

SHORTER GOOGLE:

"Don't eliminate the competitive advantage I gained by trying to protect Americans' privacy."

McJoan [reports](#) that the CCIA wrote a letter to Congress opposing retroactive immunity.

In strong rebuke of the Chamber's knee jerk Republican pandering, the trade group that actually represents companies in the computer, Internet, information technology, and telecommunications industries, the Computer & Communications Industry Association (CCIA) is [opposed to telco amnesty](#) [pdf], and have weighed in with their own letter to Congress.

To the Members of the U.S. House of Representatives:

The Computer & Communications Industry Association (CCIA) strongly opposes S. 2248, the "FISA Amendments Act of 2007," as passed by the Senate on February 12, 2008. CCIA believes that this bill should not provide retroactive immunity to corporations that may have participated in violations of federal law. CCIA represents an industry that is called upon for cooperation and assistance in law enforcement. To act with speed in times of crisis, our industry needs clear rules, not vague promises that the U.S. Government can be relied upon to paper over Constitutional transgressions after the fact.

CCIA dismisses with contempt the manufactured hysteria that industry will not aid the United States Government when the law

is clear. As a representative of industry, I find that suggestion insulting. To imply that our industry would refuse assistance under established law is an affront to the civic integrity of businesses that have consistently cooperated unquestioningly with legal requests for information. This also conflates the separate questions of blanket retroactive immunity for violations of law, and prospective immunity, the latter of which we strongly support. [emphasis McJoan's]

And if I'm not mistaken, Google and Yahoo are the two primary [CCIA members](#) who would be (as the letter states) "called upon for cooperation and assistance in law enforcement" [Update: as [WO points out](#), Evil Bill Gates is as big a player in free email, and was also asked for search queries.] As you'll recall, both Google and Yahoo [were asked](#) to turn over vast amounts of data that would have also revealed a good deal of proprietary information (Yahoo complied, Google fought the request).

The Justice Department has asked a federal judge to compel [Google](#), the Internet search giant, to turn over records on millions of its users' search queries as part of the government's effort to uphold an online pornography law.

Google has been refusing the request since a subpoena was first issued last August, even as three of its competitors agreed to provide information, according to court documents made public this week. Google asserts that the request is unnecessary, overly broad, would be onerous to comply with, would jeopardize its trade secrets and could expose

identifying information about its users.

Now, I don't actually know whether or not Google is opposed to retroactive immunity because of this fight over the search queries or a request explicitly tied to terrorism. But I do wonder whether CCIA ~~Google~~ has specific requests in mind when it says, "our industry needs clear rules, not vague promises that the U.S. Government can be relied upon to paper over Constitutional transgressions after the fact."

Chairman Reyes—while you're talking to telecom companies, maybe you ought to talk to Google, too, to find out what wacky requests the Bush Administration asked it comply with, because it sure sounds like it got some rather ambiguous requests.

Meanwhile, speaking of McJoan's post—did you notice that yet another [Quinn Gillespie client](#)—the US Chamber of Commerce—is pushing for telecom immunity? Has the President's Counselor recused himself from this fight, because those Quinn Gillespie clients sure seem to be pushing this big.