



MAJOR CITIES CHIEFS ASSOCIATION

April 27, 2023

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The Honorable Lindsey Graham
United States Senate
Washington, D.C. 20510

The Honorable Richard Blumenthal
United States Senate
Washington, D.C. 20510

Dear Senator Graham and Senator Blumenthal,

I'm writing on behalf of the Major Cities Chiefs Association (MCCA) to register our support for S. 1207, the *EARN IT Act of 2023*. The MCCA is a professional organization of law enforcement executives representing the largest cities in the United States and Canada.

Online child sexual exploitation is one of the most heinous offenses someone can commit. Recent data demonstrates that these crimes continue to occur far too often. For example, according to the National Center for Missing and Exploited Children (NCMEC), 29.3 million child sexual abuse material (CSAM) reports were made to NCMEC's CyberTipline in 2021, a 35% increase from the previous year.¹ More must be done to address this threat, and the MCCA's members remain steadfast in their commitment to do everything in their power to keep our children safe.

The *EARN IT Act* will bolster local law enforcement's efforts to combat the scourge of online child sexual exploitation. Removing blanket Sec. 230 liability protections for offenses involving CSAM will serve as strong motivation for social media companies, technology companies, and other interactive computer service providers to ensure they're taking the necessary steps to protect children on their platforms. The bill also establishes a National Commission on Online Child Sexual Exploitation Prevention, which will develop best practices that companies can utilize to help achieve this goal. Finally, the legislation includes important protections for these companies. For example, they cannot be held liable solely for using or offering encrypted services.

It's important to emphasize that the *EARN IT Act* will not, and is not intended to, solve the broader challenges with encryption facing law enforcement. As such, advancing this legislation must not detract from or replace other Congressional efforts to address lawful access permanently. While the MCCA fully recognizes the benefits encryption provides law-abiding citizens, criminals use it maliciously at the expense of community safety. This threat must be addressed, and the MCCA stands ready to work with all stakeholders

¹ "CyberTipline 2021 Report," *National Center for Missing & Exploited Children*.
<<https://www.missingkids.org/gethelpnow/cybertipline/cybertiplinedata#reports>>

to develop a lawful access solution that allows law enforcement to access the information it needs to fight crime while protecting privacy, civil rights, and civil liberties.

Thank you for your leadership and your continued support of law enforcement. Please do not hesitate to contact me if the MCCA can be of additional assistance.

Sincerely,



Eddie Garcia
Chief, Dallas Police Department
President, Major Cities Chiefs Association

CC: The Honorable Chuck Grassley
The Honorable Richard J. Durbin
The Honorable Cindy Hyde-Smith
The Honorable Dianne Feinstein
The Honorable Josh Hawley
The Honorable Catherine Cortez Masto
The Honorable Thomas Tillis
The Honorable Margaret Wood Hassan
The Honorable Joni Ernst
The Honorable Mark R. Warner
The Honorable Lisa Murkowski
The Honorable Sheldon Whitehouse
The Honorable Susan M. Collins
The Honorable Mazie Hirono
The Honorable Ted Cruz
The Honorable Marco Rubio
The Honorable John Cornyn
The Honorable John Kennedy
The Honorable Marsha Blackburn