



Search Cornell

Legal Information Institute [LII]
OPEN ACCESS TO LAW SINCE 1992



SUPPORT LII
GIVE NOW

[ABOUT LII](#) / [GET THE LAW](#) / [FIND A LAWYER](#) / [LEGAL ENCYCLOPEDIA](#) / [HELP OUT](#)

7,651 followers 9.3k

[USC](#) > [Title 47](#) > [Chapter 5](#) > [Subchapter II](#) > [Part I](#) > [§ 230](#) [PREV](#) [NEXT](#)

47 USC § 230 - Protection for private blocking and screening of offensive material

[USC-prelim](#) [US Code](#) [Notes](#) [Updates](#) [Authorities \(CFR\)](#)

This preliminary release may be subject to further revision before it is released again as a final version. As with other online versions of the Code, the [U.S. Code Classification Tables](#) should be consulted for the latest laws affecting the Code. Those using the *USC Prelim* should verify the text against the printed slip laws available from [GPO](#) (Government Printing Office), the laws as shown on [THOMAS](#) (a legislative service of the Library of Congress), and the final version of the Code when it becomes available.

Current through Pub. L. [112-131](#). (See [Public Laws for the current Congress](#).)

(a) Findings

The Congress finds the following:

- (1) The rapidly developing array of Internet and other interactive computer services available to individual Americans represent an extraordinary advance in the availability of educational and informational resources to our citizens.
- (2) These services offer users a great degree of control over the information that they receive, as well as the potential for even greater control in the future as technology develops.
- (3) The Internet and other interactive computer services offer a forum for a true diversity of political discourse, unique opportunities for cultural development, and myriad avenues for intellectual activity.
- (4) The Internet and other interactive computer services have flourished, to the benefit of all Americans, with a minimum of government regulation.
- (5) Increasingly Americans are relying on interactive media for a variety of political, educational, cultural, and entertainment services.

(b) Policy

It is the policy of the United States—

- (1) to promote the continued development of the Internet and other interactive computer services and other interactive media;
- (2) to preserve the vibrant and competitive free market that presently exists for the Internet and other interactive computer services, unfettered by Federal or State regulation;
- (3) to encourage the development of technologies which maximize user control over what information is received by individuals, families, and schools who use the Internet and other interactive computer services;
- (4) to remove disincentives for the development and utilization of blocking and filtering technologies that empower parents to restrict their children's access to objectionable or inappropriate online material; and

U.S. CODE TOOLBOX

SEARCH US CODE:

[Law about... Articles from Wex](#)

[Download the PDF \(3 pgs\)](#)

[Title 47 USC RSS Feed](#)

[Table of Popular Names](#)

[Parallel Table of Authorities](#)

2

[Donations](#) cover only 20% of our costs

[The Law of Defamation and The Internet](#)

Matthew Collins
Hardcover
\$335.00

LAW ABOUT... ARTICLES FROM WEX

- [Computer and internet fraud](#)
- [Who can sue under the CAN-SPAM Act?](#)
- [CAN-SPAM Act of 2003: Legislative Context and Background](#)
- [Why do companies use spam anyway?](#)
- [Copyright](#)

GET INVOLVED

[LII Announce Blog](#)

[LII Supreme Court Bulletin](#)

[MAKE A DONATION](#)

[CONTRIBUTE CONTENT](#)

[BECOME A SPONSOR](#)

[GIVE FEEDBACK](#)

(5) to ensure vigorous enforcement of Federal criminal laws to deter and punish trafficking in obscenity, stalking, and harassment by means of computer.

(c) Protection for “Good Samaritan” blocking and screening of offensive material

(1) Treatment of publisher or speaker

No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider.

(2) Civil liability

No provider or user of an interactive computer service shall be held liable on account of—

(A) any action voluntarily taken in good faith to restrict access to or availability of material that the provider or user considers to be obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable, whether or not such material is constitutionally protected; or

(B) any action taken to enable or make available to information content providers or others the technical means to restrict access to material described in paragraph (1).¹¹

(d) Obligations of interactive computer service

A provider of interactive computer service shall, at the time of entering an agreement with a customer for the provision of interactive computer service and in a manner deemed appropriate by the provider, notify such customer that parental control protections (such as computer hardware, software, or filtering services) are commercially available that may assist the customer in limiting access to material that is harmful to minors. Such notice shall identify, or provide the customer with access to information identifying, current providers of such protections.

(e) Effect on other laws

(1) No effect on criminal law

Nothing in this section shall be construed to impair the enforcement of section [223](#) or [231](#) of this title, chapter 71 (relating to obscenity) or 110 (relating to sexual exploitation of children) of title 18, or any other Federal criminal statute.

(2) No effect on intellectual property law

Nothing in this section shall be construed to limit or expand any law pertaining to intellectual property.

(3) State law

Nothing in this section shall be construed to prevent any State from enforcing any State law that is consistent with this section. No cause of action may be brought and no liability may be imposed under any State or local law that is inconsistent with this section.

(4) No effect on communications privacy law

Nothing in this section shall be construed to limit the application of the Electronic Communications Privacy Act of 1986 or any of the amendments made by such Act, or any similar State law.

(f) Definitions

As used in this section:

(1) Internet

The term “Internet” means the international computer network of both Federal and non-Federal interoperable packet switched data networks.

(2) Interactive computer service

The term “interactive computer service” means any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the



Internet and such systems operated or services offered by libraries or educational institutions.

(3) Information content provider

The term “information content provider” means any person or entity that is responsible, in whole or in part, for the creation or development of information provided through the Internet or any other interactive computer service.

(4) Access software provider

The term “access software provider” means a provider of software (including client or server software), or enabling tools that do any one or more of the following:

- (A) filter, screen, allow, or disallow content;
- (B) pick, choose, analyze, or digest content; or
- (C) transmit, receive, display, forward, cache, search, subset, organize, reorganize, or translate content.

[\[1\]](#) So in original. Probably should be “subparagraph (A).”

[prev](#) | [next](#)

(a) Findings

The Congress finds the following:

- (1) The rapidly developing array of Internet and other interactive computer services available to individual Americans represent an extraordinary advance in the availability of educational and informational resources to our citizens.
- (2) These services offer users a great degree of control over the information that they receive, as well as the potential for even greater control in the future as technology develops.
- (3) The Internet and other interactive computer services offer a forum for a true diversity of political discourse, unique opportunities for cultural development, and myriad avenues for intellectual activity.
- (4) The Internet and other interactive computer services have flourished, to the benefit of all Americans, with a minimum of government regulation.
- (5) Increasingly Americans are relying on interactive media for a variety of political, educational, cultural, and entertainment services.

(b) Policy

It is the policy of the United States—

- (1) to promote the continued development of the Internet and other interactive computer services and other interactive media;
- (2) to preserve the vibrant and competitive free market that presently exists for the Internet and other interactive computer services, unfettered by Federal or State regulation;
- (3) to encourage the development of technologies which maximize user control over what information is received by individuals, families, and schools who use the Internet and other interactive computer services;
- (4) to remove disincentives for the development and utilization of blocking and filtering technologies that empower parents to restrict their children’s access to objectionable or inappropriate online material; and
- (5) to ensure vigorous enforcement of Federal criminal laws to deter and punish trafficking in obscenity, stalking, and harassment by means of computer.

(c) Protection for “Good Samaritan” blocking and screening of offensive material

(1) Treatment of publisher or speaker

No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider.

(2) Civil liability

No provider or user of an interactive computer service shall be held liable on account of—

(A) any action voluntarily taken in good faith to restrict access to or availability of material that the provider or user considers to be obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable, whether or not such material is constitutionally protected; or

(B) any action taken to enable or make available to information content providers or others the technical means to restrict access to material described in paragraph (1).¹¹

(d) Obligations of interactive computer service

A provider of interactive computer service shall, at the time of entering an agreement with a customer for the provision of interactive computer service and in a manner deemed appropriate by the provider, notify such customer that parental control protections (such as computer hardware, software, or filtering services) are commercially available that may assist the customer in limiting access to material that is harmful to minors. Such notice shall identify, or provide the customer with access to information identifying, current providers of such protections.

(e) Effect on other laws

(1) No effect on criminal law

Nothing in this section shall be construed to impair the enforcement of section [223](#) or [231](#) of this title, chapter 71 (relating to obscenity) or 110 (relating to sexual exploitation of children) of title 18, or any other Federal criminal statute.

(2) No effect on intellectual property law

Nothing in this section shall be construed to limit or expand any law pertaining to intellectual property.

(3) State law

Nothing in this section shall be construed to prevent any State from enforcing any State law that is consistent with this section. No cause of action may be brought and no liability may be imposed under any State or local law that is inconsistent with this section.

(4) No effect on communications privacy law

Nothing in this section shall be construed to limit the application of the Electronic Communications Privacy Act of 1986 or any of the amendments made by such Act, or any similar State law.

(f) Definitions

As used in this section:

(1) Internet

The term “Internet” means the international computer network of both Federal and non-Federal interoperable packet switched data networks.

(2) Interactive computer service

The term “interactive computer service” means any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the Internet and such systems operated or services offered by libraries or educational institutions.

(3) Information content provider

The term “information content provider” means any person or entity that is responsible, in whole or in part, for the creation or development of information provided through the Internet or any other interactive computer service.

(4) Access software provider

The term “access software provider” means a provider of software (including client or server software), or enabling tools that do any one or more of the following:

- (A) filter, screen, allow, or disallow content;
- (B) pick, choose, analyze, or digest content; or
- (C) transmit, receive, display, forward, cache, search, subset, organize, reorganize, or translate content.

[1] So in original. Probably should be “subparagraph (A).”

Source

(June 19, 1934, ch. 652, title II, § 230, as added [Pub. L. 104-104](#), title V, § 509, Feb. 8, 1996, [110 Stat. 137](#); amended [Pub. L. 105-277](#), div. C, title XIV, § 1404(a), Oct. 21, 1998, [112 Stat. 2681-739](#).)

References in Text

The Electronic Communications Privacy Act of 1986, referred to in subsec. (e)(4), is [Pub. L. 99-508](#), Oct. 21, 1986, [100 Stat. 1848](#), as amended. For complete classification of this Act to the Code, see Short Title of 1986 Amendment note set out under section [2510](#) of Title [18](#), Crimes and Criminal Procedure, and Tables.

Codification

Section 509 of [Pub. L. 104-104](#), which directed amendment of title II of the Communications Act of 1934 ([47 U.S.C. 201](#) et seq.) by adding section [230](#) at end, was executed by adding the section at end of part I of title II of the Act to reflect the probable intent of Congress and amendments by sections 101(a), (b), and 151(a) of [Pub. L. 104-104](#) designating §§ 201 to [229](#) as part I and adding parts II (§ 251 et seq.) and III (§ 271 et seq.) to title II of the Act.

Amendments

1998—Subsec. (d). [Pub. L. 105-277](#), § 1404(a)(3), added subsec. (d). Former subsec. (d) redesignated (e).

Subsec. (d)(1). [Pub. L. 105-277](#), § 1404(a)(1), inserted “or 231” after “section [223](#)”.

Subsecs. (e), (f). [Pub. L. 105-277](#), § 1404(a)(2), redesignated subsecs. (d) and (e) as (e) and (f), respectively.

Effective Date of 1998 Amendment

Amendment by [Pub. L. 105-277](#) effective 30 days after Oct. 21, 1998, see section 1406 of [Pub. L. 105-277](#), set out as a note under section [223](#) of this title.

The table below lists the classification updates, since **Jan. 3, 2012**, for this section.

Updates to a broader range of sections may be found at the update page for containing chapter, title, etc.

The most recent Classification Table update that we have noticed was **Tuesday, October 23, 2012**

An empty table indicates that we see no relevant changes listed in the classification tables. If you suspect that our system may be missing something, please double-check with the [Office of the Law Revision Counsel](#).

- How To Use

- General Reference

47 USC **Description of Change** **Session Year** **Public Law** **Statutes at Large**

This is a list of parts within the [Code of Federal Regulations](#) for which this US Code section provides rulemaking authority.

This list is taken from the [Parallel Table of Authorities and Rules](#) provided by [GPO \[Government Printing Office\]](#).

It is not guaranteed to be accurate or up-to-date, though we do refresh the database weekly. More limitations on accuracy are described at the GPO site.

47 CFR – Title 47—Telecommunication
[47 CFR 4](#) – DISRUPTIONS TO COMMUNICATIONS

LII has no control over and does not endorse any external Internet site that contains links to or references LII.



[ABOUT LII](#)

[CONTACT US](#)

[ADVERTISE HERE](#)

[HELP](#)

[TERMS OF USE](#)

[PRIVACY](#)

