media company;

(2) label content on the social media platform of the social media company as information, disinformation, true, false, or any other similar characterization; or

(3) share with the Federal Government data or information about a particular topic or group of users on the social media platform of the social media company, including—
(A) the name, age, or demographic of the users; and

(B) the content such users share on the social media platform of the social media company.

(b) The prohibitions described in paragraphs (1) and (3) of subsection (a) do not apply to an action taken by the Federal Government pursuant to a warrant—

(1) issued by a Federal court of competent jurisdiction in accordance with the procedures described in rule 41 of the Federal Rules of Criminal Procedure; or

(2) issued by a State court of competent jurisdiction.

(c) For purposes of this section:

(1) The term “social media company” means a company that provides, in or affecting interstate or foreign commerce, a social media platform.

(2) The term “social media platform”—

(A) means a website or internet medium that—

(i) permits a person to become a registered user, establish an account, or create a profile for the purpose of allowing users
to create, share, and view user-generated content through such an account or profile;

(ii) primarily serves as a medium for users to interact with content generated by other users of the medium; and

(iii) enables one or more users to generate content that can be viewed by other users of the medium; and

(B) does not include—

(i) any such platform that serves fewer than 100,000 users;

(ii) an email program, email distribution lists, multi-person text message groups, or a website that is primarily for the purpose of internet commerce;

(iii) a private platform or messaging service used by an entity solely to communicate with others employed by or affiliated with such entity; or

(iv) an internet-based platform whose primary purpose is—

(I) to allow users to post product reviews, business reviews, travel information and reviews; or
(II) to provide news or entertainment content, but that may also include a comment section for users to discuss such news or entertainment content.