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App Coalition Statement on the EARN IT Act

WASHINGTON, DC – June 25, 2020 – The App Coalition, a new technology industry coalition promoting the global App Economy, voiced significant concern today regarding the EARN IT Act, which was postponed for consideration by the Senate Judiciary Committee.

“We are glad that Chairman Graham and his colleagues on the Senate Judiciary Committee have delayed the Committee’s consideration of the EARN IT Act. The App Coalition believes that while the bill stated objective is to support efforts to remove child sex abuse material (CSAM) from the Internet, it duplicates existing law without furthering that objective,” said Michael Drobac, Director of the App Coalition. “Further, the EARN IT Act, as introduced, targets protections given to distributors of user-generated content under Section 230 of the Communications Decency Act (CDA), thus exposing small- and medium-sized businesses that provide critical services, news and community to frivolous lawsuits and overeager trial lawyers.”

Instead, the App Coalition favors bipartisan efforts to make necessary funding available to federal and state agencies to properly enable enforcement of existing laws against purveyors of CSAM through investigations and prosecutions. Proper resources and enforcement of existing laws would dramatically curb the availability of CSAM and provide meaningful remedies for those harmed by these materials, without endangering the protections from Section 230.

Drobac reiterated that the EARN IT Act targets protections afforded to distributors of user-generated content under Section 230 of the Communications Decency Act (CDA). However, Section 230 already clarifies that no protections are available for violations of federal criminal statutes. This includes the possession, distribution, selling, receiving, accessing, and importing of CSAM. In other words, existing law already addresses the very issue that the EARN IT Act seeks to remedy.

The App Coalition will continue to work with lawmakers to ensure government agencies are provided with the resources needed to enforce existing law rather than create duplicative law and regulations that shift responsibility to the private sector.

The App Coalition strongly supports Section 230 and urges Congress to focus its efforts on seeking to provide law enforcement and other government agencies the resources they need to address and prevent the spread of CSAM.

For more about the App Coalition, visit www.appcoalition.org, follow [@app_coalition](https://twitter.com/app_coalition), or email press@appcoalition.org.

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