

CAREER OPPORTUNITIES

Trouble

By Douglas E. Welch

As if your high-tech career wasn't difficult enough, it seems your governmental representatives want to make your work even harder. Recently passed laws and several proposed bills are destined to make it more difficult to keep your systems running, your work productive, and your high-tech career on track.

DMCA—the Big Stick

The recently passed DMCA (Digital Millennium Copyright Act) was designed to provide copyright holders additional protection against software pirates and others determined to steal copyright-protected content. Instead, the broadly written law is being used in some unintended ways, including quashing any discussion of software and hardware flaws.

In a case that is sure to be mirrored in the future, Hewlett-Packard sued a high-tech worker who pointed out flaws in the company's software. Claiming protection under the DMCA, HP argued that the disclosure of such information was a violation of its software copyright. As you can imagine, cases such as this could be very detrimental to high-tech workers. Reducing the amount of information you have available regarding system flaws could lead you on a wild goose chase of epic proportions.

Imagine the wasted hours or frustration involved in troubleshooting a problem, not knowing that it is caused by a flaw in the software itself. Without the rapid and full discussion of software and hardware flaws, high-tech workers will end up chasing their tails, wasting both time and money. Software flaws already cost companies hundreds of thousands of dollars a year. How much will these costs rise when high-tech workers are fit with technology gag orders? The potential losses to all companies far outweigh the losses to software manufacturers when flaws are openly discussed.

Even worse, if that is possible, is the damage to high-tech workers' reputations. Without timely information you could find yourself flying blind, stumbling about looking for an answer to a technology problem where one does not exist. If you don't know where the bugs are, how are you supposed to develop a workaround? It only seems to reason that your employer will quickly tire of staff that can't seem to solve their technology

problems, regardless of where those problems reside or the roadblocks placed in the way. Without a constant source of information, the "miracle cures" you often deliver will become almost impossible.

Finally, and very important to me as a writer, the DMCA is being used to quash First Amendment rights. The law clearly infringes on freedom of speech in the guise of copyright protection. I am somewhat amazed that challenges to this law have not yet become more prominent. It seems it is only a matter of time, though. Unfortunately, your average high-tech worker, Web site owner or magazine publisher doesn't have the financial wherewithal to engage in long-term battles with technology giants. They find themselves in the unenviable position of not publishing information out of fear of litigation, even when that information is critical to everyone who uses technology.

Hacking the Hackers

Another ludicrous bill is making its way through Congress at the moment. Like the DMCA, it has the ability to complicate the lives of high-tech workers beyond all reason. The Consumer Broadband and Digital Television Promotion Act bill (CBDTPA, <http://eff.org>) would allow copyright holders and associations like the MPAA and RIAA to actively hack into users' computers in an attempt to disrupt their operation and destroy data.

The thought of corporate vigilantes roaming the public data networks turns my blood cold. High-tech workers have enough trouble keeping systems running without the thought of legally authorized hackers attacking their computers.

The worst failure of this bill is that it provides for very little oversight or control. Corporations would be allowed unfettered "law enforcement" permission, reporting their actions to the government in secret. Anyone whose system was "accidentally" affected would have to appeal to the federal attorney general in order to seek redress. This weights the entire process in favor of entertainment corporations, with their deep pockets and obvious control of government representatives.

In fact, this is just what these corporations want—little to no hope of appeal. With this power they can shut down systems with impunity, effectively becoming an Internet police force with no oversight, no appeal and, effectively, no hope for high-tech workers and their users.

It seems that unless the DMCA is reined in and the CBDTPA killed or significantly altered, your career could be in jeopardy. High-tech workers succeed and fail based on the quality of their technical information. Anything that restricts this flow of information is wrong. You should also be free from anyone—even the government—disrupting your computer systems. Without these safeguards the technology industry is sure to suffer, and this would leave high-tech workers, and their careers, in the dark. □

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