Chairman Lamar Smith
House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, D.C. 20515

Ranking Member John Conyers
House Committee on the Judiciary
B-351 Rayburn House Office Building
Washington, D.C. 20515

Re: Stop Online Piracy Act (SOPA), H.R. 3261

Dear Chairman Smith and Ranking Member Conyers,

We are a collection of companies, nonprofits, and individuals that create, distribute, or otherwise support educational content and services. Together we reach and serve tens of millions of students and teachers worldwide. We would like to express our concern about the Stop Online Piracy Act ("SOPA"), as well as the PROTECT IP Act in the Senate.

Today, there are myriad sites that encourage lawful distribution, remixing and redistribution of educational content (e.g. Curriki, Connexions, P2PU, YouTube, CK12). These services are democratizing access to educational content.

Of course, sometimes they are misused. Fortunately, today the Digital Millennium Copyright Act safe harbors craft a careful balance -- a content owner would issue a DMCA takedown to remove the content, but otherwise the platform is not held liable for alleged copyright infringement.

These bills would undermine this framework and chill the creation of educational content. Sites that host or use user-generated content could be required to monitor their site for infringing material, and could potentially have their domain name blocked by the government if content owners thought that infringement was occurring on that site. This represents an entirely new legal power given to content owners to control the flow of content online and to shape the very foundation of the Internet. Indeed, it could lead to entire sites becoming unavailable due to the behavior of a tiny minority of confused or malicious users.

Online services providing innovative educational content or services require the legal certainty and protections defined in the DMCA. The proposed legislation would undermine legal certainty and in turn chill the creation of innovative learning opportunities.

We appreciate the intent of these bills, but this isn't the right way to stop mass infringement. We urge Congress to reject this legislation and instead pursue more narrowly tailored approaches in collaboration with our community.

Respectfully,

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Aditya Kamdar, Yale University
Ahrash Bissell, Monterey Institute for Technology and Education
Amanda Wortman, Digital Media and Learning Hub, UC Irvine
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Boris Mindzak
Brewster Kahle, Internet Archive
Cable Green, Creative Commons
Carolina Rossini, OER Brazil Project
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Chad Dorsey, The Concord Consortium
Cheryl Siegel, MIT OpenCourseWare
Cheryle L. Eymil, Palo Alto Unified School District
Chloé S. Georas, University of Puerto Rico
Chris Coppola, rSmart
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David G. Post, Temple University School of Law
David Lippman, Pierce College Ft Steilacoom
David Solomonoff, State University of New York
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Jan Brinkmann, luckyduck networks
Jane Park, Creative Commons
Jason Dockter, Illinois State University
Jason Schultz, UC Berkeley School of Law
Jean-Claude Lapointe, Researcher (Futur Professor)
Jennifer M. Urban, UC Berkeley School of Law
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John Britton, P2PU
John Egenes, University of Otago, New Zealand
John Stampe, Assumption University
Jordan Gray, Organic, Inc
Joris Komen, Free Software and Open Source Foundation for Africa
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Marty Stevens
Mary Lou Forward, OpenCourseWare Consortium
Matt Senate, Wikipedia
Matthew M. Holman, Indiana University of Pennsylvania
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Michael Leddy, Eastern Illinois University
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Nate Angell, rSmart
Nick Shockey, R2RC
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