

Google Resists Fed Efforts to Secure Records in Porn Probe

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By Jesus Sanchez

Federal prosecutors are trying to force Google Inc. to turn over user requests and website addresses stored in its massive Internet search engine to help the government defend a law protecting minors from online porn and other harmful material.

The U.S. Justice Department, in papers filed with the U.S. District Court in San Jose on Wednesday, said that Google has refused to comply with the request for information but that other, unnamed search engine operators have cooperated.

The government requested that the court order Google, which operates the Internet's most heavily used search engine, to turn over the necessary records.

"The production of those materials would be of significant assistance to the government's preparation of its defense of the constitutionality of this important statute," prosecutors said in the court filing. Google has refused to comply with these requests in any way."

Prosecutors are asking Mountain View, Calif.-based Google for the text of search engine requests made during a one-week period and a random selection of one million website addresses stored in the company's databases.

Google has refused to cooperate in part because compliance would prove to be an "undue burden" and may reveal trade secrets, the government said in its filing.

Google attorney Nicole Wong told the San Jose Mercury News that the company will continue to "vigorously" oppose the government's efforts. "Google is not a party to this lawsuit, and the demand for the information is overreaching."

The information is needed to help the government defend a challenge filed by the American Civil Liberties Unions against enforcement of the Child Online Protection Act. Federal prosecutors say the information from Google and other search engines will be used to help support their contention that the law is more effective than online filtering software to protect children from online pornography.

Prosecutors said the privacy of Google users would be protected because it only wants the text of their requests, not their identities. The court papers noted that other search engine operators, who were not identified, had provided similar information.

"Google thus should have no difficulty in complying in the same way as its competitors have," the government said.

More than 380 million visitors worldwide use the Google site each month to search the web for information, the company said.