

# Americans for Technology Leadership

## 2006 Federal Candidate Survey

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1) Many users of the Internet are concerned about their safety and security online. Do you believe the best way for these concerns to typically be addressed is through government policy or through a collaborative effort between consumers, government officials and industry leaders to protect users through increased consumer education and the development of new technology solutions?

~~Government Policy Collaborative Effort~~ Neither

Please explain your answer:

The government screws up every thing it touches. The government will only look out for its own best interests. The Internet has thrived because the government was unconcerned with its use for the longest time. Now that the government sees the Internet as the single biggest threat to its power it seeks to regulate, license, tax and approve access levels and authors. The government IS THE single biggest threat to Internet user's safety and security.

The solution for user safety and security is for the free market to take charge. And it has. Encryption, security validation, anti-viral, anti-hacker, anti-spyware, anti-phishing, e-mail filtering software is prevalent, excellent and in many cases free or inexpensive. It is reliable.

Indeed, it is the government that is blocking encryption software from the market. And how many prosecutions have we witnessed for malicious punks who deliberately create and upload malicious software? They are not that difficult to track down, especially with all the angry computer nerds out there whose machines, friend's machines or clients have been damaged. Yet few prosecutions. That is government for you. It is only good for robbing your money and your freedom. Is that the service you desire?

2) The diverse US software industry licenses software and generates revenue and jobs in a number of ways. Some software is licensed as "open source," which permits user access to software code, while other software is licensed without providing user access to the source code. There is a movement in some organizations to require that governments use only "open source" software or limit software choice. Do you support government procurement policies that dictate specific software file formats or licensing schemes that would prevent some companies from bidding on government contracts?

~~Yes No Undecided~~

Please explain your answer:

If government is the customer, it can do whatever it wishes in the form of drawing up a contract with another party (the seller). It is up to the seller whether it wishes to take the money and vend the software under the terms of the sale, or walk away. That is the free market. It is unfortunate that the governments have become so dominant that they hold vast amounts of money to tempt seller's transactions. Reduce the size of government to reduce the threat to your clients.

3) The European Commission (EC) has been investigating a number of American companies, including Microsoft and Intel, on antitrust grounds. In some cases, the EC investigates issues already addressed by US courts or government agencies. The EC has also made decisions and imposed sanctions that go beyond decisions by US Courts and federal agencies reviewing similar legal issues.

Do you believe that foreign governments should defer to decisions made in the US concerning US based companies?

No

Please explain your answer:

While what a foreign government may do to US goods or the companies that produce them that have a presence in that nation may be ultimately detrimental to that nation's residents in the form of higher prices on imported goods (as well as higher prices on competing products produced within that nation). It remains the decision of that foreign government. It is not the place of the federal government to become involved in those decisions. It is the business of the seller to decide if it is worth complying with the foreign government's demands or to cease selling in that market. The free market decides.

4) Do you think foreign government agencies are unfairly targeting US companies for regulation in order to limit these companies' ability to compete?

Yes I don't think it, I know they do (as our government does to other nation's products – quotas and tariffs are government's ideas of "free trade.").

What, if any, action should Congress take in response to targeted regulation of US companies?

Congress, and by extension the federal government, should stay 100% out of ALL U.S. business' decisions both at home and abroad. Businesses are then free to compete in those foreign markets if they choose under whatever circumstances that present themselves to the business.

5) Currently Internet service providers (ISPs) must retain personal data on specific customers' Internet usage when requested by state or federal law enforcement officials. Some law enforcement agencies, including the US Department of Justice, are now calling for increased requirements that mandate ISPs to retain all customer data for up to one year. Do you believe that new data retention legislation is appropriate for law enforcement needs or would such legislation represent a threat to personal privacy and increase computing costs for the consumer?

~~Stronger Data Retention Laws Are Appropriate~~

~~Stronger Data Retention Laws Could Jeopardize Personal Privacy and Increase Costs to Consumers~~

~~Undecided~~

Please explain your answer:

The government has no legitimate power to demand ANY Internet Service Provider (ISP) do anything right now. To demand ISP retain data without compensation is a taking, and therefore a violation of the U.S. Constitution. It is also a violation of **our** 1st and 4th Amendment Rights. Not that the government pays any attention to the Constitution or limits on its powers. 100% of this cost of government is passed onto the ISP's customers.

6) Do you support reforms of the class action legal system aimed at lowering legal costs and repairing imbalances in the current system, while maintaining consumer protections, or do you support the current class action legal system?

~~Support Class Action Reform~~

~~Keep Current Class Action System~~

~~Undecided~~

Please explain your answer, specifying what types of legal reforms you support:

I support reform in the sense that I reject any law that increases (e.g., triples) any award determined by a jury. I reject any action brought before a court that has no basis in law, and where **a clear trespass** to person or property cannot be demonstrated. I support a jury determining a claim to be frivolous and awarding court fees, attorney fees and even damages to the defendants. I do not support caps, either on the awarded damages, or an attorney's percentage of the award. I do not support punitive damages. Victims should be compensated by the trespasser, as determined by the jury, to make the victim whole. No more than that. Though court costs and attorney fees may be added at the jury's discretion. A much better system would be for the IP owner to take out an insurance policy protecting their IP, and include the cost as part of the license charged when someone purchases a copy of the property. Then that insurance company would be responsible for pursuing breeches of the license and compensating the IP owner.

7) Because insufficient numbers of computer science graduates are US citizens, many high-tech companies rely on the H1-B visa program to recruit highly skilled employees to the United States. Recently, the US Senate approved legislation that would increase the current number of H1-B visas issued annually from 65,000 to about 115,000, with a 20 percent increase on an annual basis moving forward. Do you support increasing the number of H1-B visas issued by the United States?

~~Yes No Undecided~~

Please explain your answer:

There is no Constitutional authority for the federal government to approve or disapprove anyone from coming to or leaving the United States. Congress has the power of determining who and who may not become a U.S. citizen, and to raise an army to repel a military invasion. That is all. Historically, the states have the power to restrict immigration, but not who can pass through their state, as that is a Right – the Right of travel and to peacefully assemble – that is reserved by the people. The people is anyone within the borders of the United States. So anyone who wishes to come to the U.S. to offer their labor has that Right, with only the states determining whether that person may reside or may not within their state. This is the free market at work. To restrict labor from any source inflates the cost of labor which results eventually in higher prices for goods and services to the public. Now the federal government will use armed force to extract taxes to fund an armed force to restrict travel into or out of the nation with the full support of the Judiciary, but that is because they can, and because we do not live under a constitutional government.

8) Many US high-tech firms are looking overseas for opportunities to sell products and extend their businesses. Do you favor or oppose Trade Promotion Authority legislation, which strengthens the President's ability to negotiate trade agreements with other countries?

~~Favor Oppose Undecided~~

Please explain your answer:

The President (Executive branch) has the power to **draft** a treaty. Congress may not delegate its powers to the President, nor take Executive powers away. Whatever the President negotiates must pass the Senate or a signed treaty has no authority, no power. The U.S. trade agreements are nothing more than protectionism schemes. It is called a quota system, backed by tariffs. The federal government has no business involving itself in any aspect of a U.S. business whether that business is operating inside or outside the U.S. Those businesses should be free to export or import whatever they wish without any government permission. The only thing I would tolerate effecting trade is a no exception, single flat import tax on ALL goods coming into this nation as the SOLE source of federal revenue.

9) Do you believe that there is healthy competition in the US high-tech industry or that policymakers and government agencies should take additional action to impact competition in the industry?

~~Tech Industry is Healthy; No Government Action is Needed~~

~~Government Should Take Action to Impact Tech Sector Competition~~

~~Undecided~~

Please explain your answer:

No government interaction can increase competitiveness. Indeed, monopolies, by definition, can only exist with government assistance. The complete absence of government in business is the only action that assures free market competition.

10) Intellectual property, including patents and copyrights, is critical to the US economy. IP-based industries, including software, account for billions of dollars in exports. Do you support strengthening IP protections at home and abroad, or do you believe IP protections should be relaxed?

~~Strengthen IP Protections~~

~~Ease IP Protections~~

~~Undecided~~

Please explain how you would reform IP protections:

First and foremost the property owner is responsible for protecting their intellectual property (IP). Government can be used to protect property owner's rights to that property provided in is clear what constitutes use of the property and what constitutes exceeding the license to that property. I am dismayed by the frequent theft of intellectual property by people not only in this country but around the world. Likewise, I am equally dismayed at the lobbying by the IP industry for protections that either trample on the Rights of the licensee to use, copy or transfer the license of an IP or the draconian trampling of penalties exacted by persons who have or are accused of theft or enabling theft of IP. Upon conviction, the compensation, which should be exclusively monetary, should be determined by a jury, not a judge nor the law, and awarded entirely to the IP owner. No other penalty should exist.