FSC
FREE SPEECH COALITION

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Hon. Mitch McConnell
Majority Leader
U.S. Senate
317 Russell Senate Office Building
Washington, DC 20510

Hon. Charles Schumer
Minority Leader
U.S. Senate
322 Hart Senate Office Building
Washington, DC 20510

Re: Letter of Opposition to SB 1693 "SESTA"

Dear Legislators,

The Free Speech Coalition asks the United States Senate to vote against SB 1693 "SESTA", which amends the Communications Decency Act. On the surface this bill is interpreted as a necessary step to combat sex trafficking. While FSC emphatically supports efforts to reduce and eliminate sex trafficking, SB 1693 legislation misses the mark and suffers from numerous fatal flaws. Additionally, the bill language has been amended in such a way as to go far beyond sex trafficking and instead runs the risk to further criminalize sex workers who themselves are often survivors. For these reasons we urge you to vote against this legislation and allow for greater input into how the bill is drafted. It is imperative that the United States Senate is not forced into a false binary choice between voting in favor of this measure or fighting back against sex traffickers. With more time to refine the bill and explore the unintended consequences, FSC is confident that we can accomplish the shared goal of preventing sex trafficking without causing harm to the very individuals we all seek to protect.

As drafted, the SB 1693 opens up the possibility that many lawful online platforms will be shuddered or risk criminal prosecution. These forums often provide an outlet for individual sex workers to seek help, assistance, and safety. However, the overreaching language of SB 1693, could force businesses that host lawful websites to shut down out of fear of inappropriate prosecutions. The virtual strict liability provisions contained in the legislation could force many companies to turn individual sex workers over to law enforcement out of an abundance of caution, and to avoid the reach of the near unlimited tentacles of liability listed in the legislation.

We have heard from many sex worker advocates who oppose this measure. Some of these groups rightfully point out that online platforms regularly provide a safe forum for sex workers to connect with advocates to secure assistance and guidance. However, if SB 1693 is adopted, many sex worker may simply disappear into the shadows to prevent online companies from turning them in as a way to avoid liability under this proposed new law. The very individuals who are supposed to be protected may find themselves worse off if this legislation is passed.

It may be politically expedient to pursue sweeping legislation under the banner of "Anti-Sex Trafficking" while ignoring the real world impacts of the drafted language. However, we expect our elected officials to

seek meaningful and thoughtful public policy derived from in-depth understanding of an issue. We do not believe that any elected member of Congress has ever spent time as a sex worker; however, before passing this legislation, we believe it is imperative that the women and men of Congress should dutifully sit down with sex workers, their advocates and leading experts to gain greater clarity about the issue and how this bill could adversely impact thousands of sex workers.

FSC's charge is to represent those involved in lawful sexual activity, but we are also intimately familiar with overreaching laws and political campaigns driven by a misguided understanding of issues and how those with a conservative agenda are prone to use every law on the books to attack certain communities.

With all of its flaws, SB 1693 will not prevent sex trafficking, or protect survivors, it will simply provide another tool to harass and harm these communities.

For these reasons we urge you to oppose this legislation

Sincerely,

Eric Paul Leue
Executive Director