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California's state legislature is poised to vote Friday on a landmark internet privacy bill, one that

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Facebook and other massive tech companies also oppose the bill — over concerns, analysts say, that the expanded privacy regulations could indirectly affect the websites' own ability to gather and monetize user data.

analysts say could quickly become a bellwether for the rest of the country. But the measure is opposed by large internet providers and tech companies, in an unusual alliance that could doom efforts by privacy groups to reverse deregulatory actions taken by President Donald Trump and his allies at the start of the year.

The bill under consideration in California is a near-mirror image of rules put in place by the Federal Communications Commission in 2016. The nationwide rules sought to place new limits on internet providers who wished to use customer data — such as online browsing history and location information — to sell targeted ads. But the rules were later overturned by Trump and Republican majorities in Congress.

Now, in a bid to restore some of those rules, the state of California is considering its own broadband privacy measure. It is widely opposed by large, established internet providers such as Cox Communications, T-Mobile and Verizon. Google,

[personal and regional](#)

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With just hours until the end of California's legislative session, the bill will need to be fast-tracked through the state senate and assembly by the end of Friday or early Saturday in order for it to wind up on the governor's desk. The first votes on California's privacy bill could come shortly before 3 p.m. Pacific time on Friday; if the bill fails to advance, lawmakers may choose to pick up where they left off in January.

Supporters of the bill say there's much more at stake than California's own policies. "This becomes law here, likely Oregon will follow in February and the 18 other states active in this will start rolling in," said Ernesto Falcon, legislative counsel at the Electronic Frontier Foundation, a California-based technology advocacy group. More than 20 states in all have considered passing their own internet privacy bills in recent months, according to the National Conference on State Legislatures.

But opponents argue that the bill is being rushed to completion. Deep changes to the legislation as late as Tuesday show that the bill is not ready for prime-time, according to a joint letter sent Thursday to policymakers by a coalition including the companies mentioned above as well as AT&T, Comcast and the Internet Association, a Washington trade group that represents tech firms. A spokesman for the Internet Association declined to comment for this story. "Foundational concepts are lacking, including a clear definition of what businesses the bill covers," the letter reads. "The bill would also lead to recurring pop-ups to consumers that would be desensitizing and give opportunities to hackers."

Some of those same arguments are finding their way into industry-backed advertisements blanketing media properties in the area, according to Jeffrey Chester, executive director of the Center for Digital Democracy, a privacy advocacy organization. The ads, he said, "play off of Equifax breach fears" and do not disclose their origins.

The 11th-hour legislative battle comes at a sensitive time for the biggest firms in Silicon Valley, whose fortunes have rapidly shifted this year amid widespread allegations of sexual discrimination and monopolistic behavior by some tech companies. The issue has also seen tech's most powerful titans striking a rare truce with the broadband providers who typically serve as the Valley's foil in policy debates.

As both groups expand their use of commercial data, state regulations that could hinder that effort represent a common danger. With the FCC's repealed regulations giving way to multiple state-level proposals, companies now face the prospect of a regulatory patchwork that could become an even bigger headache than the federal rules they lobbied to end. — *Washington Post*

Technology firms, which long enjoyed a hands-off approach from Washington aimed at fostering their growth, are facing more political challenges from both parties amid growing concerns over the companies' size, influence and perceived lack of accountability.

New scrutiny by Congress of Facebook Inc. over its acceptance of [Russian ad buys in the 2016 campaign](#) is just the latest in a string of policy pressures facing technology firms. It was already a tough year for Silicon Valley in Washington, where lawmakers have been pushing proposals that could roil the industry, including measures on net neutrality, privacy and liability.

The industry's standing suffered again in the past week when [lawmakers laid plans for public hearings](#) to examine whether Facebook and other social-media platforms were used by foreign governments during the 2016 campaign to manipulate the U.S. election. Lawmakers also signaled they are considering new legislation to address online spending by foreign adversaries—a potential blow to the firms' cherished freedom from close government oversight. "This is a Wild, Wild West," said Sen. Mark Warner, a Virginia Democrat, about the possible need for more controls on internet companies.

It wasn't long ago that President Barack Obama held a festival on the White House grounds to celebrate high-tech firms and their transformative power. Dubbed "South by South Lawn," the event last October was the coda of a cozy relationship in which Silicon Valley became a powerful influence on Mr. Obama's presidency and a core of his support.

In contrast, at a White House meeting between tech leaders and President Donald Trump earlier this year, Microsoft Corp. Chief Executive Satya Nadella led off by urging Mr. Trump to maintain an "enlightened" immigration policy as well as government research spending—two areas where the new administration had clashed with Silicon Valley. Mr. Trump responded by urging other CEOs to keep their comments "a little shorter."

The end of the tech-friendly Obama administration has opened the sector to more policy challenges from both the right and left, amid growing concern over the companies' influence. Compounding the

problem for the industry has been its occasional lack of broad-based support among Republicans in recent years, a situation that became more acute following the GOP sweep in the 2016 election.

In the internet's early days, Washington often took a light-touch approach designed to nurture the fledgling industry. Now, though, some lawmakers say big internet firms eventually could lose key aspects of the special legal protections they enjoy under U.S. law. There is even talk of possible antitrust scrutiny for some big tech firms in the U.S., following the European Commission decision to issue a record \$2.91 billion fine against Alphabet Inc. unit Google for allegedly abusing the power of its dominant search engine. The company filed an appeal of the fine on Monday.

"Antitrust, privacy and overall trust in tech companies are serious emerging issues that represent important potential threats to the Valley," said Ted Ulyot, partner for policy and regulatory affairs at the venture-capital firm Andreessen Horowitz and the former general counsel of Facebook. "All the more reason why tech companies need to understand and engage with the policy arena, starting early in their development, to help minimize those threats in the current environment," he said.

The companies involved didn't want to comment on their standing in Washington. But some of the largest companies have boosted their spending on lobbyists and hired influential former government officials to help craft their response to regulatory pressure. Largely, this message still rests on the idea that the tech companies generally are providing valuable free services to users. That may not be enough to ward off the current push by U.S. regulators and Congress, said Nick Sinai, former U.S. deputy chief technology officer during the Obama administration.

"Tech companies need to realize that presumption of good faith is eroding," said Mr. Sinai, now a venture partner at Insight Venture Partners. "They need to make sure they are good neighbors, good employers, good at delivering on the promises they make to customers, and think hard about who they have been leaving out or affecting."

So far this year, tech firms have faced new or more intense fights over issues such as user privacy, net neutrality, antitrust, intellectual property and their legal immunity for unlawful third-party posts such as those linked to sex trafficking. In March, the House and Senate passed GOP-backed legislation that rolled back Obama-era rules that had benefited internet companies by tightening user-privacy rules for their nascent rivals in the wireless and cable sectors.

After internet activists complained about the measure, GOP Rep. Marsha Blackburn of Tennessee, an influential subcommittee chairman, stunned internet firms by proposing privacy legislation that would impose big new burdens on the internet firms, as well as the wireless and cable companies. In April, Federal Communications Commission Chairman Ajit Pai proposed [a rollback of Obama-era rules](#) on net neutrality that long were championed by the internet industry. The rules require internet providers to treat all traffic equally.

Then in August, a bipartisan group of more than 25 senators introduced legislation to [pull back online firms' near-blanket immunity](#) from lawsuits over harmful third-party posts, at least for sites involved in marketing adult services. The aim is to curb what experts view as an epidemic of online sex trafficking, including of children.

Internet companies have appeared to score at least a few policy victories, some of them significant, for example [on autonomous-vehicle oversight](#), which gave them more flexibility in developing such vehicles. But a legislative showdown with the tech companies over political manipulation during the election is adding to concern that the industry is losing its influence in Washington. Sen. Richard Burr (R., N.C.), who is chairman of the Senate Intelligence Committee, which is investigating foreign interference into the 2016 election, has signaled he is likely to call a public hearing on the issue of social-media activity.

A Facebook spokesman said Thursday that the company "will continue our cooperation with the relevant investigative authorities" who are looking into foreign meddling. Antitrust worries also have grown this year, particularly among liberal Democrats and some Republicans. Mr. Trump himself raised concern about possible antitrust issues regarding Amazon.com Inc. during the campaign. But to date his administration hasn't made any public moves against Amazon, and even quickly approved the company's deal to buy grocery chain Whole Foods.

The president's nominee to be the Justice Department's antitrust chief, Makan Delrahim, who has yet to be confirmed by the Senate, promised to "investigate and vigorously enforce the antitrust laws with respect to online platforms," as with other firms. Mr. Delrahim also promised to protect American businesses from "discriminatory antitrust enforcement" by foreign authorities.

One of the biggest advantages Congress conferred to the industry in the 1990s is the immunity given to internet businesses for harm created by user posts. But lawmakers including Sens. Rob Portman

(R., Ohio) and Richard Blumenthal (D., Conn.) decided this year to amend the 1996 Communications Decency Act to remove immunity from [classified-ad sites such as Backpage.com](#), which have been criticized for publishing ads purportedly linked to sex trafficking. Backpage.com contends it uses industry-leading practices to prevent sex-trafficking ads, including ads featuring minors, from showing up in its classified listings.

The senators have run into intense opposition from big firms such as Facebook and Google, as well as trade group the Internet Association. The companies worry about being dragged into lawsuits inadvertently, despite their considerable efforts to suss out illegal trafficking. Ms. Blackburn's privacy bill is potentially one of the most worrisome developments for big online firms, including Google and Facebook. Her legislation would strengthen U.S. consumers' privacy rights online, allowing for customers to opt in before the firms can use their browser history or other sensitive data. Such a requirement could reduce the amounts of data available to the firms for their lucrative online advertising business.

The companies have launched an all-out lobbying effort to defeat the legislation, dimming its chances of enactment. The bill appears to be stalled at least in part because of the tech companies' opposition. Google's own talking points about the bill described it in near-apocalyptic terms, arguing it "imperils the future of internet commerce and economic growth in the U.S.," and "undermines the business models of all companies that provide online services." – *Wall Street Journal*

