



The Directors Guild of America remains strongly opposed to the “Family Movie Act”, as this legislation will erode the nation’s copyright laws by permitting companies to market software that edits the content of films.

As the creators of films, directors oppose giving someone the legal ability to alter in any way they choose, for any purpose, and for profit, the content of a film that a director has made, often after many years of work.

Directors put their full vision and often years of hard work into the creation of a film. That film carries their name and reflects on their reputation. Their ability to have their names used to identify and market their films is of great economic consequence. No matter how many disclaimers are put on the film, it still carries the director’s name. So directors have great passion about protecting their work, which is their signature and brand identification, against unauthorized editing. They also have an abiding belief that contracts and the law will prevent others from illegally profiting from or altering their work.

This legislation is about much more than giving consumers a choice in what they watch and don't watch.

Unidentified employees of electronic editing companies make the choices of what is edited out of each film they review – it is their choices that govern and not the consumer's. They are marketing property - unauthorized edits to films - which they didn't conceive, didn't invest in and don't own – all without the consent or participation of the copyright owner and the director.

Regardless of what the authors of this legislation intend, the proposed exception to copyright protection could have far-reaching implications that cannot fully be comprehended today.

Although the authors of this legislation are pursuing the objective of permitting families to edit out age inappropriate material from films, once enacted, this erosion of copyright protection could be used for any purpose: for example, to change the political content of a film, to revise the historical record, to profit from abridged versions of films, even to make films dirtier. This kind of activity is precisely why our founding fathers envisioned copyright protection for creative works, and why Congress has created a system that protects those works. Amending the copyright law as proposed would allow companies to destroy someone else’s property rights and reputation, all in the name of profit. This is particularly troubling in a digital era, where creative works can so easily be destroyed or distorted by others.

This issue is not related to concerns about the decency of over air broadcast programs; children are not being unwittingly exposed to films with inappropriate content.

That is the purpose of the movie rating system; to distinguish the content of films and identify the appropriate audience for a film. Film directors are parents, and we assume that, like us, other parents will be guided by the ratings system and will make sure that children are not shown films that are not appropriate for them, and which the director did not intend for children to see.

Legislation is not needed because directors, as the creators of films, and studios, as the owner of the film copyright, have agreed to make airline versions of films available.

If the goal of this legislation is to make family friendly versions of films available to the viewing public, this legislation is not necessary because the studios, with the permission of movie directors, are in active settlement negotiations to license airline versions of films to electronic editing companies. Congress should not interfere with those negotiations by pursuing legislation that undermines the nation’s copyright laws.

In a recent editorial on film editing software, the *Salt Lake Tribune* said “...such filters don't let parents edit movies. They let parents rely on editing done by the people at ClearPlay...The matter is before the courts, and in negotiations. Congress should leave it there, at least for now. Meanwhile, the best bet for people who want to see a family-friendly movie is to go rent one. Unfiltered.”