

## From SOPA to CISPA

A controversial cyber-bill sparks a heated debate about online privacy



WHEN a coalition of internet activists and web companies scuppered the Hollywood-sponsored Stop Online Piracy Act (SOPA) last year, they warned Congress that future attempts to push through legislation that threatened digital freedoms would be met with a similar response. Now some of them are up in virtual arms again, this time against the Cyber Intelligence Sharing and Protection Act (CISPA). This is one of several bills designed to reinforce America's cyber-defences that were being discussed by the House of Representatives as *The Economist* went to press this week.

Whatever the outcome of the deliberations, the fuss surrounding CISPA is unlikely to die down soon. Its fans, which include companies such as IBM and Intel, say the bill's provisions will help America defend itself against attempts by hackers to penetrate vital infrastructure and pinch companies' intellectual property. CISPA's critics, which include the Electronic Frontier Foundation, a digital-rights group, and Mozilla, the maker of the Firefox web browser, argue that it could achieve that goal without riding roughshod over privacy laws designed to prevent the government getting its hands on citizens' private data without proper judicial oversight.

CISPA aims to encourage intelligence-sharing. Companies and spooks often keep quiet about cyber-threats because they fear that sharing the details may land them in legal hot water. But this makes it harder both to hunt hackers, and to defend power grids and other infrastructure against online assaults. The bill encourages both groups to be more forthcoming by offering them an exemption from civil and criminal liability when gathering and sharing data about cyber-threats.

The trouble is that although its goal is laudable, the bill is vague about what sort of information on cyber-threats can be shared. So in theory everything from e-mails to medical records could end up being shipped to intelligence agencies, even if it is not needed. Harvey Anderson of Mozilla says CISPA "creates a black hole" through which all kinds of data could be sucked in by the government.

The bill does forbid the use by officials of personal information from medical records, tax returns and a list of other documents. But its critics say it would be far better if companies had to excise such data before sharing what is left. They also note that the broad legal protection CIPA offers to firms could be abused by companies keen to cover up mishaps in their handling of customer data. A more carefully worded legal indemnity would stop that happening.

All this has exposed a rift in the internet world. Whereas Mozilla and other firms want CIPA to be overhauled or scrapped, some web firms that helped sink SOPA seem ambivalent. Google claims it has taken no formal position on the draft legislation and is "watching the process closely". But TechNet, an industry group whose members include the web giant and Facebook, has written to the House Intelligence Committee expressing support for CIPA. If Google and other web companies do have doubts about some of the bill's provisions, now would be the time for them to sound the alarm.

**Fonte: The Economist, London, v. 407, n. 8832, p. 32, 20<sup>th</sup> – 26<sup>th</sup> abr. 2013.**

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