May 1, 2003

The Honorable Lamar Smith, Chairman
The Honorable Howard Berman, Ranking Democratic Member
Subcommittee on Courts, the Internet and Intellectual Property
Committee on the Judiciary
United States House of Representatives
Washington, DC  20515

Dear Chairman Smith and Representative Berman:

We write in response to your letter of March 20 concerning the use of peer-to-peer (P2P) networks on college and university campuses. The Joint Committee of the Higher Education and Entertainment Communities met on April 23 to review the work of its task forces. Much has already been accomplished, and the Joint Committee has established and prioritized initiatives to stem the illegitimate use of P2P systems on campuses around the country.

Following is a summary of these actions.

Actions expected in early May

- Distribution to campuses of a short paper discussing copyright rights and responsibilities and their applicability to P2P technologies, including legal consequences and liability for improper use of P2P
- A national Request for Information from technology companies on technological products that may assist college and university campuses to reduce P2P misuse
- Lawsuits against four students for establishing local area P2P networks on college campuses
- Communications from several campus administrators to their campus student bodies about the appropriate and inappropriate use of P2P, and to specific students using large amounts of bandwidth inquiring about the nature and justification of that use
- Increased interventions by colleges and universities to respond to P2P misuse through technological controls and enforcement of institutional appropriate use policies

Actions to be taken: target date June 15

- Distribution of White Paper on educational policies and practices to campuses
- A discussion forum between college and university administrators and representatives of legitimate on-line music services
• A formal Request for Information from on-line music services on the application of such services to the college and university environment that may be brought to the attention of campuses

Actions to be taken: target date August 1
  • Distribution to campuses of material that could be included in orientation packets for incoming Freshmen

We want to assure you that the Joint Committee shares your view that unauthorized file trading is a serious problem that calls for concerted action. We believe, as demonstrated by the actions already taken and those planned, that this work is capable of being accomplished collectively by the communities through the Joint Committee.

Thank you for your interest in and support of our efforts.

Sincerely,

Graham Spanier
President, Pennsylvania State University
Co-Chair, Joint Committee of the Higher Education and Entertainment Communities

Cary Sherman
President, Recording Industry Association of America
Co-Chair, Joint Committee of the Higher Education and Entertainment Communities