

United States Senate

WASHINGTON, DC 20510

November 17, 2011

The Honorable Harry Reid
Majority Leader
United States Senate

The Honorable Mitch McConnell
Minority Leader
United States Senate

Dear Leaders Reid and McConnell:

We write to express our intent to object to any unanimous consent request to consider S. 968, the Protect IP Act, Calendar No. 70. We will submit a copy of this notice to the Legislative Clerk and the Congressional Record within 2 session days and we give permission to the objecting Senator to object in our names.

Our intent to object is not one that we take or express lightly. Our fear, which is shared by many, is that S. 968 as currently written will have the unintended consequences of undermining our nation's national security and our goals to encourage innovation, entrepreneurship, and job creation.

As currently written, the Protect IP Act and the companion Stop Online Piracy Act legislation in the House unnecessarily risk an overbroad application of the new and unprecedented tools they provide to the U.S. Department of Justice and the private sector. An excessively expansionary application of these tools would undermine our national security and economic interests.

We are particularly concerned that the proposal authorizes the use of remedies that will undermine the infrastructure of the Internet. The nation's leading technologists and security experts say these provisions will kill our best hope for actually making the Internet more secure against cyber attacks. We take seriously the alarm expressed by the nation's leading investors in new online startups who say the proposal will dampen interest in financing the new ideas and businesses of tomorrow, and to legal and human rights experts who caution that the proposal enables the silencing of speech.

While we support the goals of the Protect IP Act to combat online infringement and protect rights holders, we are sure that the Protect IP Act can be improved to address these concerns and others. We intend to work with the proponents of the legislation to explore and advance proposals that include effective methods to combat intellectual property rights violations while avoiding the collateral damage inherent in the current legislation. The goals of this legislation can be achieved without doing serious damage to cyber security and the ability of the Internet to facilitate a global marketplace of ideas and commerce.

Sincerely,

Ron Wyden

Terry Moran

Maria Cantwell

Rand Paul