

MARKLE FOUNDATION
IDI #8
TECHNOLOGY COMPANY SENIOR MANAGER
JUNE 2, 2000

MODERATOR—WHEN YOU THINK ABOUT THE INTERNET, WHAT IS THE BIGGEST CHALLENGE THAT MUST BE MET IN THE NEXT TEN YEARS.

From my point of view there's the risk of massive privatization in the sense of the Internet becoming very much like the television network in the United States. Instead of becoming a tool for the public benefit, becoming primarily a tool for the conveyance of commercial advertising, commercial messages and the like.

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

No, I don't think so. There's this debate about trademarks and domain names. And I for one have not seen any need for any new approach in that area. Other than the fact that we are seeing nation states are loading and we do need some degree of international alignment of work. Which will be pretty hard. The basic premise is, the way we run our society shouldn't change very much. Our basic values should remain the same. Of course we're going to have the collisions between values in different places. For example I have noticed a significant difference in the perception of the word 'democracy.' Between the people in the United States and the people in Europe. I mean, for example, the United States is strong value, the John Wayne type person, the strong individual who gets up there, or Mr. Smith goes to Washington and challenges the institutions and does it successfully. Whereas the Europeans seem to be more of a institutional type approach. Where democracy is performed via intermediary representative bodies. And we will have collisions in that sense.

MODERATOR—GENERALLY SPEAKING, IN REGARDS TO THE PUBLIC, DO YOU THINK THEY THINK THEY HAVE MORE PROTECTIONS ON-LINE OR OFF-LINE?

Fewer. Fewer protections on-line. On legal protections I believe are the same because of the fact that one doesn't typically doesn't have a good handle on where the corresponding party is physically. And jurisdictional issues. The main reason I say less is because people don't understand how it works. For example when one is doing a web-based purchase on the Internet, most people, even the so-called experts, don't understand all the gears and moving parts that are involved. And there are quite a few pieces besides you talking to your web browser or ultimate server that is doing something. There's routing, there's transparent caches, there's all kinds of technology. All kinds of different companies involved.

MODERATOR—DO THEY NEED TO ACTUALLY UNDERSTAND IT?

Somebody has to.

MODERATOR—DOES THE PUBLIC, THE BUYER, NEED TO UNDERSTAND IT?

The people who act on behalf of the buyers don't. You won't be able to find a district attorney acting on behalf of the public who even understands this.

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

I don't really know, I've been involved with the Internet for so long that I can't conceive of one living without it.

MODERATOR—SO YOU DON'T KNOW ANYBODY THAT'S STAYING OFF THE INTERNET?

Even my grandmother has sent me email, she's 90-some odd years old.

MODERATOR—YOU DON'T KNOW ANYBODY THAT'S DETERRED?

I don't know anybody that's being deterred.

MODERATOR—MAYBE THEY'RE NOT CONCERNED.

Well more deterrence I've seen recently, these viruses attacking people than privacy or security. The viruses, there's been so much press over it. And these things have been destructive. Somebody that has just put their check book on-line, they're going to be very nervous.

MODERATOR—THE FTC HAS ASKED CONGRESS TO GIVE IT AUTHORITY TO MAKE RULES ON INTERNET PRIVACY. HOW DO YOU VIEW THIS REQUEST?

I haven't thought much about it. My first response to this, to respect to the federal government doing privacy actions, is that, the federal government has done a very poor job of obeying the privacy laws that are on the books. For example the privacy act of the 1974. The case I'm most familiar with is, there's a database called 'who database' which consists of several millions names, addresses, phone numbers, company affiliations. And it has to be kept up to date. So it's a wonderful marketing vehicle. The government paid to have it built. Cyber subcontractor. And I filed a privacy act claim against the National Science Foundation saying, hey, am I in there? And they said, that's not our database. It's their property. I've seen at least in the Internet context the government just being woefully unwilling to obey the privacy laws on the books today. And hence I am very skeptical of why anyone should believe they will have any stronger push to have real privacy.

MODERATOR—SELF-REGULATION OF THE INTERNET - WHERE HAS IT FAILED?

I want to go back to the previous one for a minute. One thing about my web site is that it has a privacy statement there. People tell me it's the most honest privacy statement on the net. Because it says, we at [interviewee's company name], we don't protect privacy at all. I collect all the standard logs that the standard browsers collect and I look at them for the purposes of

security penetrations. I find them positively boring. The logs. I make no promises. Therefore, if you're not concerned about your privacy, don't depend on me acting out of my own beneficence. If you really want privacy, you have to get it legislated into law.

MODERATOR—LET'S GO TO SELF-REGULATION. HAS IT WORKED OR HAS IT FAILED?

I believe it has failed miserably. Let's look at the various ways. And this goes back to people not knowing how the net is handling their transactions. For example everybody knows about the old Glotus CD they tried to publish. This is quite a few years ago. There was a public uproar and they backed off. But the data is still there, it was never destroyed. We have cases like Doubleclick, collecting lots of data on how people operate. The whole intent of this is whether Doubleclick or some other company, what is it, Aristotle? Some of these companies. The whole intent is to pay for a lot of the low cost Internet access through advertising. And advertising works best if it is focused on the individual who is viewing it. Therefore you need the demographics of the individual. So there is enormous pressure to take this use information. And it can be gathered not just by your site that is running Doubleclick. But all the intermediaries on path can collect this information. For example I know someone who is coming in to the Internet through an ISP, one of those baby bells. An ISP that happens to be operated by one of the Baby Bells. But we discovered they have what is called a transparent web cache. That intercepts all web queries and reinterprets them. But along the way it also can monitor the access. Even though the ultimate has a strong privacy policy. This intermediary box is not necessarily protecting anybody's privacy. It is collecting everything, everything you do goes through it. It can collect a complete trail of your web access.

MODERATOR—BECAUSE THE PRIVACY STATEMENT ONLY APPLIES TO WHERE IT GOES? TO THE ULTIMATE SITE, WHICH IS WHERE, THE ISP SERVER?

Let's say I was on Amazon buying books. And I was on and they had this rock solid privacy policy. My transaction is going through this intermediary. And usually it's only the ultimate purchase with your credit card that goes through a secure and encrypted link. All the rest of the trail goes through this intermediary box operated by an ISP. This doesn't have to be but it is frequently the case. Where there's the intermediary box it's essentially invading your track record. And it can look at your record.

MODERATOR—AND THE OSTENSIBLE ROLE OF THIS BOX IS TO IMPROVE THE FLOW?

Generally we're hauling a lot of repetitive traffic. All those pictures coming over, the same picture over and over again, text often doesn't change. Everybody looks at the weather report, it's not going to change for the next hour or two.

MODERATOR—BUT IT RE-LOADS IT ALL THE TIME...

Yeah, the typical web thing, things get re-loaded. There's a lot of expiration data that very few people really use it. So ISP's have installed these intermediary things called web caches. Cisco

builds them. There are also so-called invisible ones. Both of these like I said are intermediaries. They intercept the traffic. They look at it. They log it. They can store it. It's a place where your privacy can be invaded where your profile can be constructed.

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

Oh I haven't actually looked at those guidelines. I do purchases over the Internet. Basically I say, this information is already leaked. My wife runs a company. And as far as I know no one has ever contacted her saying, here are the privacy guidelines.

MODERATOR—IF REGULATION GOVERNING THE INTERNET WERE TO INCREASE WHOM WOULD YOU TRUST TO MAKE THE LAWS? PRIVATE SECTOR, STATE GOVERNMENT, CONGRESS, OR ICANN, OR W3C?

Well definitely not W3C. No I don't trust anyone. As much as people express distrust of government, of that list, I trust government, Congress the most. Not the executive branch, but Congress. The reason being is, it is the system over these thousands of years evolved to do this job. Yes it smells bad. Yes it is subject to influence. But you know what, it's got all these safeguards built in to it. It's got strong review. It at least has elections. It has some degree of openness. It has some degree of record keeping. It also has enforcement through the state mechanisms. It's got all the pieces. All those others that you read off tend to be, or has either the primary interest is the state from protecting the privacy of individuals or consumers or whomever they're trying to protect. Or it has built in instability such as the organization that creates the rules also enforces the rule. As in the case of ICANN. Or it simply doesn't understand how to be inclusive of the broad interests of society, which is like W3C. You don't need a technocracy here.

MODERATOR—IF THERE WERE A LAW THAT MANDATED THAT INTERNET USERS COULD EASILY OPT-OUT BY CHECKING A BOX BEFORE A SITE COULD COLLECT AND SELL YOUR PERSONAL DATA OR COOKIES GENERATED BY THEIR COMPUTER, WHO WOULD YOU WANT TO ENFORCE THE OPT-OUT?

First of all cookies are not generated by a person's computer, they're generated by the site. If I had opt-out from a web site, I don't like, I prefer opt-in. I don't like opt-out. Because, how many web sites am I actually using when I go to one page. When you look at what you get, quite frequently the web page you get is composed of many distinct sites. Especially if they're using something like Doubleclick where things are being generated from all over the Net. Remember there are always intermediaries going on as well. And they don't put any visible thing up on the screen.

MODERATOR—SO YOU WANT OPT IN, THE PERSON HAS TO OPT-IN IN ORDER TO DO IT AT ALL. RIGHT. AND THAT'S WHAT THE COMPANIES DON'T WANT.

Right, and the marketing list would be much smaller. This means that the Internet is going to be more expensive. Because if the advertising is paying for the low end use, essentially, see the 995 user is a special class of users who are being highly subsidized by advertisers. But these people, these low-end, are going to find the subsidy has gone away and eventually they'll have to pay more money, privacy does cost money.

MODERATOR—REGARDING THE LOVE VIRUS SITUATION, WAS IT HANDLED CORRECTLY?

I think it was handled beautifully. I tend to use Unix. And there was a joke that went around, the Unix version of the 'I Love You' virus. Which was, please become super user and randomly remove files. It was an honor system virus. Basically the reason we have the love you virus is we have a culture of email readers that automatically launch incoming stuff. Automatically launching executables that came from the outside is basically a very stupid thing to do.

MODERATOR—SO IT WAS HANDLED BEAUTIFULLY IN WHAT SENSE?

The basic mechanism that caused it to be possible was based on pure stupidity. However the infrastructure that has been built up since the Melissa virus and the like. With the newspapers and the press and the distribution on-line and off-line and the Symantec and other companies. The fact that this virus exists can get out to the public so fast that a disaster can be somewhat diverted. This could have been really bad. And it wasn't that bad because, within hours the news spread around the world. Just turn off the automatic execution in Outlook, which stops it. So people were already forewarned. Of course, the people who were hurt were the one's who were most vulnerable, the mom and pop users. They don't have proper backups.

MODERATOR—WOULD YOU SEE ANY ROLE FOR ANY REGULATOR OR AUTHORITY TO TRY TO PROTECT MOM AND POPS AND THOSE THAT ARE MOST VULNERABLE?

That's a tough question. Because on the one hand the government is trying, the US government is trying to make sure everyone is identified on the net. The purposes of policing the net, these things are violations of the law. These people are really bad people, ought to be punished. To be an effective police force, having ways to trace back the traffic are extraordinarily important. But on the other hand, we do need, the Internet if we don't treat it as a commercial medium but as a medium for people to express political thought or whatever do need a means to be anonymous, to be private, to do things in secret. And it's a classical balance between police state and individual rights.

MODERATOR—BUT YOU'RE SAYING IF IT EVOLVES AS A PUBLIC MEDIUM AND NOT A COMMERCIAL MEDIUM IT NEEDS A POLICE FORCE OF SOME KIND?

Some kind of police force. There's this federal law COLEA, which requires that people in networks provide means of wire tapping into it. And the IHF was asked to provide hooks into the protocols to do that. And they said, no way. For there to be effective policing we do need such mechanisms. How big these mechanisms and how intrusive they are is really the issue.

MODERATOR—WHO WOULD YOU DEFINITELY NOT WANT TO MAKING AND ENFORCING RULES TO GOVERN THE INTERNET AND WHY?

This gets down to who do you trust. And I don't know. Certainly in the current executive branch administration, I don't trust them to protect privacy. Again I trust congress to enact laws. I don't trust the content providers to do that. They've gone overboard trying to trace people. The answer to your question is, I do not know.

MODERATOR—WHO DO YOU THINK THE PUBLIC WANTS TO BE MAKING AND ENFORCING THE RULES?

I don't think there is 'the public' that is well educated to make these kinds of decisions yet.

MODERATOR—HOW DOES THE PUBLIC INTEREST IN PRESENT TIME INFLUENCE THE RULES THAT GOVERN THE INTERNET?

Public interest organizations are just beginning to get organized. The Nader cause type organizations are starting to get involved. Some of them seem to have sold their souls.

MODERATOR—SUCH AS WHOM?

I'm thinking EFF, I'm not sure. Has bargained away their right. I can't site explicit instances. They've agreed that certain provisions, policing and protection, are legitimate, that are really quite intrusive. There are groups like TRUSTe and groups like that.

MODERATOR—HOW MUCH OF A ROLE SHOULD THE PUBLIC INTEREST SHOULD HAVE?

I think it should be very, very high.

MODERATOR—HOW MUCH HIGHER THAN IT IS NOW?

Oh orders of magnitude. I think there needs to be strong public advocacy. People who speak on behalf of the mom and pops. And those who don't know what their interests are. The reasons are, I don't like the idea of people speaking on behalf of other people. But I think it's very much necessary because we're very much in a future shock scenario. So many people don't understand what is being done to them or happening to them. And the organized groups, as we've seen with the recording companies, with movie companies, with DVDs are extremely well organized. Or getting very well organized. And in this vacuum of opposition they're getting away.

MODERATOR—PUBLIC EDUCATION FOR EXAMPLE. I MEAN IF YOU HAVE A PUBLIC THAT DOESN'T UNDERSTAND WHAT'S GOING ON AND THEREFORE YOU HAVE PUBLIC INTEREST GROUPS AND YOU WANT A VOICE THAT IS A MAGNITUDE HIGHER, WHAT'S YOUR THOUGHT THERE?

Our world is so technology oriented today. That if everybody was publicly educated about all the technologies that affect them, they wouldn't have time to do anything else in their life. For example I don't know how airplanes work in detail. I trust some advocacy group that there is proper maintenance done. I shouldn't say the Internet is different than that.

MODERATOR—HOW ABOUT THE INTERNET'S INFRASTRUCTURE, DOES THE PUBLIC INFLUENCE ITS RULES AND STANDARDS, SHOULD IT HAVE THAT KIND OF INFLUENCE?

A lot depends on what we want the Internet to be. Do we want it to be a lifeline service like the telephone system? Do I want to be able to depend on the Internet, I have fallen and I can't get up? If we say yes to that question, then we have to, we're going to have to do a lot of things to ensure that is far more reliable. Far more available. Far more universal than it is today. The reliability of the phone system is just amazing. The Internet is no where close to that. And that is an expensive thing to do and it's going to take a lot of pushing and prodding if we want that. If we want the Internet on the other hand, a low cost communication medium that is used for non-lifeline purposes than we don't need this as heavy a public regulation of what's going on. I think we need something stronger than the public control over, where it spends its money.

MODERATOR—WHO SPENDS THEIR MONEY?

When you sign up for an ISP or you pay for a service on the Internet you are essentially expressing your opinion of the way it is run. I think we have to come up with specific problems, the privacy issue. It's going to take quite a few years of debate. What is the proper balance of privacy? And we'll govern the Internet accordingly. We need to let the problems arise before we address them.

MODERATOR—WHAT COULD HAPPEN ON THE INTERNET THAT COULD MOTIVATE THE PUBLIC TO PAY MORE ATTENTION TO WHO GOVERNS IT OR TAKE A BIGGER ROLE IN GOVERNING IT?

That's a really good question because I've been wondering that myself. I look at the ICANN case and it's horrific, horrible, most people just yawn. Because the impact on them is very, very small. And most people see the behavior of their carriers, ISPs as almost, it's so cheap to switch to another ISP.

MODERATOR—PEOPLE SEE THE BEHAVIOR OF THEIR ISPS AS WHAT?

They see something they don't like. The ISP invades their privacy. Or does something they don't like.

MODERATOR—THEY JUST MOVE AND THEREFORE THERE'S NO OUTRAGE OR DEBATE ABOUT IT?

It just doesn't get to the boiling point. Emails, for our site, that's valuable to me. That's my identity on the Net, that's me. And so I have a very strong investment in my control over the network. That's motivation to be outraged when I see a threat to it. We have one of these problems on the Internet where each person is a small pin and each person goes, ouch, and ignores it. But accumulatively it's a big hurt. A dollar from each person, nobody suffers much pain but the resulting taking of money is extremely large.

**MODERATOR—WHEN YOU MAKE DECISIONS ON THE INTERNET ON A DAY-TO-
DAY BASIS DO YOU CONSIDER WHAT THE PUBLIC WANTS?**

It depends on what the decision wants. I'm just as self-interested as the next person. However, when I'm dealing with myself I try and do public governance I try and step back and say, I am any man, what does this mean, am I a reasonable person. And then here at Cisco, acting as a Cisco person designing the future of the Internet, my consideration is, how does it benefit Cisco, the company. How does it improve the Internet at large. How do I avoid a situation in which Cisco could be accused of anti-competitive actions. My considerations there are very, very different.

**MODERATOR—WELL IN DESIGNING THE FUTURE OF THE INTERNET AT CISCO
ONE OF YOUR ASSIGNMENTS IS TO DO, TO GET VIDEO GOING AROUND**

Actually not anymore.

**MODERATOR—JUST IN THE ARCHITECTURE, HOW DO YOU FACTOR IN THE
PUBLIC?**

A lot of times when I'm doing pure technology, it isn't relevant, it just doesn't come up.

**MODERATOR—YOU'RE BUILDING A MORE RELIABLE ONE OR YOU'RE BUILDING
A MORE EFFICIENCIES OR YOU'RE...**

My main goal is actually more reliable. I think of it as I'm helping the public by building something that will eventually be more amenable.

**MODERATOR—SPEAKING FOR YOURSELF, WHEN YOU VISIT SITES ON THE WEB
WHAT DO YOU LOOK FOR IN A PRIVACY NOTICE?**

Well I've written my own as I said.

MODERATOR—WHEN YOU'RE AT OTHER SITES THOUGH...

I usually don't even read those because I know them and I don't trust them. I have no enforceable law that I know of. If I go to Amazon and they say, here's our privacy policy, and they violate it, what legal rights do I have? I don't have a contract with them do I? Can I go to court? Do I want to spend the money? I don't think I do.

MODERATOR—THE GROUPS THAT PROVIDE THEIR STAMP OF APPROVAL WHEN A WEB SITE IS SECURE WHICH DO YOU THINK SERVES THE PUBLIC BEST?

Certainly not TRUSTe.

MODERATOR—WHY NOT?

The reports I've heard about sites burying the TRUSTe label. Their practices being rather shoddy.

MODERATOR—FOR EXAMPLE?

They just don't follow the rules. Information leaking all over the place. I don't trust any of these labels really.

MODERATOR—BETTER BUSINESS BUREAU ON-LINE?

I don't even know that they exist. I don't know these labels. In fact if I see one it puts me on notice, this might be some place more in hype than substance.

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 READ A CONTRACT, HOW FREQUENTLY IF EVER DO YOU READ THEM?

I don't tend to hit those very often, except with the newspaper subscription process. I once had a law professor who said, you shouldn't bother reading pre-printed contracts. I tend to skim them. I have more important things to do. I just kind of ignore them.

MODERATOR—THE LAW PROFESSOR SAID WHAT, BECAUSE YOU CAN'T DO ANYTHING ABOUT THEM?

Yeah, he said, if you've got a pre-printed contract.

MODERATOR—I ASSUME THE OPPOSITE.

Contracts written by real estate people are often well done contracts. They contain the up to date legal situations of the United States. There are some things I look at very quickly. You have arbitration, no I don't like arbitration. What am I going to do with on-line contracts, there's no one to negotiate with. It's a take it or leave situation.

MODERATOR—WOULD YOU FAVOR THAT THE PRIVACY NOTICES HAD CHECK IN BOXES, I WANT ARBITRATION, I WANT A CONTRACT, I WANT A NAMED INDIVIDUAL WITH THE COMPANY TO SIGN THIS THING FOR ME?

Well then somebody at the other end is going to have to accept it or reject it.

MODERATOR—A LOT OF IMAGINATIVE BRAIN POWER WENT INTO THESE PRIVACY NOTICES, WHERE WOULD YOU GO WITH IT?

If you take traditional contract it would go through a negotiation phase here. And who am I negotiating with? A computer. It's not a human. The definition of a contract, meeting of the minds. My mind and a computer, no.

MODERATOR—BUT YOU AGREE THEY COULD BE ELABORATED?

Oh they could be elaborated.

MODERATOR—OR DIS-AGGREGATED IN SOME WAY?

But there's rarely a resource on the net that I'm willing to spend the time to dig through.

MODERATOR—IF YOU WERE TRADING STOCKS ON-LINE WOULD YOU READ A PRIVACY STATEMENT?

Yes I look at them.

MODERATOR—ARE YOU MORE APT TO LOOK AT THEM WHEN YOU ARE TRADING WOULD YOU LOOK AT THEM FIRST?

Well I go through the same company so I was willing to invest the effort. But I've been with them for a long time. So I've totally forgotten what they say. All I know is at the time they looked OK.

MODERATOR—HOW MANY YEARS AGO?

One of them it's been years.

MODERATOR—WHAT ABOUT PURCHASING MEDICINES?

When I go to the drugstore they don't have a privacy statement. So I don't think it's any better or worse.

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

Not because of a privacy statement. But I've seen the questions seem to be just too intrusive for the service.

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

No.

MODERATOR—DO YOU THINK PRIVACY STATEMENTS SHOULD BE MANDATORY?

No. Unless they're meaningful. That they're enforceable. If they have well known legal status that I can depend on. I don't even know what country these people are from.

MODERATOR—DO YOU THINK THERE SHOULD BE DIFFERENT ORDERS OF THE SAME RULES ON PRIVACY AS APPLYING TO THE VOICE OVER THE INTERNET AND THE MEDIA?

Certainly phone calls. I would like them to protect just like the regular phone call.

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

Yes, absolutely, metaphysically yes. I have my own system. I was once on a trip and suddenly our systems shut down. It turned out some spammer was running essentially a fraudulent offer for something and they pumped something on the order of 80,000 emails through the system. It shut down the system. The source had an address in the San Fernando Valley. I had a friend check it out and it was a post office box. I sent the people an invoice for 40, \$50,000.

MODERATOR—WHAT HAPPENED?

Nothing. It created the basis for receiving them if I wanted. In which case I would have filed a John Doe kind of action. I could have found out who the people were. But that's pretty heavy duty effort on my part, for spam.

The whole area of what's the balance between a police state and privacy. There is value in sending your email to people who have not clearly asked for it. There is some boundary where it just passes into bulk mail. I actually give away a piece of software. I've collected the names of everybody that's downloaded it. I will when I finally do an upgrade send an email to all those people. There is a number of parties involved here. The intermediaries systems are involved, that's how I got clobbered. My computer was being used to send somebody else's email. It was a direct theft of my resources. Police didn't care, they don't understand the problem. The spam case, we were used as an intermediary. That's one type of person who is hurt by spam and we need protection there. We need laws that are very strongly enforceable. Whether we enforce them or the police enforce them.

MODERATOR—'WE' BEING WHO?

People operating the Internet systems.

MODERATOR—THEY WOULD HAVE TO BRING SUITS, HAVE LAWYERS AND JUDGES?

And clear laws that say this is improper behavior. Then there's the people who actually receive the mail. We need some laws to say it's improper. We already have laws about faxes. But the first thing we need is some means in which people can say, fairly clear standards that say what is permissible and what is not. In the fax, if you don't have a prior relationship it's improper. And we should have the same for email.

MODERATOR—BUT THE FAX LAWS ARE BASED ON THE IDEA THAT THE UNSOLICITED FAXING IMPOSES A COST ON THE RECEIVER.

Unsolicited emails impose a cost on the receiver.

MODERATOR—JUST TAKES 30 SECONDS TO CLICK IT OUT

Well that's 30 seconds. We need to balance that against, for political purposes, or just stranding on a soap box, you do need to contact people who didn't need to be contacted. Where is the proper boundary?

MODERATOR—DO YOU THINK MOST PEOPLE WANT SUCH LIMITS?

Oh yeah, I do. I hear people that are just getting on the Internet saying, where does all this garbage email come from. Especially since most of it is highly sex oriented, really outrageous.

MODERATOR—THERE HAS BEEN SOME TALK ABOUT ELIMINATING ANONYMITY ON THE INTERNET SO AT A MINIMUM WEB ACTIVITY COULD BE TRACED TO THE SPECIFIC PERSON. WHAT'S YOUR OPINION? AND WHAT DO YOU THINK THE PUBLIC WOULD BE WILLING TO, DO THEY

I just saw that thing yesterday where the chairman of Seagrams who said there should be no anonymity on the network when you try and distinguish that from privacy. I strongly believe there should be the ability to be anonymous on the network. A lot of ideas need to be floated anonymously. The case in the United States in 1775. There were a lot of pamphlets published under names, I can't remember the names. You didn't really know who was publishing them. When you have unpopular ideas at the beginning, one often has to be anonymous. And there's an awful lot of value in being anonymous. To discuss, for certain kinds of discussions you need anonymity. We've seen on the phone lines, there's a strong need for anonymity. Not just on the radio, to call for help, that they feel safe. That they know they will not be disclosed until they're willing to be disclosed.

MODERATOR—THE QUESTION IS THE QUESTION OF WHETHER ARCHITECTURALLY AND LEGALLY IF YOU COULD HAVE IT THAT EVERYBODY KNEW, THAT'S THE WAY TO GO IN TERMS OF ARCHITECTURE.

You're question actually said anonymity in respect to web sites. Anonymity in emails, I think there should be anonymous email. There are companies like Zero Knowledge that are set up to try and make it so you can not be found who you are. Web access, why shouldn't I be? If there's somebody passively sitting there that says, come to me. Why should I be forced to

disclose my identity to them until I want to? If they really want to know who I am, they should ask me clearly, honesty, who are you. Well who puts up the intermediary level and says, we want to know who you are. We don't let you go on any further into this site until you identify yourself to whatever degree we want, we think we need. That point comes some sort of negotiated exchange. They say what they want and I say I will give it to you. But just to say, I am here looking at your site, I automatically disclose who I am, I think is asking far too much.

MODERATOR—AND WHAT ABOUT ON THE INTERNET AS A WHOLE?

I think anonymous email is very useful. Anonymous watching videos is perfectly valid to do as well.

MODERATOR—JUST ARCHITECTURALLY ISN'T IT EVOLVING SO THAT PEOPLE KNOW?

No. The question is also, if I am not anonymous, how do they know this [interviewee name] is not the [interviewee name] in New York or some other [interviewee name] somewhere. If they're going to label me, they have to know who I am unambiguously. Because I don't want to be confused for somebody else. We need a clear positive identifier. Because I don't want somebody else's behavior mixed with mine.

MODERATOR—BUT YOU'RE SAYING THE WEB DOES NOT HAVE TO EVOLVE WHERE EVERYBODY KNOWS EVERYBODY?

The only thing the web transactions carry is the source IP address of where it's coming from. And that address actually changes, ISPs, every time you call in.

MODERATOR—FOR MOST PEOPLE IT COULD STAY ANONYMOUS?

Reasonably so. Other than cookies. I don't know who you are but I know you're the same person who was here before. There's things that I run that actually take things like Doubleclick and turns it transparent.

MODERATOR—DO YOU THINK THE PUBLIC WOULD TRADE THEIR ANONYMITY ON-LINE FOR MORE ACCOUNTABILITY?

I don't know what that question means, more accountability on behalf of the information provider? It's sort of a wild west out there. And if I'm giving something up I want a guarantee the other side is giving something up that's value to me and I don't feel that's the case. I bought some software and found out later it was from Estonia. I didn't need to know it but I was surprised. It does affect the legal content.

(End interview)