

“Right now there are 2 bills before Congress that seek to address online copyright infringement and piracy, S.968, the “Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act of 2011 (PROTECT IP Act)” and H.R.3261, the “Stop Online Piracy Act (SOPA).”

It appears that the House vote previously scheduled for this week on SOPA may not happen, but the Senate may take up PROTECT IP next week when they go back in session.

Senator Chambliss is a co-sponsor of the PROTECT IP Act but has received a lot of feedback on this legislation over the last few weeks and is hopeful that the concerns of the bill’s opponents will be alleviated during the legislative and amendment process. I know he does not want to make changes to the law that would encroach on fair and lawful enjoyment of creative works and legitimate websites.” From the office of Senator Chambliss 1/19/2012

http://en.wikipedia.org/wiki/Stop_Online_Piracy_Act

The **Stop Online Piracy Act (SOPA)** is a law (bill) of the United States proposed in 2011 to fight online trafficking in copyrighted [intellectual property](#) and [counterfeit goods](#). Proposals include barring [advertising](#) networks and payment facilities from conducting business with allegedly infringing websites, barring [search engines](#) from linking to the sites, and requiring [Internet service providers](#) (ISP) to block access to the sites. The bill would criminalize the [streaming](#) of such content, with a maximum penalty of five years in prison.

[User-content websites](#) such as [YouTube](#) would be greatly affected, and concern has been expressed that they may be shut down if the bill becomes law. Opponents state the legislation would enable law enforcement to remove an entire [internet domain](#) due to something posted on a single [blog](#), arguing that an entire [online community](#) could be punished for the actions of a tiny minority. In a [1998 law](#), copyright owners are required to request the site to remove the infringing material within a certain amount of time. SOPA would bypass this "safe harbor" provision by placing the responsibility for detecting and policing infringement onto the site itself.

[Lobbyists](#) for companies that rely heavily on revenue from intellectual property copyright state it protects the market and corresponding industry, jobs, and revenue. The US president and legislators suggest it may kill innovation. Representatives of the [American Library Association](#) state the changes could encourage criminal prosecution of libraries. Other opponents state that requiring search engines to delete a domain name begins a worldwide arms race of unprecedented [censorship of the Web](#) and violates the [First Amendment](#).

A number of protest actions were organized, including petition drives and boycotts of companies that support the legislation. On January 18, [English Wikipedia](#), [Reddit](#), and several other internet companies coordinated a service blackout to protest SOPA and its sister bill, the [Protect IP Act](#). Other companies, including [Google](#), posted links and images in an effort to raise awareness.

The **PROTECT IP Act (Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act of 2011 or PIPA)**, also known as Senate Bill 968 or S. 968, is a [proposed law](#) with the stated goal of giving the US government and copyright holders additional tools to curb access to "rogue websites dedicated to infringing or counterfeit goods", especially those registered outside the U.S.^[1] The bill was introduced on May 12, 2011, by Senator [Patrick Leahy](#) (D-VT)^[2] and 11 bipartisan co-sponsors. The [Congressional Budget Office](#) estimated that implementation of the bill would cost the federal government \$47 million through 2016, to cover enforcement costs and the hiring and training of 22 new special agents and 26 support staff.^[3] The [Senate Judiciary Committee](#) passed the bill, but Senator [Ron Wyden](#) (D-OR) placed a [hold](#) on it.^[4]

The PROTECT IP Act is a re-write of the [Combating Online Infringement and Counterfeits Act](#) (COICA),^[5] which failed to pass in 2010. A similar House version of the bill, the [Stop Online Piracy Act](#) (SOPA) was introduced on October 26, 2011.^[6]

Senate Majority Leader [Harry Reid](#) has scheduled a vote on the legislation for January 24, 2012.^[7]

Technical objections to DNS blocking and redirection

The bill originally contained measures which would allow the stripping of rogue websites out of the Internet's virtual "phone book." Under what is technically known as [Domain Name System](#) (DNS) blocking, if a user entered the web address of a rogue site, it would appear the site did not exist.^[47]

According to Sherwin Siy of [Public Knowledge](#), past attempts to limit copyright infringement online by way of blocking domains have always generated criticism that doing so would fracture the [Domain Name System](#) (DNS) and threaten the global functionality of the Internet, with this bill being no different. By design, all domain name servers world-wide should contain identical lists; with the changes proposed, servers inside the United States would have records different from their global counterparts, making [URLs](#) less universal.^{[48][49]}

Five Internet engineers, [Steve Crocker](#), David Dagon, [Dan Kaminsky](#), Danny McPherson, and [Paul Vixie](#) prepared a [whitepaper](#)^[50] which states that the DNS filtering provisions in the bill "raise serious technical and security concerns" and would "break the Internet", while other engineers and proponents of the act have called those concerns groundless and without merit.^{[51][52][53][54][55][56]} One concern expressed by network experts is that hackers would offer workarounds to private users to allow access to government-seized sites, but these workarounds might also jeopardize security by redirecting unsuspecting users to scam websites. Supporters of the bill, such as the MPAA, have argued that widespread circumvention of the filtering would be unlikely.

A group of Law professors, quoting Crocker's whitepaper, say that the PROTECT IP and Stop Online Piracy acts could have the opposite of the intended impact, driving users to unregulated alternative DNS systems, and hindering the government from conducting legitimate Internet regulation.^[42] They question the constitutionality of both bills, believing they could have potentially disastrous technical consequences and would make US Internet law more like those of repressive regimes.^[42] They go on to state that both bills provide "nothing more than ex parte proceedings—proceedings at which only one side (the prosecutor or even a private plaintiff) need present evidence and the operator of the allegedly infringing site need not be present nor even made aware that the action was pending against his or her 'property.'" This not only violates basic principles of due process by depriving persons of property without a fair hearing and a reasonable opportunity to be heard, it also constitutes an unconstitutional abridgement of the freedom of speech protected by the First Amendment."^[42]

A browser plugin called [MAFIAPFire Redirector](#) was created in March 2011 that redirects visitors to an alternative domain when a site's primary domain has been seized. The Mozilla Foundation says that [United States Department of Homeland Security](#) (DHS) requested by phone that [Mozilla](#) remove the plugin, a request with which they have not yet complied. Instead, Mozilla's legal counsel has asked for further information from the DHS, including legal justification for the request.^[57]

12/21/2010 Net Neutrality - The Federal Communications Commission today passed controversial new rules that prevent Internet providers from playing favorites or blocking access to Web sites that offer rival services.

Supporters of "net neutrality," the principle that all Internet traffic should be treated exactly the same by service providers, said the proposed regulations won't go far enough. "We're very worried that these rules won't be real net neutrality," said Craig Aaron before today's FCC vote. Aaron is managing director of Free Press, a Washington, D.C. group that lobbies for tougher oversight of Internet service providers.

But Ryan Radia, associate director of technology studies for the Competitive Enterprise Institute, a free market-oriented think tank in Washington, said the Internet's doing fine without FCC interference, and opposed any new rules at all. Also speaking before today's vote, Radia said that a federal net neutrality rule "forecloses business models that could be important to the growth of the Internet."

Net neutrality backers have argued for years that giant Internet service providers like Comcast Corp. and AT&T Inc., which provide high-speed broadband access to millions of Americans, have too much power over the information traveling over their networks. They warn that a company like Comcast, which is about to acquire the television and movie company NBC Universal, could decide to block Internet videos from, say, the ABC network, or deliver them with poor resolution and bad sound. Then it could potentially offer ABC a deal to deliver its video at high quality, in exchange for hefty fees.

The 3-2 vote marks a major victory for FCC Chairman Julius Genachowski, who has spent more than a year trying to craft a compromise.

The FCC's three Democrats voted to pass the rules, while the two Republicans opposed them, arguing that they amount to unnecessary regulation. The new rules are likely to face intense scrutiny on Capitol Hill once Republicans take over the House.

Genachowski has said previously that the rules would require broadband companies to provide details about how their networks function, so that companies could not secretly restrict Internet services. The plan would forbid Internet service providers from blocking any kind of lawful online traffic, and it would ban the providers from engaging in "unreasonable discrimination" that would result in some Internet services being given better treatment than others.

Net Neutrality -November 10, 2011 - The Senate on Thursday voted to keep in place the Federal Communications Commission's controversial rules aimed at preserving open Internet access.

Republicans had pushed to overturn the so-called net neutrality rules, and a resolution to do so failed 52-46 in the Democratic-controlled Senate. The White House this week had threatened to veto the action if the Senate approved it.

The vote ends a months-long attempt by opponents of the rules to get them wiped out. In April, the Republican-controlled House voted 240-179 in favor of a similar resolution of disapproval.

Nearly all Republicans oppose the new rules, arguing the FCC overstepped its authority and that regulation of the Internet will stifle its growth.

"Over the past 20 years, the Internet has grown and flourished without burdensome regulations from Washington," said Sen. Kay Bailey Hutchison (R-Texas), who led the push in the Senate to overturn the rules. "If we're going to keep an open and free Internet and keep the jobs it spawns, we should reject the FCC regulation on net neutrality."

Many large telecommunications companies have opposed the FCC's rules, including Verizon Communications Inc., which has filed suit to stop them.

Most Democrats, including Obama, argue that the regulations are needed to preserve an open Internet as the telecommunications industry becomes more consolidated.

"Net neutrality is not about a government takeover of the Internet, and it is not about changing anything," said Sen. Al Franken (D-Minn.) "Net neutrality and the rules the FCC passed are about keeping the Internet the way it is today and the way it has always been."

Public interest groups and Internet advocates have worried for years that providers of Internet service, such as Verizon, Time Warner Cable Inc., and AT&T Inc. might try to slow down access to online services, such as Netflix or Skype, that compete with their own offerings, or charge premiums to some sites for faster delivery of their content.

Major online companies such as Google Inc. have strongly supported net neutrality rules.

The Democratic controlled FCC voted 3-2 along party lines in December to adopt regulations that prohibit telecommunications companies from favoring their online services over those of competitors. The rules, which apply to wired and wireless services, forbid companies from blocking access by their customers to any legal content, applications or services.

The FCC also prohibited companies that provide wired Internet service from "unreasonable discrimination" in their treatment of access to content and services. The tougher requirement was placed on wired services because there are fewer providers than in the wireless industry.

Obama has been a strong supporter of net neutrality. He made it part of his 2008 campaign platform and appointed Julius Genachowski as FCC chairman. Genachowski pushed the rules into place.

Obama praised the FCC for enacting the rules last year, and the White House this week described them as "an enforceable, effective but flexible policy for keep the Internet free and open."