

AMENDMENT TO H.R. 8818
[PAGE AND LINE NUMBERS REFER TO
PRIVACY__05, DATED JUNE 25, 2024]
OFFERED BY MR. SOTO OF FLORIDA

Page 156, after line 18, insert the following:

1 **SEC. 124. PROHIBITION ON USING IDENTITY OF ANOTHER**
2 **TO MAKE AVAILABLE CERTAIN INFORMA-**
3 **TION.**

4 (a) PROHIBITION.—

5 (1) IN GENERAL.—A person may not make
6 available covered information on an interactive com-
7 puter service.

8 (2) APPLICABILITY TO CERTAIN PROVIDERS.—

9 Notwithstanding section 230(c)(1) of the Commu-
10 nications Act of 1934 (47 U.S.C. 230(c)(1)), para-
11 graph (1) of this subsection applies to a provider of
12 an interactive computer service with respect to infor-
13 mation provided by another information content pro-
14 vider on the interactive computer service.

15 (b) CIVIL ACTION.—

16 (1) IN GENERAL.—An individual may bring a
17 civil action against a person for a violation of sub-

1 section (a) in an appropriate district court of the
2 United States.

3 (2) RELIEF.—In a civil action brought under
4 paragraph (1) in which the plaintiff prevails, the
5 court may award the plaintiff—

6 (A) an amount equal to the sum of any ac-
7 tual damages;

8 (B) injunctive relief, including, with re-
9 spect to a provider of an interactive computer
10 service, that such provider may be required to
11 remove the applicable covered information and
12 make publicly available a notice explaining that
13 the source of the applicable covered information
14 was a person other than the plaintiff; and

15 (C) reasonable attorney fees and litigation
16 costs.

17 (c) DEFINITIONS.—In this section:

18 (1) COVERED INFORMATION.—The term “cov-
19 ered information” means information that is—

20 (A) libelous, slanderous, or criminal; and

21 (B) presented by a person using the iden-
22 tity of an individual (who is not such person)—

23 (i) without the authorization of such
24 individual; and

1 (ii) in a manner that suggests such
2 individual is the source of such informa-
3 tion.

4 (2) INFORMATION CONTENT PROVIDER.—The
5 term “information content provider” has the mean-
6 ing given that term in section 230(f) of the Commu-
7 nications Act of 1934 (47 U.S.C. 230(f)).

8 (3) INTERACTIVE COMPUTER SERVICE.—The
9 term “interactive computer service” has the meaning
10 given that term in section 230(f) of the Communica-
11 tions Act of 1934 (47 U.S.C. 230(f)).

