



## **PRESIDENTIAL AND LOCAL CANDIDATES TAKE STANCES ON NET NEUTRALITY, INTERNET PRIVACY ISSUES**

By Miriam Raftery

Should Google be allowed to control over 90 percent of Internet searches?

Assemblyman Joel Anderson (R-El Cajon), says no. He has sent a letter to California Attorney General Jerry Brown asking for an investigation into privacy implications of Yahoo's search-advertising deal with Google. The U.S. Justice Department is also scrutinizing the proposed transaction.

"The impact of such potential market concentration—in both Internet search and search advertising—left in the hands of one company...warrants rigorous scrutiny," Anderson said. "We must ensure that the proper consumer safeguards and transparency are put in place to protect privacy," he stated in the July 18 letter. "The ability to 'data mine' online behavior in order to find specific consumers interested in specific products is a big part of Google's revenue stream and business plan." Anderson warned that if the deal goes forward, Google would control more than 90% of all Internet searches, making it "impossible for any competitor to crack Google's stranglehold on Web advertising."

Yahoo assured the user privacy will be protected. "Any suggestion that Google and Yahoo are merging vast databases of personal information is simply false," a statement issued by Yahoo said, adding that the company will remove the last quarter of a searcher's Internet address before handing the search term over to Google.

Protecting Internet privacy and equal access to online content is becoming a largely bipartisan issue—with some notable exceptions.

Barack Obama, the Democratic presidential nominee, has promised that if elected, he will impose network neutrality mandates requiring that broadband providers such as AT&T and Comcast not discriminate among Internet users by blocking consumers from obtaining legally-allowed content on the Internet or other obstructive tactics. Obama said that network neutrality laws would create "a level playing field for whoever has the best ideas."

Republican presidential nominee John McCain, however, opposes network neutrality laws. “John McCain does not believe in prescriptive regulation like net neutrality,” a policy statement on his website states. “Rather, he believes that an open marketplace with a variety of consumer choices is the best deterrent against unfair practices.”

In Congress, Rep. Edward Markey (D-Mass.) is pushing for Congressional actions to strengthen online privacy protections. The concern is part of the broader Net Neutrality issue, which would assure everyone equal access to online content. Supporters of net neutrality often cite concerns over potential censorship of political or religious content. Even well-intentioned efforts to block sexual content have had unintended consequences, such as filters in libraries which have also blocked sites containing information on breast cancer and other women’s health issues. Another issue is carriers seeking to charge ‘premiums’ to consumers for faster broadband services.

In April 2006, a bipartisan coalition called SaveTheInternet.com collected more than 1.5 million signatures in two months, urging Congress to write net neutrality protections into law. The coalition had some strange bedfellows—including conservative groups such as Gun Owners of America and the Christian Coalition along with liberal groups such as MoveOn and People for the Ethical Treatment of Animals. Consumer protection and government reform organizations including Consumers Union and Common Cause also signed on. Even many Internet application companies have pledged support for Net Neutrality, including Microsoft, Ebay, YouTube, Amazon, and yes, Yahoo!

In response to the growing clamor for protection of free and equal access to information online, a coalition of big business interests (including AT&T, Cisco, and 3M) opposed to Net Neutrality has formed in partnership with conservative think tanks such as the Cato Institute to form a deceptively-named website called Hands Off the Internet, which in actuality opposes Net Neutrality and equal access for consumers. Hands Off might be more appropriately termed “Roadblocks on the Information Superhighway.”

The Internet Freedom and Nondiscrimination Act of 2006 would have made it a violation of antitrust laws for broadband providers to discriminate against web traffic by blocking or impairing content that is legal to view or by refusing to connect to other providers. That measure failed to win passage. A later bill, the communications Opportunity, Promotion and Enhancement Act of 2006, would have authorized fines for such violations. It passed the House but died following a Senate filibuster.

Anderson’s opponent for the 77th Assembly district seat, Democrat Ray Lutz, also supports internet privacy and net neutrality—but differs in his approach.

“On the larger issue of Internet freedom, net neutrality, and the like, we have to recognize that the US is lagging behind many other countries in terms of availability of the Internet, bandwidth, and computing throughput,” said Lutz, an electrical engineer who worked for high-tech industries in defense electronics, video entertainment, and chip design before founding his

own company, Cognisys, Inc. He views that lag as partly the result of “vested interests in the TV an entertainment industry that see the Internet as a daunting threat to their well being. If we actually give the Internet the capability we indeed could, television networks would find downloading of programs from the Internet to be a viable option for viewers, with the eventual elimination of their interruptive-advertising business model,” he added.

Lutz believes a “close eye needs to be kept on actions taken by these powerful vested interests to ensure that they don't take steps to further limit the availability of the Internet and high-speed connectivity just to preserve a fleeting business model.”

However, Lutz criticized his opponent for addressing a “silly technicality” to gain media coverage rather than broader privacy concerns. “Anderson was complaining that Google did not have the link to their privacy page clearly shown within one click, that is all,” Lutz observed. “His complaint had nothing to do with the actual privacy issues or privacy policies of Google.”

Another privacy issue revolves around the increasing use of live surveillance camera footage now available online. While programs such as Google Maps have proven useful for travelers’ seeking birds-eye views and for law enforcement seeking to monitor crime on public streets, Lutz cautioned that surveillance videos aired online do have the potential for abuse. “If we find that cameras are installed on the street for 7/24 surveillance of a street so that the activity of residents can be observed, then that is definitely going too far,” he suggested.

Nationally and in Sacramento, efforts to protect consumers’ rights on the Internet continue—and will likely heat up if more advocates of net neutrality and privacy protections are elected to the White House, Congress, and the State Legislature in November.