



Press Release

Unintended Consequences of the EARN IT Act

PAULINA ENCK | FEBRUARY 23, 2022

The Senate may soon consider the Eliminating Abusive and Rampant Neglect of Interactive Technologies (EARN IT) Act of 2022, intended to put a greater onus on social media platforms to find and remove child sexual abuse material (CSAM) online. In a new insight, Director of Technology and Innovation Policy Jeffrey Westling explains why the bill could cause significant harm to user privacy and hamper law enforcement agencies as they attempt to prosecute CSAM criminals.

Key points:

- Despite the important goals of the bill, as currently drafted the EARN IT Act would have major consequences for both user privacy and the ability of law enforcement to use the information obtained by platforms against the perpetrators of CSAM.
- Threats of liability may force platforms to scan users' communications and take away tools for encrypting communications, meaning Americans will have less protection against privacy intrusions from industry and government alike.
- Coercion of platform monitoring also threatens to deputize platforms in the identification and reporting of CSAM, meaning evidence obtained by the searches would become state action and thus inadmissible in trials against criminals.

[Read the analysis](#)