Filtering Software: The Religious Connection

Nancy Willard, M.S. J.D.
Responsible Netizen
Center for Advanced Technology in Education
University of Oregon, College of Education
Web site: http://netizen.uoregon.edu/publications.html
Bio: http://netizen.uoregon.edu/about/nwbio.htm
E-mail: nwillard@oregon.uoregon.edu
February 24, 2002

"Your home. Your values. Your Internet.
Help maintain LDS values when you use the Internet."
- MStar.Net logo. (http://www.mstar.net/isp/default.htm)

"(A)s a Christian portal to the Web, we recognize that the number one issue for the
Christian community is using the Web safely and responsibly. . That's why we've recently
launched CrossingGuard, the only free server-level, continuously-updated Web filtering
solution available ..."
- Statement by CEO of Crosswalk (http://www.gospelcom.net/ccmag/articles/covr399plus.html)

The American Family Filter is built on the Christian principal of holiness and living a pure
life. ... American Family Filter stands apart from other blocking software, employing a
uniquely Christian approach to our content filtering. We adhere to a higher standard,
because American Family Filter is a ministry first and foremost, and therefore we are
accountable to a Higher Authority for the product we produce."
- Statement on American Family Filter web site (http://www.afafilter.com/about.asp)

"Upholding Biblical standards
We use a sophisticated server-based filtering process to eliminate objectionable
material. ... We filter out the standard offensive material - pornography, profanity, and
violence. In addition, we uphold our own set of standards...Biblical standards."
- Statement on 711.Net web site (http://www.711online.net/filterphilosophy.htm)

What do all of these conservative religious Internet Service Providers (ISPs) have in common?
They are all using filtering products that are also being used in U.S. public schools.

Introduction

This report reviews the relationships of eight filtering companies whose products are currently being used in U.S. public schools, or that are marketing their products for use in public schools. This report reviews the relationships of eight filtering software companies with conservative religious organizations. Some of the filtering companies are providing filtering services to conservative religious ISPs that are representing to their users that the service filters in accord with conservative religious values. Some of the filtering companies appear to have partnership relationships with conservative religious organizations. Some filtering companies have been functioning as conservative religious ISPs and have recently established new divisions that are marketing services to schools. Most of the companies have filtering categories in which they are blocking web sites presenting information known to be of concern to people with conservative religious values -- such as non-traditional religions and sexual orientation -- in the same category as material that no responsible adult would consider appropriate for young people.

The existence of these relationships and blocking categories raises the concern that the filtering products used in schools are inappropriately preventing students from accessing certain materials based on religious or other inappropriate bias. Because filtering software companies protect the actual list of blocked sites, searching and blocking key words, blocking criteria, and blocking processes as confidential, proprietary trade secret information it is not possible to prove or disprove the hypothesis that the companies may be blocking access to material based on religious or other inappropriate bias. This situation raises concerns related to student's constitutionally-protected rights of access to information and excessive entanglement of religion with schools.

This report investigates the relationship between these filtering software companies and conservative religious organizations, outlines potential areas of concern raised by such connections from the perspective of the use of these products in public schools, and presents recommendations to address the concerns. The companies include: N2H2 (Bess), Symantec (I-Gear), 8e6 Technologies (R2000 or X-Stop), Solid Oak (CyberSitter), NetComply/711.Net, BSafeSchool/American Family Online, EduGuard/S4F, and SurfClear.

The Children's Internet Protection Act requires that all schools seeking federal funds through the E-Rate program and Title VI of the Elementary and Secondary Education Act of 1965, install a "technology protection measure" to protect against access to obscene material, child pornography, and material that is harmful to minors. Many public school district in the U.S. have or will be installing filtering software that functions by blocking access to sites that the filtering company has determined are inappropriate. Some of the companies that are the focus of this report were active in the efforts to ensure the passage of this legislation through the efforts of a trade association called the Internet Safety Association(ISA) and through testimony provided to

Congress[1]. The other major champions of this legislation were conservative religious organizations.

Summary of the Findings

The major findings of this report are as follows:

- Three filtering companies, that have a major presence in public schools, are also selling their product to conservative religious Internet Service Providers (ISPs). Most of these conservative religious ISPs are directly stating or strongly implying to their users that the filtering system is filtering in accord with conservative religious values.

- The other five filtering companies have functioned as conservative religious ISPs, are selling to conservative religious ISPs, and/or have expressed a conservative religious philosophy. Four of these companies appear to have recently begun to target the school market in the context of the new CIPA requirements.

- The conservative religious ISPs encourage their users to submit the URLs of sites that they think should be blocked. Filtering companies generally perceive the risks of failing to block access to inappropriate material as more significant than the risks of blocking access to appropriate material[2].It is reasonable to assume that filtering companies would generally block such reported sites, thus raising the question of the cumulative impact of such reporting and blocking.

- Seven companies have blocking categories where the description for the category provides strong evidence that the company is blocking based on religious or other inappropriate bias. The categories block access to protected material along with material that would be unacceptable in school. In some cases, the category that contains protected material contains other material that would likely meet the definition of "harmful to minors" and thus be required to be blocked under CIPA. The existence of blocking categories where

---

[1] The Internet Safety Association was formed to promote the passage of CIPA. Its members included the following companies that are the focus of this report: S4F/Family Connect, 8e6 Technologies, 711.Net. The organization also includes Family Click, which uses I-Gear. http://www.familyconnect.com/PR/fc-isa.htm. The CEO of N2H2, Peter Nickerson, provided testimony to the Senate Committee addressing CIPA. www.senate.gov/~commerce/hearings/0520nic.pdf.

[2] For example, N2H2's recent Annual Report (12/26/01) contained the following Risk Statement. "We May Fail to Filter All Potentially Objectionable Content. We may not succeed in sufficiently filtering Internet content to meet our customers' expectations. ... We cannot assure our customers that our filtering technologies will successfully block all potentially objectionable Internet content. ... Our failure to effectively categorize and filter Internet content according to our customers' expectations could generate negative publicity which would impair the growth of our business and our efforts to increase brand awareness." Page 8. No Risk Statement addressed concerns of over-blocking and thereby preventing access to appropriate material.

inappropriate bias is blatantly evident raises concerns that these companies fail to understand the constitutional standards regarding student's rights of access to information and that material is also being blocked in other categories on the basis of inappropriate bias.

- Although information about the religious connections can be found through diligent search, such information is not clearly evident on the corporate web site or in materials that would provide the source of information for local school officials.

- When local school officials select and implement a filtering product, they are provided only a list of potential categories to be blocked, with a short description of the types of material blocked in the categories. Filtering companies protect the actual list of blocked sites, searching and blocking key words, blocking criteria, and blocking processes as confidential, proprietary trade secret information. Therefore, local school officials have essentially delegated control to filtering companies to make decisions about the appropriateness of material for students when there is no vehicle to determine how such control is being exercised.

- Numerous reports on filtering products have revealed that such products consistently over-block and thereby the prevent access to perfectly appropriate material[3]. The reasons for such over-blocking --which could include technical inadequacies, process inadequacies, and bias -- are not easily discernable, due to the lack of access to necessary information.

- Because filtering companies protect the actual list of blocked sites, searching and blocking key words, blocking criteria, and blocking processes as confidential, proprietary trade secret information it is not possible for an independent researcher to identify specific sites that "prove" that companies are engaged in blocking based on inappropriate religious or other bias.

- There is no auditing mechanism in place that provides for the independent, objective analysis of the manner in which these, and other, filtering companies are making blocking decisions that would ensure that such decisions are being made in accord with constitutional standards

---

[3] The National Coalition Against Censorship recently published *Internet Filters: A Public Policy Report* Heins, M. & Cho, C. *Internet Filters a Public Policy Report.* National Coalition Against Censorship. Fall 2001. http://www.ncac.org/issues/internetfilters.html.This report provided a compilation of all of the studies and tests it could locate related to the operation of 19 products or software programs used to block access. This report concluded: The existing studies and tests vary widely. They range from anecdotal accounts to extensive tests applying social-science methodologies. ... Most tests simply describe the actual sites that a particular product blocked when Web searches were conducted. Nearly every one, however, revealed massive over-blocking by filtering software (this term refers to both blocking and filtering technologies). The problem stems from the very nature of filtering. which must, because of the sheer number of Internet sites, rely to a large extent on mindless mechanical blocking through identification of keywords and phrase. Where human judgment does come into play, filtering decisions are based on different company's broad and varying concepts of offensiveness, "inappropriateness," or disagreements with the political viewpoint of the manufacturer.

that protect students' rights of access to information and avoid public school entanglement with religion.

Legal Issues

Students' Constitutional Rights of Access to Information

Public schools officials in the United States have the right and responsibility to make decisions about the appropriateness of information for students. These decisions must be based on educational standards. School officials may not limit student access to information on the basis of an intention to prescribe what is acceptable in politics, nationalism, religion, or other matters of opinion.

The leading case on students' access to information is the case of *Board of Education, Island Trees Union Free School District No. 26 v Pico*[4]. In this case, several school board members attended a meeting of a conservative parent group and received a list of books that this group thought should not be in public schools. Upon return to the district, the board requested that any books found on the list be removed from the school libraries. Protests ensued and a special committee of educators was formed to review the books. Recommendations were made to retain most of the books. The board ignored the recommendations and directed the removal of the books. The U.S. Supreme Court ruling was as follows:

> "In our system, students may not be regarded as closed-circuit recipients of only that which the State chooses to communicate. ...[School] officials cannot suppress 'expressions of feeling with which they do not wish to contend.

> (J)ust as access to ideas makes it possible for citizens generally to exercise their rights of free speech and press in a meaningful manner, such access prepares students for active participation in the pluralistic, often contentious society in which they will soon be adult members. ...

> (S)tudents must always be free to inquire, to study and to evaluate, to gain new maturity and understanding. The school library is the principle locus of such freedom. ... In the school library, a student can literally explore the unknown, and discover areas of interest and thought not covered by the prescribed curriculum. ...

> ... (The school board) rightly possess(es) significant discretion to determine the content of their school libraries. But that discretion may not be exercised in a narrowly partisan or political manner. ... Our Constitution does not permit the official suppression of ideas. ...

---

[4] 457 US 853 (1982).

In brief, we hold that local school boards may not remove books from school library shelves simply because they dislike the ideas contained in those books and seek by their removal to "prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion." Such purposes stand inescapably condemned by our precedents[5]."

It should be noted that the Court in *Pico* reaffirmed the importance of school officials in making the determination regarding the appropriateness of material for students. The dissenting opinions in *Pico* all were grounded in the perspective of the importance of local educators retaining control. This raises an additional issue: Under what circumstances is it appropriate for local school officials to delegate authority to a third party to determine the appropriateness of material for students? Is it appropriate for local school officials to delegate decision-making to filtering product companies that protect the actual list of blocked sites, searching and blocking key words, blocking criteria, and blocking processes as confidential, proprietary trade secret information?

A more recent district court case, *Mainstream Loudoun v. Board of Trustees of the Loudoun County[6]*, addressed this specific issue within the context of the decision of a public library to install Internet filtering software on all computers. Regarding the issue of local control, the court stated:

"The degree to which the (library's) Policy is completely lacking in standards is demonstrated by the defendant's willingness to entrust all preliminary blocking decisions -- and, by default, the overwhelming majority of final decisions -- to a private vendor... (A) defendant cannot avoid its constitutional obligation by contracting out its decisionmaking to a private entity. Such abdication of its obligation is made even worse by the undisputed facts here. Specifically, defendant concedes that it does not know the criteria by which (the filtering company) makes its blocking decisions. It is also undisputed that (the filtering company) does not base its blocking decisions on any legal definition of obscenity or even on the parameters of defendant's Policy."

Local school officials and filtering companies may argue that the ability of school officials to override the filter and provide students with access to information resolves any possible concerns. If these companies are blocking access to sites based on unacceptable religious or other bias, it is likely to be considered to be inappropriate to place a burden upon students to specifically request to access material that may be considered by some to be controversial or inappropriate.

Establishment of Religion

---

[5] *Id*. at 866-896 (citations and quotations omitted).
[6] 2 F. Supp. 2d 783 (ED Va. 1998).

The findings presented in this report may also raised concerns based on the establishment clause of the First Amendment. The basic principles governing the interpretation of the establishment of religion clause of the First Amendment were enunciated in *Everson v. Board of Education.*

"The 'establishment of religion' clause of the First Amendment means at least this: Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. Neither can force nor influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or non-attendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups and vice versa. In the words of Jefferson, the clause against establishment of religion by law was intended to erect 'a wall of separation between Church and State.'" *Everson v. Board of Education*[7].

If a filtering product was developed in conjunction with a religious organization, or developed for the purpose of serving religious organizations, or has significant marketing relationships with religious organizations and this product is also used in public schools this may constitute inappropriate participation by religion in the affairs of state. If a district has selected and implemented filtering software in a manner that favors access to information about some religions but prohibits access to information about other religions, the school has established an environment where one religion has been preferred over another.

Analysis

It is entirely appropriate for conservative religious parents or schools to decide to use the services of an ISP that is blocking sites based on conservative religious values. It is equally appropriate for parents to want their children to use the Internet in school in a manner that is in accord with their personal family values. Schools cannot enforce a wide range of individual family values when students are using the Internet in schools. Schools can reinforce to students the importance of using the Internet in accord with their personal family values by providing parents with access to the Internet usage records of their children[8]. If according to a parent's values his or her child is misusing the Internet at school, permission to use the Internet at school can be withdrawn by the parent. This approach would effectively address the concerns of parents while ensuring that the school continued to abide by appropriate constitutional standards that protect the rights of all students.

---

[7] 330 U.S. 1, 15-16 (1947) (citation omitted)

[8] This would need to be subject to a reasonable records retention and destruction schedule. School districts do not have the capacity to store these records for a long period of time.

The delegation of responsibility for making decisions about the appropriateness of information for students to filtering companies when there is evidence of affiliations with conservative religious organizations that may be affecting blocking decisions and when there is no mechanism in place to ensure the constitutional rights of students to access information are protected raises significant concerns that must be addressed.

Findings

This report presents findings related to eight filtering product companies that have relationships with conservative religious organizations. No representation is made that the findings are complete or that all such companies have been identified. Others may emerge or may not have been identified. Sometimes there was confusing information related to the filtering product currently in use, so there may be some inaccuracies.

More extensive individual reports are provided for each of these companies which go into details about how the relationships were identified and provide additional information regarding filtering philosophy. These reports are online at: http://netizen.uoregon.edu/publications.html.

As noted above, because filtering companies protect the actual list of blocked sites, searching and blocking key words, blocking criteria, and blocking processes as confidential, proprietary trade secret information it is not possible for an independent researcher to identify specific sites that "prove" that companies are engaged in blocking based on inappropriate religious or other bias

Research Technique

These reports rely on information that is publicly available. This information was discovered through using several techniques: 1) The use of the Google search engine, with terms such as the name of the product, key terms associated with the product (technologies and unique categories) , and religious terms; 2) An evaluation of companies appearing on a list of Christian web sites that appears to have been originally prepared by Focus on the Family. This list is no longer on their web site, but has been conveniently posted in several other locations, such as: (http://www.thefamilypage.net/filtered_internet.htm); 3) The link between N2H2 and LDS World was identified due to a press release that was briefly posted on the N2H2 web site and follow-up investigation on LDS web sites[9] ; and 4) Following links that led from one place to another. Additional historical material was discovered using the wonderful WayBack Machine located at (http://www.archive.org).

---

[9] The rapid removal of this press release, which coincidentally occurred after the author mentioned its presence on an educator mailing list upon which an N2H2 employee lurks, was the incident that stimulated this investigation.

In some cases, the filtering product used by the religious ISP was not identified by name. The identification of the product was based on the use of terms that have been trademarked by the company, such as DDR which is a Symantec term or MudCrawler which is an 8e6 Technologies term. Sometimes the identification was based on an analysis of the categories and the terms used for the categories, such as Tasteless/Gross which is an N2H2 category term. Sometimes additional outside sources of information were helpful in making the identification, such as news stories. Much of this detail is provided in the individual company reports.

<u>Filtering Categories</u>

The following summary of findings includes filtering category descriptions where inappropriate religious or other bias is evident based on the actual wording of the description. For all companies there are additional category descriptions that raise suspicions that acceptable material may be blocked based on inappropriate bias. These have not been listed. The kinds of materials that are described as being blocked raise controversy within our society and include such topics as non-traditional religions, sex education, sexual orientation, and political protest. But it is not constitutionally permissible for school officials to block access to material on the basis that such material is "controversial."

It should be noted that the terms "occult," "cult," "new age," "witchcraft," and the like are terms that are frequently applied to any non-traditional religions. Virtually all "new age" religious topics are grounded in spiritual traditions and religious thought of various groups, including Native American and Asian religions. Therefore, blocking access to such material may raise issues related to race, as well as religion. To classify non-traditional religious sites in the same category as Satanism is unacceptable. If students are allowed to access Christian sites, which most people would argue they should be allowed to access, it is unacceptable for schools to block access to non-traditional religious sites.

It must also be recognized that sites that would fall under the description of "sexual orientation," may range from homosexual erotica and pornography, which would clearly not be appropriate in school, to sites that provide basic information, safe sex information, and support for gay and lesbian teens, which clearly should be accessible by students. To lump all "sexual orientation" sites into one category or to include all sites in a category with other material that would clearly be inappropriate for students is unacceptable. If heterosexual students are allowed to access sites containing safe sex information, then homosexual students should also be allowed to access safe sex sites directed at their population. If students are allowed to access sites that address racial or religious discrimination, students should be allowed to access sites that address discrimination based on sexual orientation.

Filtering companies that have established such categories appear to be demonstrating their lack of understanding of constitutional standards that protect student's rights of access to information as well as constitutional standards related to the establishment of religion. Having demonstrated

this lack of understanding, their blocking criteria for all categories should also be considered suspect.

<u>N2H2/Bess</u>
(http://www.n2h2.com)

Provides filtering services to the following religious ISPs:

- Church of Jesus Christ of Latter Day Saints -- LDS World Millennial Star Network (http://www.mstar.net)

- Christianity.com (http://www.christianity.com)

- Christian.Net (http://christian-isp.com/)

- Integrity Online (http://www.integrity.com)

- FamilyLink (http://www.familink.com/welcome.htm)

- The Shield (http://www.theshield.org/)

- GoodNewsNet (http://gnn.net/ourservices.html)

N2H2 was providing filtering services to Crosswalk, a major Christian web site, that private-labeled its N2H2 filtering service as "CrossingGuard." (http://www.crosswalk.com) Crosswalk now utilizes Christianity.com for its technical services.

Church Affiliate program

N2H2 has a Church Affiliate program. The company provides free filtering services and a referral fee to churches, in exchange for a marketing link on the church web site. The following is text that appears in similar form on a number of these sites along with an N2H2 Church Affiliate logo.

> <u>Text found on N2H2 Church Affiliate Web Sites</u>[10]
> "N2H2™ Internet Filtering Manager
> The Web is a wonderful, exciting place to explore, learn new things and get life-changing information! It's amazing that the Gospel message is just a mouse click away virtually everywhere on earth!

---

[10] This text was found on several sites, leading the assumption that it originated from the company.

With increased access to the Internet come unwanted exposure and solicitations of inappropriate content. These are easily managed with N2H2's Internet Filtering Manager.

Because we care so deeply about you, we are providing this link to N2H2, a Seattle-area company that provides Internet filtering services to more than 40% of all school children online at US schools. ..." (http://www.superior.net/~covenant/n2h2dl.htm)

Examples of statements related to filtering values:

Logo of the LDS World's Millennial Star Network
"Your home. Your values. Your Internet.
Help maintain LDS values when you use the Internet."
(http://www.mstar.net/isp/default.htm)

Interview with CEO of Crosswalk.com
"Q: What do you want our readers to know about Crosswalk.com?
First, we're the only broad-based Christian portal to the Internet. ...We call it "information for Christians, not just Christian information," ...
Also, as a Christian portal to the Web, we recognize that the number one issue for the Christian community is using the Web safely and responsibly. That's why we've recently launched CrossingGuard, the only free server-level, continuously-updated Web filtering solution available - you don't need special software or any specific ISP - and a full-Web filtered search engine that uses Inktomi's leading database of Web sites along with N2H2's market-leading filtering system."
(http://www.gospelcom.net/ccmag/articles/covr399plus.html)

N2H2 Press Release
N2H2 Chosen to Provide Global Filtering Service to Christianity.com
Company to filter all Christianity.com ISP traffic
"SEATTLE — October 18, 2000 — N2H2™, Inc. (NASDAQ: NTWO), an Internet infrastructure company specializing in filtering, Internet management, and content delivery services, today announced that the company's proprietary filtering service and filtered search function has been chosen by Christianity.com, an online network for Christian individuals, churches, and organizations. ...

Because we target one of the most conscientious user groups online, we made it a point to select the most reliable filtering service available," said Spencer Jones, Christianity.com COO. "N2H2 frees Christianity.com users and their children to search the Web without worry — and that's no small thing."
(was http://www.n2h2.com/news/releases/10-18-00.php -- no longer online)

Examples of possible influence on blocking decisions:

MStar.Net
"BYU, MStar Offer Internet Access
BYU is teaming with Millennial Star Network (MStar.net) to offer Internet service to
BYU alumni and friends. ... Designed with LDS families in mind, MStar.net focuses on
creating a safer environment loaded with LDS information while including access to the
"best of the Net." ...
(Please note: No filtering service is fool-proof or intended to replace parental
involvement. The BYU Alumni Association encourages parents to work with MStar.net
to eliminate objectionable content. MStar.net's World Web Watch feature allows users
to submit questionable sites to the filter for review and blocking.)"
(http://advance.byu.edu/bym/2000sp/pages/alumni5.shtml)

The Shield
"N2H2 offers advanced filtering solutions that afford educators, parents, and businesses
reliable protection against objectionable Internet Material. Identifying and examining the
thousands of new sites that come online every day is a top priority at The Shield.Org
and N2H2. ... The Shield has over 600 individuals who search the Internet looking for
sites to suggest for blocking. Another mechanism we use is feedback from our
customers. Our filtering services feature a "request Page Review" link that allows
customers to request that a site be blocked or unblocked. Each request is reviewed and
a reply is sent within days.
(http://www.theshield.org/)

Filtering categories
(http://www.n2h2.com/products/ifm/filtering_levels.php)

N2H2 does not have categories that present concerns of inappropriate bias based on language
contained in the description of the category, as discussed above. However, independent
analysis has revealed that N2H2 has a very high rate of over-blocking and is preventing access
to a large amount of appropriate material[11]. The reasons for such an extensive level of over-
blocking are unknown.

Symantec/I-Gear
(http://www.symantec.com/sabu/igear/igear_educ/features.html)

Provides filtering services to the following religious ISPs:

---

[11] Edleman, B.Sites Blocked by Internet Filtering Programs Edelman Expert Report for Multnomah County
Public Library et al., vs. United States of America, et. al. http://cyber.law.harvard.edu/people/edelman/mul-v-
us/

- FamilyClick, an ISP that is run by Tim Robertson, son of Pat Robertson of the Christian Coalition. Donna Rice Hughes, formerly of Enough is Enough and a well-known Christian activist, is a spokesperson for this company. (http://www.familyclick.com)

- 711.Net/Global Internet Ministries[12] (http://www.711gim.net)

- Christian Purity (http://www.christianpurity.com)

- What Would Jesus View (http://wwjv.com)

- Lifeway Online (Southern Baptist) (http://www.lifewayonline.com.)

Examples of statements related to filtering values:

Description of Filtering Philosophy on 711.Net[13].
"Upholding Biblical standards
We use a sophisticated server-based filtering process to eliminate objectionable material. Tired of getting unsolicited obscene email? What about "pop-up" web pages? We completely block out inappropriate text and web content.

We filter out the standard offensive material - pornography, profanity, and violence. In addition, we uphold our own set of standards...Biblical standards. We continue to filter

---

[12] 711.Net appears to have recently shifted to the use of 8e6 Technologies. But there is strong evidence they were using I-Gear, including the presence of the Symantec DDR trademark in many locations on their various sites (http://www.711online.net/about_filtering.htm and http://www.netcomply.com/Manage%20Internet/quickcomply/index.htm). The following page on the 711.net site lists I-Gear categories. (http://www.711.net/signupisp/ctc/filter.htm). These pages were all on the 711 site, along with the statement of filtering in accord with Biblical standards, as of the date of the publication of this report. There is also a news story online where a company official states that the company is using I-Gear (http://www.spectatoronline.com/2001-05-09/news_cover.html).
[13] The first time the author of this report accessed the Global Internet Ministries site, the lead article on the site was "Have we shamed the face of Jesus? Muslims in our Pulpits." The article discussed the issue of churches allows Muslims to speak to their congregation.
(http://www.persecution.com/editorial/index.cfm?editorialID=10) This article said, in part:
"Jesus is being spit upon in American churches. Christians are selling their soul for a "peaceful co-existence" found in deceit. But who will come forward and wipe away the shame? ... I cannot take it any longer. How many of our brothers and sisters must be beaten, tortured, burned or decapitated, before we realize that Christians and Muslims DO NOT serve the same God? We love the Muslims. Many of our co-workers put aside their own safety to reach them for Christ. We print special literature on their languages; we produce and broadcast special programs into the Middle East. We are willing to give our own lives to win the soul of a single Muslim. But we will never, never align ourselves with Islam and its militant teachings. To do so would destroy the very witness many of our brothers and sisters are dying for. ... Across America pastors and Christian leaders are allowing representatives of the Islamic faith to freely speak in their pulpits. ... We may be able to peacefully dialog with a Muslim man in America or in another Western culture. But this is a distorted reality. It is a partial truth at best. And when we present Islam as another truth, we spit on the face of Christ and those who serve His kingdom in Islamic countries."

hate groups, alternative lifestyles, and the occult."
(http://www.711online.net/filterphilosophy.htm)

Example of possible influence on blocking decisions:

"e. Monitoring and Reporting Offensive or Objectionable Content.
By using the Service, you will help FamilyClick locate offensive or objectionable material on the Internet .... FamilyClick will make every effort it deems reasonable in its sole discretion to block its subscribers' and Authorized Users' access to offensive or objectionable content. ...
(http://www.familyclick.com/aboutus/index.cfm?page_load=about_legal_1.cfm)

Filtering Categories
(http://service4.symantec.com/SUPPORT/igear.nsf/pfdocs/2000110911532640)

"Occult/New Age
Sites dedicated to occult and New Age topics including but not limited to astrology, crystals, fortune-telling, psychic powers, tarot cards, palm reading, numerology, UFOs, witchcraft, and Satanism."

Sex Education / Sexuality
Sites dealing with topics in human sexuality. Includes sexual technique, sexual orientation, cross-dressing, transvestites, transgenders, multiple-partner relationships, and other related issues."

8e6 Technologies/X-Stop
(http://www.8e6technologies.com)

8e6 Technologies, formerly Log-On Corporation, appears to have been started in collaboration with the American Family Association (AFA), a conservative religious organization (http://www.afa.net). 8e6 Technologies product was called X-Stop. AFA's technical services division, called American Family Online offers the American Family Filter, which is a private-labeled version of 8e6 Technologies product (http://www.afafilter.com). (Compare the list of categories at: http://www.afafilter.com/criteria.asp and http://www.8e6technologies.com/solutions/categories.html .)

• "AFA teams up with Log-On Data, to market X-Stop, a powerful Internet pornography filter."
(http://www.afa.net/hs~about.asp)

Provides filtering services to the following religious ISPs:

Filtering Software: The Religious Connection - 14 -

- HISnet (http://www.hisnet.org)

- Catholic Families.net (http://www.catholicfamilies.net)

- World Christian Online (http://www.worldchristian.net/about.html)

- HonorGuard (http://www.honorguard.net)

- Safe Place (http://www.safeplace.net)

- Fishnet Online (http://www.fnol.net/)

- The Crossworks (http://www.thecrossworks.net/).

Examples of statements related to filtering values:

Description of AFA Filter
"About American Family Filter ...
The American Family Filter is built on the Christian principal of holiness and living a pure life. Finally, brothers, whatever is true, whatever is noble, whatever is right, whatever is pure, whatever is lovely, whatever is admirable--if anything is excellent or praiseworthy--think about such things. Philippians 4:8 If you have been seriously shopping for an Internet access control (filtering software) product, the American Family Filter is for you!

American Family Filter stands apart from other blocking software, employing a uniquely Christian approach to our content filtering. We adhere to a higher standard, because American Family Filter is a ministry first and foremost, and therefore we are accountable to a Higher Authority for the product we produce."
(http://www.afafilter.com/about.asp)

World Christian Online
"World Christian Online is a group of Christians who are committed to spreading the gospel of Jesus Christ to the world. There is a tremendous need for a high quality, low cost online service provider that reflects the values of Christians worldwide. World Christian envisions connecting the online body of Christ together via the Internet for the purpose of evangelism, education, edification, communication, encouragement, burden sharing and worldwide praise to God. The integrity of this service will diligently be protected to ensure a family-friendly, God centered online environment. We will be constantly adding new and valuable content and affiliated sites to help Christians in their daily lives in their walk for the Lord."
(http://www.worldchristian.net/about.html)

"After more than a year testing and evaluating various filters, we've decided to license the X-Stop R2000 from Logon Data Corporation." (http://worldchristian.net/powerblock.html)

HISnet
"Mission: To provide a quality, filtered internet access service, promoting Christian values, that provides security and protection for all users, especially children from porn sites and obscene material."
(http://www.hisnet.org/mission.html)

Examples of possible influence on blocking decisions:

America Family Filter Site
"...In order for us to reach our goal of 100% effectiveness we will use the latest technology and tools at our disposal and we will even develop new technology that is needed to help provide that environment. But ultimately, it will still require your help to be the best!

CAUTION: This is not to say we want you to go looking for trouble. Pornography is dangerous, and viewing it (even for a moment) can set off a terrible chain of events. However, should you stumble across something unacceptable please let us know."
(http://www.afafilter.com/block.asp)

Filtering categories
(http://www.8e6technologies.com/solutions/categories.html)

"Alternative Journals
Sites for non-mainstream periodicals, information on self-awareness, spirituality, healing arts, holistic living, junk culture, fringe media, art perspectives, etc."

"Anarchy
Sites contain information regarding militias, weapons, anti-government groups, terrorism, overthrowing of the government, killing methods, etc."

(If this description were used to block access to information in the late 1700's, the Declaration of Independence and all other writings of the Founding Fathers would be blocked. Traditionally, political speech has received a very high level of protection.)

"Cult
Sites promoting cult or gothic subject matter, use of mind control, paranoia, fear, and any other type of psychological control or manipulation."

"Lifestyle

Sites that contain material relative to an individual's personal life, whether straight, gay, lesbian, or otherwise; any site pertaining to any particular culture, behavior, organization, society, club, etc."

(This is an interesting category that may have been created to provide cover for those who might want to block access to information related to sexual orientation but do not want it to appear that they are discriminating on the basis of sexual orientation. If 8e6 is truly blocking all sites that could presumably fit into this category, including all sites pertaining to "any particular culture," it would be logical to assume that blocking this category would have seriously detrimental effects on the use of Internet in schools to study other cultures and societies. For that matter, all Christian sites would also appear to fit the description. More insight into this category can be found in the description that is provided on the BSafeOnline/BSafeSchool/AFA Filter web site, the private labeled version of the same product. (http://www.afafilter.com/criteria.asp)

"Alternative Lifestyles
Information promoting adultery, swinging lifestyles, same gender and/or trans-gendered relationships."
(http://www.bsafeonline.com/products/ectable.asp)

"Pornography
Sites that contain nudity of any sort, vulgarity, including the likes of Playboy, Hustler, and Penthouse."

Soft Oak Software/CyberSitter
(http://www.cybersitter.com)

Soft Oak Software received news coverage in 1996-97 which disclosed the religious philosophies of its developer and the relationship with Focus on the Family, a conservative religious organization. No recent connections or statements were discovered in the context of the research for this report.

Examples of statements related to filtering values:

Comments From a News Report
"An indignant NOW (National Organization of Women -- a site reportedly blocked by CyberSitter)? Let 'em rant, says CyberSitter's Brian Milburn. 'If NOW doesn't like it, tough... We have not and will not bow to any pressure from any organization that disagrees with our philosophy.'

Unlike the others, CyberSitter doesn't hide the fact that they're trying to enforce a moral code. 'We don't simply block pornography. That's not the intention of the product,' said

Milburn. 'The majority of our customers are strong family-oriented people with traditional family values. Our product is sold by Focus on the Family because we allow the parents to select fairly strict guidelines.'"

CyberWire Dispatch // Copyright (c) 1996 // *Jacking in from the "Keys to the Kingdom" Port*

(http://www.eff.org/Publications/Declan_McCullagh/cwd.keys.to.the.kingdom.0796.article)

And Another News Report

"Brian Milburn, president of a Santa Barbara company called Solid

Oak Software, is not a man to shrink from a fight.

...

'We're not politically conservative, we're morally conservative,'

Milburn says." Los Angeles Times, 1/6/97 *Site-Filtering Controversy Likely to Heat Up*

(http://peacefire.org/archives/latimes.on.cybersitter.txt)

Filtering Categories

(http://www.cybersitter.com/cybfilters.htm)

"Adult/sexually oriented

Blocks all adult oriented web sites"

("Sexually-oriented" could cover many sites, including sex education.)

"Sites promoting gay and lesbian activities

Covers sites promoting the gay and lesbian life style."

"Sites advocating illegal/radical activities

Covers topics such as bomb making, guns, drugs, etc. Basically anything that would be considered illegal for someone under the age of 13." (The 'red flag' word in this description is "radical.")

"Sites promoting cults and/or occult activities

Covers topics such as cult activities, witchcraft, Satanism, etc."

711.Net/Global Internet Ministries/Via Family Online/NetComply

(http://www.711.net) (http://www.711online.net) (http://711gim.net) (http://www.viafamily.com) (http://www.netcomply.com)

The aforementioned 711.Net/Global Internet Ministries is now marketing to schools as NETcomply. Through its education web site, NETcomply sells St Bernard, Symantec, and 8e6 Technologies, and offers its own ISP services to schools, called QuickComply. As discussed earlier, 711.Net appears to have been using Symantec's I-Gear technology for its services, but

appears to have recently shifted to 8e6 Technologies at least for its school services (based on an e-mail from the company received by the author)[14].

Provides filtering services to the following religious ISPs

• World Christian Net (http://www.worldchristian.net/)

• Conserve-A-Net (http://home.c-a-n.net which targets Christian schools)

• iExhalt (http://www.iexalt.com/).

Examples of statements related to filtering values

Mission of Global Internet Ministries
"Global Internet Ministries is an international Christ-centered ministry dedicated to sharing the "Good News of Jesus Christ" by providing tools, resources, training and human intercession in contributing to the Spiritual awareness and discipleship of mankind worldwide. 711 Global Ministries is committed to the fundamental doctrines of the Holy Bible and seeks to serve God in the furtherance of the Great Commission as commanded in Matthew 28:19-20 and Mark 16:15." (http://www.711gim.net/)

Description of Filtering Philosophy on 711.Net
"Upholding Biblical standards
We use a sophisticated server-based filtering process to eliminate objectionable material. Tired of getting unsolicited obscene email? What about "pop-up" web pages? We completely block out inappropriate text and web content.

We filter out the standard offensive material - pornography, profanity, and violence. In addition, we uphold our own set of standards...Biblical standards. We continue to filter hate groups, alternative lifestyles, and the occult."
(http://www.711online.net/filterphilosophy.htm)

Filtering Categories

Refer to 8e6 Technologies. It is important to note that if a school signs up with the company's QuickComply system it is impossible for the school to request that an inappropriately blocked site be unblocked.

American Family Online/BSafeOnline/BSafeSchool
(http://www.afo.net) (http://www.afafilter.com) (http://www.bsafeonline.com)

---

[14] More information on this is included in the individual company report.

The aforementioned American Family Online is now targeting the education market as BSafeOnline and BSafeSchool. This company uses 8e6 Technologies (based on a comparison of filtering categories (http://www.bsafeonline.com/products/ectable.asp) and (http://www.8e6technologies.com/solutions/categories.html).

Example of statements related to filtering values

Welcome Letter at American Family Online
American Family Online is a wholly owned subsidiary of the American Family Association (AFA), a well known and respected family ministry that has been fighting to protect time tested Christian based values for over twenty years. We are located in Tupelo Mississippi and will be providing nationwide service for Internet users. ...We will do our best to provide you with the best possible Internet content and services. We are committed to serving you, the Internet public, with the best value, honesty and integrity to the glory of Jesus Christ! (http://afo.net/welcomeletter.htm)

Interview of CEO
Online Safety Nets
Monday, December 13, 1999 - 03:54 PM ET (KDKA)

"One internet filter that's quickly growing in popularity is America Family Online. AFO President Steve Ensley says the company's screening mission rooted in the bible. 'We provide a criteria for the filtering that we believe is consistent with traditional and Christian values,' explains Ensley.
(http://www.cbsnews.com/now/story/0,1597,46520-403,00.shtml)

Filtering Categories
(http://www.bsafeonline.com/products/ectable.asp)

Refer to 8e6 Technologies/AFA Filter. Uses AFA Filter terms.

S4F/Family Connect/EduGuard
(http://www.s4f.com) (http://www.eduguard.com)

S4F appears to have its own filtering technology. S4F targets the school market as EduGuard. S4F appears to have started as a religious ISP, known as Family Connect. S4F also provides filtering to other religious ISPs.

Provides filtering services to the following religious ISPs

- Covenant Promotions (http://www.covenantpromotions.com)

- HedgeBuilders (http://www.hedgebuilders.com)

- Alive City (http://www.alivecity.com)

- Free Indeed (http://www.freeindeed.com)

- Genesis Internet Service providers (http://www.genesis1st.com/)

- Christian-Internet (http://www.christian-internet.com/).

Example of statements related to filtering values

The Godly Business Woman
"Family Connect™ The Internet standard for Christian families featuring pornographic site block out, nationwide unlimited local access, fast reliable Internet access and exhaustive online resources and links." (http://godlybusinesswoman.com/GBW_Links/gbw_links.html)

Edgewater's Christian Links And Web Resources
"Family Connect This company is a Christian internet service provider that provides excellent service. Family Connect effectively filters pornography and hate sites." (http://www.edgebapt.com/links.html)

Hedgebuilders (S4F ISP)
"A+ Premium Internet Filtering
Internet Filtering for Christians"
(http://www.hedgebuilders.com)

Filtering Categories

No listing of categories could be found on the site. However, Chris Ophus, the CEO of S4F has published a book online entitled *The Wicked Wild Web* (http://www.wickedwildweb.com/chaptertwo.asp). Chapter Two entitled "Seven Deadly Sins," contains the following:

"Perversion
Aside from the type of pornography typically found in magazines, there are entire areas of the sex trade that used to be difficult to find. But not anymore.

"Welcome to slavery," intones an audio file on the home page of one highly visible web site. The artwork depicts two leather-clad women holding whips and chains in what looks like a prison courtyard. In the center hangs a nude figure upside-down over a pit

of flames. Once inside the web site, users are invited to search through various perverse sexual activities.

...

Dr. Douglas Weiss deals with sex-related problems at his counseling center in Fort Worth, Texas. He maintains that the Internet is helping to create "sexual addiction at a much more perverse level than our generation" by creating an atmosphere fraught with bizarre behavior that arouses curiosity and can draw even the most innocent into its snare. "Anything can be out there, and that can become the way youth begin to form their sexual fantasies and . . . orientation. So it can be very devastating."

...

"Occult

Freedom of speech and freedom of religion come to a catastrophic head on the web. Any curious surfer can drink from mystic fountains of magical waters. Clans ranging from New Age circles to ancient cults commune online.

The Cauldron of Light announces, "We provide the tools you need for witchcraft spells and rituals in Wicca, witchcraft, Santeria, and any of the pagan, occult or esoteric arts and earth religions." ...

All over the Net, pages and pages of Satanic "scripture" can be found. Contact points are available for those wanting to establish relationships with other practitioners of Satanism, black arts, and the like. More than any other medium, the Internet provides a gateway to the occult."

SurfClear
(http://www.surfclear.com) (http://bjup.surfclear.net)

Surf Clear appears to have its own filtering technology. SurfClear has a close relationship with Bob Jones University, which sells the product through its web site .

Example of statements related to filtering values

Bob Jones University and SurfClear
"Recently, Bob Jones University and SurfClear have released a unique web filtering system that is more conservative than the average Internet filter."
(http://www.bjup.com/)

Filtering categories
(http://www.surfclear.com/criteria.html)

"Pornography

Any site which attempts to elicit sexual arousal, generally containing nudity, sex, erotic material, sexual acts, escort and dating services, or sex education. Exceptions: Mainstream media accounts of sex crimes, or clinical content dealing with disease prevention and treatment.

"Occult
Occult, witchcraft, satanic worship, animal sacrifice."

Recommendations

The following are three recommended strategies to address the concerns raised by this report:

<u>Establish a Mechanism to Ensure Accountability for Filtering Products</u>

> **If school decision-makers are now required, by law, to implement technology protection measures, an independent, objective auditing mechanism must be established to ensure that companies providing blocking products are not blocking access to material in violation of students' constitutional rights.**

The establishment of a mechanism for independent objective analysis of these companies was recommended by the Children's Online Protection Act Commission, a Congressionally-established commission that addressed issues related to the protection of children on the Internet.

> "3. Recommendation: The Commission recommends allocation of resources for the independent evaluation of child protection technologies and to provide reports to the public about the capabilities of these technologies. The current lack of information about how well technologies work, and lack of transparency about what they might block, is a major hurdle for their adoption by families or caregivers.
>
> The Commission recommends that the private sector - industry, foundations, and public interest organizations - provide support for an independent, non-governmental testing facility for child-protection technologies. This facility would provide consumers with objective, well-researched information on the features, effectiveness, prices, search criteria, transparency, flexibility, and ease of use of various technologies[15]."

The Internet Safety Association, the trade association representing filtering companies that promoted CIPA, specifically sought to limit independent objective analysis of filtering products.

---

[15] Commission on Child Online Protection Report to Congress, October 20, 2000. http://www.copacommission.org.

"ISA opposes language in the bill (CIPA) directing a Federal Agency, the National Telecommunications Information Administration, to pass judgement on the effectiveness of filtering. 'As millions of our customers know for themselves, filtering is effective. We don't need an unaccountable bureaucracy to tell us that,' said Ophus (CEO of S4F).[16]"

If school districts are delegating important responsibilities to filtering companies, there simply must be a mechanism in place to ensure accountability on the part of such companies. The auditing entity should have access to the full range of company records to ensure that student's rights of access to information are being adequately protected and to protect against public school entanglement with religion.

Student Access to Comprehensive Teen Health and Sexual Education Information

Mechanism(s) should be established to facilitate student access to comprehensive teen health and sexual education web sites that have been reviewed by health care and educational professionals and found to be appropriate and accurate.

This report raises the controversial issue of student access to comprehensive teen health and sexual education information, including information about sexual orientation. Who should be making the decisions about what health and sexual education sites students may access? Should these decisions be made by teen health, sexual education professionals, and local school officials? Or should these decisions be made by the non-professional staff and/or artificial intelligence systems of the filtering companies? Clearly this is a task that should be the responsibility of teen health, sexual education professionals, and local school officials.

One possible mechanism to address this issue would be to establish a national review panel of teen health and sexual education experts. This panel could establish appropriate standards for the review of teen health and sexual education web sites. These standards could then be utilized to allow for third party review and approval of such sites. A variety of techniques could be used to direct students to the sites that meet the standards, including a centralized web library with links to such sites or the use of the Internet Content Rating Association system to provide access to such sites. Because all of the information would be publicly available, local school officials would also be able to review and select sites that are considered appropriate for the local community.

Some would argue that students should access only information that promotes abstinence. This approach presents concerns. Many teenagers are sexually active. Engaging in unprotected sexual activity can lead to pregnancy and sexually-transmitted diseases. To deny this fact and prevent teenagers from accessing information that is vital to their health and well-being is clearly unacceptable.

---

[16]http://www.8e6technologies.com/pressroom/articles/12_06_00_internet_safety_assoc.pdf

Further, if teenagers are interested in finding information about safe sex or sexual orientation information on the Internet, they will do so. If they search for such information through a non-filtered system, their quest will inevitably require sifting through a wide range of pornography, erotica, and sex sites that do not promote restraint, respect, or responsibility.

Parents should have the right to ensure that their children are only accessing sexual education information that is in accord with their personal family values. Schools can reinforce parents' rights in this regard by ensuring that parents have access to their children's Internet usage logs.

<u>Comprehensive Strategies to Support the Safe and Responsible Use of the Internet by Students</u>

> **Rather than placing primary reliance on filtering tools, schools should develop comprehensive strategies to help students learn to use the Internet in a safe and responsible manner, in accord with school standards and their personal family values. Schools cannot enforce a wide range of individual family values when students are using the Internet in schools. Schools can reinforce the importance of using the Internet in accord with personal family values by providing parents with access to their child's Internet usage records.**

Technology "fixes" are not infallible, nor are they ever-present. If primary reliance is placed on such "fixes," young people will be more vulnerable and at greater risk at those inevitable times when the technologies will fail or they will have open access to the Internet.

It is important to keep younger children in "safe Internet spaces" because they have neither the knowledge nor the skills to independently make safe and responsible choices. But seeking to retain teenagers in "fenced play-yards" is futile. At this age, it is essential to impart the necessary knowledge and skills to ensure that young people can avoid inadvertently accessing inappropriate material and know what to do when they have accidentally gotten to the wrong place, especially if they have been "mouse-napped" and cannot exit the site. Additionally, students should learn communication safety skills, protection of personal privacy, and their rights and responsibilities as "cybercitizens." Adults, including educators and parents, must remain "hands-on" through effective supervision and monitoring.

The use of filtering software that functions by blocking access to material necessarily requires handing over control to somebody else to make the determinations of what is or not considered acceptable. Such technology does not foster the development of self-control to act in accord with school standards and personal family values. Schools must fully educate students about the expectations for their behavior and must have supervision and monitoring systems in place to ensure compliance.

Parents bear the important responsibility of teaching their children about family values and the importance of acting in accord with such values. Schools can assist parents in this by providing

parents with access to their children's individual Internet usage records. But schools cannot be expected to enforce a wide range of family values when students are using the Internet. The responsibility of schools is to enforce use in accord with school standards.

There are technologies that can be used in schools to protect younger students and to ensure that older students are using the Internet in a safe and responsible manner that do not require school officials to turn over control to filtering companies such as those reviewed in this report. Use of such technologies would achieve compliance with the requirements of CIPA. These technologies include filtering products that filter based on first party labeling, filtering products that provide full and complete access to the list of blocked sites, and filtered monitoring that filters all Internet traffic and report instances of suspected misuse.

Younger students should have access to sites that have been previewed to ensure educational appropriateness and should only be allowed to access to open Internet with close, over-the-shoulder supervision by a teacher. Various technologies can be used to limit student access to previewed sites.

The use of any technologies should be considered only one component of a comprehensive strategy that includes appropriate policies and educational efforts to address the preparation of students to use the Internet in a safe and responsible manner[17]. Rather than relying on technology "fixes," we should assist young people in the development of effective filtering and blocking systems that will reside in the hardware that sits upon their shoulders[18].

---

[17] The author of this report has focused her primary efforts on assisting school districts in developing comprehensive strategies and in the development of instructional materials for students.
Willard, N.E. Supporting the Safe and Responsible Use of the Internet in Schools: A Children's Internet Protection Act Planning Guide. University of Oregon Center for Advanced Technology in Education: Eugene, Oregon. 2001. http://netizen.uoregon.edu/documents/cipa.html.
Willard, N.E., Computer Ethics, Etiquette, and Safety for the 21st Century Student.
International Society for Technology in Education: Eugene, Oregon. 2001. ISBN 1-56484-184-7
http://www.iste.org/bookstore/index.html.
[18] Conservative religious ISPs market their services for use by adults. Good character is the combination of good values and the self control to act in accord with those values. If conservative religious parents cannot exercise a sufficient level of self-control to use the Internet in a manner that is in accord with their values, this clearly calls for more attention to be paid to the importance of the development of good character.