**SUMMARY OF FREE SPEECH STATUTE**

This statute protects Americans from tech censorship. Americans are being censored for their political, cultural, and even scientific dissent. The statute restores their freedom of speech.

**Summary of Statute.**

• Designates the tech companies as common carriers.

• Bars them from censoring others for their viewpoint.

• Leaves tech companies free to restrict unlawful and unwholesome content.

**Protects Free Speech without Limiting the Free Speech of the Tech Companies**

• The companies provide conduits for the speech of others. So when this statute bars them from viewpoint discrimination in those conduits, it is only preventing them from censoring the speech of others. It is not limiting the companies in their own speech.

• This sort of anti-discrimination duty of common carriers was traditionally imposed by both common law and statute. It has been applied to communications common carriers since at least the 19th century, without any doubt about its constitutionality.

For the First Amendment question, see <https://www.wsj.com/articles/big-tech-twitter-facebook-google-youtube-sec-230-common-carrier-11627656722>

For common carriers and anti-discrimination requirements, see <https://yjolt.org/bargaining-free-speech-common-carriage-network-neutrality-and-section-230>

• Common carrier anti-discrimination statutes are essential for protecting against government pressures for censorship. Lawsuits can deal with brazen government censorship of individuals, but only this sort of statute can prevent the wholesale censorship achieved through more subtle pressures on companies.

See <https://reason.com/volokh/2022/06/20/profs-adam-candeub-philip-hamburger-on-the-common-carrier-cure-for-first-amendment-uncertainty/?amp>

**No Conflict with Section 230**

• This statute merely bars *viewpoint* discrimination. So it doesn’t collide with section 230(c)(2)’s protection of tech companies for their *content* discrimination.

For the statute’s compatibility with section 230, see <https://www.wsj.com/articles/the-constitution-can-crack-section-230-11611946851>

For the difference between viewpoint discrimination and content discrimination see <https://www.mtsu.edu/first-amendment/article/1028/viewpoint-discrimination#:~:text=When%20the%20government%20engages%20in,that%20given%20to%20other%20viewpoints>