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AFFECT

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FOR IMMEDIATE RELEASE

**Washington, D. C.:** The Americans for Fair Electronic Commerce Transactions (AFFECT), the national coalition opposing the Uniform Computer Information Transactions Act (UCITA), applauds the decision of the National Conference of Commissioners on Uniform State Laws (NCCUSL) not to spend any additional resources in promoting state adoptions of UCITA. The proposed legislation has been the subject of considerable controversy for a decade. NCCUSL was responsible for drafting the proposed uniform law to provide rules for licensing software and other computer information transactions. On Friday NCCUSL also announced that it would be discharging its Standby Drafting Committee for UCITA.

In response to President K. King Burnett's contention that UCITA failed even though it was the "right thing at the right time," Miriam Nisbet, President of AFFECT, commented, "UCITA's failure to take the state legislatures by storm was more than a matter of timing – it was the wrong act as well as the wrong time. We are quite pleased that the Conference has decided to expend no further energy on UCITA."

The decision made at this year's NCCUSL annual meeting recognizes UCITA's continued lack of acceptance by state legislatures. UCITA introductions in the Nevada and Oklahoma legislatures failed this year shortly after NCCUSL was unsuccessful in its effort to garner approval of the Act from the American Bar Association. Also this year, Vermont became the fourth state to take the unusual step of passing UCITA "bomb-shelter" provisions to protect their citizens from the long-arm reach of UCITA. Iowa voted to remove the sunset provision on its similar law that had passed in 2000. WV and NC enacted "bomb-shelter" provisions in 2001.

"It is heartening to see NCCUSL backing away from a very flawed statute, but it will never be able to write sound law for the information economy until it takes to heart the criticisms of the user sector," said Professor Jean Braucher of the University of Arizona College of Law. "The debate is not just 'politics.' There are fundamental policy problems with UCITA."

*AFFECT is a coalition of over sixty retail and manufacturing concerns, financial institutions, non-profits, consumer advocates, technology professionals and libraries that*

*has successfully opposed UCITA in the more than twenty states that have considered the act since 2000 since it was enacted in Virginia and Maryland.*