

# TPP Could ‘Undermine Health of Web’ Say 250+ Tech Companies and Digital Rights Groups

By [Deirdre Fulton, staff writer](#) | [Common Dreams](#)

*‘We simply cannot allow our policymakers to use secret trade negotiations to make digital policy for the 21st century,’ says Electronic Frontier Foundation*



“The Fast Track process actively silences the voices of Internet users, start-ups, and small tech companies,” say digital activists. (Photo: Backbone Campaign/flickr/cc)

More than 250 tech companies and digital rights organizations on Wednesday [sent a joint letter](#) to Congress, blasting the corporate-backed trade deal they say “actively silences the voices of Internet users, start-ups, and small tech companies...while undermining the health of the entire Web.”

The letter (embedded below)—whose signatories include AVG Technologies, DreamHost, Namecheap, Mediafire, Imgur, Internet Archive, BoingBoing, Piwik, Private Internet Access, and more than 200 others—calls on Congress to come out against Fast Track, or Trade Promotion Authority, which they say “legitimizes” the secret process under which mammoth trade pacts are negotiated.

“The Fast Track...process actively silences the voices of Internet users, start-ups, and small tech companies while giving the biggest players even more power to set policy that benefits a few select companies while undermining the health of the entire Web,” said Evan Greer, campaign director of the digital rights group Fight for the Future.

In particular, the letter expresses concerns about how the controversial Trans-Pacific Partnership—which it notes goes “far beyond the scope of traditional trade policy”—would impact everything from net neutrality to online freedom of expression to digital innovation.

“We simply cannot allow our policymakers to use secret trade negotiations to make digital policy for the 21st century,” said Maira Sutton, global policy analyst at the Electronic Frontier Foundation. “The TPP is a huge threat to the Internet and its users. Full stop.”

Leaked portions of the TPP agreement and the current Fast Track bill indicate “that no one is even considering the impact on the digital economy and digital rights,” added Mike Masnick, founder of the [Copia Institute](#), a new ‘digital-native’ think tank.

For example, the letter reads: “The TPP Investment Chapter contains text that would enable corporations to sue nations over democratic rules that allegedly harm expected profits. Companies can use this process to undermine U.S. rules like fair use, net neutrality, and others designed to protect the

free, open Internet and users' rights to free expression online."

David Heinemeier Hansson, partner at Basecamp and creator of the popular Ruby on Rails web development framework: "TPP makes a mockery of democratic legislative ideals. It's shrouded in secrecy exactly because it would wither in sunlight. It's a terrible piece of overreach to endow a few special interests with enormous and unsavory power. The whole thing needs to be scrapped and started over. International trade is too important to have it hitched to this collection of wishful thinking by a select few.

That such provisions have been crafted with minimal transparency should serve as a warning, said author and journalist Cory Doctorow, who declared: "Democracies make their laws in public, not in smoke-filled rooms. If TPP's backers truly believed that they were doing the people's work, they'd have invited the people into the room. The fact that they went to extreme, unprecedented measures to stop anyone from finding out what was going on—even going so far as to threaten Congress with jail if they spoke about it—tells you that this is something being done *to* Americans, not *for* Americans."

The full letter is embedded below:

**Dear Members of Congress,**

We write to you as a community representing thousands of our nation's innovators, entrepreneurs, job-creators, and users to express our concern over trade agreements such as the Trans-Pacific Partnership (TPP). Despite containing many provisions that go far beyond the scope of traditional trade policy, the public is kept in the dark as these deals continue to be negotiated behind closed doors with heavy influence from only a limited subset of stakeholders.

The recently-introduced Fast Track bill (the Bipartisan

Congressional Trade Priorities and Accountability Act of 2015, “the Bill”) would not remedy the utter lack of transparency of the negotiation process, nor does it include any language to ensure that these deals would contain safeguards to protect our interests in freedom of expression and innovation online. These are just some of our specific concerns we have:

\* Threats to Fair Use: The TPP contains language that could prevent countries from expanding exceptions and limitations to copyright. The Fast Track Bill also contains nothing to promote balance in copyright law. This is despite how much value fair use has added to the U.S. economy and could add for investors in the growing economies of our trading partners.

\* Expensive and Harmful Costs of Online Enforcement: U.S. law incentivizes online content providers to take down content over a mere allegation of infringement. The TPP will likely emulate these rules, continuing to make it expensive and onerous for startups and small companies to oversee users’ activities and process each takedown notice.

\* Criminalizing Journalism and Whistleblowing: TPP’s trade secrets provisions could make it a crime for people to reveal corporate wrongdoing “through a computer system.” The language is dangerously vague, and enables signatory countries to enact rules that would ban reporting on timely, critical issues affecting the public.

\* Investor-State Courts Jeopardize User Protections: The TPP Investment Chapter contains text that would enable corporations to sue nations over democratic rules that allegedly harm expected future profits. Companies can use this process to undermine U.S. rules like fair use, net neutrality, and others designed to protect the free, open Internet and users’ rights to free expression online.

Overall, the Bill would legitimize the secret process that has led to these provisions, while doing nothing to ensure that these agreements would enable lawmakers to work towards striking the right balance between the interests of copyright holders and those of users and innovators. As such, we urge you to come out against the Fast Track bill and call on your colleagues in Congress to do the same.

**Sincerely,**

2b1Inc

ACN Telecommunications & Energy

Adafruit Industries

Advanced Surfaces and Processes Inc.

Airborne Surfer Media

Aldine Publications, LLC

Alpine Travel Services

Archer Law Offices PC

art-efex.com

ArtsDigital.co

Astonishing Legends Productions, LLC

Atlantistechs

Automation Technology, Inc.

Autopia, Ltd

AVG Technologies

Babel Consulting, Inc.

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Baumhauerphoto.com

Bay Buys, LLC

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Bilerico Media LLC

Black Hills Computer Consulting, Inc.

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Butterflies & Blueberries, Inc  
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Civic Hall  
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Collaborative Design and Planning  
Comatose Podcast  
Computer Fix-It  
ComputerGiant Consulting, Inc.  
Concentric Sky, Inc.  
Connect Everywhere LLC  
CONTEMPL8 T-SHIRTS LLC  
Copia Institute  
crasstalk.com  
Create Your Health, LLC  
CREDO Mobile  
CTVotersCount.org  
Cultural Circle Poetry Workshops  
Curren Media Group  
Deskninja Studios LLC  
Disconnect  
DJs Computers  
Dobson Computer Svcs  
DreamHost  
Duct Tape Programming  
eCnet Solutions  
Eden Foods  
Edison Computers, Inc.  
Electronic Frontier Foundation  
Ellicottville Real Estate  
Engineered Fear, LLC

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ET Productions  
Euphonic Studio LLC  
EvoText Inc.  
Expri Communications LLC  
Extracto Enterprises (dba Extracto Coffee Roasters)  
Facture Studios  
FarSight Data Systems  
Fathom  
FDA Consulting, LLC  
Fight For the Future  
FIVELEAF IT, INC.  
Floorchan Networks  
Fun1schat  
Gamercredo  
GCP Design & Marketing  
Giganator games  
GlowHost.com, LLC  
Go2RIA INC  
Golden Frog  
GR KOMLETE PRODUCTIONS LLC.  
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Griffae Design, LLC  
GSM Nation  
Hackers/Founders  
Hacktron Technology Inc.  
Handmade Interactive LLC  
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Humblebee Media  
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Imgur  
Infinite Functions, Inc.

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Intelligent Solutions, LLC  
Internet Archive  
JJ Industry  
Juan Calvillo Photography  
JustPlainTV  
JWorks Studios  
Kaup Communications  
Kestrel Biologic  
KKI  
Knowledge Ecology International  
Koame Systems International  
KSER  
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Laurel Digital, LLC  
Liquid Mastering  
Local Loop Farms  
Local Wave Maker, LLC  
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MakeHartford  
Mangaden  
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Myrick Visual, LLC  
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Native American Films  
Nelson Specialties Co.  
Netcetera, Inc.  
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NY Tech Meetup  
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Phosphoros Media, LLC  
Piwik  
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Purple Sail Creative LLC  
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San Juan Update  
Satori  
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Sixth Sensitivity  
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