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COMMERCE, SCIENCE, AND TRANSPORTATION

FOREIGN RELATIONS

HOMELAND SECURITY AND
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JOINT ECONOMIC COMMITTEE



UNITED STATES SENATE

September 7, 2007

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Dear [REDACTED]

Thank you for contacting me regarding the recent Immigration and Customs Enforcement (ICE) investigation into the alleged sale and distribution of modification chips.

Over the years, U.S. copyright law has been directed toward reaching a balance between protecting the interest of copyright owners or holders and the legitimate consumer uses of copyrighted works. While the basic tenants of copyright law and underlying consumer rights to use copyright works are appropriate, the advent of new technologies requires a constant reexamination of existing laws to ensure that this balance is not distorted or significantly altered.

As you know, on August 1, 2007, the Department of Homeland Security's ICE division executed 32 federal search warrants in 16 states in its effort to enforce provisions of the Digital Millennium Copyright Act (Public Law 105-304). Although the law does not specify particular technologies or devices, it prohibits the manufacture, import, sale, or trafficking of any technology, product, service, device, or component that is primarily designed to circumvent anti-copying technology.

It is important to ensure that protecting copyright owners' rights does not have a chilling effect on consumers' legitimate use of technology or innovation. Please be assured that I will keep your thoughts in mind should the Senate consider legislation related to copyright enforcement, and will continue to monitor ICE's investigations.

Again, thank you for sharing your views with me.

Sincerely,


John E. Sununu
United States Senator

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