

What is the Online Dating Safety Act of 2023?

The Online Dating and Discovery Association (ODDA) is using the month of October to highlight what the industry is doing to tackle fraud. With World Romance Scam Prevention Day on 3rd October, it's a great opportunity to provide a valuable insight into how our members deal with the issue and the steps they have implemented to keep their users safe.

In this article, we look at the role of legislation and specifically, the Online Dating Safety Act of 2023 in the USA, which is currently before Congress.

What is the Online Dating Safety Act of 2023?

Domestic laws concerning fraud vary significantly around the world. The USA are taking a different approach which gives online dating services new powers to remove fraudsters.

The Act was introduced by Republican Representatives David Valadao and Brittany Petterson in October 2023 in an attempt to tackle romance fraud, which is estimated to have cost the US economy \$1.3 billion in 2022 according to figures from the Federal Trade Commission.

The Act requires online dating services to notify its members if they believe there is a significant risk that another member will attempt to commit fraud against them. This means sharing the username or other identifier as well as the most recent time the member sent or received a message through the online dating service. Where the online dating service believes there is a significant risk of fraud, they are required to remove or suspend the member within 24 hours.

In addition, the Act places further responsibilities on dating services to reduce the likelihood of fraud. This includes providing advice, links to online resources and contact details for customer service. It also requires dating services to send members a 'statement' that the banned member may have been using a false identity or attempting to defraud members.

The inclusion of this statement requirement within the Act is intended to address a common tactic used by scammers. As we know, individuals who meet online often take their conversations to other communication platforms, such as WhatsApp, so even when a fraudulent account is removed, an individual might not know they are still communicating with someone who has been removed from the dating platform. The Act seeks to fill this gap by requiring platforms to send a fraud ban notification to anyone who has communicated with someone with a fraudulent account.

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Why is the Act being introduced?

55 million Americans used online dating apps in 2022, representing approximately 1 in 5 of the adult population. As Congressman Valadao states “While we can’t stop all criminals from abusing these platforms, the Online Dating Safety Act is an important step to enhance online safety, combat fraud, and help people make more informed decisions.”

Similarly, Representative Petterson says “Notifying users if they have been in contact with a potential scammer is a basic security feature that every online dating service should provide. This bill is a great step towards reducing online crime and keeping Americans safe.”

When will it be approved?

The Bill is currently going through the Congressional Committee process. It has passed through the House of Representatives (unopposed) and is now with the Senate Commerce, Science and Transportation Committee.

However, with the Presidential election just a matter of weeks away, it’s unclear whether there will be sufficient time for the Bill to be approved by the President. In the event of time running out, it will be for the new President to approve or reject the Bill.

Will we see something similar in the UK and Europe?

It’s likely that policymakers and regulators in the UK and Europe will be following the implementation of the Act carefully when/if it becomes law. If the Act is shown to have a significant impact on levels of fraud, then we could see calls for similar legislation in the UK and Europe. However, legislation is often seen as a last resort.

Where can I find out more about the Bill?

You can find the text of the Bill here:

https://valadao.house.gov/uploadedfiles/online_dating_safety_act_bill_text_118th.pdf