



The United States Internet Crime Task Force, Inc.

A Non-Profit / Government-Assist / Victim Advocacy Agency

Post Office Box 875

Radcliff, Kentucky 40159-0875

<http://www.usict.org>

<http://www.protectyourkids.net>

**OBSCENE INTERNET MATTER
CLASSIFICATION ACT**

PROPOSAL



Obscene Internet Matter Classification Act

The United States Internet Crime Task Force, Inc. is a non-profit / government-assist / victim advocacy agency. Our primary goal is to develop programs and procedures to monitor the Internet, educate the public, and unify law enforcement and to promote the safety of our children on the Internet.

Pedophiles violate society's most cherished principles as they prey upon the innocent and unsuspecting. According to a survey conducted by the C.A.C.R.C. (Crimes Against Children Research Center) in June of 2000,¹ it was estimated that nearly 30 million children between the ages of 10 and 17 used the Internet on a regular basis.

In a study conducted of 1,501 youths, in this age range, the study found that one out of every six (1 in 6) children surveyed received an unwanted sexual solicitation online, which consisted of nearly 5.7 Million children. One in Four (1 in 4) of those solicited had an experience that left them feeling extremely upset or afraid, which consisted of nearly 1.5 million children.

One out of every seven (1 in 7) children solicited included an attempt to contact the youth in person via phone or email. Children of all youths however, frequently formed close friendships with the adults they met online and were even offered assistance in running away from home. Such was the case of two Northern Kentucky teens that received money, fake ID, and bus tickets to run away. They had planned this however this episode turned terribly wrong when the two teens were taken off the bus mid-way in their route by the suspects and they were exploited for sex acts. Due to the swift actions by local authorities and the assistance of the USICT and Sprint PCS™, the children were returned home safely but will forever carry the scars of their exploited encounter.

The majority of those solicited were female (66%) and the average range was 14 years of age. Children of these incidents were mostly solicited in chat rooms (65%) or approximately 19.5 million children. Since 2001, The USICT has had over 50,000 child pornographic and incest related chat rooms closed.

Most were propositioned in Instant Messages like MSN™, AOL™, Yahoo!™, or ICQ™. Of those incidents, the perpetrator asked to meet the youth somewhere in person. Children often received telephone calls, money and gifts.

1- http://www.unh.edu/ccrc/NJOV_info_page.htm



Obscene Internet Matter Classification Act

In 2002, The USICT began working on a new project called VIPER (Virtual Internet Predator Enticement Repository) which is a large database of collected intelligence from The USICT that houses the chat handle names, email addresses, or website links of known or suspected pedophiles that would be potentially harmful to children. The VIPER database is used with software companies such as Net Nanny™ that can integrate this real-time service into their software to pre-qualify who the child is about to chat with and thus prevent the child from having contact with the online predator before they have a chance to entice them.

The staggering results discovered that nearly half (49%) of the children propositioned did not even tell anyone about their experience, while only a mere (24%) told their parents. Sadly, only about (18%) of those were ever reported to the authorities.

There is a clear and precise need to have technical and automated intervention to help regulate and control the enticement of children online. This global epidemic is a threat to their welfare and safety.

As more and more children use the Internet for academic or recreational purposes, they increase their risk of exposure to these dangers. Website creators are tenacious and crafty in their efforts to snare and lure children that wander away from safer parts of the Internet. This is done by intentionally misspelling words that a child may type like "Mick Mouse" or "Barbie" – words that they know children are likely to type in their search browsers... Instead of going to the intended website like for example "The White House", they are taken to pornographic websites where they are exposed to unwanted or unsolicited graphic pornography.

By creating a new top-level domain of **.XXX** the Internet would become a safer place for children to explore. By forcing website creators to register as **.XXX** instead of **.COM** or others, it would better enable website filtering software to effectively block an entire top-level domain while allowing the rest to be viewed like normal. However, crafty website creators often use commonly used top-level domains like **.COM**, **.ORG**, **.NET**, **.BIZ** etc. to melt themselves in with the rest of the otherwise legitimate Internet community.



Obscene Internet Matter Classification Act

By creating this new top-level domain, it would also force website hosting companies and Internet Service Providers (ISP's) to not host or allow to be hosted any pornographic websites unless they use the new .XXX domain.

Equally as effective, it would allow for corporations that have strict policies about viewing pornography in the workplace to easily filter or block these websites from employees, which would reduce the risk of legal exposure and liability for the company and the reduction of sexual harassment in the workplace. Not to mention that along with these pornographic websites are usually accompanied by relentless pop-up advertisements, dropping of spy-ware on the visiting computer and the invasion of corporate networks with the potential of a virus.

Clearly there are advantages in the commercial market to enact this piece of legislation. The USICT, Inc. is primarily interested in enacting this legislation to protect the children of this nation.

Scenario: A 9-year old girl logs onto the Internet and types into a search engine the word "Barbie" and without regard for her innocence she is re-directed to a website that promotes and distributes pornography. Right on the front page with no blockage, she is exposed to strong sexual content. This "Virtual Rape" of her mind can never be undone and you cannot un-ring that bell.

The use of a top-level domain of .XXX is no different than walking into a magazine stand and not being able to see the front cover of a Playboy™, Hustler™, or Penthouse™ because the covers are all "Blocked" or placed out of reach of unsuspecting children or people that would be otherwise offended by this material. The segregation of this content on the Internet by using an .XXX domain serves the same purpose. Visitors to the Internet should not be forced to view this information on their web browsers.

We protect and write laws that govern how our children are exposed to Tobacco, Alcohol, and Illegal substances however we are rapidly failing to enact laws that will protect our children as they proliferate the Internet.



Obscene Internet Matter Classification Act

A concurrent resolution was recently passed in the North Carolina General Assembly by Representative Sam Ellis (same@ncleg.net) and State Senator Eric Reeves (ericr@ncleg.net) - both of these legislators have pioneered the concept of the .XXX top-level domain and have passed their concurrent resolution overwhelmingly in their state.

Since then, The USICT, Inc. has proposed the very same concurrent resolution (as attached), which, was sponsored by Representative Mike Weaver in the Kentucky General Assembly. At the time of this document, the resolutions do not currently have tracking numbers assigned to them. We believe that this concurrent resolution will have no objections in the KY General Assembly.

Therefore, in an effort to expedite this process and in the interest of time for our children, we are asking that federal legislators review this new threat to our children and establish a new committee, similar to the COPA Commission to review the feasibility of this new proposal. This act could be amended to the current Child Online Protection Act that was recently passed and signed by President Clinton. There has been some controversy over Constitutional legitimacy of this act however, in a June 23, 2003 decision by The Supreme Court of The United States, the ruling of the act being unconstitutional was reversed².

We have listed some basic issues that we felt would need to be addressed to successfully pass this act.

2 – <http://www.supremecourts.gov/opinions/02pdf/02-361.pdf>



Obscene Internet Matter Classification Act

Issues to be considered:

- How will the committee be formed and who will it consist of
- Who will regulate the new .XXX domain names
- Who will be required to use it
- What will the penalties be for non-compliance
- Who will enforce the violations
- When will the policy take effect
- Will it be retroactive or will existing domains be grandfathered
- How to you handle international domains and websites
- What technology will be needed
- Should this stand as a new act or be amended to existing laws
- How will this project be funded
- What agencies will need to be involved
- Are there any First Amendment Rights issues
- What about the legitimate pornography industry like Playboy™

All of these issues will need to be addressed. It is our speculation that the committee that is formed to address this issue should contain individuals from both the legal, technical, law enforcement, prosecution, and business industries.

The USICT, Inc. would like to introduce along with federal legislators this new act and would like to serve on the committee that is established to address the above issues. We believe that there is a solution to this problem.

The USICT, Inc. has established a website to collect “virtual” signatures and continues to collect this information. Our goal is to collect a quarter of a million signatures on this list or more.

KENTUCKY GENERAL ASSEMBLY 2004

A CONCURRENT RESOLUTION encouraging the Congress of the United States to enact legislation protecting our children by establishing an exclusive Internet domain extension of ".xxx", and limiting the posting and dissemination of obscene or pornographic materials to the designated domain.

WHEREAS, in recent years there has been a proliferation of pornographic Web sites on the Internet; and

WHEREAS, pornographic Web sites are easily accessible by children who may be negatively impacted by the materials posted on the Web sites; and

WHEREAS, Congress has sought legislative solutions to this growing epidemic through the Children's Internet Protection Act; and

WHEREAS, the Children's Internet Protection Act requires that schools and libraries that receive specified federal funding certify that they have in place an Internet safety policy that includes monitoring the use of Internet access by children, and implementation of technology that will filter out objectionable content; and

WHEREAS, despite the attempts at protection of children that are in place, attempts to limit children's access to adult content on the Internet through filtering software and on-line informational web sites designated by Internet service providers have been largely unsuccessful; and

WHEREAS, the evolving of adult content production on the Internet has led to a situation in which legal standards regarding content can no longer be enforced effectively or affordably; and

WHEREAS, it is in the best interest of our children and the entire nation to require operators of any Web site or on-line service whose primary business is making available material that is pornographic, obscene, or harmful to minors to register and operate the Web site or on-line service only under a domain specifically designated for pornographic or obscene materials; and

WHEREAS, the United States Internet Crime Task Force recommends the passage of federal legislation establishing a ".xxx: Internet domain extension for pornographic or obscene materials; and

WHEREAS, establishing an ".xxx" Internet domain to be used exclusively for pornographic or obscene content on the Internet would make it more feasible for internet service providers and software developers to effectively block access to this objectionable content;

KENTUCKY GENERAL ASSEMBLY 2004

NOW, THEREFORE,

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate concurring therein:

Section 1. That the Kentucky General Assembly hereby encourages the Congress of the United States of America to enact legislation protecting our children by establishing an exclusive Web domain extension of ".xxx", and limiting the posting and dissemination of obscene or pornographic materials to the designated domain.

Section 1. The Clerk of the House of Representatives is directed to transmit a copy of this Resolution to the Clerk of the United States Senate, the Clerk of the United States House of Representatives, each member of Kentucky's Congressional Delegation, and Mr. David J. Evangelista, The United States Internet Crime Task Force, Inc., Post Office Box 875, Radcliff, Kentucky 40159-0875