

MARKLE FOUNDATION
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MODERATOR-- IN A BROAD SENSE, WHAT IS THE SINGLE CHALLENGE THAT MUST BE MET IN THE NEXT TEN YEARS?

I have about three, and they are all about kind of vying for the biggest. I'll list three, and then we can figure out which one is the most important. I think the issue of accessibility to the Internet is a major issue, not just in terms of mobility but in also in terms of socioeconomic issues where people who may not come from an academic or technical background may find themselves shut out of the Internet.

MODERATOR--THAT'S ONE.

I think number two is that the Internet is almost certain to stratify in various ways. There is too much information and it is too disorganized right now. There is going to be some kind of an intellectual shakeout and I think that could be a cyanotic process or somewhat orderly one. I won't hear very many people talking about how to make it orderly; so it's like a chaotic. It's very easy to find information on the Internet is totally wrong. Actually wrong information can be disseminated rather quickly. Then I think the third issue is really making it ambiguous; making it possible to access the Internet; anywhere, anytime. I think this is particularly an issue for business. There are certainly parts of the world right now have difficulty making e-mail; much less to get on the Internet. Actually there are some parts of the world where it is easier to get on the Internet than to get e-mail.

MODERATOR--EASIER TO GET ON THE INTERNET THAN TO GET E-MAIL?

Yes, it may sound strange, but that's true. If you have a corporate system, the e-mail is within the corporation. Getting over the Internet and into . . .

Increasing, what we would like as a company and were far from unique; is to be able to have someone is on the road. Even at a customer's site, be able to access the full intranet of our company. There are some important technical challenges -- privacy, security that need to be addressed.

But what I'm saying is that increasing we want the intranet to become mobile, available and parts of it to become available to our customers. It used to be you were either in or out; you have a firewall when you're in or out. That is not going to work. I think we are going to end up with a coarse firewall if you will; but various customers have various privileges. Simply deciding who should be able to do what, when, from where, is also complicated and implementing it.

MODERATOR--SOUNDS COMPLICATED.

It's going to happen. Because what happens is everybody is getting very dependent on the intranet to get their job done and so a trip to Taiwan, for example.

MODERATOR--IS THE INTERNET WORLD SO DIFFERENT THAT IT REQUIRES A NEW SET OF RULES SEPARATE FROM THOSE IN THE OFF-LINE WORLD?

No. I think there are differences of scale.

MODERATOR--WHAT'S THE DIFFERENCE OF SCALE?

Well, for example, if I order something from Lands End or subscribe to a magazine, I can find myself on a bunch of mailing lists.

MODERATOR--THIS IS IN THE REAL WORLD?

In the non-Internet world. I can find myself on a bunch of mailing lists and I can, and I do, receive a great of stuff which I did not ask for and I don't want to get and it goes straight in the trash bag. Even the average letter that comes into my house now, gets thrown away unopened. On the Internet, it's possible for signing up on mailing list potentially to be distributed to many, many people, to whom can send you many, many messages. The Indies has a very low cost of sending these messages can become a major problem. I think spam really is an issue.

MODERATOR--WE HAVE A SPAM QUESTION LATER.

That's good.

MODERATOR--SO THE SCALE IS LARGER?

Potentially, the opportunity for malicious mischief is larger; but I think it's the same opportunities for malicious mischief.

MODERATOR--THE QUESTION WAS WHICH RULES; BUT WE'LL COME TO MORE RULES. GENERALLY SPEAKING, DO YOU THINK THE PUBLIC HAS MORE OR FEWER PROTECTIONS ON-LINE RATHER THAN OFF-LINE?

No, I don't know that I've had much protection at all from the spam that has arrived in my physical mailbox. As far as I can see, there seems to be a lot of fortunes involved in making extremely cheap companies to give me stuff, I don't want. I do feel that legally we have less legal protection on the Internet because there are national boundaries for us. On the other hand, I have certainly found a great deal of sympathy between ISPs and the technical community spam busting that I've ever found from Congress or the U.S. Post Office. I think somewhere, there is an answer to that question, I'm not sure that it's an easy yes or no.

MODERATOR-- GENERALLY SPEAKING, SHOULD THE PUBLIC HAVE A DIFFERENT LEVEL OF PROTECTION ON-LINE RELATIVE TO OFF-LINE?

Yeah, another example is telemarketing. I didn't mention that in the previous question. I think the issues are really fundamentally the same. I think it really comes down to the degree to which your personal space can be invaded by people. People who call you at dinnertime or people who fill up your mailbox.

MODERATOR—DOES PROTECTION ALSO APPLIES TO PROTECTION OF YOUR OWN ANONYMITY AND STUFF LIKE THAT? NOT JUST TO BEING INTRUDED BY OTHER MARKETERS?

The marketers who intrude on me are pretty anonymous. Did you ever ask one of them for their phone number or how to reach them?

MODERATOR--NO. DO YOU THINK THE PUBLIC UNDERSTANDS WHATEVER PROTECTIONS THEY HAVE?

Yes. I think this is a very interesting issue, I think. I think it's really large about our scale. If we were living in a paper and pencil age, and everybody I did business with; as they do, in fact; asked me to fill out something that has my address on it or telephone number. But the ability to someone or some third party to correlate all this information with pencil and paper or even on separate manifest would be very low. In the Internet age, it is quite awesome how much someone can find out about you if they chose to do so. Just even today. We don't seem to be moving in a direction to make that harder. That being said this is not something that I personally lose sleep over although there are some people who do.

MODERATOR--TO WHAT EXTENT DO YOU KNOW OR SENSE THAT PEOPLE ARE STAYING OFF THE INTERNET BECAUSE OF CONCERNS ABOUT ENTERING A NEW MEDIUM THAT HAS FEW REGULATIONS?

The people that I know who stay off the Internet, and I do know some, do so for, I think basically for two reasons. One of them has to do with the issue of having their children on the net. I think there really is some pretty dreadful stuff on the net and if my kids were of an age, I think I would be spending a lot of time and energy figuring out how to fill up in a sensible way. Letting them experience the power of the net. Damage is too strong of a term for some of this stuff, with some of the stuff that's there. I think that there are some parents that simply chose not to go that route. They figure the kids will get in school or library, to some extent, and they don't want them in their own home. I think the other group is people who are not particularly technical friendly and/or don't seem to have a strong need or desire to be on the net.

MODERATOR--WOULD THOSE BE FEARS OF A NEW MEDIUM WITH FEW REGULATIONS?

I think in the case of the children, yes. Although it is not clear to me that regulation has ever done much to combat pornography and some of the other stuff that goes on. There certainly is a sense that it's less regulated than the world at large.

MODERATOR--YOUR SECOND GROUP WOULD NOT BE BECAUSE IT'S LESS REGULATED, ITS BECAUSE LACK OF INTEREST.

Or perhaps a certain amount of fear.

I find myself actually getting a little irritated with my friends who don't have e-mail. The way that five years ago people communicated if you didn't have an answering machine.

MODERATOR--HERE ARE A BUNCH OF QUESTIONS ABOUT REGULATION. ON THE SUBJECT OF REGULATION YOU MAY BE WELL AWARE THAT FTC HAS ASKED CONGRESS TO GIVE IT AUTHORITY TO MAKE RULES ON INTERNET PRIVACY. HOW DO YOU VIEW THIS REQUEST?

Well, I think there is the matter of principle and the matter of practice. In principle, I think it's reasonable for the FTC to have some oversight. In practice, I am concerned that it may be a bit early in the life of the Internet to really understand both what is technically feasible and what is reasonable compromise. Because they are shutting the net down and making it very difficult for legitimate activities to take place on the Internet.

MODERATOR--YOU'RE DISTINGUISHING BETWEEN THEM GETTING THE AUTHORITY AND THEM THEN USING THE AUTHORITY.

In a sense, yes. I think also the Molder National basis of the Internet is going to make it extremely hard. What I fear, is that the FTC would put in some regulations that would harm legitimate business and wouldn't hurt the people who just simply goes to believes or something and set up a web site, ignore the whole thing.

I know I sound like the NRA on gun control; but nevertheless.

MODERATOR-- HAS SELF-REGULATION OF THE INTERNET WORKED?

I would say, on the whole, there are some areas that it's worked reasonably well. I think the spam situation has been largely self-regulation; I think it has worked pretty well. There have been very strong grass roots efforts to encourage web sites to post privacy policies; many of them have done so. I think the majority of the people who have posted policies, in fact, have followed them. I do know of a couple of cases where it's alleged they have them, but. I think there is a degree of awareness about privacy. I don't think that self-regulation has helped much in the area of pornography or inappropriate material sites; but I'm not sure that it can get in there. I think literally that would almost require worldwide effort. I'm not sure that U.S. could.

MODERATOR--WHAT IS YOUR REACTION TO THE FTC'S CLAIM THAT FEW COMPANIES ARE FOLLOWING THE AGENCIES VOLUNTARY INTERNET GUIDELINES?

Most of the companies that I do business with are.

MODERATOR--HOW MANY DO YOU DO BUSINESS WITH?

I would say the significant amount of business is probably one dozen in the Internet. This isn't counting companies that I do business with in the non-electronic world.

MODERATOR--THIS IS INTERNET BUSINESS WITH?

Yes.

MODERATOR--YOU THINK MOST OF THEM DO WHAT?

I think most of the businesses that I've patronized do have a privacy policy. I've looked at it in several cases and they all seem to be relatively similar and it's mostly that they don't do stuff behind your back. You have a chance to turn them off with the indicator. It's what it comes down too. There are ways to get yourself off mailing lists.

MODERATOR-- IF REGULATION GOVERNING THE INTERNET WERE TO INCREASE WHOM WOULD YOU TRUST TO MAKE THE RULES OR THE LAWS; PRIVATE SECTOR, WHICH WOULD INCLUDE DOT COMS AND ISPS; GOVERNMENT; FTC; STATES; CONGRESS; NON-PROFITS; ICANN; W3C. THIS IS A QUESTION OF WHOM YOU WOULD TRUST, THAT'S THE POINT HERE?

That's a very interesting question. I think on the whole, the group that I would trust the most is actually the technical fielding. My experience with government regulations, and especially those in new technology areas, the cryptography is a beautiful example. It has absolutely been an insanely stupid law, which has been on the books for decades.

MODERATOR-- WAS IT PASSED IN THE 70'S?

I think so yeah. It's just continuously hampered American industry without material and expected people to what they liked to address. I think some of the laws that have come down in telecommunications and Cable TV are similarly funded. By the time Congress gets around to noticing the phenomena that needs to be addressed. In addressing it in the Internet, the phenomenon has probably passed or mutated. It's like a virus, I think it can mutate faster than we can develop. The technical community for example in dealing with spam did show that they were able, for that matter, dealing with computer virus showing that they can mutate almost as quickly as the virus and can be effective through self-policing. Where I worry about the technical community is that I'm not sure they spend a lot of time thinking about their issues on personal privacy for example. I would almost trust the government a little bit more on deciding what needs to be done.

MODERATOR--WHAT ABOUT ICANN?

I don't know very much about ICANN.

MODERATOR-- IF A LAW MANDATED THAT INTERNET USERS COULD EASILY OPT OUT BY, FOR EXAMPLE, CHECKING A BOX BEFORE A SITE WOULD BE PERMITTED TO COLLECT AND SELL THEIR DATA, WHERE THE COOKIES INSERTED IN THEIR COMPUTER. WHO WOULD YOU WANT TO ENFORCE IT? DO YOU THE KNOW OPT-IN AND OPT-OUT?

You know, this is a funny thing. A lot of companies... let me sneak up on the answer to this question. A lot of companies in the traditional commercial world and a lot of user groups, technical organizations and so on have little boxes. These magazines have little boxes saying that they are going to send it to our advertisers. I believe that the organizations are not always very scrupulous in actually living up to what you checked on the box. I know that non-profits are not very scrupulous; I've had some actually some pretty good evidence that said they would not sell it and were at least obtained by for profit organizations. A friend of mine with a difficult to spell last name who manages to get his last name entered into databases on a remarkable number of different lawyers sent it out. He can actually track, pretty much who used his mailing list. It's been very interesting. In effect, nobody enforces these things today; but the actual fact is that if I know that somebody is doing this, I don't do business with them. It's sort of like using child labor in Malaysia. If the facts are known, I think the larger placement through a reasonably dub penalizes a company.

MODERATOR--DO YOU THINK THAT COMPANIES ON-LINE WILL BE HELD MORE ACCOUNTABLE?

No I don't think they will be held more accountable. I guess what I'm saying is that if there's knowledge, for example; this is right off the top of my head. If there were an independent organization that seeded company's mailing lists with fake names, the way magazine subscription people do. Then checked and printed, so and so used by name and they said it was okay.

MODERATOR--SEEDING THE THING WITH FAKE NAMES, I DON'T KNOW WHAT YOU MEAN.

I take the name in my . . . this is done for magazines and for . . . I make a name, Joe Smurf. I put it under the space with my address. It's in a mailing list of 50,000 names. Now, if I get a piece of mail addressed to Joe Smurf, then I am sure that somebody used that mailing list because that that's the only name that that name and addresses are associated.

This technique of seeding mailing lists is well know in the direct mail industry and it's similar to the way the map makers will introduce small errors; they will put extra wiggles and rivers and that sort of thing. So if somebody copies their map, they'll be able to prove copyright.

MODERATOR-- WE'RE WORKING UP TO THE IDEA OF WHAT? OPT-OUT, YOU FAVORED OPT-OUT.

I guess I'm saying that if there is reliable information available about which companies are violating the policy; that the market place will punish these companies pretty violently. The

consumers will be informed and that the right thing will happen depending on the nature of the violation and the companies response to it.

MODERATOR--HOW DO YOU FEEL THAT OPT-OUT VS. OPT-IN?

What I think should be the case is the...an individual should be able to register their privacy policy with their browser. If they don't want any cookies set ever, fine. If they want it set only from Amazon or eBay than fine. They should be able to register this and not have to redo it every time. Have it automatically, when visiting this site.

I think it's technically a completely feasible thing to do. I believe, I don't think the idea is disbarred; I think that there are people who can manage this proposal. Yes, this doesn't prevent a company from violating a policy. I guess it would prevent them from putting in your system if you didn't want it.

MODERATOR--HOW WOULD THE PRIVACY OF ANY OTHER THAN THE COOKIE BLOCKING BE IN YOUR BROWSER? LET'S SAY I HAVE THREE DIFFERENT SITES THAT THE BROWSER GOES TO AND THEY HAVE DIFFERENT LEVELS OF - THE BROWSER WOULD JUMBLE IT UP, IT WOULD ENCRYPT IT SOMEHOW?

Let's take an extreme example. Suppose I had to log into my browser and my browser knew all of my credit cards. The credit card information is not by company. There are some companies that will sell e-cash. I can give my credit card number to that company and get e-cash so that I can use the buy things. I don't think these companies have taken off because having lots of people need to have money is not a particularly delightful situation. If we standardize some cash, than I think it could be as anonymous as real cash. In effect, the browser might be able to function as your electronic wall.

MODERATOR--HOW WOULD THAT GET PAST OPT-OUT AND OPT-IN?

Because he would never give...

MODERATOR--THERE WOULD BE NO OPT ANYTHING.

Right, he would never give credit card information. Now if he wants somebody to send you something, I don't think there is anyway you can get away from telling him something.

MODERATOR--I THINK YOU'VE ALREADY ANSWERED THIS; BUT I WILL SAY IT AGAIN. WAS THE LOVE VIRUS SITUATION HANDLED CORRECTLY; AND IF NOT, WHAT WOULD YOU HAVE LIKED TO SEE HAPPEN?

I think that there was a technical flaw – there is a technical flaw in some of the Microsoft software big enough to exploit.

MODERATOR--VIRUS TRUST.

Yes.

MODERATOR--DISRUPTIVE?

Yes, security violation trust. The idea that your mailer can execute on your system and arbitrate programs sent from who knows where. Together with the fact that this arbitrate program can in fact your entire mailing list; this is – it really only takes one or two puffs to decide to deal with this. This is something that has been there. I've certainly seen, now I'm part of a technical community that is not typically great Microsoft fans. We felt that this was a problem with Microsoft software for years; generally speaking, Microsoft was not designed to be networked. If your PC had been sitting on your desk. It was other folks who did the additional networking and Microsoft even though, to the present day, has not understood, in my opinion, the consequences of attaching your computer to the Web and I don't think that we're talking – it's not that the particular changes in the particular programs are such a big thing, somebody needs to look at that system with an eye for security. If someone were malicious, it's the way that say you would call your local police in and they would walk around you house and say, this window is where a burglar would try to get in; make sure you have a strong lock on it. This door is too thin, put a deadbolt on it.

MODERATOR--SO YOU'RE SAYING THE WAY TO HANDLE THESE SITUATIONS, THE THREAT, IS FOR SOMEBODY TO REALLY VET THE MICROSOFT SOFTWARE SINCE THEY'RE SO DOMINANT.

I think it's to vet whatever software is used. I know that there has been a tense betting process that's gone on with Microsoft. Part of the reason why that has gone on is that the inner source has been widely available; it's impossible to understand exactly what goes on in the system. Academics, for example, if you're familiar with this can look at the program and decide. The fact that Microsoft is a secret makes it impossible, difficult or impossible to – and there are incentives to do so because you would not be able to make effective use of what you used. For example, fix a bug would be extremely difficult.

MODERATOR-- WHO WOULD YOU NOT WANT TO MAKING AND ENFORCING RULES TO GOVERN INTERNET AND WHY? FROM YOUR GUT, WHO WOULD YOU NOT WANT TO HAVE BE MAKING AND ENFORCING RULES FOR GOVERNMENTS AT THE INTERNET?

As I'm say, I'm suspicious of government's ability. I think their heart's in the right place. I think a fairly significant fraction of the laws and regulations that they put together don't work. I think the probability of the laws and regulations not working on the Internet, the situation is so new and changing so rapidly. I think the chances of it getting right are . . .

MODERATOR--DO YOU FEEL THERE IS NO GOVERNMENT ROLE IT JUST YOU DON'T THINK THEY ARE COMPETENT AND THEY CAN'T MOVE FAST ENOUGH?

Yeah. I think coming back to the hate pages of how to building a nuclear bomb page and the things that have fairly – if they were don't in a non-electronic world with the – I think quite rightfully considered to be illegal. Basically, equivalent shouting fire.

MODERATOR--AND THEREFORE, IT'S ALL RIGHT GOVERNMENT TO REGULATE THOSE, I DON'T FOLLOW.

I personally and certainly I as a parent and potential grandparent would like to see something done to keep things out of these sites until their of an age to be able to handle the material.

I'm concerned. Certainly anything that the U.S. Government put together by itself could be evaded simply by. . . You can buy the web site in South Africa over the Internet.

MODERATOR-- HOW MUCH DOES IT COST?

Peanuts. In the U.S., you can buy pretty good web site for \$10 per month with a \$30 registration; 20-30 megabytes a space. Over seas, it's even lower probably the connection is less. So anybody with a couple hundred bucks can put up a web site.

MODERATOR--WHO DO YOU THINK THE PUBLIC WANTS TO BE MAKING AND ENFORCING RULES TO GOVERN THE INTERNET?

I think the public will look to the government.

MODERATOR--WHY?

Because I don't know that there is anybody else that the public sees as an alternative.

MODERATOR--HOW DOES THE PUBLIC INTEREST INFLUENCE THE RULES THAT GOVERN THE INTERNET?

I sort of taxably was broken at that before. I believe there are some sites that, at the very least, should be restricted from being accessed by children.

MODERATOR--HOW DOES THE PUBLIC INTEREST INFLUENCE IT NOW?

I think there's an attempt for many people to read public interest. I think, in fact, there are many people who identify the public interest with the Internet in various ways. The lack of regulation that pitches a lot of the grow over rapidly is viewed as a big public benefit and economic benefit from the people. I think many people go ahead and use this as justification to doing what they please. But that is what it's always been. That point of view is not unique to the Internet; it's been around for centuries. I think the main post that I've seen of pressure is really around the issue of children. People go into libraries and put screen programs on.

MODERATOR--HOW ABOUT THE INTERNET INFRASTRUCTURE? DOES THE PUBLIC INFLUENCE ITS RULES AND STANDARDS? ON THIS ISSUE THAT YOU'RE

TALKING ABOUT, THERE HAS BEEN SOME INFLUENCE, WHICH IT SHOULD HAVE THAT KIND OF INFLUENCE. THE ANSWER IS YES. WHEN YOU MAKE DECISIONS ABOUT THE INTERNET ON A DAY-TO-DAY BASIS, DO YOU CONSIDER WHAT THE PUBLIC WANTS?

That's a very interesting question. On some level, any company that's in business needs to consider what its customers want and eventually that ends up being what the public wants. If your selling to manufacturers who sell to manufacturer, etc. eventually the public can be pretty far removed. Certainly, in our environment and I think it's true with lots of people involved. We really not all that relevant for the public. To some extent, I think our company, I'm sure this is true, is that even though we make computer chips, ultimately we are going to rely on millions of people buying devices that have these chips in them. We spend a lot of time thinking about what our chartered customers want. In that sense, yes, we are connected with what the public needs. Now, the problem, of course, is that were not necessarily connected with the less affluent part of the public. I think that's, as I mentioned, in answer to the first question that's an area of some concern.

MODERATOR-- HOW DOES THAT ENTER INTO YOUR THOUGHT PROCESS WHILE YOUR DOING YOUR JOB?

I think it enters in several ways. One is, because to the extent that there is discretion digital, there will be certain ability and market for certain kinds of devices. For example, web pads, what they will cost on the Internet and that happens to be an area that we're in. We just had an announcement; we're dealing with Gateway and AOL to work with us. Our interest in this has to do with its commercial viability. We are a start up company with community shipped product and I think that we may be –five years.

MODERATOR--WHAT COULD MOTIVATE THE PUBLIC TO PAY MORE ATTENTION TO WHO GOVERNS IT OR TAKE A BIGGER ROLE IN GOVERNING IT?

I think this is a really good question. I may be a little cynical, but my view is that the public tends to be on a spectrum of issues tends to be addressed in some form of panic. A major virus attack that brought down the whole Internet would probably the 12:00 news. On the other hand, having said that, the fact is the Love Bug and some of these other viruses are pretty serious attacks. I haven't heard a huge collimator from the public or congress that fix them past laws. I have seen the private sector, the virus-protecting program and all putting in 48-hour days and very rapidly coming up with counter-measures. I've seen the media act very responsibly in letting people know there's a problem...people were looking for government to take a hand and find the perpetrators. Not necessarily for Congress to pass laws.

MODERATOR--I THINK THE QUESTION SORT OF ASSUMES THAT THERE COULD BE A SCENARIO IN THE FUTURE IN WHICH THE PUBLIC IS MORE ACTIVE ON GOVERNMENT DECISIONS AND SO I THINK WE'RE JUST TRYING TO THINK OF HOW THAT COULD COME ABOUT.

The Internet was way back ten years now, was a major wakeup call for people. I believe there was more stirring about laws being past. I personally think in that particular days was overkill; but it was the first and they were trying to make it a strong point. I think they actually made a strong point.

MODERATOR-- I WOULD LIKE TO TURN PROTECTIONS OF PEOPLE RIGHTS AND CONFIDENTIALITY ON-LINE. SPEAKING FOR YOURSELF WHEN YOU VISIT SITES ON THE WEB. WHAT ARE THINGS YOU LOOK FOR IN A PRIVACY NOTICE OR CONTRACT?

I would be the first to tell you that I don't read them word for word and the lawyers are. I have the sense, since most of the sites I visit, I do business with are fairly large and well known. bricks and mortar companies that I access electronically; I've known companies for the larger .com companies, like Amazon. I guess, I've accorded these companies a degree of trust based on my experience with them. For example, Amazon sends me e-mail with advertisements, which ordinarily is something that really pisses me off; but they do it extremely well. They actually send me notices about things that I'm, in fact, interested in. I would almost be prepared to grant them an exception to a general don't send me anything.

MODERATOR--THERE ARE GROUPS THAT PROVIDE THEIR STAMP OF APPROVAL THAT A WEB SITE IS SECURE, WHICH DO YOU THINK SERVES THE PUBLIC BEST. TRUSTe, BETTER BUSINESS BUREAUS; AND THE OTHERS.

They have not played large role in mine. I guess my feeling about any credit card kind of situation that there is a possibility that my credit card will be compromised. It can be compromised by my losing it by an employee in a restaurant. I've recently had a situation; I rented a truck for a day and two charges on my credit card. The guy hit and re-ran the thing twice and I ended up renting somebody else's truck also. I was able to get this straightened but, I had to go into the business with a receipt, it was not a fun situation. The company was reputable and I was able to address it.

MODERATOR--GOOD HOUSEKEEPING SEALS OF APPROVAL – DO YOU HAVE ANY SENSE OF ANYBODY SERVING THE PUBLIC BETTER THAN ANY OTHER OF THESE SEALS TRUSTe OR BETTER BUSINESS BUREAU?

No I don't have a sense of any one of those organizations. If I did some sort of a search that said I want to buy X,Y, Z and I want the cheapest price I can get. Up came a company I never heard of and offered to take this price. I believe that knowing that this company had some kind of approval from an organization, for example; they were operating out of somebody's closet in a country that had no typical laws, that sort of thing, that would make me feel better about using the site.

MODERATOR--WHEN YOU GO ON-LINE HOW MUCH RELATIVE WEIGHT DO YOU PLACE ON CONVENIENCE AND PRIVACY? IF YOU HAVE TO CLICK THROUGH ONE OR MORE PRIVACY NOTICES WHEN ENTERING A SITE OR AGREE TO CONTRACTS

WHEN IT'S ONLY SOFTWARE. HOW FREQUENTLY AND THOROUGHLY IF EVER DO YOU READ THEM?

I don't like logging onto sites. I treat that as somewhat of a necessary evil. I personally have automatic log in from the sites I do business with.

MODERATOR--IF YOU WERE TRADING STOCKS, WHICH YOU READ THE PRIVACY STATEMENT BEFORE YOU WENT AHEAD?

I don't know that that would be much different. I doubt that I would ever trade enough money in stock electronically.

MODERATOR--IF YOU WERE LOOKING FOR MEDICINES AND BUYING PRESCRIPTIONS WOULD YOU READ A PRIVACY STATEMENT?

That's an area in which I've been changing my mind a little bit. It would depend on what I was ordering. If I was ordering anti-depressant drugs or cancer drugs; probably yes. If I'm ordering vitamins or aspirin probably no.

MODERATOR--HAVE YOU EVER DECIDED NOT TO MAKE A TRANSACTION OR PROVIDE PERSONAL INFORMATION BECAUSE OF A PRIVACY STATEMENT?

I have aborted transactions of sites. I've done so in a couple of cases. One thing I actually used over the last several years, probably half a dozen travel agency type places. I've certainly aborted transactions on some of these places because I got a sense that the site or stopped using the site because I had a sense that the site was poorly run. I don't think privacy per say was one of the things that came up for me.

I think some of the poorly run is either poorly designed; gee have they ever bought an airline ticket. Don't they understand or it's poorly executed. The same way as if I walked into a store and I noticed that the window hadn't been washed in several days. I would be less likely . . .

MODERATOR--DO YOU THINK THE PUBLIC LOOKS AT OR UNDERSTANDS PRIVACY STATEMENTS AND CONTRACTS?

I think that they're coming to. Not much, I felt in the last two or three months that there has been a significant, recently in the technical community become a much more.

MODERATOR--AMONG YOUR COLLEAGUES? WHY?

I think people are more aware. We had a privacy statement on our web site from the day we went live. On the other hand, I believe neither ACM or EEE had one a couple years ago, I think they do now.

MODERATOR--DO YOU THINK PRIVACY STATEMENTS SHOULD BE MANDATORY?

Here again, this is the kind of thing that I would be inclined to address very subtly. I'm against anything that makes it hard for somebody to start a business and this is one of the rules and regulations that I could see making it hard for people to start a business. I think someone who didn't post a privacy statement – in practice, I think there are now companies that basically set you up to do credit card collection and have fraud detection that they market free on your site.

MODERATOR-- WHEN THE SITE COMPANY MAKES A DEAL WITH THE CREDIT CARD COLLECTOR, WHO INHERITS WHAT?

I'm saying that the credit card collector company will be the one to have the privacy statement because that's where it would apply. I would expect they would be in a good position to encourage the offering company to inherit that privacy statement.

MODERATOR--SHOULD LAWS BE ENACTED TO PUT LIMIT ON SPAM? YOU CAN HAVE ONE PARTNER NOT PARTY TO THE PRIVACY AND THE OTHER PARTY A PARTY TO IT.

I can certainly imagine a model when it doesn't go to both places. Where you have a fulfillment house . . . From a legal liability standpoint, if I can do business by manufacturing something and sending a bunch of stuff to a fulfillment house and let them handle the credit card information and never let it near my site, I would be in a much better situation. The consumer might be better off too, the people who would be running the fulfillment house would have a very strong vested interest in making sure that the . . .

MODERATOR--SHOULD LAWS BE ENACTED TO PUT LIMITS ON SPAM?

No, I really don't know how to do that. I know that people have been trying to put together spam filters and I have seen completely legitimate messages get filtered out silently with no understanding. If a computer user organization sent e-mail to too many people at one site, they triggered off a spam and I've actually had people send e-mail to organizations saying we're about to declare you a spammer because you did A, B, C and D. In many cases, it was not only done very innocently, but basically what happens then is the organization negotiates with the people. It's very tricky business. The way that the junk mail list works is that if you're on the junk mail list and somebody sends you unsolicited mail. Basically, they are liable to pay a significant fine, I think its \$600; however, it's all right to receive mail from companies within your legitimately run business.

MODERATOR--I ORDER SOMETHING FROM A CATALOGUE, I'D LIKE TO BE ABLE TO RECEIVE IT; BUT THEN I GET NOT ONLY THAT CATALOG FOREVER; BUT I GET THREE RELATED CATALOGS THAT ARE OWNED BY SAME COMPANY; THEY SHARE THEIR LIST. IT'S HARD TO SAY THAT THAT'S SPAM.

Publishers Clearing House that kind of stuff, everybody on the route get it's has been legal in the U.S. forever. In fact, the postal rates are set so as to make it economically attractive. I don't know anybody who likes getting those things. It creates a considerable ecological problem.

The best law that I could see would be something that was similar to what was done with junk mail; I think that law doesn't work very well.

MODERATOR-- THERE HAS BEEN SOME TALK ABOUT ELIMINATING ANONYMITY ON THE INTERNET; SO AT THE MINIMUM WEB ACTIVITY COULD BE TRACED TO A SPECIFIC PERSON. WHAT IS YOUR OPINION ON THIS ISSUE?

That's a very interesting question and one that I've actually done a fair amount of thinking about. I'll give you a long answer. Why would you want to be anonymous on the net? Well, I have known people for example who were abused as children, who suffer from recovering alcoholic or recovering drug addicts. People who are gay and living in the Midwest who have found chat rooms that kind of thing where they could discuss their situations freely. There could be various kinds of real or imagined disadvantages to their becoming known. This is your insurance company and they found out that you logged into a Cancer Support chatroom, deny you request for insurance and that sort of thing. Where he might be doing it because your mother has Cancer. I think it's actually very difficult to be truly anonymous on the web. Let me talk about other group that has legitimate desire for privacy. There is a very interesting group of people that I stumbled into entirely by accident but it numbers in the 5 to 10,000 ranges there. These are people who actually keep journals of their lives on the web. Many of these people are inspiring writers. Some of them are journalists, saying they're someone else; some of them have cameras and post pictures and so on. Virtually all of them use studio names because they don't want their co-workers. They don't want, for example, information about them and the details of their lives to show up on the Internet search.

MODERATOR--THIS IS A CASE FOR THESE PEOPLE BEING ANONYMOUS; ARE YOU SAYING YOU DON'T HAVE A CASE FOR THE WHOLE PUBLIC STAYING ANONYMOUS AND TRYING TO INSURANCE THAT'S THE CASE? IS IT GOING TO SAY THAT THERE CELLS OF ANONYMITY THAT SHOULD BE PROTECTED; BUT EVERYBODY ELSE IS NO ANONYMITY?

I guess the way I would feel the most comfortable with if it were similar to a wiretap kind of situation where you have an expectation of anonymity but with appropriate control the anonymity can be broken. I believe that is very similar to what happens today. I believe that it is possible for somebody to get a court order and go to AOL I want anonymity on a particular chat room at such a such a time was and AOL can, in fact, find out. I think that's a fine protection of the notion that you can figure out who started the Melissa virus because there was an audit trail. I think that technically that will be tough. It can be done right now, it could be made easier than it is; and I think it will be made easier than it is because there are an awful lot of people who are damaged by this thing.

MODERATOR--THAT ALONE, IS A FORCE TO MAKE IT EASIER TO FIND ANYBODY BECAUSE ANYBODY COULD START IT.

Yes.

MODERATOR--IS THAT WHERE YOU THINK THIS IS GOING TOWARDS THE ANONYMITY ON EVERYBODY?

Yes. You see my problem with this is that I don't – because of the global nature that I'm in. We're back in a situation where if you ask someone along, it won't apply to somebody in France. It would be necessary to have the same kind of interlocking policing and legal situations that you have let's say with the laws about drug dealing. It's possible to go after people who transport drugs across national borders.

MODERATOR--WOULD IT BE DESIRABLE TO TRADE OFF ANONYMITY FOR MORE ACCOUNTABILITY? YOU'RE SAYING THE ACCOUNTABILITY TO FIND THE PERPETRATOR OF BAD STUFF IS DESIRABLE. DO YOU THINK THE PUBLIC WOULD BE WILLING TO TRADE OFF THEIR ANONYMITY FOR MORE ACCOUNTABILITY ON THE INTERNET?

I think the question is. You're looking at it as if you're anonymous or not anonymous. I guess what I'm saying is that you are very anonymous in the sense that it takes a heroic effort by many people to track you down under certain circumstances. It has been done. They did find that a person from the slums, whomever set off the Melissa virus or Love Bug; but it, was a very large effort. I think that there is going to be some economic reasons to make it less heroic an effort; but I don't think it's ever going to get so easy that they ordinary day person in Kansas need really be upset about it. I think the things that could make it easier would be the government coming around and requiring that everybody use their real name. I think that would cause a bunch of these small situations to blow away or go off shore.

MODERATOR-- WHAT COULD HAPPEN ON THE INTERNET TO MOTIVATE THE PUBLIC TO PAY MORE ATTENTION?

If the net went down for a week, the trouble that the cyber terrorist, a number of people who did the denial service; a number of denial service attacks has been PC replied.

Let's put it this way, if I were going to launch an attack on another country, I think that I would definitely confuse that country's communication system if possible. I think the opportunity could do on the Internet is a virus.

MODERATOR--CONFUSE IT?

Destroy it or cause it to be unreliable or non-functional. I would be very surprised to hear what the people in the military who are concerned about that being done to us and figuring out how to do that to other people.

MODERATOR--THANK YOU.

(end of session)