

FOR IMMEDIATE RELEASE: **March 30, 2000**

Let's pull the plug on the SEC's automated Internet snooping scheme

Be careful what you say online: You could be tagged as a financial felon

WASHINGTON, DC — A plan by the Securities and Exchange Commission to scan the Internet for “suspicious” words and phrases — and maintain a secret database of the results — is an electronic “stop-and-frisk” that will treat innocent Americans like financial felons, the Libertarian Party warned today.

“Under this plan, anything you say electronically can and will be used against you in a government database,” said Steve Dasbach, the party's national director. “The SEC says it has ‘zero tolerance’ for financial fraud — but this proposal proves that the commission has zero tolerance for privacy and basic Constitutional protections.”

This week, the SEC admitted that it was in the process of creating a multi-million-dollar surveillance system that will automatically scan websites, Internet message boards, and online forums for language that could indicate financial or stock fraud.

The SEC's automated web “crawler” would search for up to 40 words or phrases like “get rich quick” or “make money now,” collect the e-mail addresses and names of people posting such messages, and then store that information in a database for possible investigation and civil action.

Such a surveillance scheme is allowable, argued SEC assistant general council George C. Browne, because “the Constitution doesn't give people the right to use the Internet to commit fraud.”

But, countered Dasbach, “The Constitution doesn't give the government the right to scoop up information about individuals without reasonable suspicion of wrongdoing, and dump that information into a secret database without their knowledge or consent.”

In fact, he said, the scheme probably constitutes an illegal “search.”

“The law is murky on this topic, because the courts have not decided exactly what constitutes a digital search,” admitted Dasbach. “Is the Internet like a telephone, where the SEC needs a warrant to spy on you? Or is it like a public square, where the SEC can eavesdrop at will? But given the government's long history of violating civil rights and privacy, Libertarians argue that the Internet deserves the most *robust* Fourth Amendment protection possible — and the SEC's plan deserves zero tolerance from the courts.”

That's why, said Dasbach, “SEC bureaucrats should pull the plug on this automated webcrawler, and let it crawl off and die. Instead of spying on innocent Americans who want to get rich quick, this high-tech surveillance scheme should get *canceled* quick.”

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