



June 10, 2008

Via Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW, TW – A325
Washington, DC 20554

Re: WT Docket Nos. 07-195, 04-356, 07-16 and 07-30 – Notification of Written Ex Parte Presentation

Dear Ms. Dortch:

Attached please find a press release issued today by Attorney General Andrew M. Cuomo announcing milestone agreements with Verizon, Time Warner Cable, and Sprint to shut down major sources of online child pornography. As outlined in the press release, these leading Internet Service Providers will eliminate access to child porn Newsgroups, a major supplier of these illegal images, and will also purge their servers of child porn websites.

According to Mr. Cuomo's press release, National Center for Missing & Exploited Children Chief Executive Officer Ernie Allen congratulated this courageous government action, stating: "[t]his is a major step forward in the fight against child pornography. Attorney General Cuomo has developed a new and effective system that cuts online child porn off at the source, and stops it from spreading across the Internet. I applaud the Attorney General for making the protection of children a priority for his office." Mr. Allen has consistently supported such efforts including the creation of a family-friendly wireless broadband network in the AWS-3 band (previous filing attached).

Pursuant to Section 1.1206(b) of the Commission rules, an electronic copy of this letter is being filed. Please let me know if you have any questions regarding this submission.

Sincerely,

A handwritten signature in black ink, appearing to read 'Uzoma Onyeije', written over a horizontal line.

Uzoma Onyeije

Attachments

Innovation. Freedom.

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Press Releases

Office of the New York State Attorney General Andrew M. Cuomo

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June 10, 2008

ATTORNEY GENERAL CUOMO ANNOUNCES UNPRECEDENTED DEAL WITH NATION'S LARGEST INTERNET SERVICE PROVIDERS TO BLOCK MAJOR SOURCES OF CHILD PORNOGRAPHY

Attorney General's Undercover Investigation Reveals Thousands of Images of Child Pornography

Landmark Agreements with Verizon, Time Warner Cable, and Sprint Eliminate Child Porn Sources and Secure Over \$1.1 Million to Combat the Spread of Child Porn

NEW YORK, NY (June 10, 2008) – Attorney General Andrew M. Cuomo today announced landmark agreements with Verizon, Time Warner Cable, and Sprint to shut down major sources of online child pornography. For the first time, three of the world's largest Internet Service Providers ("ISPs") have agreed to block access to child porn from two significant sources. The companies will eliminate access to child porn Newsgroups, a major supplier of these illegal images, and will also purge their servers of child porn websites.

"The pervasiveness of child pornography on the Internet is horrific and it needs to be stopped," said Attorney General Cuomo. "We are attacking this problem by working with Internet Service Providers to ensure they do not play host to this immoral business. I commend the companies that have stepped up today to embrace a new standard of responsibility, which should serve as a model for the entire industry."

An undercover investigation by the Attorney General's office uncovered a major source of online child pornography known as "Newsgroups," an online service not associated with websites. The Newsgroups act as online public bulletin boards where users can upload and download files. Users access Newsgroups through their Internet Service Providers. As part of the agreements, Verizon, Time Warner Cable, and Sprint will for the first time completely block access to all child porn Newsgroups.

The Attorney General's investigation reviewed millions of pictures over several months, uncovering 88 different Newsgroups that contained a total of 11,390 sexually lewd photos featuring prepubescent children, and in some cases photos of children being raped and sexual activity involving animals. Verizon, Time Warner Cable, and Sprint provided their subscribers with access to many of these Newsgroups.

As part of the undercover investigation, the Attorney General's office developed a new system for identifying online content that contains child pornography. Every online picture has a unique "Hash Value" that, once identified and collected, can be used to digitally match the same image anywhere else it is distributed. By building a library of the Hash Values for images identified as being child pornography, the Attorney General's investigators were able to filter through tens of thousands of online files at a time, speedily identifying which Internet Service Providers were providing access to child pornography images.

In addition to eliminating the Newsgroups, the ISPs have also agreed to purge their servers of all child pornography websites identified by the National Center for Missing & Exploited Children ("NCMEC"). NCMEC regularly reviews and updates its registry of these illegal sites to ensure the list reflects the current presence of such websites on the Internet.

Verizon, Time Warner Cable, and Sprint, as part of the agreements with Cuomo, will implement a new system to rapidly respond to user complaints about child pornography. The three companies will also collectively pay \$1.125 million to fund additional efforts by the Attorney General's office and the National Center for Missing & Exploited Children to remove child pornography from the Internet.

Attorney General Cuomo said, "I applaud Verizon, Time Warner Cable, and Sprint for working with my office to address this growing problem. These companies are leading the industry and instituting new and innovative ways to stop their service from being used by people looking to distribute and access child pornography. I call on all Internet Service Providers to follow their example and help deter the spread of online child porn."

National Center for Missing & Exploited Children Chief Executive Officer Ernie Allen said, "This is a major step forward in the fight against child pornography. Attorney General Cuomo has developed a new and effective system that cuts online child porn off at the source, and stops it from spreading across the Internet. I applaud the Attorney General for making the protection of children a priority for his office."

Verizon Deputy General Counsel Tom Dailey said, "We are committed to ensuring our users are not exposed to the horror that is child pornography. By shutting down offending Newsgroups and contributing to funds that will combat child pornography online, we are working to remove this content permanently. I want to thank Attorney General Cuomo for working with us to create a safer online environment for all of our users."

Time Warner Cable Senior Vice President and Chief Ethics Officer Jeff Zimmerman said, "Online child pornography represents one of the worst abuses of the Internet. We stand with Attorney General Cuomo and the National Center for Missing & Exploited Children in our commitment to helping curb the spread of this abusive content. Among the steps Time Warner Cable is taking are removing Newsgroups from our Internet service, partnering with other leading Internet companies on NCMEC's Technology Coalition, and making a financial commitment to NCMEC and Attorney General Cuomo's office to actively support critical child safety programs."

Sprint Senior Public Affairs Manager Matthew Sullivan said, "Attorney General Cuomo has taken a national leadership role in eradicating the online distribution of child pornography and he reached out to Sprint to partner in this important initiative. In response, we are doing our part to deter the accessibility of such harmful content through the Internet and we are providing monetary resources that will go toward the identification and removal of online child pornography. We embrace this opportunity to build upon our own long-standing commitment to online child safety."

Verizon and Time Warner Cable are two of the five largest Internet Service Providers in the world. Verizon has 8.2 million subscribers and Time Warner Cable's Road Runner has 7.9 million. Sprint is one of the three largest wireless companies in the United States. The Attorney General's investigation into Internet Service Providers allowing child pornography to be distributed online remains ongoing.

Protecting children from online predators has been a priority for Attorney General Cuomo. In May 2007, Cuomo worked with law enforcement authorities to investigate sex offenders who had been found on MySpace, a popular social networking site. In October 2007, Cuomo and the popular online community Facebook announced a new model to enforce safeguards aimed at protecting its network members, especially children and adolescents, from sexual predators, obscene content, and harassment. In January 2008, Attorney General Cuomo sponsored the nation's most comprehensive legislation to dramatically enhance protections for New Yorkers, especially children, from sexual predators on the Internet. The comprehensive Electronic Security and Targeting of Online Predators Act (e-STOP), was passed unanimously by the New York State Assembly and Senate, and was signed into law by Governor Paterson in May 2008. The legislation restricts certain sex offenders' use of the Internet and updates Megan's Law for the Internet age.

This investigation is being handled by Senior Investigator Michael McCartney and First Assistant Deputy Attorney General Peri Kadanoff with additional assistance from Assistant Attorney General Karen Geduldig and Confidential Analyst Bradley Bartram. The investigation is being supervised by Special Counsel to the Attorney General Elizabeth Glazer and Executive Deputy Attorney General for Criminal Justice Robin Baker.

Attachment:

- [Timeline on AG Work on Internet Safety](#)

For Adobe PDF files you can [download Adobe Reader from Adobe Systems](#)

August 6, 2007

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The United States of America

Telephone 703.274.3900

Facsimile 703.274.2222

<http://www.missingkids.com>

The Honorable Kevin Martin
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Network-Level Filtered Wireless Broadband Service

Dear Chairman Martin:

The National Center for Missing & Exploited Children (NCMEC) is a great admirer of the FCC and its important work. We worked together in developing the plan that brought the Amber Alert into the Emergency Alert System (EAS), an effort that has already saved 336 children. NCMEC, the Cellular Telecommunications Industry Association (CTIA) and the FCC worked together on the Wireless Amber Alert initiative, and there are many other examples.

NCMEC does not endorse commercial products or services, nor has it commented on proposals before the FCC in the past. Nonetheless, I am writing today because one such proposal before you has piqued our interest, and entails new technology that we believe has great implications for America's families.

The Internet is a powerful, important resource for children and families. Yet, there is a dark side. Since 1998, NCMEC has handled 500,000 reports from the public and from Internet Service Providers regarding child pornography, online enticement of children, and other forms of child sexual exploitation. We know that child pornography has become a multi-billion dollar industry worldwide. NCMEC's Child Victim Identification Program (CVIP) is working with law enforcement around the world to identify the child victims and rescue them. To date, our CVIP analysts have reviewed 9 million images and videos, resulting in the identification of more than 1,100 children. Thousands more have not yet been identified.

New technologies are critical if we are to fight this new breed of online predators. We have seen various efforts to attack this problem through law fail to meet constitutional muster in the courts. It is clear that if we are going to address this problem effectively in the future, the private sector must lead the way.

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Yet, the challenges are enormous. Recent NCMEC research conducted by the Crimes Against Children Research Center at the University of New Hampshire found that 1 in 7 children who are regular Internet users will be sexually solicited online, and that 34% of children are encountering unwanted sexual content online, up from 25% just five years ago.

To address these challenges, we joined with Boys & Girls Clubs of America to create the NetSmartz workshop. We have implemented this animated, fun, interactive program in 3,000 Boys & Girls Clubs and are now reaching millions of other children through schools, youth organizations, and in the home.

Nevertheless, we need to do more. One of the primary challenges is to mobilize and involve parents. The University of New Hampshire research found that even after more than a decade of emphasizing the importance of parental controls, filters, blocking software, etc., just 55% of America's parents use such tools.

Thus, we were encouraged to learn that there is a proposal before you from M2Z Networks, Inc. that would create a nationwide broadband wireless service that will be filtered for indecent content at the network level. This type of filtering is one of the best tools we have to fend off online predators, and prevent inappropriate content from reaching children. If this technology is effective, it would ensure that pornographic and other indecent materials would never reach the user's computer. Network-level filtering is superior to software-based solutions that can be easily subverted or disabled.

We are intrigued by the potential, and hope you will give this proposal careful consideration. It represents a new tool that could significantly enhance the ability of parents to protect their children. Again, I do not write as an endorser or promoter of this company or any company or product, nor do I write to attempt to influence your judgments and those of your fellow Commissioners regarding the intricacies of the FCC process. However, I do write as someone who believes that we need new tools and approaches.

As always, if we can be of assistance to you or the FCC, please let me know.

Sincerely,



Ernie Allen
President and Chief Executive Officer

cc: Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Commissioner Deborah Taylor Tate
Commissioner Robert M. McDowell