



U.S. House Committee on **ENERGY & COMMERCE**

Joe Barton

Chairman, R-Texas

Protecting Kids from Online Predators by Shining a Light on the Internet's Dark Corners

"No one wants to believe that predators abuse and torture children and sell or swap the pictures of that abuse. We do not like to think that even though our children have been warned about strangers, children are still logging onto the Internet and meeting strangers, child predators and pedophiles. But according to one estimate, one in five children report that they have received a sexual solicitation over the Internet. Our nation's parents, children and educators need to know exactly what dangers are lurking on the Internet."

– House Energy and Commerce Committee Chairman Joe Barton

Background:

The House Energy and Commerce Subcommittee on Oversight and Investigations has spent nine months and held nine days of hearings to examine issues relating to the exploitation of children over the Internet. Subcommittee members pressed law enforcement, the financial services and information technology industries, social networking Web sites like MySpace, and the National Center Missing and Exploited Children about past and future efforts to curb online child pornography and exploitation.

Results of the committee investigation:

- The National Center for Missing and Exploited Children (NCMEC) and the major U.S. Internet service providers have agreed to swiftly shut down child pornography sites that do not need to remain active for law enforcement purposes. Previously, such closings happened on an ad hoc basis or as part of criminal investigations, which can take months or longer to launch. The new program is similar to an effort in the United Kingdom, run by the Internet Watch Foundation, which reduced the number of child pornography sites hosted there from 18 percent of the world's sites in 1997 to 0.2 percent this year. Chairman Barton urged NCMEC to adopt such an approach here in the U.S. and the new venture includes the U.S. Internet Service Provider Association, AOL, Earthlink, Google, Microsoft and United Online.
- AOL, Yahoo!, Google and others, donated \$1M each to form a Technology Coalition to work on sharing their database of known images of child pornography in order to block all known images from being transmitted and to proactively detect illegal images on their network. The partnership is the fruit of committee staff discussions with NCMEC, federal law enforcement agencies, and Internet service providers and was announced at the subcommittee's June 27 hearing.

- Based on information obtained during its investigation, the subcommittee sent referrals to 46 state attorneys general with the names, addresses and credit card information of individuals in their state that subscribed to child pornography sites in which Justin Berry was featured. Several AGs are pursuing investigatory action based on this information.
- Testimony at the subcommittee's April 4 hearing revealed allegations that Ken Gourlay repeatedly molested Justin Berry while he was a minor and hosted a website with child pornography on it. The subcommittee subpoenaed Gourlay to the hearing and he declined to testify, invoking his Fifth Amendment right against self-incrimination. Shortly after the hearing, Michigan state authorities arrested Gourlay, who is charged with numerous state counts relating to sexually exploiting minor children and hosting material of this nature.
- Comcast agreed to voluntarily extend its data retention of IP addresses from 30 days to 6 months. Comcast announced this change at the subcommittee's June 27 hearing. At a prior hearing in April law enforcement testified that Comcast was not retaining the IP address data essential for identifying child predators.
- Google revised its policies on accepting money from certain "sponsor" sites after committee staff found a simple search of 3 terms led to several "sponsor" sites of questionable sexually exploitative material of children and/or teens.
- Google refined its algorithm of searching for illegal and/or undesirable sites after a committee staff search revealed sites that had sexually exploitative images of teens and possibly children.
- Subcommittee held first congressional hearing on problem of social networking sites as a "Sears Catalog" for child predators. As a result of the hearing, social networking sites have been voluntarily making changes designed to enhance their safety for kids including: (1) adding "privacy" setting to kids profiles; (2) increasing accessibility of law enforcement to contact company; (3) developing best practices with NCMEC; (4) make reporting of suspicious activity easier on site; (5) enhancing reporting to NCMEC; (6) prominently adding Internet safety tips for parents/kids.
- The FCC clarified that cellular phone companies are obligated to report the transmission of child pornography images over their networks. The Declaratory Ruling was issued as a result of a meeting between committee and FCC staff meeting and sparked by a question posed by Oversight and Investigations Subcommittee Chairman Ed Whitfield at a June 28 hearing.
- In August Web site hosting company Blue Gravity shut down "child modeling" sites after receiving a subpoena from full committee Chairman Joe Barton. Child modeling is a relatively new phenomenon involving posting online images of barely-clothed young children in provocative poses. The U.S. Department of Justice has recently begun bringing criminal child pornography-related charges against these sites and shutting them down.