



The STOP CSAM Act

The Strengthening Transparency and Obligation to Protect Children Suffering from Abuse and Mistreatment (STOP CSAM) Act of 2023 (S. 1199) is a comprehensive child protection bill that increases protections for child victims testifying in court and receiving restitution; improves reporting of child sexual abuse material (CSAM) to NCMEC's CyberTipline; creates transparency requirements for online platforms; increases accountability for online platforms knowingly hosting, storing, promoting, or facilitating the distribution of CSAM; and supports child victims by creating a Report and Remove program to formalize requests to online platforms to remove CSAM.

The STOP CSAM Act Benefits Child Victims and Law Enforcement by:

- Enhancing protections for child victims testifying in court and receiving restitution: The STOP CSAM Act provides additional privacy protections for child victims testifying in court, facilitates restitution payments to child victims, and enables courts to appoint a trustee when necessary to help manage restitution awards.
- Strengthening CyberTipline reporting requirements and transparency reporting. The STOP CSAM Act requires online platforms to report additional information to NCMEC's CyberTipline, including user information, reported content, and whether content was publicly available or viewed. The bill also lists voluntary information online platforms may submit, including geographic information, content flags, and hash values. The STOP CSAM Act also requires online platforms to issue annual transparency reports relating to their CyberTipline reporting, responsiveness to requests to remove CSAM, and safety by design efforts.
- Holding online platforms accountable for knowingly hosting, storing, promoting, or facilitating CSAM. The STOP CSAM Act will enable legal recourse against online platforms that knowingly engage in certain activities relating to CSAM. The bill includes a specific definition for "knowingly" and provides defenses to online platforms in certain instances.
- Establishing a Report and Remove program to provide victims with a structured process to notify online platforms when they are hosting CSAM and to provide legal recourse when CSAM is not removed. The STOP CSAM Act creates a program to enable a child victim, their authorized representative, or a qualified organization to notify an online platform that it is hosting CSAM. The online platform has 48 hours to remove the CSAM or otherwise respond to the notification. If the issue is not resolved, a petition can be filed with a newly established Child Online Protection Board within the FTC, which will adjudicate the matter and issue fines as appropriate. The Report and Remove program will provide survivors with an essential means to combat the continued online circulation of CSAM and to hold online platforms accountable when they are notified of CSAM on their systems.