

The Honorable Eric Holder  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
email: [AskDOJ@usdoj.gov](mailto:AskDOJ@usdoj.gov)

Date: \_\_\_\_\_

RE: **Enforcement** of Federal Obscenity Laws

Dear Attorney General Holder:

Federal law enforcement investigative agencies and prosecutors are to be commended for their diligent efforts to curb sexual exploitation of children on the Internet.

However, for the most part these same agencies and prosecutors have turned a blind eye towards the explosion of **hardcore** "adult pornography" on the Internet; and as a result, a *floodtide* of this vile material is pouring through the Internet into countless American homes, where even small children can be exposed to obscenity and older children can easily find it. Obscenity also pours unhindered into our communities through video and DVD rentals/sales and pay-TV channels.

In addition to harming children morally and psychologically, addiction to hardcore "adult pornography" also contributes to the breakup of marriages, to sexual assaults against women and children and to sexual trafficking in women and children. The flood of obscenity emanating from the United States also tarnishes our national image in the war against terrorism.

The Supreme Court has held repeatedly that the First Amendment does not protect obscene material, and in 1996 Congress enacted legislation to clarify that existing federal obscenity laws (18 U.S.C. 1462 and 1465) apply to transmission of obscenity over the Internet. In 2000, the COPA Commission also issued its Final Report, which included this recommendation:

Witnesses appearing before the COPA Commission testified that distribution over the Internet of obscene material...and harmful to minors material continues to grow in a troubling manner. Law enforcement resources...have been focused nearly exclusively on child pornography and child stalking. We believe that an aggressive effort to address illegal, obscene material on the Internet will also address the presence of harmful to minors material... Specifically, the Commission recommends that Government at all levels fund aggressive programs to investigate and prosecute violations of obscenity laws...

Thankfully, the Bush Administration made some progress in enforcing federal obscenity laws. It at least proved that federal obscenity laws can be enforced successfully. Attorney General Gonzalez also established the Obscenity Prosecution Task Force and appointed a no-nonsense former prosecutor to head it. But to get the job done, that Task Force needs your full support.

The sale of obscenity is profitable; a frequent result of a successful federal obscenity prosecution is a significant fine or forfeiture of property. This can offset in whole or part the cost of investigating and prosecuting obscenity cases. Thank you for your consideration. May I please hear a response from you?

Sincerely,

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

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