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Where lawmakers come to blog

Altering how the Internet works but not understanding it

By Ed Black, Computer & Communications Industry Association - 12/21/11 07:43 AM ET

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Those who understand how the Internet works watched in horror last week as those who don't debated how to regulate it at a mark up of the Stop Online Piracy Act. The House Judiciary committee is now poised to approve H.R. 3261.

This entertainment industry backed bill would alter how the Internet works -- impacting everything from cybersecurity to free speech online -- all in hopes of better copyright enforcement online.

The law would force Internet service companies to filter the Internet -- or risk facing new legal liabilities for copyright infringement committed by others. This required filtering is not likely to be feasible technically but would certainly interfere with a new cybersecurity system the government and industry has spent the last ten years developing.

Rep. Zoe Lofgren, D-

California, said "ignorance is bliss" is "not the case here." Rep. Jason Chaffetz, R-Utah, asked Chairman Lamar Smith to "bring in the nerds" to explain cybersecurity and other technical issues before a vote.

The "nerds" and others concur -- more than 100 Internet luminaries, founders and security engineers, along with Richard Napolitano, director of computer sciences and information systems at Sandia National Labs have highlighted the risks already of tampering with Internet infrastructure in this way in an effort to curb infringement and piracy.

Under SOPA, the U.S. Government could demand that ISPs and thousands of other Internet services block and redirect web traffic away from sites that allegedly contain copyright infringing materials.

A simplistic explanation of DNS blocking would be tearing a page out of a phone book to stop calls from reaching an alleged criminal.

DNS redirection is like changing bad guys' numbers entirely. At the hearing, Rep. Polis, D-Colo., who used to run a company that provided Internet access, likened it to changing all the street signs in a neighborhood so people can't find their way to the crackhouse, acknowledging legitimate neighbors and those

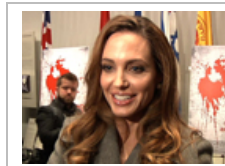
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visiting them will be impacted.

One problem is that redirecting web traffic is what cybercriminals do, for example, creating phony sites to resemble those of banks. To combat this, leading Internet engineers have spent years designing and implementing a new security system known as Domain Name System Security Extensions (DNSSEC), to patch security holes that permit this dangerous type of cyber attack. Using the new security system requires security “handshakes” to ensure traffic really goes from point A to point B -- without being intercepted and sent to C.

Unfortunately, leading engineers have said that implementing SOPA would prevent this improved system from working.

Beyond the cybersecurity issue, Rep. Polis explained that other collateral damage would harm the Internet because of the impact of litigation remedies -- not just what a court would order tech companies to do to combat piracy. He said without more reasonable rules on copyright liability, SOPA would incentivize ISPs and tech companies to censor sweepingly all their activities to decrease their own legal liabilities.

While the purpose, motive and rhetoric may be different than that used by Internet censoring regimes such as China, the result of SOPA will be similar. The prior restraint principles SOPA embodies will likely be used by hundreds of countries.

Online piracy is a problem and more steps can be taken to reduce it. But let’s find an effective solution that doesn’t cause so much collateral damage to the Internet, freedom of expression and innovation. The damage of SOPA would probably not be reversible.

Black is President & CEO of the Computer & Communications Industry Association

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ROWENA CHERRY 2 weeks ago

It appears that some CCIA members do not realize that SOPA is designed to deal with foreign websites that do not comply with current DMCA or Berne Treaty laws.

Like Reply

John 2 weeks ago

Ed Black is a prime example of someone who doesn't understand how content is

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