



July 18, 2007

The Honorable Henry A. Waxman
The Honorable Tom Davis
United States House of Representatives
Rayburn House Office Building
Washington, DC 20515

Dear Congressmen Waxman and Davis:

The Distributed Computing Industry Association (www.DCIA.info) is a one-hundred Member-company non-profit trade organization focused on the commercial development of peer-to-peer (P2P) file-sharing technologies.

We commend you for your leadership in conducting a Hearing scheduled for July 24th to explore potential privacy and security concerns associated with the use of P2P file-sharing programs, and greatly appreciate the opportunity to comment on this important issue.

The DCIA has taken several steps to address such matters since our inception in 2003 and continues to seek further advances. We have worked closely with the Federal Trade Commission (FTC) on this and related issues. We have also provided witnesses and testimony for previous Congressional Hearings that in part addressed this subject.

We were particularly impressed with your report entitled "File-Sharing Programs and Peer-to-Peer Networks: Privacy and Security Risks." The DCIA is also familiar with the March 2007 Patent and Trademark Office (PTO) report and the more recent correspondence between the Committee and two leading US-based P2P software developers and distributors regarding consumer disclosures, default settings, recursive sharing, un-installation procedures, etc.

As we suggested to the PTO in March, please allow us to offer the Committee the DCIA's professional assistance in accelerating adoption of technological advances and related business practices to further protect P2P users against inadvertent sharing of private data.

In our view, because of both the technical complexity and relatively fast-moving innovation in this area, a federally mandated and closely monitored private sector initiative, rather than even the best intended legislative measure, will produce the most beneficial effect to the public and to government agencies whose sensitive and confidential information must be protected as a matter of national security.

We currently conduct several working groups tackling a number of issues, including consumer security concerns, such as the inadvertent sharing of files. These working groups can extend beyond our Membership as needed to ensure that the output of their work is widely adopted on a voluntary basis across the distributed computing industry.

The DCIA is willing to create a new working group or to charge an existing one with responding to the concerns that the PTO report has uncovered as may be more precisely delineated during your upcoming Hearing. We look forward to working with the Committee in a productive manner on these issues in a way that will significantly benefit all of your constituencies.

We will contact your offices to follow-up after the Hearing. Thank you very much for your continued interest in our developing industry.

Respectfully,

Martin C. Lafferty
CEO, DCIA

CC: Committee on Oversight & Government Reform

The Honorable Tom Lantos
The Honorable Edolphus Towns
The Honorable Paul E. Kanjorski
The Honorable Carolyn B. Maloney,
The Honorable Elijah E. Cummings
The Honorable Dennis J. Kucinich
The Honorable Danny K. Davis
The Honorable John F. Tierney
The Honorable Wm. Lacy Clay
The Honorable Diane E. Watson
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The Honorable Virginia Foxx
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The Honorable Bill Sali

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