

Congress of the United States
Washington, DC 20515

July 22, 2021

The Honorable Katherine C. Tai
United States Trade Representative
600 17th Street, N.W.
Washington, DC 20508

Dear Ambassador Tai:

We recognize the ongoing debate regarding Section 230 of the Communications Decency Act of 1996, both in and outside the context of trade agreements. In addition to the concerns expressed to you by the Chairman and Ranking Member of the House Energy and Commerce Committee, we urge you to ensure that, if Section 230 language is included in future trade agreements, these agreements also incorporate the United States-Mexico-Canada Agreement's (USMCA's) "Wagner Language" to prevent online human trafficking and online child exploitation.

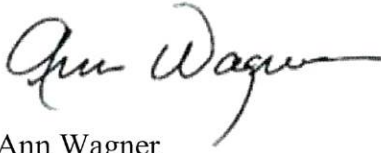
The Wagner Language guaranteed the USMCA will uphold the Fight Online Sex Trafficking Act (FOSTA) to help stop the online sex trade at home and throughout North America. Enacted in April 2018, FOSTA amended Section 230 to remove criminal and civil liability protections from websites that unlawfully promote and facilitate human trafficking.¹ Since its implementation, FOSTA has been successfully used by the U.S. Government to seize websites that perpetuate these heinous crimes and hold accountable those who own and profit from such websites.² The inclusion of FOSTA in the USMCA allows our trading partners to enact domestic laws that enable victims to sue the websites that facilitate the sex trade and empower law enforcement at all levels—federal, state, and local—to enforce their criminal laws against the websites that sell women and children. Any trade agreement that includes language similar to Section 230 must also include these critical protections for trafficking survivors and victims.

Thank you for your consideration of this important request. Should you have any questions or concerns regarding this request, please contact David Gans at (202) 225-1621.

¹ Pub. L. No. 115-164, Sec. 4

² U.S. Department of Justice, "U.S. Attorney's Office Shuts Down Website Promoting Prostitution and Sex Trafficking, Indicts Owner." (June 19, 2020)

Sincerely,



Ann Wagner

Member of Congress



David G. Valadao

Member of Congress



Doug LaMalfa

Member of Congress



Vicky Hartzler

Member of Congress



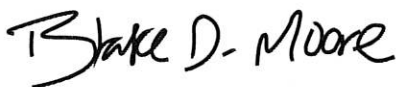
Emanuel Cleaver, II

Member of Congress



John Katko

Member of Congress



Blake Moore

Member of Congress



Joyce Beatty

Member of Congress



Brian Fitzpatrick

Member of Congress



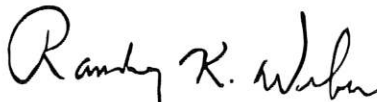
Austin Scott

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Dina Titus

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Randy Weber

Member of Congress



Chris Stewart

Member of Congress