

109TH CONGRESS
2^D SESSION

H. R. 5319

To amend the Communications Act of 1934 to require recipients of universal service support for schools and libraries to protect minors from commercial social networking websites and chat rooms.

IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2006

Mr. FITZPATRICK of Pennsylvania (for himself, Mr. KIRK, Mrs. MILLER of Michigan, Mr. WELDON of Pennsylvania, Mr. ENGLISH of Pennsylvania, Mr. DAVIS of Kentucky, and Mr. CASTLE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to require recipients of universal service support for schools and libraries to protect minors from commercial social networking websites and chat rooms.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Deleting Online Preda-
5 tors Act of 2006”.

1 **SEC. 2. CERTIFICATIONS TO INCLUDE PROTECTIONS**
2 **AGAINST COMMERCIAL SOCIAL NETWORKING**
3 **WEBSITES AND CHAT ROOMS.**

4 (a) CERTIFICATION BY SCHOOLS.—Section
5 254(h)(5)(B) of the Communications Act of 1934 (47
6 U.S.C. 254(h)(5)(B)) is amended by striking clause (i)
7 and inserting the following:

8 “(i) is enforcing a policy of Internet
9 safety for minors that includes monitoring
10 the online activities of minors and the op-
11 eration of a technology protection measure
12 with respect to any of its computers with
13 Internet access that—

14 “(I) protects against access
15 through such computers to visual de-
16 pictions that are—

17 “(aa) obscene;

18 “(bb) child pornography; or

19 “(cc) harmful to minors;

20 and

21 “(II) prohibits access to a com-
22 mercial social networking website or
23 chat room through which minors—

24 “(aa) may easily access or
25 be presented with obscene or in-
26 decent material;

1 “(bb) may easily be subject
2 to unlawful sexual advances, un-
3 lawful requests for sexual favors,
4 or repeated offensive comments
5 of a sexual nature from adults;
6 or

7 “(cc) may easily access other
8 material that is harmful to mi-
9 nors; and”.

10 (b) CERTIFICATION BY LIBRARIES.—Section
11 254(h)(6)(B) of such Act (47 U.S.C. 254(h)(6)(B)) is
12 amended by striking clause (i) and inserting the following:

13 “(i) is enforcing a policy of Internet
14 safety that includes the operation of a
15 technology protection measure with respect
16 to any of its computers with Internet ac-
17 cess that—

18 “(I) protects against access
19 through such computers to visual de-
20 pictions that are—

21 “(aa) obscene;

22 “(bb) child pornography; or

23 “(cc) harmful to minors;

24 and

1 “(II) prohibits access by minors
2 without parental authorization to a
3 commercial social networking website
4 or chat room through which minors—

5 “(aa) may easily access or
6 be presented with obscene or in-
7 decent material;

8 “(bb) may easily be subject
9 to unlawful sexual advances, un-
10 lawful requests for sexual favors,
11 or repeated offensive comments
12 of a sexual nature from adults;
13 or

14 “(cc) may easily access other
15 material that is harmful to mi-
16 nors; and”.

17 (c) DEFINITIONS.—Section 254(h)(7) is amended by
18 adding at the end the following new subparagraphs:

19 “(J) COMMERCIAL SOCIAL NETWORKING
20 WEBSITES.—The term ‘commercial social net-
21 working website’ means a commercially oper-
22 ated Internet website that—

23 “(i) allows users to create web pages
24 or profiles that provide information about

1 themselves and are available to other
2 users; and

3 “(ii) offers a mechanism for commu-
4 nication with other users, such as a forum,
5 chat room, email, or instant messenger.

6 “(K) CHAT ROOMS.—The term ‘chat
7 rooms’ means Internet websites through which
8 a number of users can communicate in real
9 time via text and that allow messages to be al-
10 most immediately visible to all other users or to
11 a designated segment of all other users.”.

12 (d) DISABLING DURING ADULT OR EDUCATIONAL
13 USE.—Section 254(h)(5)(D) of such Act is amended—

14 (1) by inserting “OR EDUCATIONAL” after
15 “DURING ADULT” in the heading; and

16 (2) by inserting before the period at the end the
17 following: “or during use by an adult or by minors
18 with adult supervision to enable access for edu-
19 cational purposes” .

20 (e) ESTABLISHMENT OF ADVISORY BOARD.—The
21 Federal Communications Commission shall establish an
22 advisory board, which shall consist of 8 members ap-
23 pointed by the Chairman of the Commission. Four of such
24 members shall be representative of the private sector and
25 four of such members shall be representative of the Com-

1 mission, the National Center for Missing and Exploited
2 Children, the Crimes against Children Research Center,
3 school boards, and primary and secondary school edu-
4 cators, respectively. The Commission shall provide admin-
5 istrative and clerical support to the advisory board, but
6 members of the board shall serve without compensation.
7 The advisory board shall be terminated at the direction
8 of the Chairman of the Commission.

9 (f) PUBLICATION.—After consultation with the advi-
10 sory board established under subsection (e) and appro-
11 priate agencies with experience regarding procedures and
12 actions to prevent minors from being target by adults for
13 predatory behavior, exploitation, or illegal actions, the
14 Federal Communications Commission shall annually pub-
15 lish a list of commercial social networking websites and
16 chat rooms that have been shown to allow sexual predators
17 easy access to personal information of, and contact with,
18 children.

19 **SEC. 3. FTC CONSUMER ALERT ON INTERNET DANGERS TO**
20 **CHILDREN.**

21 (a) INFORMATION REGARDING CHILD PREDATORS
22 AND THE INTERNET.—Not later than 90 days after the
23 date of enactment of this Act, the Federal Trade Commis-
24 sion shall—

1 (1) issue a consumer alert regarding the poten-
2 tial dangers to children of Internet child predators,
3 including the potential danger of commercial social
4 networking websites and chat rooms through which
5 personal information about child users of such
6 websites may be accessed by child predators; and

7 (2) establish a website with a distinctive Uni-
8 form Resource Locator to serve as a resource for in-
9 formation for parents, teachers and school adminis-
10 trators, and others regarding the potential dangers
11 posed by the use of the Internet by children, includ-
12 ing information about commercial social networking
13 websites and chat rooms through which personal in-
14 formation about child users of such websites may be
15 accessed by child predators.

16 (b) COMMERCIAL SOCIAL NETWORKING
17 WEBSITES.—For purposes of the requirements under sub-
18 section (a), the terms “commercial social networking
19 website” and “chat room” have the meanings given such
20 terms in section 254(h)(7) of the Communications Act of
21 1934 (47 U.S.C. 254(h)(7)), as amended by this Act.

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