

January 20, 2012

## Online Piracy Legislation Draws Protest; Loses Support

As expected, lawmakers and advocates jumped back into the debate over anti-piracy legislation immediately upon the House's return to work last week. Several of the internet's most well-trafficked websites – including Wikipedia, Reddit, and Wordpress – went dark or registered signs of protest on Wednesday to signal their opposition to both the Senate's PROTECT IP bill and the House's Stop Online Piracy Act (SOPA).

### In the House

Even before the House returned to work last week, technology and internet stakeholders were calling out specific provisions for revision or removal from SOPA. Responding to significant push-back against a bill segment requiring internet service providers to block access to websites suspected of piracy through Domain Name System filtering, SOPA sponsor and House Judiciary Committee Chair Lamar Smith (R-TX) announced last week that he was dropping the provision. After first saying that he hoped to pick up in February where the Committee left off in its December markup of the bill, Congressman Smith relented on Friday and said that the Judiciary Committee would not take up the bill again until they could find "wider agreement on a solution."

Several House members opposed to SOPA lent their support to a new bill similar to Senator Ron Wyden's (D-OR) Online Protection and Enforcement of Digital Trade Act (S. 2029). Congressman Darrell Issa (R-CA) introduced his version (H.R. 3782) of the OPEN Act on Wednesday. Industry stakeholders who pushed for anti-piracy legislation responded to the latest OPEN Act with heavy skepticism – a Recording Industry Association of America spokesperson said that "we would be worse off with the OPEN Act than we are today."

### In the Senate

After a number of senators called for more time to address concerns with PROTECT IP, Senate Majority Leader Harry Reid (D-NV) agreed to push back the scheduled Tuesday vote, although he said today that he is "optimistic that we can reach a compromise in the coming weeks." PROTECT IP sponsor and Senate Judiciary Committee Chairman Patrick Leahy (D-MA) criticized the delay as a "knee-jerk reaction to a monumental problem." Senator Leahy had been working to develop a manager's amendment with GOP leadership to make the bill palatable enough to move forward with the cloture vote. Following Wednesday's protest, several Senate members pulled their support outright, including Senate Judiciary Committee Ranking Member Charles Grassley (R-IA) and eight bipartisan co-sponsors of the bill.

## The White House

Supporters have expressed concern that even with some changes, the legislation may not be able to overcome the sudden onslaught of negative attention. Motion Picture Association of America (MPAA) President and former Connecticut Senator Chris Dodd suggested Thursday that the White House should hold a policy summit between technology and media stakeholders. The White House declined the suggestion, and referred to a recent statement in which Administration officials said that while legislation is needed to address online piracy by foreign websites, “we will not support legislation that reduces freedom of expression, increases cybersecurity risk, or undermines the dynamic, innovative global Internet.

### More Information

- Background on SOPA, PROTECT IP, and the OPEN Act at The New England Council website: <http://www.newenglandcouncil.com/assets/Tech-Cmte-Update-01-12-12.pdf>
- The White House response to concerns about SOPA and PROTECT IP: <https://www.whitehouse.gov/petition-tool/response/combating-online-piracy-while-protecting-open-and-innovative-internet>.