



Rep. Greg Walden
Chairman
House Energy and Commerce Committee

July 20, 2017

Rep. Frank Pallone
Ranking Member
House Energy and Commerce Committee

Rep. Bob Goodlatte
Chairman
House Judiciary Committee

John Conyers Jr.
Ranking Member
House Judiciary Committee

Re: Hold hearing on H.R.1865 (Wagner and 34 co-sponsors)

Dear Chairman Walden, Ranking Member Pallone,
Chairman Goodlatte and Ranking Member Conyers:

I am writing on behalf of Consumer Watchdog, a nonpartisan nonprofit public interest group, to call on you to immediately hold Energy and Commerce Committee and Judiciary Committee hearings on Rep. Ann Wagner's H.R. 1865, the *Allow States and Victims to Fight Online Sex Trafficking Act of 2017*, which would amend Section 230 of the Communications Decency Act to clarify that the law does not provide protection to websites that facilitate sex trafficking.

One of the most notorious websites, Backpage.com, has become a virtual hub for child sex-trafficking. By one count 73% of child trafficking reports in the United States involve this cynical website. Backpage hides behind the cloak of Sec. 230 while too many in the tech industry blindly and reflexively claim that needed amendments would undermine Internet freedom.

A recent Washington Post article, "*Backpage has always claimed it doesn't control sex-related ads. New documents show otherwise,*" (https://www.washingtonpost.com/local/public-safety/backpage-has-always-claimed-it-doesnt-control-sex-related-ads-new-documents-show-otherwise/2017/07/10/b3158ef6-553c-11e7-b38e-35fd8e0c288f_story.html?utm_term=.b965ef54d775)

makes clear Backpage's deep involvement in this sordid exploitation. It is possible that with the release of new documents the company may finally be held to account for some of its abuses. However, Backpage has claimed protection under Section 230 far too long. It is incumbent on Congress to act to end this outrageous and exploitive abuse of Section 230. Rep. Wagner's bipartisan bill, H.R. 1865, with 34 cosponsors would do just that.

In May Consumer Watchdog, DeliverFund, Faith and Freedom Coalition, The Rebecca Project for Justice, Trafficking in America Taskforce and Nacole S., a sex-trafficking victim's mother, released a comprehensive report detailing Backpage's wrongful activities and how Google has spent millions to fund efforts to thwart any changes in Section 230.

(<http://www.consumerwatchdog.org/resources/backpagereport.pdf>) As detailed in the report, primary recipients of Google's largess are two nonprofit organizations, The Center for Digital Democracy (CDT) and the Electronic Frontier Foundation (EFF). As documented in the report, CDT and EFF have frequently jumped to aid Backpage as it faced various legal challenges.

You may view the news conference about the study here:

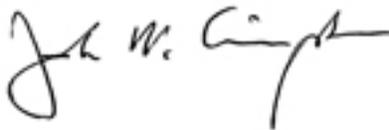
<https://www.youtube.com/watch?v=XjUsU02rzHMf>

Google, CDT, EFF and other tech industry representatives may claim to be protecting free speech and Internet freedom, but their activities have done little more than protect a notorious sex-trafficking hub from being held accountable by its victims. Backpage's abuses and the fight by its victims to hold it accountable are the subject of a new documentary film, *I am Jane Doe*. (<http://www.iamjanedofilm.com>) Watch it. It is now available on Netflix or you can download it from Google Play, iTunes or Amazon. We predict you'll clearly understand the abuses that blind defense of Sec. 230 enables.

Section 230 of the CDA provides that a website can't be held liable for what's posted on its site by others. This promotes free speech on the Internet, which is vital to our democracy. Internet freedom, however, must not come at the expense of children who are sex trafficked. Just as the First Amendment does not allow you to shout "fire" in a crowded movie house, or to assist hit men and drug dealers in their criminal activity, CDA Section 230 must not be allowed to protect an exploitative business that is built on child sex trafficking.

We call on you to hold immediate hearings on Rep Ann Wagner's H.R. 1865, the "*Allow States and Victims to Fight Online Sex Trafficking Act*" so the bipartisan bill with 34 co-sponsors can move forward and Backpage will finally be held accountable for its ongoing facilitating of child sex trafficking.

Sincerely,



John M. Simpson
Privacy Project Director

CC: Rep. Ann Wagner