

On “exceptional access”

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In the beginning...



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- ▶ FISA (Foreign Intelligence Surveillance Act, 1977)

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- ▶ Tim Berners-Lee, The World-Wide Web (1990)

Crypto Wars 1.0

- ▶ U.S. government initially tried to control and limit public-sector research and use of cryptography
- ▶ Attempt to chill research via ITAR (1977)
- ▶ MIT “Changing Nature of Information” Committee (1981; Dertouzos, Low, Rosenblith, Deutch, Rivest,...)

MIT Committee Seeks Cryptography Policy

Questions of who should do research on cryptography and how results should be disseminated are the first order of business

Within the next 10 years, networks consisting of tens of thousands of computers will connect businesses, corporations and homes in ways that make communications for individuals and for society if computers continue to be connected, as they are now, according to local decisions by individuals and organizations. It will be easy to send computer programs between connected machines and to instruct a program to search for, select,

Science, 13 Mar 1981

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- ▶ With defeat of “Clipper Chip”, it seemed “crypto wars” were over; strong crypto was recognized as necessary for commerce and for national security...

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- ▶ “Keys Under Doormat” report (2015) has 15 authors, including MIT authors Abelson, Rivest, Schiller, Specter, Weitzner.
- ▶ Report documents vagueness of LE request, and technical difficulties of achieving LE access without introducing catastrophic modes of failure.

Crypto Wars 2.0



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- ▶ FBI drops case when it gets access (via Cellebrite?) in March 2016

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 - ▶ LE enters phone encryption key obtained from Apple, and gets data, but phone is bricked.

Problems with Ozzie's proposal

- ▶ NASEM report on encryption debate
(Goldwasser, Landau, Boneh and others)

<http://www8.nationalacademies.org/onpinews/newsitem.aspx?RecordID=25010>

A framework; no recommendations. E.g.:

“Will the proposed approach be effective?”

“How would it affect privacy, civil liberties, and human rights of targeted individuals and groups?”

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[a-few-thoughts-on-ray-ozzies-clear-proposal/](#)

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- ▶ Ars Technica article:

<https://arstechnica.com/information-technology/2018/05/>

[op-ed-ray-ozzies-crypto-proposal-a-dose-of-technical-reality/](#)

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- ▶ Metaphor that it is “like managing a code-signing key” doesn’t hold water: look up “Stuxnet”
- ▶ “Hardware security modules” (HSMs) have also shown vulnerabilities.
- ▶ Protection against secret surveillance by bricking phone probably won’t work either: see *Cellebrite* and *Grayshift*.

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- ▶ FBI can't count... (7800 locked phones → 1000-2000 at most)

<https://www.washingtonpost.com/news/monkey-cage/wp/2018/05/30/>

[the-fbi-blunder-on-phone-encryption-explained/?utm_term=.3a7875569952](https://www.washingtonpost.com/news/monkey-cage/wp/2018/05/30/the-fbi-blunder-on-phone-encryption-explained/?utm_term=.3a7875569952)