

Testimony of

The Honorable Henry Waxman

June 17, 2003

Mr. Chairman, Senator Leahy, I thank for you for the opportunity to testify today on the important issue of peer-to-peer networks and file-sharing programs. Chairman Davis and I have worked together closely to bring attention to this technology and the questions it raises.

Peer-to-peer technology is in many ways a "bright idea," as you indicate in the title of the hearing. It is a unique and innovative use of Internet technology. But we have found that it also carries significant risks that most people don't know about.

These programs are incredibly popular, especially with youth. They have been downloaded literally hundreds of millions of times. For teenagers and people in their twenties, peer-to-peer file-sharing programs are as common a computer application as e-mail and word-processing programs are for the rest of us.

My concern is that there is a digital generation gap when it comes to understanding these programs. Parents simply don't have the knowledge about these programs that their children do. As a result, many parents are unaware of the special risks posed by these programs.

How many parents realize that these programs, if carelessly installed, can make every single bit of electronic information on a family computer available to millions of strangers? Very few.

The Committee's first investigation into peer-to-peer technology looked at one of the risks posed by files sharing programs: the prevalence of pornography.

We learned that these peer-to-peer networks operate like a vast library of free pornographic content. Any child that has access to a broadband connection can easily find and download the most hardcore, triple-x videos imaginable in just a matter of minutes at absolutely no cost.

A GAO report released at our hearing found that kids are bombarded with pornography even if they aren't looking for it. GAO searched for popular entertainment figures like Britney Spears and the Olson Twins and for cartoon characters like Pokemon. They found that more than half of the files they retrieved were pornographic, including files that contained illegal child pornography.

We have also done some investigation into the topic of today's hearing: privacy and security risks from file-sharing programs.

Peer-to-peer programs connect users from anywhere in the world into a vast open free trade network. With the click of a mouse, users can share files back and forth with other users across the globe. It is impressive technology with enormous potential.

But our investigation found that many people are inadvertently sharing incredibly personal files with millions of strangers through these peer-to-peer networks.

Our staffs installed Kazaa, the most popular file-sharing program, and ran test searches to see what kind of information people were sharing unintentionally. What we found was amazing. We found completed

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tax returns, medical records, and even entire e-mail inboxes through simple searches using file-sharing programs.

We also found other incredibly private documents, such as attorney-client correspondence relating to divorce proceedings and living wills.

We prepared a report on our findings, which I would like to make part of this hearing record.

No one would want to share this kind of personal information, but in many cases that is exactly what's happening. Due to the way some users configure their computers, their personal files can be accessed by millions of strangers through peer-to-peer networks.

And you don't have to be a hacker who illegally breaks into a computer to get access to these files. These private files are in effect being put on public display, allowing millions of other users to access them perfectly legally.

These security risks take on a new level of concern for government computers. Clearly, we need to assure that national security is not compromised by improper use of file-sharing programs. For that reason, we are working with GAO to assess our government's vulnerability.

I welcome the interest of your Committee in exploring this new technology. There is much this hearing

and future ones can add to our understanding of file-sharing programs. And I look forward to working with you.
Thank you.