

FCC Request for Comments

Docket 96-48, Proposed Rule Making re: CHIP Act.

I am pleased to find that the FCC is requesting public comments on docket 96-45, a rulemaking proposal related to the CHIP Act. The following are my comments on mandatory computer-based censorship, and why I feel that it would be both dangerous and unethical for our government to filter the information available to any of its citizens.

Firstly, computer-based censorship has been proven entirely unfit for the task of accurately blocking or sanctioning either text or photographic content. Computers are not able to make subtle distinctions between HIV research, breast cancer studies, images of people in clothing, or discussions of firearm safety.

A politician once said of pornography, "I know it when I see it." That's just about the closest we as a society have come to specific standards on what is obscene, and what is not obscene. To some people, various images are purely artistic. To some, the same images are an abomination to their religious or moral fiber. With that dichotomy in place, and that inability for a sensible and exact definition of obscenity, is it no wonder that computer software cannot be made to comply?

Put in simple terms, computers cannot be offended: it's not the censorship computer program that is doing the filtering of offensive material, it is the human creators of the censorship program who decide what other people may or may not access.

That brings us to who watches the watchers? If it's not the censorware that is doing the censorship, then it is the proponents and designers of the censorware instead, that chooses what to hide from you. What political slant or prejudices are these people harboring as they design their filters? What bias or prejudice are you entrusting with the filter?

It has been demonstrated often that many software filters available on the market today block any mention of competitors, and also block any news story or website of the opponents of such content filtering. It may be the government's intent to block pictures of bestiality. It is in the best interests of those proponents to also block any dissent with their own opinions or objectives. If the same software blocks legitimate discourse about whether censorship is ethical, how can anyone learn more on the issues of freedom and democracy and the rights of citizens?

Government-mandated filtering via a commercial product means that a private company becomes a de facto government bureaucracy. Many software companies are only a couple dozen or few hundred employees. Think of the required complexity of ensuring that several million, if not billions, of websites are blocked or allowed according to government-mandated standards. Think of the added complexity of oversight, reviews, and policy changes, as different local and national standards are introduced. The world wide web (just http: pages) grows and changes hundreds of

thousands, perhaps tens of millions of pages every day. Can the government keep up with those changes?

If a government sets the standards for what to filter, then the government opens itself to be responsible and accountable for every blocked website. There will be millions of lawsuits where website creators feels they are being censored unfairly. The infrastructure to provide accurate and daily

Public libraries have a mandate to provide open and unfettered access to materials to all its patrons. Public libraries do not have a mandate to babysit our children while we run off to the market. If a parent cannot trust their child's choices in conduct, then the parent should supervise that child. It is not appropriate for the government to play nanny to these children.

In closing, I'd like to quote from a favorite portion of a famous document. It's not taken out of context; the author's points were very clear and concise.

The Constitution of the United States

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

It is important for this government to conduct itself as the founders intended. A government of the people, for the people, by the people. Thank you for your attention in this matter.

Signed,  
Ed Halley