



Legislation Text

File #: Res 1168-2011, **Version:** *

Res. No. 1168

Resolution calling upon the United States Congress to defeat the Stop Online Piracy Act (“SOPA,” H.R. 3261) and the Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act (“Protect IP Act,” S. 968), which would greatly expand the potential for Internet censorship and place a significant burden on website administrators.

By Council Members Brewer, James, Lander, Palma, Williams and Rodriguez

Whereas, The Protect IP Act and SOPA target websites located outside of the United States that provide access to copyright-protected material; and

Whereas, Both bills authorize the United States Attorney General to seek court orders against the targeted offshore websites, effectively creating a blacklist of websites; and

Whereas, The Protect IP Act requires domain name system operators to prevent routing to a blacklisted website; and

Whereas, Domain name system servers perform an essential function of the Internet by converting user-friendly domains into a numeric Internet Protocol (IP) address that computers use to identify each other and exchange information; and

Whereas, This form of censorship could be worked around by using the numeric IP address, thus bypassing domain name system servers; and

Whereas, The Protect IP Act would also require financial companies and advertising networks to discontinue business with blacklisted sites; and

Whereas, SOPA is broader and requires Internet service providers to prevent access by its subscribers located within the United States to blacklisted sites; and

Whereas, This requirement could force Internet providers to intercept and analyze customers' Web traffic, threatening the security of encrypted content, such as confidential banking information; and

Whereas, SOPA defines an Internet site “dedicated to the theft of U.S. property” as a site that “has promoted” copyright infringement uses, which could include common sites such as Google and Twitter; and

Whereas, SOPA’s broad and vague language could be interpreted to require Internet companies to acquire staff to monitor material, which would be cost prohibitive for startups and small companies; and

Whereas, On November 15, 2011, Google, Facebook, Twitter, Zynga, eBay, Mozilla, Yahoo, AOL, and LinkedIn wrote a letter to key member of the United States Senate and House of Representatives opposing SOPA; and

Whereas, These bills would undermine The Digital Millennium Copyright Act of 1998, which created a safe harbor for online service providers against copyright liability if they act in good faith to block access to allegedly infringing material when they receive a notification claiming infringement from a copyright holder or the copyright holder's agent; and

Whereas, Compliance with SOPA could lead to security breaches; and

Whereas, Passage of these bills will result in censorship antithetical to the ideals of free speech and innovation that define the United States; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to defeat the Stop Online Piracy Act (“SOPA,” H.R. 3261) and the Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act (“Protect IP Act,” S. 968), which would greatly expand the potential for Internet censorship and place a significant burden on website administrators.

CG
12/5/11
LS #3068