

November 27, 2017

The Honorable Marsha Blackburn  
Chairman  
Subcommittee on Communications and Technology Committee on Energy and Commerce  
United States House of Representatives  
2152 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Blackburn:

We want to thank you for scheduling this important legislative hearing on H.R. 1865, the Fight Online Sex Trafficking Act of 2017 (FOSTA). The need for legislation to clarify Section 230 of the Communication's Decency Act (CDA) is urgently needed given the recent 1<sup>st</sup> Circuit ruling in *Doe v. Backpage*. That ruling held that **even if Backpage had participated in the crime of sex trafficking**, Section 230 shielded the company from the claims filed by child victims. We are greatly appreciative of the passion and dedication shown by Representative Ann Wagner, the lead sponsor of FOSTA. Representative Wagner fully understands the barriers Section 230 has created in the ability of state law enforcement and survivors to go after websites that are engaged in facilitating human trafficking.

However, we would be remiss if we did not express our objection to recent efforts by some in the tech sector to undermine this proposed legislation with alternatives that do not specifically address the Section 230 problem identified by not only the 1st Circuit Court, but other judges around the country. We want to be clear that those alternatives fail to respond to the urgency of the 1<sup>st</sup> Circuit decision and are not supported by our organizations. We will strongly and collectively oppose any such efforts that do not address the Section 230 problem.

It is important to note that the 1<sup>st</sup> Circuit Court, in its ruling, recommended that the children seek a legislative remedy and the children are working to do just that. We were thrilled when the Internet Association (IA), after its staunch opposition to any changes to Section 230, endorsed the Senate version of FOSTA, S.1693, the Stop Enabling Sex Traffickers Act of 2017 (SESTA) and the bill, which has 48 co-sponsors on a bipartisan basis, was passed unanimously by the Senate Commerce Committee. Please see Facebook's public commitment to this legislative clarification of Section

230:<https://m.facebook.com/sheryl/posts/10159461384670177?pnref=story>

We look forward to working with you, Representative Wagner, and the other 170 plus co-sponsors to ensure that we pass legislation that fixes Section 230 so that websites that are engaged in human trafficking will no longer be able to hide behind the CDA and will be held accountable for their actions.

Sincerely,

SHAREDHOPE INTERNATIONAL  
NATIONAL CENTER ON SEXUAL EXPLOITATION  
COVENANT HOUSE  
RIGHTS4GIRLS  
ENOUGH IS ENOUGH

COALITION AGAINST TRAFFICKING IN WOMEN  
WORLD WITHOUT EXPLOITATION  
NATIONAL ORGANIZATION FOR WOMEN NY  
ECPAT USA  
SANCTUARY FOR FAMILIES  
WOMEN'S JUST NOW  
THE VOICES AND FACES PROJECT  
MY LIFE MY CHOICE  
SAVED IN AMERICA  
CONSUMER WATCH DOG  
LYNCH FOUNDATION FOR CHILDREN  
TRAFFICKING IN AMERICA TASK FORCE  
NOT ON MY WATCH! SAFE HAVEN NETWORK INTERNATIONAL  
NYC FAITH-BASED COALITION AGAINST HUMAN TRAFFICKING AND DOMESTIC  
VIOLENCE  
FREEDOM FROM EXPLOITATION, INC

Autumn Burris, Survivor/Leader – Survivors for Solutions  
Rebecca Bender, Survivor/Leader – The Rebecca Bender Initiative  
Jerome Elam, Survivor/Leader – The Task Force on Trafficking in America  
Brooke Axtell, Survivor/Leader – She Is Rising  
Jenelle Gordon, Survivor/Activist  
Mary Mazzio and the I AM JANE DOE, Survivors and Families  
Erik Bauer, Attorney for JS and the other Jane Does in *JS v Village Voice Media Holdings*  
Gina DeBoni, Attorney for the daughter of Yvonne Ambrose  
Autumn VandeHei, Activist  
Barbara Amaya, CDA, PHD, Author, Advocate, Survivor