

Barton Plans to Move Anti-Spyware Bill Next Month

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House Energy and Commerce Chairman Joe L. Barton, R-Texas, said he hopes to move an anti-spyware bill through his committee within the next two to three weeks, he said Wednesday.

The measure ([HR 29](#)), sponsored by Mary Bono, R-Calif., attempts to crack down on the rapid spread of spyware, software programs that track where Web surfers go and what they do online, often using the information to deliver targeted advertising. The House passed a similar bill, 399-1, last October.

"This is on the fast track," Barton said at a committee hearing on the legislation Wednesday.

Bono's bill would require software makers to obtain computer users' permission before installing spyware on their PCs. The bill also includes provisions to prohibit unfair or deceptive behavior such as key-stroke logging, computer high-jacking and the display of online ads that cannot be closed.

At Wednesday's hearing, committee members noted that consumers are often not even aware that spyware is lurking on their computers. The programs come bundled with many popular online services, such as the Kazaa file-sharing software.

"While not yet a household word, spyware is a household phenomenon," said Jan Schakowsky, D-Ill. "It will soon be part of everyone's vocabulary."

Although the full Senate never took up an anti-spyware bill approved last year by the Commerce, Science and Transportation Committee, Barton said spyware legislation stands an "excellent" chance of passage in the Senate this session. He said Conrad Burns, R-Mont., and Ron Wyden, D-Ore., both sponsors of last year's Senate bill, "will make this a priority."

"There will be a spyware bill on the president's desk this year," Barton said.

Executives from Earthlink and Microsoft were among those testifying in support of Bono's bill at Wednesday's hearing.

Ari Schwartz, associate director of the Center for Democracy and Technology, also spoke in support of the bill, but at the same time urged Congress to pass a broader online privacy measure governing what information that companies may collect from consumers and how they may use that information.

By addressing online privacy issues technology by technology - with separate laws for spam and spyware, for instance - Congress has created a "patchwork that is difficult to understand," Schwartz said.

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