



Dave Heineman
Governor of Nebraska
Chair

Jack Markell
Governor of Delaware
Vice Chair

Dan Crippen
Executive Director

December 13, 2011

The Honorable Lamar Smith
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

The Honorable John Conyers
Ranking Member
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Smith and Representative Conyers:

On behalf of the nation's governors, we urge Congress to enact legislation that would strengthen U.S. law enforcement's ability to take action against foreign "rogue" websites that traffic in stolen and counterfeit American-made intellectual property, threatening jobs and local economies in our states and across the country.

Criminals have turned to the Internet, abusing its virtually unlimited distribution opportunities to expand their illicit activities and profits. Some rogue sites dupe Internet users into thinking they are legitimate, accepting major credit cards as forms of payment and featuring advertising from blue chip U.S. companies.

All of this has a very real – and damaging – impact on American business. Without the ability to protect American intellectual property fully from theft, investments in research and development for innovative new products and jobs will be hampered. Moreover, because many counterfeit products are of inferior quality or outright harmful design, they pose a serious threat to the reputation, brand integrity, and value of American companies, and too often to the health and safety of our citizens.

Federal legislation can be used to stop these rogue sites and protect jobs. To disrupt the business model of rogue website purveyors and cut them off from the marketplace, law enforcement must be able to enlist the help of infrastructure platforms like Internet service providers and financial service payment processors. Narrowly tailored authority to disrupt these sites will help Internet users find legitimate sources for goods and content, and will ensure that counterfeiters and pirates can no longer profit from this illegal activity.

We urge Congress to enact legislation to strengthen our nation's ability to protect U.S. consumers and businesses.

Sincerely,



Governor Sam Brownback
Chair
NGA Economic Development and Commerce
Committee



Governor Jeremiah W. (Jay) Nixon
Vice Chair
NGA Economic Development and Commerce
Committee

CC: The Honorable John A. Boehner, Speaker of the House, U.S. House of Representatives
The Honorable Eric I. Cantor, Majority Leader, U.S. House of Representatives
The Honorable Nancy Pelosi, Democratic Leader, U.S. House of Representatives
The Honorable Steny Hoyer, Democratic Whip, U.S. House of Representatives