

Testimony of Thomas Krwawecz, III

Blue Gravity Communications, Inc.

Before the Subcommittee on Oversight and Investigations

House Committee on Energy & Commerce

“Sexual Exploitation of Children Over the Internet:

The Face of a Child Predator and Other Issues

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Chairman Whitfield, Ranking Member Stupak, Members of the Subcommittee, I would like to thank you for providing me with the opportunity to testify today. As an owner of a small business that serves as a host for websites, I am pleased to see that the Subcommittee is focusing its attention on the problem of child pornography on the internet and hope that my testimony can be of assistance to the Subcommittee.

My name is Thomas Krwawecz, III, and I am the founder and owner of Blue Gravity Communication, Incorporated, a web hosting company. I founded Blue Gravity in July of 1997 as a college student. At that time we had only one server and no employees. In just nine years, however, we have grown substantially, now having nearly 200 servers and 4 full-time employees. Blue Gravity currently services almost 7,000 customer accounts and hosts approximately 50,000 domains.

It is important for the Subcommittee to understand that as a web hosting company we provide customers with a platform from which to display their websites to internet users as well as technical and administrative support relating to that service. Our terms of service strictly prohibit any of our customers from posting illegal content, including child pornography, on websites hosted on our servers, but we otherwise have no influence or control over the websites content. In addition, we are not involved in the domain name registration process. Customers come to us with existing domain names which they have already registered or we refer them to a third party that is in the business of registering domain names.

When a customer applies for an account, we confirm that their mailing address matches the location of their computer's IP address, and that the name on the credit card provided for our records matches the contact information supplied by the customer. If any such information is inconsistent, the application for a Blue Gravity account is denied.

When we learn that a website we host contains illegal content, we take immediate steps to rectify the situation. All complaints or other notifications received from citizens, watchdog groups or law enforcement are investigated. After receiving notification of potential illegal content, we immediately examine the website named in the complaint. If there is blatant illegal

content, we immediately disable the account and notify the customer via email that service has been suspended due to “illegal content.” When our examination does not conclusively reveal illegal content because, for example, we cannot tell whether or not the individuals are under the age of 18, we contact the customer and request proof of age for the models. If satisfactory proof cannot be provided, the website is shut down immediately, and the customer receives the suspension email that I just described.

We are always looking for ways to improve our ability to detect and eliminate child pornography from websites which we host on our servers. Thanks to this Subcommittee, we have learned of some additional improvements that we can, and will, make at Blue Gravity. For example, we are placing a “panic button” on our Blue Gravity web page to provide people with a mechanism to report child pornography. Individuals who utilize this function will send a message to a unique email address for the reporting of child pornography. All complaints will be immediately investigated and forwarded to the National Center for Missing and Exploited Children.

In an attempt to further aid law enforcement, Blue Gravity has always stored the content of illegal sites on our system for 1-2 weeks after being disabled in case it should be requested for prosecutorial purposes. We believed that this provided law enforcement with sufficient time to make a preservation request or to send us a subpoena. In preparation for this hearing, we learned that many of the larger internet companies, including the ISPs which testified previously, maintain such content information for 20-30 days after being disabled. Accordingly, Blue Gravity will now hold such content for 30 days. If a request for preservation is received before the expiration of that 30 days, we will preserve the content for as long as necessary.

Blue Gravity also supports the steps being taken by members of the Subcommittee to legislatively regulate the maintenance of account information for websites displaying child pornography. Blue Gravity already maintains all such records, including IP address, contact and credit card information, indefinitely. This information is available to law enforcement groups at any time, and has been provided on numerous occasions.

We are actively considering a number of other improvements which we can make in order to help stem the tide of child pornography, and we welcome any further suggestions by this Subcommittee or its staff.

Again, thank you for the opportunity to testify on this important topic.