

Senators Introduce Online Terrorist Activity Reporting Bill

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Senators *Feinstein* (D-CA) and *Burr* (R-NC) introduced [legislation](#) today that would impose reporting duties on entities that “obtain[] actual knowledge of any terrorist activity.” The bill applies to entities “engaged in providing an electronic communication service or a remote computing service to the public,” which includes social media companies. Those entities are required to report terrorist activity to the appropriate authorities (as determined by the Attorney General) as soon as reasonably possible. The report must include “the facts or circumstances,” defined to include activity involving “distribution of information relating to explosives, destructive devices, and weapons of mass destruction,” with reference to the criminal prohibition on the distribution of such information in 18 U.S.C. § 842(p). Neither § 842 nor today’s legislation define “terrorist activity.” Finally, today’s bill clarifies that it may not be construed to require companies to “monitor any user, subscriber, or customer” or “the content of any communication” of those users.

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