

Freedom: Don't Let Politicians Tell You to EARN IT

The Wile E. Coyotes of the Internet — US Senators Lindsey Graham (R-SC) and Richard Blumenthal (D-CT) — are sure that THIS time they've finally found a made-to-order tool that can take out the Roadrunners, those meddling kids, the First Amendment and Section 230 of the Communications Decency Act.

Surely, they believe, their latest super duper special Acme rocket — the “Eliminating Abusive and Rampant Neglect of Interactive Technologies Act of 2020,” aka “EARN IT” — will finally allow them to deprive you of access to the strong encryption that protects your privacy, so that they (and every hacker on the planet) can snoop on you at will.

Here's the cartoon character genius and deviousness of the EARN IT Act:

It doesn't actually OUTLAW strong encryption, nor does it REQUIRE companies to cripple their products with “back doors” for law enforcement.

All it does is create a commission to establish “best practices” for Congress to pass into law.

What could possibly be the harm in that? Well, the EARN IT act would deprive any Internet platform that doesn't implement those “best practices” of its Section 230 protection from liability for content created by parties other than itself.

What kind of “best practices,” one might ask?

“Best practices” for protecting user security? Nope.

“Best practices” for protecting freedom of speech, promoting vigorous commerce in digital goods and services, etc.? Nope.

“Best practices” for “preventing, identifying, disrupting, and reporting child sexual exploitation.”

You had to know that these cartoon character politicians were going to pull yet another “for the chillllllldren” gag, and they lay it on thick — the words “child” and “children” appear nearly 300 times in the bill's text.

And you have to know that among the first set of “best practices” to come down the pike will be demands that platforms prang encryption so that law enforcement can more easily read your emails, your text messages, etc.

If you've thought the matter through, you probably also know that the EARN IT Act and its

associated “best practices” won’t prevent or disrupt child exploitation. The strong encryption genie has been out of the bottle for decades and no number or type of “best practices” can stuff it back in. People who have something to hide already have, and will continue to use, the tools they need to hide it. The only thing EARN IT will prevent or disrupt is your privacy and freedom.

Only the innocent and law-abiding among us would be affected by the EARN IT Act, and the effects on good and important things like freedom and privacy would be wholly negative.

Graham, Blumenthal et al. certainly know this too. Don’t let them trick you into thinking they’re just harmless idiots like Wile E. Coyote.