



## MOTION PICTURE ASSOCIATION OF AMERICA



February 2, 2018

Honorable Jim Neely, Chair  
House Special Committee to Improve the Care and Well-being of Young People  
Missouri House of Representatives  
201 West Capitol Avenue, Room 110-B  
Jefferson City MO 65101

RE: Please Do Not Advance HB 1352, Child Registry Bill

Dear Representative Neely:

The undersigned associations represent hundreds of the country's leading technology companies in high-tech manufacturing, computer networking and information technology, clean energy, life sciences, Internet media, ecommerce, education, and sharing economy sectors. Our member companies are committed to advancing public policies and private sector initiatives that make the U.S. the most innovative country in the world.

We believe that protecting children from predators and illegal marketers should be our highest priority and applaud your committee's interest in this issue. However, we want to raise serious concerns with state implementation of a child registry, as proposed in HB 1352.

Such a list will not deter a determined hacker or predator. It is already illegal to prey on children and market adult material to minors. Instead of advancing this bill, we ask that you remind parents and schools to take the time to familiarize themselves with the technical controls already available to them, which are more effective in keeping a safe online environment for children. We believe that an educated consumer armed with technology is the best protection against any unwanted online interaction.

We do not think it is safe or wise to maintain a database consisting of email and online identifiers of known contact points for children. In fact, collection of such sensitive information would offer little added protection, but could very well lull parents and schools into a false sense of security, while tempting illegal marketers or predators to bypass whatever security settings are in place just to obtain a verified list of children.

The risks for creation of this registry far outweigh having no registry in place at all. In fact, the Federal Trade Commission (FTC) agrees, and they too warned state legislators and Congress that state child registry lists could fall into the hands of the most dangerous Internet users and raises grave security and privacy concerns.

- FTC letter to Illinois legislators<sup>[1]</sup> warned that instituting a child registry would not prevent abuse or reduce spam, may provide pedophiles and other dangerous persons with a list of verified contact points of children, and could even cause an increase in spam and adult content sent to those registered on such a list.
- FTC sent messages to other states considering a similar law, saying that it hurts, not help kids and asked them to think twice about enacting such a law.<sup>[3]</sup>
- FTC pointed out that a registry would likely impose substantial costs on legitimate email marketers.<sup>[2]</sup>

Utah state officials that did not heed these warnings and passed a child registry law in 2005 accidentally exposed<sup>[4]</sup> the contact information of the very children they were trying to protect soon after the law went into effect. Proponents also told lawmakers in that state that the registry was foolproof.

The best way to control spam is to educate families to use the technology already available to them for free or little cost. This technology is designed to divert or block whatever content parents choose to block from children. These technological solutions, which exist within email and browser software already, also are provided by many Internet service providers, that give software packages or provide links to such software now to customers when they sign up for internet access. They can be set to automatically delete spam or divert website content by keyword, website or by sender. The software has the added capability of allowing individual users to make settings by their specific preference. For example, protection levels for an eight-year-old child could be set much higher than for a teenager. Parents could even choose to block specific types of spam and website site content, such as any that contains adult content.

If families use the latest technology available to them, educate themselves on how they work, they should have few problems protecting children and would avoid placing their families at risk by adding their personal contact information to a state-run registry. For all the reasons stated above, **we urge you not to advance HB 1352**. Instead we ask that you consider enforcing existing state predator laws, while reminding parents and schools to familiarize themselves with the technological controls currently available to them at little or no cost. This is a much more effective way to keep kids safe online. Please feel free to contact any of the association representatives listed below if you have questions or would like to discuss this issue further.

Sincerely,

Tammy Cota, Executive Director  
Internet Coalition  
802-279-3534  
[tammy@theinternetcoalition.com](mailto:tammy@theinternetcoalition.com)  
[www.theinternetcoalition.com](http://www.theinternetcoalition.com)

Vans Stevenson, Senior VP, State Government Affairs  
Motion Picture Association of America, Inc.  
202-378-9140  
[vans\\_stevenson@mpaa.org](mailto:vans_stevenson@mpaa.org)

Alexi Madon, Director State Government Affairs - MW  
CompTIA  
630-282-4332  
[AMadon@comptia.org](mailto:AMadon@comptia.org) / [www.comptia.org](http://www.comptia.org)

Christopher Oswald, Vice President of Advocacy  
Data & Marketing Association  
202-861-2414  
[coswald@thedma.org](mailto:coswald@thedma.org) / [www.thedma.org](http://www.thedma.org)

D. Reed Freeman | WilmerHale  
Email Service Provider Coalition  
202-663-6267  
[reed.freeman@wilmerhale.com](mailto:reed.freeman@wilmerhale.com) [www.espcalition.org](http://www.espcalition.org)

Carl Szabo, Vice President and General Counsel  
NetChoice  
202-420-7485  
[cszabo@netchoice.org](mailto:cszabo@netchoice.org) / [www.netchoice.org](http://www.netchoice.org)

Caroline Joiner, Executive Director - MW  
TechNet  
916-594-7987  
[cjoiner@technet.org](mailto:cjoiner@technet.org) / [www.technet.org](http://www.technet.org)

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**<sup>1</sup> FTC Letter to Illinois re: Dangerous Child Registries**

[https://www.ftc.gov/sites/default/files/documents/advocacy\\_documents/ftc-staff-comment-honorable-angelo-skip-saviano-concerning-illinois-h.b.0572-create-child-protection-registry/051101cmtbill0572.pdf](https://www.ftc.gov/sites/default/files/documents/advocacy_documents/ftc-staff-comment-honorable-angelo-skip-saviano-concerning-illinois-h.b.0572-create-child-protection-registry/051101cmtbill0572.pdf)

**<sup>2</sup> Link to FTC Report on Do Not Email Registries**

<https://www.ftc.gov/reports/can-spam-act-2003-national-do-not-email-registry-federal-trade-commission-report-congress>

**<sup>3</sup> FTC: State Registries Put Kids' Inboxes at Risk**

<https://www.clickz.com/clickz/news/1712864/ftc-state-registries-put-kids-inboxes-risk>

**<sup>4</sup> Utah Exposes Kids' Addresses on Do-Not-Email List**

<http://www.marketingprofs.com/opinions/2006/15252/utah-exposes-kids-addresses-on-do-not-email-list>

cc: House Special Committee to Improve the Care and Well-being of Young People members