

The EARN IT Act

Every day, children are groomed, trafficked, and abused through online platforms. This rampant exploitation has not received a consistent and forceful response from the tech industry. There should be no excuse for inadequate and inconsistent efforts to stop this appalling abuse from the largest and most technologically sophisticated companies in the world.

What the EARN IT Act does:

Creates a strong incentive for the tech industry to take online child sexual exploitation seriously.

Under current law, Section 230 allows some tech companies to profit from child sexual exploitation without ever being held accountable in court – a blanket exception to our laws that most businesses do not have. Under EARN IT, the blanket immunity afforded by Section 230 from Federal civil, State criminal, and State civil child sexual abuse material laws is removed entirely.

Fights Grooming, Sex Trafficking, and Sexual Abuse of Children.

The Commission is tasked with developing best practices to combat the grooming, sex trafficking, and abuse that occurs on tech platforms.

Ending impunity for online exploitation will help prevent abuse of children.

By working to eliminate the online marketplace for child sexual abuse material, the EARN IT Act will help reduce the underlying incidents of abuse through freeing children, identifying perpetrators, and ending a reign of impunity.

Establishes a National Commission on Online Child Sexual Exploitation Prevention to recommend best practices related to identifying and reporting online child sexual exploitation.

The Commission includes the Attorney General, FTC Chair, and Secretary of Homeland Security, along with 16 other members representing diverse and bipartisan interests appointed equally by Congressional leadership. By requiring that members be appointed from the tech industry as well as survivors and victims' services organizations, among others, the Commission provides an opportunity for leaders in these fields to weigh and balance the different concerns of these groups.

Gives law enforcement better information to help free children from abuse.

Right now, when law enforcement receives reports of CSAM from companies, those reports often lack critical details and context about victims and abuses. Inadequate reporting means wasted time and lost opportunities to act. The best practices will promote reporting that enables law enforcement to prioritize actionable cases and provides them with the right information to save children.

What the EARN IT Act does not do:

Undermine encryption or mandate government surveillance.

The EARN IT Act is not an encryption bill, and does not create mandates for government surveillance. Tech companies have testified that strong, responsible encryption can be reconciled with aggressive policing of CSAM. The Commission – which has representatives from the tech industry, privacy experts, and computer scientists – will be well positioned to help them achieve that goal.

Create a Commission dominated by law enforcement agencies or led by the Attorney General.

The EARN IT Act requires the nineteen appointees to the Commission to include representatives from survivors and victims' services organizations, law enforcement, and tech industry, as well as constitutional law and privacy experts, consumer rights advocates, and computer scientists.

How can I help combat online child sexual exploitation?

Enacting this legislation is critical to restoring the promise of access to justice to victims and ensuring safer spaces for children online. As CSAM explodes on the internet, accountability for online entities that facilitate this exploitation is another essential tool in the international fight against sex trafficking. To join the campaign and take action, go to:

act.sharedhope.org/actioncenter