Could Anti-Porn Legislation Lead to More Identity Theft?

By Denise Richardson

A new bill making its way through the House of Representatives is aimed at keeping our children safe online and stopping internet predators. While these goals are admirable, the way that the bill goes about accomplishing them not only strips away the privacy of all internet users but also opens a potentially dangerous door that could actually lead to more identity theft in the future.

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The bill, HR 1981 or the "Protecting Children from Internet Pornographers Act of 2011", would require Internet service providers to keep records of the Internet activity of their customers and maintain a database of those customers that includes sensitive information such as the customer's name, address, phone number, credit card number and banking information. The idea is that law enforcement agencies could access this information to track child pornographers and those otherwise attempting to have inappropriate contact with children online.

Now I'm all for the police and other agencies having access to the tools needed to do their jobs effectively. And I believe that those who commit horrible acts like these involving children should be punished. But is this really the way to do it? Passing laws that take sweeping blows at individual privacy rights and which create a potential nightmare of identity theft if and when that central database was breached? Moves like this make it clear that at least some of the people in Congress may not fully understand that there are some problems that don't go away just because you pass a law about them.

I've lost track of how many high-profile stories concerning database breeches and identity theft have hit the news in the last six months. They weren't all poorly-guarded websites, either; some of the breeches hit technology firms, government agencies and security companies, places that you would expect to protect vital data better. Yet we're supposed to believe that this central database with all of our personal information in it would somehow be safe from hackers and identity thieves?

National advocacy groups have written a "Coalition Letter in Opposition to Section 4 of H.R. 1981 warning congress that with this sweeping mandate calling for massive data retention is a direct assault on the privacy of all internet users. "The scope of this new requirement is very broad. Contrary to the title of the legislation, there is nothing in the bill that would limit the use of these records to child exploitation cases. In fact, the records would involve all internet users everywhere and they would be available to law enforcement for any purpose."

If HR 1981 passes it's not going to magically stop child exploitation. It may, however, create a ticking time bomb that's just waiting for a criminal savvy enough to hack the database or lucky enough to encounter human errors that leave data exposed. It's not like it hasn't happened before; I've written time and time again about how medical data and consumer data have been stolen from hospitals, websites, financial institutions, government agencies and other companies. You can read about various data theft incidents here, and find many more on the web here. I haven't been able to cover every case on this blog, just because if I tried then I wouldn't be writing about anything else.

The answer to the problems of child pornography and child exploitation don't lie in passing bills that result in putting civil liberties at risk and serve to create a holy grail for cyber-criminals to lust after. If you want to better protect our children online, channel some of that effort into making better educational materials available to them. Institute a curriculum that teaches children how to be safe online and provide parents with the resources to protect their own children. As with so many other cyber crimes, this is a case where additional education on the matter could have significant results that additional legislation can never hope to achieve.

*October is the kick-off of the annual National Cyber Security Awareness Month 2011.

As a proud supporter and "Champion" of this important annual event, watch for more tips, resources, and articles on cyber related crimes throughout the month. Cyber security is a shared responsibility and education, awareness and preparedness is key to limiting your exposure and helping yourself and family Stay Safe Online.

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