

# TERRITORIES

Dear Linux Magazine Reader,



**Joe Casad, Editor in Chief**

Votes in the U.S. Congress aren't always determined by party. For some issues, geography is a more important factor. Farm-state senators like farm subsidies, and auto-state senators like auto subsidies – regardless of party affiliation. This rule is actually closer to high tech than you think. You can count on legislators from the high tech corridors to deliver critical votes for sweeping initiatives to help the businesses in their districts,

and sometimes the aid is much more direct – almost to the level of what you could call “constituent services.”

Few software companies are big and important enough to be associated with an entire state, but there actually are a couple of states that are tied in the public mind to software companies in the same way that Florida is tied to Disney World. Those states are Washington (home of Microsoft) and Utah (home of Novell).

Whenever Bill Gates goes to talk to the Congress, the Washington senators take very good care of him. Likewise, when a Novell exec arrives, he is treated well by the Utah delegation. This is all fair of course – every senator and congressman looks after the businesses in their district – but it gets even more interesting when elected official contend with other officials representing the competitors of their home-district businesses.

Just as Novell and Microsoft once faced off in the business world, the Utah and Washington senators faced off in the senate chambers in support of their home businesses. Back in the days of the Microsoft antitrust case, one of the most outspoken opponents of Microsoft in the senate was Senator Orrin Hatch of Utah. Because Hatch is a conservative Republican, his strong opinions on Microsoft business practices confounded the usual political alignment, in which conservatives tend to oppose government intervention in business, lending urgency to his views. In a July 23, 1998 statement to the Judiciary committee, Hatch could have been speaking for all of us in open source when he said, “The critical debate, many believe, is the extent to which Microsoft is exploiting its current monopolies both to kill off potential threats, and to leverage these monopolies to control new technologies which will define how we conduct much of our daily lives and businesses.”

Fast forward to this year and you'll find a new context for many of the same old threats. A month ago, I would have said that the legal talk this year is more about patents and less about antitrust, and yet, as we learned this month, several years after the massive Microsoft antitrust suit was supposedly “settled,” an unrepentant Microsoft is now using the same tricks to marginalize competing desktop search tools that they once used to marginalize competing web browsers.

States are high-volume consumers of desktop software, and many states, such as Massachusetts, have challenged Microsoft's dominance at the administrative level as a means of saving money for their taxpayers. When it comes to the halls of Congress, however, the welfare of important constituents brings out a whole new level of commitment. What I'm wondering is, where will the Utah senators and congressmen be the next time the congress takes up the topic of Microsoft? Now that Novell and Microsoft have signed their cooperation pact, will the Novell home district rise up defiantly to challenge the excesses of Redmond? Or maybe I should ask, if they don't, where else will we find a whole state with an interest in making sure Microsoft competes?

*Joe*

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