

Rep. Ann Wagner (MO) Testimony for Nov. 3, 2023 House Judiciary Committee Member Day

Thank you, Mr. Chairman and Ranking Member Nadler for holding this Member Day hearing.

One of my top priorities—and I believe it is a top priority for all of us here—is to protect children in our communities from exploitation.

Tragically, our government is failing in this mission. The sexual exploitation of children has skyrocketed across the United States, and it is long past time for Congress to take substantive action to combat these horrific crimes.

The National Center for Missing and Exploited Children, or NCMEC, is the congressionally-mandated nonprofit organization that operates the CyberTipline, where online platforms are legally required to report child sexual abuse material found on their websites.

Child sexual abuse material, or CSAM, is commonly known as “child pornography.”

These are **illegal** images and videos of children, more often than not prepubescent children, being raped and sexually abused.

In 2019, the NCMEC CyberTipline received 17 million reports of online CSAM.

Last year, the CyberTipline received over 32 million reports.

That’s an 89% increase in just three years—equal to approximately 87,600 reports of child rape videos per day.

That is absolutely unconscionable.

Making this problem even worse is the fact that, under current law, there are no requirements regarding what must be included in these CyberTipline reports.

And because of this legal gap, online platforms do not consistently include substantive and actionable information in their reports.

This often leaves NCMEC and law enforcement unable to locate and rescue the children depicted in the images and videos.

In 2022, over 50% of the 32 million reports submitted to NCMEC could not be investigated by law enforcement because they included too little information.

That’s 16 million reports of child sexual abuse rendered completely useless.

Congress can and must fix this.

My bill, H.R. 5182, the Child Online Safety Modernization Act or COSMA, directly addresses this issue.

COSMA would modernize and enhance the NCMEC CyberTipline by requiring reports from online platforms to include information that actually help law enforcement identify and locate the children depicted in CSAM as well as the individuals involved in posting this illegal imagery.

This includes very basic information, such as the email address, IP address or just the URL where the CSAM was posted.

Additionally, the bill would extend the legally required preservation of these reports from 90 days to 1 year.

With over 32 million reports just last year, law enforcement needs this additional time to properly and comprehensively investigate these cases.

Lastly, this bill replaces the term “child pornography” with “child sexual abuse material” throughout the U.S. code.

Child pornography is an inaccurate and misleading term to describe an image or video of a child being raped. The children in these videos have no consent and no control over their exploitation, and our federal laws should accurately reflect this abuse.

This legislation has been endorsed by a broad coalition of organizations, including the National Fraternal Order of Police, the National District Attorneys Association, the National Children’s Alliance, the Rape Abuse and Incest National Network, the National Center on Sexual Exploitation, Raven, and many more.

I’m also proud to have the support of multiple members of this committee on both sides of the aisle.

We have a real opportunity to make fundamental progress in this fight.

I ask that this committee favorably report out H.R. 5182 as soon as possible so we can give law enforcement the tools it needs to rescue children across the United States.

Thank you and I yield back.