

A bipartisan group of House and Senate lawmakers released a draft proposal to address their concerns with controversial House and Senate bills that would crack down on piracy and counterfeit products on foreign websites.

The draft proposal was crafted by Sens. Maria Cantwell, D-Wash., Jerry Moran, R-Kan., Mark Warner, D-Va., Ron Wyden, D-Ore., and Reps. Jason Chaffetz, R-Utah, **John Campbell, R-Calif**, Lloyd Doggett, D-Texas, Anna Eshoo, D-Calif., Darrell Issa, R-Calif., and Zoe Lofgren, D-Calif.

Their draft proposes an alternative to a Senate bill known as the Protect IP Act, authored by Senate Judiciary Chairman Patrick Leahy, D-Vt., and the Stop Online Piracy Act, or SOPA, introduced in the House last month by Judiciary Chairman Lamar Smith, R-Texas. Wyden has been a vocal opponent of the Senate measure and has blocked the bill from moving to the Senate floor since it was approved by the Judiciary Committee in May.

Even though they agree on the need to curb online piracy and counterfeiting abroad, Wyden and several of the other lawmakers say Protect IP and SOPA would stifle free speech and innovation and undermine the integrity of the Internet.

In an interview late Thursday, Wyden said the proposal he and the other lawmakers have crafted "is focusing to the extent possible on the payment processors, the advertisers, the follow-the-money approach." Its an approach that tech firms and other critics have been urging lawmakers to take instead of trying to block access to websites that offer infringing content or goods. "If you can take away the financial incentive, that goes a long way in dealing" with the problem, Wyden added.

Protect IP and SOPA focus on trying to cut off funding to those sites as well but they also would allow the attorney general to seek a court order requiring U.S. service providers to direct users away from websites deemed to be primarily focused on providing pirated content or counterfeit goods. Those bills also would put the Justice Department in charge of enforcing the bill's provisions.

The proposal from Wyden and the other lawmakers would give that job to the International Trade Commission, which deals with imports alleged to infringe intellectual property. The proposal would allow intellectual property owners to appeal to the commission to investigate infringing sites. If the commission finds such sites are "primarily" and "willfully" infringing U.S. copyrights or willfully enabling imports of counterfeit merchandise, the agency would issue a cease-and-desist order requiring U.S. payment processors and advertisers to stop doing business with the sites.

"When infringement is addressed only from a narrow judicial perspective, important issues pertaining to cyber security and the promotion of online innovation, commerce and speech get neglected," according to the proposal.

Wyden said the lawmakers will collect comments on the proposal over the next few weeks and will likely introduce it early next year.