

To regulate Silicon Valley, follow the path we took with the auto industry

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SANTA ROSA, Calif. — In 1965, Ralph Nader published "Unsafe At Any Speed," his bestselling exposé about the mortal dangers of cars without seat belts. Poorly designed cars had, Nader showed, increased the deaths on American roads by 38 percent between 1961 and 1965. The economics of what he called "highway carnage" were equally appalling, costing America more than \$66 billion in today's dollars in property damage, lost wages, and medical and insurance expenses.

Today, of course, all cars come with safety belts. That's because in the half-century since Nader's book, the car industry has, indeed, been held accountable for its products. But now there is a need for a new kind of safety belt. The contemporary equivalent of the out-of-control American auto industry of the past is today's equally out-of-control big tech industry.

Products from tech giants are exploiting our democracy with "post-truth" lies. The digital revolution has become so all-consuming as to potentially kill our ability to consume anything except bite-sized nuggets of information. Researchers are discovering that social media is making our kids less happy. And the apps and platforms that now consume our lives are addictive, as New York University psychologist Adam Alter has detailed.

"In the 1960s, we swam through waters with only a few hooks: cigarettes, alcohol and drugs that were expensive and generally inaccessible," Alter argues. "In the 2010s, those same waters are littered with hooks. There's the Facebook hook. The Instagram hook. The porn hook. The email hook. The online shipping hook. The list is long — far longer than it's ever been in human history, and we're only just learning the power of these hooks."

So, who is to provide us with defenses against these "hooks?" The history of the seat belt is instructive here. Nader's findings in his book elicited a collective gasp from society. The result was action, through a mix of government regulation, design innovation, consumer activism, citizen engagement and improved education that triggered increasingly safe vehicles. That mix is needed now — a combined approach from all of us.

Nothing will happen without creative regulation. European regulators like E.U. Commissioner of Competition Margrethe Vestager, who is aggressively examining the antitrust case against Google, have already emitted a collective gasp about the detrimental effects of the digital revolution on society. They should be our model here.

In May, the E.U. plans to introduce an ambitious new data privacy law, the General Data Privacy Regulation (GDPR), which attempts

to empower consumers against private big data corporations. Individual European governments have woken up to the threat — Germany, for example, passed a law that levies significant fines on digital media platforms that allow the publication of illegal content.

American lawmakers need to take note. The Federal Trade Commission needs to look much more critically at the antitrust issue, particularly in terms of Google's dominance of the informational economy and Amazon's stranglehold on e-commerce. Congress needs to work on its own data protection law, which should learn from and improve on the European GDPR.

Most importantly, American politicians need to level the regulatory playing field so that the private superpowers of Silicon Valley are treated like accountable media companies under the law. They need to look critically at the notorious Safe Harbor provision of the 1998 Digital Millennium Copyright Act, which enables Internet companies to escape accountability for the illegal content published on their platforms.

Good regulation always stimulates innovation. The introduction of the GDPR in Europe is already triggering a new wave of digital start-ups that take advantage of this new law to provide consumers with services that protect their data privacy instead of exploiting it. The same explosion of entrepreneurial innovation will accompany effective antitrust regulation that enables start-ups to take on dominant powers.

The U.S. government antitrust investigation of Microsoft in the late 1990s triggered the Web 2.0 revolution of the early 2000s. But today, we are back in the anti-competitive environment of an economy dominated by a tiny handful of winner-take-all companies.

But while some of the costs of digital seatbelts need to be incorporated by Silicon Valley, we also need to pay for genuinely consumer-friendly products. Just as we use cash to buy food, rent or transportation, we should also be paying cash for our online search or social networking. Online accountability is a two-way street. If we want our online data to be genuinely protected, we have to pay for that privilege.

Ultimately, we are all personally accountable for wearing our new seat belts that will protect us from monopolistic companies and exploitative technologies. Adam Alter's "hooks" can only be confronted by each of us individually. No new law or product will completely protect us.

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Article continues (3 additional paragraphs) at link below

Source: *Washington Post* (04/23/18)
<https://wapo.st/2HTPlma>

Region	March 2017	February 2018	March 2018	Percentage Point Change	
				1 month	12 months
San José–Sunnyvale MSA	3.5%	2.9%	2.7%	- 0.2	- 0.8
San Francisco MD	2.9%	2.5%	2.3%	- 0.2	- 0.6
California	5.2%	4.5%	4.2%	- 0.3	- 1.0
United States	4.6%	4.4%	4.1%	- 0.3	- 0.5

Sector — March 2018	San Jose MSA	San Francisco MD	Combined Region	Percentage Change (Combined Region)	
				1 month	12 months
Total Nonfarm	1,115,200	1,125,600	2,240,800	+ 0.2%	+ 2.1%
Construction	49,100	38,900	88,000	- 1.1%	+ 0.6%
Manufacturing	170,100	39,300	209,400	+ 0.4%	+ 3.6%
Retail Trade	84,900	79,100	164,000	- 0.7%	- 0.3%
Information	90,100	79,400	169,500	+ 0.4%	+ 8.7%
Professional & Business Services	230,500	280,400	510,900	- 0.3%	+ 2.5%
Educational Services	50,100	29,300	79,400	+ 1.3%	+ 3.0%
Health Care & Social Assistance	125,600	111,000	236,600	+ 0.6%	+ 2.7%
Leisure & Hospitality	102,400	139,200	241,600	+ 0.8%	+ 0.6%
Government	98,300	131,500	229,800	+ 1.0%	+ 1.2%

NOTE: San José MSA (San José–Sunnyvale–Santa Clara Metropolitan Statistical Area) = Santa Clara and San Benito Counties
 San Francisco MD (San Francisco–Redwood City–South San Francisco Metropolitan Division) = San Mateo and San Francisco Counties

Source: California Employment Development Department, LMID

Jurisdiction	Labor Force			Unemployment			Unemployment Rate		
	March 2017	March 2018	Change	March 2017	March 2018	Change	March 2017	March 2018	Change
• San Mateo County	451,900	452,800	+ 0.2%	12,600	9,900	- 21.4%	2.8%	2.2%	- 0.6
• Santa Clara County	1,035,900	1,047,200	+ 1.1%	35,500	27,300	- 23.1%	3.4%	2.6%	- 0.8
Cupertino	29,800	30,200	+ 1.2%	1,000	800	- 19.6%	3.3%	2.7%	- 0.6
Los Altos	13,700	13,900	+ 1.5%	200	200	0.0%	1.7%	1.3%	- 0.4
Milpitas	38,800	39,200	+ 1.0%	1,500	1,100	- 26.7%	3.8%	2.9%	- 0.9
Mountain View	47,400	48,000	+ 1.3%	1,200	900	- 25.0%	2.4%	1.8%	- 0.6
Palo Alto	33,700	34,200	+ 1.5%	800	600	- 25.0%	2.5%	1.9%	- 0.6
Santa Clara	69,400	70,200	+ 1.1%	2,300	1,700	- 24.6%	3.2%	2.5%	- 0.7
Sunnyvale	87,100	88,100	+ 1.1%	2,600	1,900	- 26.9%	3.0%	2.2%	- 0.8
NOVA Region	771,800	776,600	+ 0.6%	22,200	17,100	- 23.0%	2.9%	2.2%	- 0.7

NOTE: NOVA Region consists of seven cities in Northern Santa Clara County and the entirety of San Mateo County

Source: California Employment Development Department, LMID

March 2018 Events			WARN SUMMARY	
Company	Location	# Affected	Events YTD [†] :	54
AMC Cupertino	Cupertino	35	Individuals Affected YTD:	3,482
Edison Pharmaceuticals	Mountain View	20	Individuals Previous YTD [‡] :	5,152
Gigamon	Santa Clara	74	* WARN: Worker Adjustment and Retraining Notification (notice of mass layoff or closure)	
Jacobs Technology	Mountain View	3	† YTD: Year to Date (Program year: July 1–Present)	
Laird Technologies	Milpitas	9	‡ Previous YTD: (Same date range as YTD, one year prior)	
Marvell Semiconductor	Santa Clara	1		
Symantec Corporation	Mountain View	6		
VMware	Palo Alto	159		
Total		307		

NOTE: Layoff data are preliminary and should be considered an estimate of monthly regional activity

Source: NOVA's internal Rapid Response database