

Politico Pro Article

Subject: E&C's top Republican sets sights on tech industry liability shield

By John Hendel

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House Energy and Commerce ranking member [Greg Walden](#) (R-Ore.) said lawmakers should pair renewed attention on net neutrality with re-examining the tech industry's prized shield from liability for content hosted online.

The tech industry has long fought to preserve its liability protections, enshrined in Section 230 of 1996's Communications Decency Act, though last year saw the passage of an exemption for content facilitating sex trafficking. Now, Walden told POLITICO, "it may be time to take a look at" making broader changes — and tying them into talks regarding prospective net neutrality legislation.

Walden drew an analogy between the liability shield and net neutrality, the tech industry-favored principle of telecom companies treating all traffic equally. He maintained tech companies, in pushing to retain liability protections, behave like the content-neutral data carriers they want broadband companies to be, yet don't want to face the same tightly regulated "common carrier" framework they support for those same internet providers.

"It seems kind of peculiar to argue on the one hand you get Section 230 protection because you're a common carrier, but on the other hand, call for net neutrality legislation on everybody but yourself," Walden said.

Democrats may not cater to GOP desires, however. Telecom subcommittee chairman [Mike Doyle](#) (D-Pa.) told POLITICO Tuesday's net neutrality legislative hearing will center on just Democrats' Save the Internet Act, which would simply revive Obama-era rules rooted in the common-carrier framework.

Democrats think they can pass the measure in the House "by the end of April," Doyle predicted.

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