

The Internet has democratized opportunity; you no longer need a TV show, a book deal, or a brick-and-mortar store to reach a global audience. All of that sharing, selling, creating, and storytelling is made possible by the underlying legal framework that encourages Internet companies to host user-generated content.

What is Section 230?

Section 230 of the Communications Decency Act, passed in 1996, allows online platforms to host user-generated content without being held legally responsible for the speech of their users. It also gives websites and platforms breathing room to remove content which breaks the site's rules.

Without this law, websites could be held legally responsible for photos, stories, comments, videos, or other content posted by users. Without Section 230, Internet companies would have to worry about users threatening to sue if they dislike content shared by another user. To avoid those kinds of costly lawsuits, Internet companies would have to use expensive and imperfect content moderation filters and monitor content before users can share it, which would severely restrict the way people use the Internet to share content and build communities.



Why do they matter?

These two laws set guidelines for how content can be hosted by websites and platforms, which allows creators to share their works and find new customers for their products and services.

As policymakers consider changing Internet policy, it's critical that Congress not adopt any new laws that could change the frameworks created by these two laws for websites or the thousands of digital entrepreneurs that use them.

The Digital Millennium Copyright Act

Congress passed the Digital Millennium Copyright Act (DMCA) in 1998, which created the framework for websites to handle claims of user copyright infringement. The DMCA created a "notice-and-takedown" procedure so copyright owners can inform websites they're hosting content that allegedly infringes their copyright. If a website receives a legitimate DMCA takedown notice, it must quickly disable access to the material or face potential legal action.

In some cases, copyright law also allows creators to make new works that incorporate other copyrighted material without the owner's permission—for example, some portions of a work may not be copyrightable or the use may be a "fair use," e.g., use for commentary, criticism, or education. But it can be difficult for creators, websites, and copyright owners to determine what falls under the "fair use" exemption.



Want to help?

Policymakers in DC can quickly lose sight of the fact that real people use the Internet every day to make money by telling stories, sharing art, selling products and services, and more.

Share your story and help remind Washington that any changes to Internet policy shouldn't hurt digital entrepreneurs.