

better. It is always possible to come in and say, well, this isn't good enough. You should have done this. You should have done that.

But, as that quote suggests, the credit belongs not to the critic but to the man who is in the arena struggling and trying to do the right thing. In this case, Mr. Speaker, that is my colleague, Mr. CONAWAY of Texas.

Now, some people say facetiously, oh, this is energy week for the Republicans; and they criticize that we haven't done enough. I would note that some of those people oppose drilling in ANWR where we might find additional resource. They oppose even rational proposals to do offshore drilling. They oppose rational proposals called for by the industry to incentivize additional refineries.

Indeed, I worked very hard to increase hydroelectric energy; and the same people who are today here criticizing this bill opposed the construction of additional hydroelectric production facilities. Indeed, they say we should tear down existing dams that produce hydroelectric energy.

One of the speakers on this bill said, well, this really is unnecessary. Indeed, it is a waste of time. Because in point of fact there is already an Energy Department Web site which tells consumers this information.

Well, unfortunately, that misapprehends what this bill does. This bill doesn't just create a Web site. This bill calls for a cooperative effort to advertise to American consumers what they can do.

Perhaps the gentleman who made that argument knows that every single person residing in his congressional district understands already that using their cruise control on the highway can help maintain a constant speed and save gas.

Perhaps the gentleman understands, or in his congressional district every single consumer understands, that aggressive driving can reduce mileage by 33 percent.

Presumably, in that particular Member's district, every single member observes the speed limit and understands that for each five miles per hour over the 60 miles an hour that you drive, you are increasing the cost of gasoline by 21 cents a gallon.

Perhaps, indeed, I assume, every single consumer in that congressional district understands that a single 100 pounds of extra weight in your vehicle can cost you an additional 2 percent each year.

Perhaps in that congressional district every consumer understands that fixing a car that is not timed properly can save you 4 percent of the gasoline you need to consume. Indeed, fixing a serious maintenance problem can save you 40 percent.

And perhaps every consumer in that congressional district understands that if you keep your tires properly inflated you will save 3.3 percent.

But I would suggest that not all Americans do understand those things.

I would suggest that this is good legislation. I would suggest that it is indeed the right thing to do, to help educate consumers; and I am, quite frankly, stunned that an opponent would come to the floor and say we do not need to educate America's consumers on the cost of excessive consumption of gasoline.

This is good legislation. I commend the gentleman from Texas (Mr. CONAWAY) for his effort. I appreciate the support of some of my colleagues on the other side, and I urge that all of the Members pass this legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BONILLA). The question is on the motion offered by the gentleman from Arizona (Mr. SHADEGG) that the House suspend the rules and pass the bill, H.R. 5611, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A Bill to authorize a partnership between the Secretary of Energy and appropriate industry groups for the creation of a transportation fuel conservation education campaign, and for other purposes."

A motion to reconsider was laid on the table.

DELETING ONLINE PREDATORS ACT OF 2006

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (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, as amended.

The Clerk read as follows:

H.R. 5319

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Deleting Online Predators Act of 2006".

SEC. 2. FINDINGS.

The Congress finds that—

(1) sexual predators approach minors on the Internet using chat rooms and social networking websites, and, according to the United States Attorney General, one in five children has been approached sexually on the Internet;

(2) sexual predators can use these chat rooms and websites to locate, learn about, befriend, and eventually prey on children by engaging them in sexually explicit conversations, asking for photographs, and attempting to lure children into a face to face meeting; and

(3) with the explosive growth of trendy chat rooms and social networking websites, it is becoming more and more difficult to monitor and protect minors from those with devious intentions, particularly when children are away from parental supervision.

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

(a) CERTIFICATION BY SCHOOLS.—Section 254(h)(5)(B) of the Communications Act of

1934 (47 U.S.C. 254(h)(5)(B)) is amended by striking clause (i) and inserting the following:

"(i) is enforcing a policy of Internet safety for minors that includes monitoring the online activities of minors and the operation of a technology protection measure with respect to any of its computers with Internet access that—

"(I) protects against access through such computers to visual depictions that are—

"(aa) obscene;

"(bb) child pornography; or

"(cc) harmful to minors; and

"(II) protects against access to a commercial social networking website or chat room unless used for an educational purpose with adult supervision; and"

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

"(i) is enforcing a policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that—

"(I) protects against access through such computers to visual depictions that are—

"(aa) obscene;

"(bb) child pornography; or

"(cc) harmful to minors; and

"(II) protects against access by minors without parental authorization to a commercial social networking website or chat room, and informs parents that sexual predators can use these websites and chat rooms to prey on children; and"

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

"(J) COMMERCIAL SOCIAL NETWORKING WEBSITES; CHAT ROOMS.—Within 120 days after the date of enactment of the Deleting Online Predators Act of 2006, the Commission shall by rule define the terms 'social networking website' and 'chat room' for purposes of this subsection. In determining the definition of a social networking website, the Commission shall take into consideration the extent to which a website—

"(i) is offered by a commercial entity;

"(ii) permits registered users to create an on-line profile that includes detailed personal information;

"(iii) permits registered users to create an on-line journal and share such a journal with other users;

"(iv) elicits highly-personalized information from users; and

"(v) enables communication among users."

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

(1) by inserting "OR EDUCATIONAL" after "DURING ADULT" in the heading; and

(2) by inserting before the period at the end the following: "or during use by an adult or by minors with adult supervision to enable access for educational purposes pursuant to subparagraph (B)(i)(II)".

SEC. 4. FTC CONSUMER ALERT ON INTERNET DANGERS TO CHILDREN.

(a) INFORMATION REGARDING CHILD PREDATORS AND THE INTERNET.—Not later than 180 days after the date of enactment of this Act, the Federal Trade Commission shall—

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

(2) establish a website to serve as a resource for information for parents, teachers and school administrators, and others regarding the potential dangers posed by the

use of the Internet by children, including information about commercial social networking websites and chat rooms through which personal information about child users of such websites may be accessed by child predators.

(b) **COMMERCIAL SOCIAL NETWORKING WEBSITES.**—For purposes of the requirements under subsection (a), the terms “commercial social networking website” and “chat room” have the meanings given such terms pursuant to section 254(h)(7)(J) of the Communications Act of 1934 (47 U.S.C. 254(h)(7)(J)), as amended by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I would ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I would yield myself 5 minutes.

Mr. Speaker, I rise in strong support of H.R. 5319, the Deleting Online Predators Act of 2006, which was introduced by Representatives Fitzpatrick and Kirk, along with Representatives Miller of Michigan, Weldon of Pennsylvania, English of Pennsylvania, Davis of Kentucky, and Castle.

I would note that under the leadership of Chairman WHITFIELD and Chairman BARTON, the Oversight and Investigation Subcommittee has held multiple hearings exposing the appalling sexual exploitation of children on the Internet. This includes the dark underside of social networking Web sites, which have been stalking grounds for sexual predators who are preying on children all across the Nation; and we have had many and such cases in my home State of Michigan, way too many.

Federal law enforcement officials have described the sexual abuse and exploitation of our Nation's youth as an epidemic propagated by the unlimited access of the Internet. The statistics are alarming. The FBI has seen better than a 2,000 percent increase in its caseload of online sexual predators the last 10 years. And of the estimated 24 million child Internet users, one in five kids has received unwanted sexual solicitations. It is estimated that, at any given moment, 50,000 predators are prowling for children online, many of whom are lurking within social networks.

At a minimum, what our hearings have taught us is that both kids and parents need to be better educated about the dangers of social networking Web sites, and parents need to police their children's online use at home to guard against sexual predators.

However, to the extent that children are using the Internet outside the home, particularly at school or at a public library, parents have not been able to monitor their child's online use, and that is the situation that H.R. 5319 is designed to address.

Earlier this month, the Telecommunications and Internet Subcommittee held a legislative hearing on this bill; and as a result of many constructive suggestions that we heard from our witnesses and Members alike, particularly those representing schools and libraries, the legislation before us today I think reflects much improvement.

At its heart, the bill before us today would require schools which receive e-rate funding, and I would note that I am a strong supporter of e-rate funding, to enforce a policy of Internet safety for minors that includes monitoring their online activities and the protection measures to protect against access to commercial social networking Web sites or chat rooms, unless used for an educational purpose with adult supervision.

Additionally, this bill would require libraries which receive e-rate funding to enforce a policy of Internet safety that includes the operation of a technology protection measure that protects against access by minors to commercial social networking Web sites or chat rooms unless they have parental authorization and the library informs parents that sexual predators can use those Web sites and chat rooms to prey on kids.

The approach taken by this legislation is not dissimilar to the approach taken by the Children's Internet Protection Act through which Congress requires schools and libraries that receive e-rate funding to impose filtering technology to protect kids from online visual depictions of an inappropriate sexual nature.

Mr. Speaker, I support the e-rate. I continue to do so. I often visit a school, virtually every week. I have seen the tremendous educational value which the Internet has brought to students throughout our district, and I recognize the importance of the e-rate in making that a reality.

However, as with all technologies, the Internet is a double-edged sword, and Congress does have the responsibility to ensure that, to the extent that a Federal program is involved, like the e-rate, it is doing all that it can to ensure that children are protected from online dangers. This bill represents another step in making sure that online experiences at school and the library are safe.

I want to congratulate Mr. KIRK, Mr. FITZPATRICK, and Ms. BEAN for their leadership on this issue. I urge all of my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume; and I rise in support of this legislation.

I do so simply to move this process along and to indicate to families across the country that protecting children from online exploitation and from child predators is a serious issue that warrants attention.

This is an issue upon which Democrats and Republicans agree, because these issues affect families regardless of party affiliation. I do not, however, believe that this legislation will actually adequately address these issues, nor do I support the way in which this bill was brought to the floor today.

The hearing that we had on this bill highlighted several serious deficiencies and won't be effective in combating online predators. The Attorney General from Texas, for example, testified that just going after schools and libraries wouldn't achieve a whole lot. The initial bill would have had the Federal Government create a blacklist of forbidden Web sites. A law enforcement official and an Internet security expert testified that the bill would do little to protect children.

So how did the majority react to problems highlighted in the hearing? They decided to skip a subcommittee and a full committee markup. They opted to rewrite this bill without public input or consultation with the Democratic side, and they decided to rush it to the floor today.

Not surprisingly, the bill continues to have several flaws. It remains overbroad and ambiguous. I continue to have reservations about utilizing the e-rate funding mechanism as the legislative hook for Federal involvement in this area. That is because the e-rate program was not designed to be a cop on the beat in the front lines battling child predators. Rather, it was designed to enhance Internet access and bridge the digital divide.

□ 1445

As a result, it is a program which may not help us assist all K-12 schools at any time or individual schools in every funding cycle. In other words, if the goal is protecting children and combating child exploitation, why should these requirements only apply in schools receiving e-rate funding?

And this bill does nothing for families when the kids online are at home. If the goal is to address the issue of online predators, this bill proposes an ineffectual remedy.

Moreover, the whole process by which this bill was brought to the floor today puts in jeopardy the prospects of legislating successfully on a serious issue.

Mr. Speaker, I believe that parents need and deserve better education and tools to protect their children, and the Democrats stand ready to work with our colleagues when they feel they are ready to truly address this issue with proposals that are meaningful and enforceable.

In that spirit, I intend to vote for this bill in order to move the process forward, but ultimately, I think that

we will need to explore other additional solutions and further revisions.

Mr. DINGELL, the ranking member of the full Energy and Commerce Committee, will be here in a few moments in order to speak to these issues of concern as well. I thank you for your attention.

Mr. Speaker, I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 1 minute to the gentleman from the good State of Texas (Mr. POE).

Mr. POE. Mr. Speaker, I want to thank Mr. UPTON for his work on this bill.

As co-founder of the Victims Rights Caucus, I strongly support this bill. Our Attorney General Gonzales says that one out of every five children in America is approached sexually on the Internet. In recent months, Congress and the national news media have put intense focus on the problem of Internet predators. Parents obviously have a responsibility to monitor what their kids see at home, but they leave home. They go to school, they go to libraries, and this bill helps parents parent better.

Social networking sites such as MySpace and chat rooms have allowed sexual predators to sneak into homes and solicit kids, and this bill requires schools and libraries to establish those protections to prevent children from accessing MySpace and chat rooms while in school and libraries unless parents are there or unless there is supervision.

The bill also requires the Federal Trade Commission to issue consumer alerts and establish a Web site alerting and educating parents and teachers about Internet sexual predators. Those people live among us. They prey on our youngest, our children, and they will do anything in their power to solicit those children.

So this raises the awareness and the protection of our children, and I strongly support this bill.

Mr. MARKEY. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. STUPAK), a member of the committee.

Mr. STUPAK. Mr. Speaker, for the second straight day I come to the floor objecting strongly to the process by which bills are being brought to the floor on suspension without proper consideration.

Today, the House is considering two bills that were not properly considered by the Energy and Commerce Committee. Both the U.S.-Israel Energy Cooperation Act and the Deleting Online Predators Act were rewritten behind closed doors by the majority and were not marked up before going to the floor.

On the other hand, our committee marked up a bill today, and this is not a joke, but to protect consumers from misleading thread counts for wool suits. We mark up a bill to protect people from wool suits but not from online child predators.

Mr. Speaker, I take a back seat to no one when it comes to my dedication to tracking down, prosecuting and locking up child predators. I have helped lead the child predator investigation in the House, and I have participated in six hearings on this issue.

Unfortunately, child predators are not the target of today's bill. This bill will not delete online predators. Rather, it will delete legitimate Web content from schools and libraries. Schools and libraries that serve students are the target of this legislation.

The bill is an attempt to protect children in schools and libraries from online predators. It is important to note that during the six oversight hearings we had, hearing from 38 witnesses on the issue, there was not one mention of online child exploitation being a problem at schools or libraries. Perhaps this is because there is already a law on the books that requires schools and libraries who receive e-rate funding to monitor children's Internet use and to employ technology blocking children or preventing children from viewing obscene and harmful content.

Many schools and libraries already block Web sites such as MySpace. This legislation is largely redundant and raises many constitutional concerns.

The National School Boards Association opposes this bill saying, "NSBA is concerned that the bill would not substantially improve safety of students, and would place an added and unnecessary burden on schools. Furthermore, the legislation does not address the real issue of educating children about the dangers of the Internet and how to use it responsibly and wisely."

The American Library Association also opposes this bill, saying the bill "denies access to constitutionally protected speech."

This bill will not tackle the real threat to our children. Our committee learned from teens, experts and law enforcement that the real threat lies in children using these sites in their rooms without adult supervision.

This legislation will actually drive children to go to unsupervised places, unsupervised sites to go online, where they will become more vulnerable to child predators.

Finally, and importantly, legislation before us today does nothing to hold Internet service providers accountable. We learned from our hearings that ISPs vary widely in what they do to empower children and parents, how they report online predators to authorities, and actively seek and block illegal content from their networks.

The bottom line is that Members can vote for this bill, but we should not give parents the false hope that this bill will keep their children safe. This bill will increase the risk to children as we drive children away from supervised sites to unsupervised sites.

Finally, Mr. Speaker, I am profoundly disappointed that this issue that should not be a partisan issue is becoming one.

I will enter into the RECORD at this point the letter of opposition from the American Library Association.

AMERICAN LIBRARY ASSOCIATION,
Washington, DC, July 26, 2006.

To: United States House of Representatives.
Re opposition to H.R. 5319, the Deleting Online Predators Act (DOPA).

DEAR REPRESENTATIVE: On behalf of the American Library Association (ALA), I write to indicate our continued opposition to H.R. 5319, the Deleting Online Predators Act (DOPA). We understand this bill may come to the House floor this afternoon and ask that you oppose this bill as it presently reads.

No profession or community is more concerned about the safety of children than our Nation's librarians. Librarians in public libraries and school library media centers work continuously to assure that children have appropriate and safe access to the materials and information services they need so that each young person can become literate and educated with the skills and knowledge to succeed in the digital and online world.

ALA had hoped following the July 11th hearing on H.R. 5319 before the Commerce Committee's Subcommittee on Telecommunications and the Internet, that an amended version would seek to resolve some of the problems we expressed in ALA's testimony. Unfortunately, the revised language we received only last night does not make the necessary changes that we believe would better serve the public interest and contribute to true online safety for young people. We urge opposition to H.R. 5319 for several reasons:

1. The terminology used in DOPA is still overly broad and unclear. As written, this legislation would block access to many valuable websites that utilize this type of communication, websites whose benefits outweigh their detriments.

2. DOPA still ignores the value of Interactive Web applications. New Internet-based applications for collaboration, business and learning are becoming increasingly important, and young people must be prepared to thrive in a work atmosphere where meetings take place online, where online networks are essential communication tools.

3. Education, not laws blocking access, is the key to safe use of the Internet. Libraries and schools are where kids learn essential information literacy skills that go far beyond computer instruction and web searching. Indeed, DOPA would block usage of these sites in the very environments where librarians and teachers can instruct students about how to use all kinds of applications safely and effectively and where kids can learn how to report and avoid unsafe sites.

4. Local decision-making—not federal law—is the way to solve the problems addressed by DOPA. Such decisions are already being made locally, in part due to the requirements of the Children's Online Protection Act (CIPA) for E-rate recipients. This additional requirement is not necessary.

5. DOPA would restrict access to technology in the communities that need public access most. H.R. 5319 still, as presently drafted, would require libraries and schools receiving E-rate discounts through the Universal Service Program to block computer users from accessing Interactive Web applications of all kinds, thereby limiting opportunities for those who do not have Internet access at home. This unfairly denies the students and library users in schools and libraries in the poorest communities from accessing appropriate content and from learning how best to safely manage their own Internet access in consultation with librarians and teachers.

It should also be noted that key witnesses at the July 11th hearing testified that limiting access to social networking sites in E-rate schools and libraries will have little impact on the overall problem since young people access these collaborative sites from many locations and over a period of time.

If you have any questions, please call our office at 202-628-8410. Thank you for your consideration.

Sincerely,

LYNNE E. BRADLEY,
Director, Office of Government Relations,
American Library Association—WO.

Mr. UPTON. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK), the sponsor of the legislation.

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I want to thank Chairman JOE BARTON and Subcommittee Chairman FRED UPTON for their leadership in shepherding this legislation, the Deleting Online Predators Act, from the Energy and Commerce Committee to the floor today. I want to especially thank Congressman MARK KIRK and all of the members of the Suburban Caucus for the commitment they have shown in addressing the needs of American families in the suburbs.

Monitoring our children's use of emerging technologies is a huge task for parents across the Nation, and the Internet remains the focus of many parents' concerns. The growth of the Internet has opened the door to many new applications that tear down the walls that once prevented communication across vast distances. One set of applications in particular has created a huge following online, but have also created an equal amount of danger, and they are social networking sites.

Social networking sites, best known by the popular examples of MySpace, Friendster and Facebook, have literally exploded in popularity in just a few short years. MySpace alone has over 90 million users and it is growing every day. While these sites were designed to allow their users to share virtual profiles of themselves to friends and like-minded users, the sites at most have become a haven for online sexual predators who have made these corners of the Web their own virtual hunting ground.

The dangers our children are exposed to by these sites is clear and compelling. According to a study conducted by the National Center for Missing and Exploited Children, in 1998, there were 3,267 tips reporting child pornography. Since then, the number has risen by over 3,000 percent to an outstanding 106,119 tips in 2004.

The Department of Justice recognizes child pornography as a precursor for pedophiles and is often linked to online predators. According to Attorney General Gonzales, one in five children has been approached sexually on the Internet. Mr. Speaker, one in five. Worse still, a survey conducted by the Crimes Against Children Research Center found that less than one in four children told their parents about the sexual solicitation they received.

On their face, these numbers are startling. Even more startling, however, has been the visual evidence offered to millions of Americans through the news outlets like NBS Dateline's "To Catch a Predator" series. Throughout his investigations, Chris Hansen proved time and again with disturbing regularity that child predators are ready and willing and able to approach the prey they stalk online.

What would have happened in these circumstances if the children these predators were to meet were not decoys and Chris Hansen was not there? How many assaults, rapes and ruined lives would have resulted in these encounters?

Mr. Speaker, the fact, however disturbing it may be, is that child predators have harnessed the power and anonymity that social networking sites provide to hunt their prey.

I want to make the intention very clear about my legislation. This legislation is directed at limiting the access of minors to chat rooms and social networking sites in public schools and libraries receiving Federal universal service funding. My legislation is not designed to limit speech or infringe on the rights of law-abiding adults.

Under H.R. 5319, schools may disable protection measures in order to allow use by students with adult supervision for educational purposes. In addition, libraries may disable protection measures to allow use by children with parental authorization. Nothing will ever prevent adults from using these sites in schools and libraries. Most importantly, children would remain able to use these sites at home under the supervision of their parents.

This legislation is not a substitute for parental supervision, which remains the first line of defense for our children's safety. That is why H.R. 5319 would require the Federal Trade Commission to create a Web site and issue consumer alerts to inform parents, teachers and school officials about the potential dangers on the Internet, specifically online sexual predators and their ability to contact children through social networking sites and chat rooms.

Mr. Speaker, this bill is only part of the solution. I fear that no one law can stop the threat from sexual predators. Instead, it will take the combined commitment of the Congress, the Department of Justice, as well as State and local law enforcement to track, investigate and prosecute these offenders. Congress must stand with law enforcement to provide them with the tools that they need to accomplish this goal.

Finally, I stood with Representative NANCY JOHNSON to add \$3.3 million for the FBI's Innocent Images Program, the FBI's anchor program for its effort to stop online sexual predators. I wrote to Chairman WOLF to increase funding for the Internet Crimes Against Children Task Force and for the addition of 26 new U.S. Attorney positions to increase the rate of child exploitation

prosecutions. I am committed to combating this growing threat, and I call on my colleagues to help me in this fight, and to do so now before the start of a new school year.

Mr. MARKEY. Mr. Speaker, I yield 4 minutes to the gentleman from California (Ms. WATSON).

Ms. WATSON. Mr. Speaker, I rise today in opposition to H.R. 5319, the Deleting Online Predators Act, because it sends the wrong message to our children, our parents, teachers and librarians. The bill would curb Internet usage as a means to protect children, a counterproductive method to achieving such an important goal.

Rather than restricting Internet usage, parents, teachers and librarians need to teach children how to use our ever changing technology. The information age in which we live offers so much potential to our children, if they know how to use it.

Last month, I met with Sister Elizabeth Thoman, one of my constituents, who founded the Center for Media Literacy. It is an organization that creates and implements innovative tools to educate children on the art of media literacy. Just like students need to know how to differentiate between good research and bad research on Web sites, they need to know how to utilize chat rooms and other media so they will not become victims of online predators. Her "Media Lit Kit/A Framework for Learning and Teaching in a Media Age" is offered in the Los Angeles Unified School District with much success. It is also available on her Web site free of charge.

Rather than adding an extra administrative task to already overworked teachers and librarians, we should be providing grant moneys to implement programs like Sister Thoman's so our children can learn right from wrong and good information from bad information.

Yes, safeguards for our children need to be in place.

□ 1500

MySpace.com is working to create tougher controls for adults to e-mail children. Yes, we need to fully fund police departments across the Nation to monitor online predators; and, yes, consumer alerts and learning tools need to be offered to parents and teachers alike to inform students of the dangers of the Internet; and, yes, parents and teachers and librarians need to take an active role in monitoring students; but a law aimed at universal service-run schools is not the answer. It is parents and teachers and librarians who should decide where children in their care should be able to access.

As another constituent in my district pointed out in a recent e-mail, school districts and libraries already have the power to block access to social networking sites and chat rooms, and many of them have done so already. I worry that a bill of this magnitude will send us down the slippery slope of legislating even more Web sites and infringing on our right to information.

We live in busy times, and I know many homes in my district and across the Nation are single-parent households, with some parents working two or even three jobs. I understand parents can't be with their children all the time, but it is the responsibility of parents and teachers and librarians to impose rules in their own homes and schools. Just like teaching children how to cross the street to avoid hazards, parents need to be able to teach their children how to cross an Internet Web site without getting hit.

Mr. UPTON. Mr. Speaker, I yield myself 30 seconds.

I just want to say that as I learn more and more about this legislation, part of it was because of the gentleman from Illinois (Mr. KIRK) and the gentlewoman from Illinois (Ms. BEAN). We share a media market together, me in southwest Michigan, they, of course, in Chicago, and the concern by so many in talk radio and the news is really something else.

I have to say that just a couple years no one knew about the online predators like we do today, and that is why we have had a number of hearings in the Oversight Subcommittee chaired by Mr. WHITFIELD.

Mr. Speaker, I yield 5 minutes to one of the coauthors of the bill, along with Mr. FITZPATRICK of Pennsylvania, Mr. KIRK of Illinois.

Mr. KIRK. Mr. Speaker, to respond to my Democratic colleague, I agree with her that parents cannot be with their children all of the time, but sexual predators should not be with the children at any time, and that is the principle by which this legislation stands. Americans have a right to send their children to safe schools and libraries.

In Lake County, Illinois, we have seen what can happen when Internet predators make contact with children. Last October, Joseph Caprigno molested a 14-year-old boy that he met on the Internet. Caprigno, a 40-year-old man, arranged to meet the boy in a 7-11 parking lot through an Internet chat room.

In January, a 20-year-old man, Michael Zbonski, molested a 16-year-old he met on MySpace.com. Frighteningly, he not only communicated with this girl for 2 years via MySpace, he also admitted to sexual relationships with one of the victim's underage friends.

The Deleting Online Predators Act is a commonsense piece of legislation that empowers parents to play a more active role in their children's activities online. This bill calls on the Federal Trade Commission to issue consumer alerts and to establish a unique Web site to better educate parents as to the dangers posed from Internet predators. Parents are the first and most important line of defense against these predators, but it is imperative to arm them with timely and accurate information to protect their children.

This bill also requires schools to prevent children from accessing social

networking sites and chat rooms unless they are doing so for legitimate educational purposes under adult supervision. We have invested hundreds of millions of dollars across America in locking school doors and controlling the access to children. This bill takes the commonsense step to make sure that predators cannot sneak in through the library computer.

Our legislation also requires public libraries to provide the same levels of protection to children. I believe this is an entirely appropriate action to help parents determine where their children go and what they do online. It seems foolish for the taxpayer to subsidize what amounts to a loophole that sexual predators can exploit.

Mr. Speaker, Lake County offers one other case that plainly demonstrates the need for this legislation. The Lake County State's Attorney recently filed aggravated criminal sexual abuse charges against two teachers who were accused of soliciting and arranging to molest underage students at a school where they were taught. Jason Glick and James Lobitz didn't just molest two underage students, they arranged to do so using school-owned computer equipment and resources during school hours. The cases against Jason Glick and James Lobitz are still pending, but by passing this bill today we send a message to parents that we will close every loophole sexual predators will use to roam the virtual halls at school.

Mr. Speaker, this is the second suburban agenda bill to pass the House. Tomorrow, Representative JON PORTER's bill will become law, allowing schools to check national felon databases before hiring a coach or a teacher. Tomorrow, we will take up a third suburban agenda item, accelerating the deployment of fully electronic medical records for all Americans.

Mr. Speaker, by tomorrow night, half of the suburban agenda legislation will have passed the House of Representatives. But today I want to thank Chairman BARTON, Chairman UPTON, and Congresswoman MELISSA BEAN for their help on a bipartisan basis in supporting this legislation. I also want to thank Howard Waltzman of the committee staff for his invaluable assistance. But, most importantly, I want to thank the gentleman from Pennsylvania (Mr. FITZPATRICK) for becoming an outstanding leader of protecting American children from online predators.

The SPEAKER pro tempore (Mr. REHBERG). Without objection, the gentleman from Michigan (Mr. DINGELL) will control the time of the gentleman from Massachusetts (Mr. MARKEY).

There was no objection.

Mr. DINGELL. Mr. Speaker, how much time remains on the two sides?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. DINGELL) has 9½ minutes remaining, and the gentleman from Michigan (Mr. UPTON) has 5 minutes remaining.

Mr. DINGELL. Mr. Speaker, I yield 3 minutes to my distinguished friend from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, I hate to spoil this garden party, but this is not, in truth, suburban legislation, it is substandard legislation. And the reason for that is that it is, in effect, a good press release, but it is not effective legislation addressing a huge problem threatening our children.

The reason I say that is, after sitting through many hearings in the Commerce Committee about this enormous problem, I reached one conclusion. After listening to those thousands of children who are being abused on these horrendous occasions across this country, I concluded that this legislation would not save one single child one single time.

What we learned is that the problem is not in our schools. These kids are not hanging in the library with these sexual predators. They are hanging around in their dens, in their basements, in their living rooms, and in their upstairs bedrooms. That is where we have to get to the problem.

If you look at the problem here on this chart, only 10 percent of the abused kids are online and hardly any of them from schools. A tiny, tiny, infinitesimal portion. This will not solve the problem.

Now, there are things we can do, but, unfortunately, this legislation doesn't do a single one of them. I used to prosecute cases, so I know a little bit about law enforcement. I raised three kids, so I know a little bit about the terror of worrying about your children. But what this legislation does not do is the three things we need to do.

Number one, we have to give resources to law enforcement to prosecute these horrendous monsters. We had detective after detective come to our hearings and say, give us some money; we can prosecute these people. This doesn't give them a penny.

Number two, we need to protect the data. What the detectives told us is that this data, once it disappears, they can't find the culprits. Now we could require the data to be maintained for a year or two, like we are trying to do. This bill doesn't do that.

Third, what this bill could do is provide some real meaningful tools for our schools to educate our children on how to avoid these monsters on the Internet. This doesn't do that.

The three effective things that we could do to really save our kids is not done in this legislation.

Now, why is this such a pathetic wave at trying to do something? Why has Congress failed so miserably here? There is a reason for that. The reason is we want press releases, without having to do the hard work to do legislation. That is why we didn't go through the Commerce Committee to have a markup on this bill so they could rush

this thing to the floor and have their suburban agenda.

Well, speaking as a parent who represents 650,000 people, and probably 200,000 parents in suburbia, I think suburban parents, urban parents, rural parents, big-city parents and little-city parents deserve real legislation to stomp out the monstrosity that is going on on the Internet and not these little press releases. We can't go home and just say that we are heroes without having really done something.

When I go home, I am going to tell my constituents that, yes, maybe there are some headlines, but there wasn't real relief. And I look forward to the day when this Congress gets down to the nitty-gritty and really does something about this terrible problem.

Mr. DINGELL. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, I oppose these Internet predators. My good friend, for whom I have great respect, the chairman of this subcommittee from Michigan, opposes them. Everybody else in the Chamber opposes them. Every right-thinking and decent American opposes this practice. What we need, however, is good legislation which will address the problem. What we need is legislation which will be effective.

The Committee on Energy and Commerce had a number of hearings on these matters. It is interesting to note that, in the process of that, you can't find anything about there being a problem at schools and libraries. Now, this legislation has attracted both the strong opposition of the schools and the libraries and the Chamber of Commerce, which points out to us that this bill needs more work. In other words, Mr. Speaker, this bill is not ready for prime time.

The unfortunate thing about this legislation is that, rather than dealing with the real problem, which is kids and young people who are making these communications with sexual predators from their own home or their own den or from their own basement or from their own room, it deals with schools and libraries. Now, that is very fine if we had some record which would show that this is a real problem or that there is not a better cure somewhere else, which in fact there is.

The regrettable thing about this legislation is its rush to the floor. I can't tell whether it is a bunch of Republicans who are panicky about the next election or whether it is a situation in which everybody is trying to rush to get out of town to go on an August vacation. But the simple fact of the matter is this legislation is not going to do anything to stop the abuses about which there is a very legitimate complaint.

So here we are passing legislation, I suspect, to help some of my panicky Republican colleagues save themselves in a difficult election, or which will let people go home and say, oh, look what we did. But this process has not only been flawed, it has guaranteed that the

matters that we discuss now do not really address the situation which confronts us.

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And worse than that, we are going to be right back here at some future time, after the folks at home tell us what a sorry job we did in dealing with this matter. Because the problem of sexual predators continuing to work the young people is going to continue under this legislation, unabated; and we are going to come back here with red faces and say how we have made a mistake and we have to do more.

The simple fact of the matter is this legislation was sprung on us. I am told that it was written last night. We barely saw it before the process on the floor started. And the committee process, which enables us to look at legislation in a sound and responsible way, and the committee process, which enables us to work together to put good legislation on the floor, legislation which is carefully thought out and which the wisdom of all of the Members is brought to bear on the question, is not something which we find in the process in which we are now engaged.

So now we are on the floor with a piece of legislation poorly thought out, with an abundance of surprises, which carries with it that curious smell of partisanship and panic, but which is not going to address the problems.

We have a piece of legislation on which we have less than an hour to talk, and we have no opportunity whatsoever to amend the proposal. We can vote "yes" or we can vote "no." Well, most Members, I suspect, will do the politically wise thing, and I will join them in it, and that is, I am going to hold my nose and vote for this legislation in the full awareness that it is not going to address the problem at all and that it is a political placebo for a very, very, serious problem.

This is, essentially, a shin plaster on a cancer. This is a piece of legislation which is going to be notorious for its ineffectiveness and, of course, for its political benefits to some of the Members hereabout.

It is, in a nutshell, Mr. Speaker, going to be as useful as side pockets on a cow in addressing the problem about which we are all deeply concerned, where we have a duty to our constituents to legislate strongly and well and where we have a duty to have an open process to hear the comments of our people, those that we serve, about what the legislation does to find out how we do the best job of serving the American people. Those events are absolutely not to be found in the history of this legislation.

I really regret that my colleagues on the other side have chosen to behave this way, but it seems to be a characteristic of this House under the leadership with which we are afflicted. Good legislation is withheld, poor legislation is written, and the opportunity for the people to be heard or for the

legislation to be protected is totally unavailable.

The process stinks. The legislation is weak. The legislation will be ineffective, it will accomplish nothing, and we will all share red faces about this bumbling endeavor.

Mr. Speaker, I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I would just like to say to the gentleman from the great State of Michigan, and my good friend, Mr. MARKEY, as well, that I know that both Chairman BARTON and myself look forward to working with both gentlemen on strengthening this legislation down the road and looking to close as many loopholes as we can to protect our children. Because the bottom line is this, better than a 2,000 percent increase in the FBI caseload of online predators.

This is not the end-all. We know that. But we know that sexual predators should not have the ability to use our schools or our libraries; and we should take away that avenue, if we can, for their evil deeds. And that is precisely what this legislation is intended to do.

And I would note that even though this was introduced some 2 months or so ago, we have nearly 40 cosponsors of the legislation. MELISSA BEAN has been a great leader from the Democratic side of the aisle, as well as the Republicans that have been mentioned earlier during the debate and that have participated. And I know that in the oversight and investigation hearings that we have had, not only as well as in New Jersey but the legislative hearing that we had with many witnesses, including the Attorney General from Texas, who did a marvelous job of explaining what was going on in Texas, they all strongly endorsed the intent and the legislation as it was introduced.

I think we have a better bill today than perhaps was introduced by taking into consideration the many constructive comments that were made by my friend, Mr. MARKEY, Mr. DINGELL, and others on the committee.

With school starting for many as early as next month, August, knowing that the Congress, at least the House, is likely to adjourn this week, the Senate still has another week, I would like to think that with a strong vote this afternoon the Senate may take up this legislation perhaps next week, perhaps, and we actually may get the bill to the President's desk so that it will be in place for kids as they start school.

So that is one of the reasons, I think, why this legislation was, indeed, rushed to the floor. But, again, I know that we took in many good comments by those at the legislative hearing that we had, and I think that the proof will be in the pudding.

Mr. Speaker, I yield, for a brief minute, to the gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Speaker, I will just say, also, this legislation responds to a

rapidly growing phenomenon in America. Over 25 million American children have their personal data on these sites. These sites are now the number one sites on the Internet, and we are applying a tried and true principle of our jurisprudence, now 800 years old, that when you make money off of children, as these sites do, we have always recognized a higher duty of care in the protection of children, and that is the principle that this legislation stands for.

Mr. UPTON. Mr. Speaker, I would say, too, I believe it was over the Fourth of July week break that "Dateline" had the big expose; and I know our office was flooded with calls and letters, as I was home in Michigan. There were a good number of parents and others that expressed their concern about some of these different online services that were there; and if we can close the loophole on schools and libraries, I think that it is a good thing.

I think that, because of that, I would hope that most Members, when we vote on this later this afternoon, in all likelihood would vote "yes" on the bill. Again, it is bipartisan, and that is why it is here before us this afternoon.

Mrs. BIGGERT. Mr. Speaker, I rise today as a cosponsor of H.R. 5319, the Deleting Online Predators Act.

As a mother of four and a grandmother of six, the safety of our children is a priority of mine. When most of us were children, our parents told us to never talk to strangers. Now as parents and grandparents, our message must change with technology to include strangers on the Internet.

We all were horrified by the story of the teenage girl from Michigan who traveled across the world to the West Bank town of Jericho to meet a man she had been communicating with on the networking Web site, MySpace.com. Even worse are stories that involve internet pedophiles preying on children from all over the Nation, including my district.

Naperville, a city that has twice been voted by Money Magazine as the Top City in the Nation to Raise Children, has witnessed two high profile cases in the last three months involving young teenagers and men they have met on MySpace.com.

It is easy to see why networking Web sites are popular among teens. A recent poll by the Pew Internet & American Life Project shows that 87 percent of those aged 12 to 17 use the Internet on a regular basis. Of this 87 percent, approximately 61 percent report having personal profiles on networking Web sites like MySpace, Facebook or Xanga. These profiles contain photographs, e-mail addresses, hobbies as well as other personal information that would be easy for a child predator to manipulate.

With more than 90 million users, MySpace.com and other networking Web sites have become new hunting grounds for child predators. Something clearly has to be done. This bill is a good start. At least let's give parents some comfort that their children won't fall prey while using the Internet at schools and libraries that receive Federal funding for Internet services. That is why I urge all Members to support H.R. 5319, the Deleting Online Predators Act.

Mr. SHAYS. Mr. Speaker, I rise in strong support of H.R. 5319, the Deleting Online Predators Act.

I am a cosponsor of this legislation, which requires schools and libraries to monitor the internet activities and implement technology to protect children from accessing commercial social networking sites like MySpace.com and chat rooms that provide an avenue for dangerous individuals to make personal contact with unsuspecting underage children.

The popularity of social network sites have soared, especially among our children, in recent years. These sites allow users to post photos, chat and interact with other users online.

However, the popularity of these sites have also become a haven for child predators. A recent Department of Justice study found that one in five children received an unwanted solicitation online.

This legislation takes an important step towards protecting our children from these online predators. The bill will still allow teens to access social networking sites under their parent's supervision, and yet protects them when they are online alone. The rise in online solicitations by child predators must be countered by a strong response, and H.R. 5319 takes such action.

Mr. Speaker, I urge my colleagues to support this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 5319, a bill that would amend the Communications Act of 1934 to require schools and libraries that receive universal service support to prohibit and block access to social networking websites and chat rooms. In doing so, H.R. 5319 will protect adolescents from communicating with potentially harmful strangers. The bill will prevent adolescents from accessing obscene or indecent material and also from illegal, online sexual advances from strangers. Thus, the bill will help to safeguard our children, and put simply, will prevent them from accessing any material that is potentially harmful.

As many of you may know from watching "Dateline" NBC's "To Catch a Predator," the United States has a countless number of sexual predators. It is very hard to profile a sexual predator, and it is also very hard to cure one. This is why H.R. 5319 is a necessity; it will tackle this mammoth issue by preventing any kind of potentially harmful communication with strangers in school networking sites and chat rooms. I believe that it is hard to keep sexual predators away from our children, but with this bill, it will be easy to keep our children away from sexual predators.

I strongly support H.R. 5319, and I urge my colleagues to join me in supporting it.

Mr. UPTON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 5319, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT A NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK SHOULD BE ESTABLISHED

Mr. BOUSTANY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 928) expressing the sense of the House of Representatives that a National Historically Black Colleges and Universities Week should be established, as amended.

The Clerk read as follows:

H. RES. 928

Whereas there are 103 historically Black colleges and universities in the United States;

Whereas historically Black colleges and universities provide the quality education essential to full participation in a complex, highly technological society;

Whereas historically Black colleges and universities have a rich heritage and have played a prominent role in the history of the United States;

Whereas historically Black colleges and universities have allowed many underprivileged students to attain their full potential through higher education;

Whereas the achievements and goals of historically Black colleges and universities are deserving of national recognition; and

Whereas the Senate, in S. Res. 528 passed on July 13, 2006, designated the week beginning September 10, 2006, as "National Historically Black Colleges and Universities Week": Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the achievements and goals of historically Black colleges and universities in the United States;

(2) supports the designation of an appropriate week as "National Historically Black Colleges and Universities Week"; and

(3) requests the President to issue a proclamation designating such a week, and calling on the people of the United States and interested groups to observe such week with appropriate ceremonies, activities, and programs to demonstrate support for historically Black colleges and universities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. BOUSTANY) and the gentleman from New York (Mr. OWENS) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.

GENERAL LEAVE

Mr. BOUSTANY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 928.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOUSTANY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Res. 928, recognizing the contributions