

TESTIMONY OF

Brandon Guffey, SC House District 48, President of Less Than 3 non profit
Father of Gavin Guffey (deceased 7/27/2022), Consultant for Cyber Dive

UNITED STATES CONGRESS
COMMITTEE ON THE HOUSE JUDICIARY
SUBCOMMITTEE

Tomorrow Needs You. Our fight for the next generation

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Mr. Chairman and distinguished Senators, thank
you for the opportunity to testify today on: **Tomorrow Needs You. Our fight for the next
generation**

My name is Representative Brandon Guffey and I am here today to share my testimony on why protecting our youth from online dangers and holding Big Tech companies responsible for CSAM has become my life's mission. Sometimes we make plans and sometimes God has a way of teaching you tolerance and forcing you down a path you never thought you would be on. In the early morning hours of July 27th, 2022 I lost my oldest son, Gavin Guffey, to suicide. Gavin had just returned from a YoungLife camp the week prior and gave his life to Christ. His last post on instagram said "this week helped me connect and look up to where my head should have been years ago. Jesus and his word has given me a high that no other drug can ever compare to his love. He ended that post with a <3. On July 27th, Gavin would send out the <3 sign again on a black screen to his friends and his younger brother Coen Guffey who is with me here today fighting to ensure another kid doesn't feel the way Gavin did. At 1:40 am, Gavin took his life. We quickly found out that Gavin was contacted by a Predator on Instagram around midnight in which he told his friends he was going to jump off of his game to chat with her. In just 1 hour and 40 mins, my son was gone. The predator that contacted Gavin was extradited to the US two weeks ago from Lagos Nigeria and is currently awaiting trial. This predator not only attacked my son Gavin, but also began to extort my 16 yr old son, my 14yr old cousin and then myself. He went as far as sending me a message 2 days before what would have been Gavin's 18th birthday asking "Did I tell you your son begged for his life?" I hope you ask yourself, how is this possible. It is possible because Meta, the parent company of Instagram removed the profile that attacked Gavin, *bellajanet28* but left up the additional profiles that the predator used. *Bellajanet30* is the account that began to attack myself and my family even after META was fully aware of this being a predator. I vowed from that moment that I would make it my life's mission to protect kids online and would not stop. I was shortly elected to the SC House for District 48 and within 4 months of taking office, successfully passed what is now known as Gavin's Law. Sextortion is now taught throughout the State and every kid at least has some awareness so they don't feel alone like my son did that night. In addition to passing Gavin's Law, I have founded a Non Profit in which I travel around speaking to teens about mental health and the dangers from Big Tech. How Big Tech cares more about profit than protecting them. I filed a lawsuit against Meta in January of 2024. I have also become an advocate here on the hill

urging members to see this as what it is and that is THE GREATEST THREAT TO THE NEXT GENERATION. I even sold my businesses and went to work for a start up tech company that is providing tools for parents to protect children. As if that isn't enough, I travel across the country working with other state legislators due to the inefficiency of our Congress on bills such as "Default to Safety", "App Store Accountability", "Take It Down", "Kids Online Safety", and "Social Media Design" to name a few. The Take It Down Act has been reintroduced this Congress and has already passed the Senate. I would like nothing more than to be proven wrong about the inefficiency of Congress by having the House pass the Take It Down Act soon. Speaker Johnson, Chairman Guthrie - the ball is in your court with that bill to protect American lives.

In the 2 years of my advocacy, I have seen the lobby and law firm fight every inch we try to gain as parents to protect our children. I have witnessed bills pass the Senate such as KOSA 91-3 yet go to the house and refused to be heard on the floor. I have witnessed over 40 other teens take their lives since Gavin just due to Sextortion while we as lawmakers fight amongst ourselves. This doesn't even compare to the many other harms taking our children due to Big Techs lack of accountability. I often say "Big Tech is the Big Tobacco of this generation." We have watched groups such as NCMEC and NCOSE give statistics over and over again on these harms. We have watched Parent survivors knock on your doors daily. Sadly these groups are getting larger and larger each day, yet we sit where we were in 1996. Section 230, in my personal opinion will go down as one of the greatest disasters that has allowed Big Tech to run rampant without repercussions. In 1996, we downloaded songs using a tool online that was forced to disappear because it violated copyright laws, yet as social media has taken off, what have we done? We watch as these companies spend Millions on lobbying, fighting in court, and Millions on absolving themselves of responsibility. In this very chamber last January, I stood holding a photo of Gavin while Mark Zuckerberg offered a forced, pathetic, apology. Well let me say this. Where I'm from, we often say, Don't talk about It, Be about it. Until these companies can be held responsible and the Billions they make off of advertising to our children are at risk, Big Tech will simply not "Be about it". One example I provide to you comes from August of 2024, 8 months after Zuckerberg apologized. Meta Announced 63,000 Sextortion accounts, just from instagram, only from Lagos Nigeria, and in one day were removed. I ask all of you: Did Meta remove 63K predator accounts in one day and if so, why not every day and why not in other areas since or Did Meta collect information and leave these predators online in order to get a PR pat on the back? I believe it further shows they put profits ahead of protecting children. They are shielded from liability regardless of the amount of CSAM they store or transmit. Meta is only one of many. Within the 13,000 plus social media platforms and with the app store companies such as Google and Apple, we continue to see it daily. Let me ask you a final question. Is it easier for us to wait on the world's richest companies to provide solutions or should we, AS LAWMAKERS, demand they get INLINE or get OFFLINE? We all know the answer. If they could be held liable just as any other company, the changes would already be made.

In Closing, I would like to open up to any questions to any of you and I would like to leave you with a statement I use daily when speaking. Right now we have too many Politicians making decisions based on their next election and not enough Leaders making decisions based on the next generation. Are we Politicians or are we Leaders? If we can't protect our next generation, then what are we even fighting for?