

Big Brother is watching YOU, putting privacy at risk



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Photo Courtesy of Paul Huffman

Nadine Strossen prepares to speak Sept. 17.

When the latest disclosures of former intelligence analyst Edward Snowden were made public last Thursday, the world was able to see that the U.S. and British intelligence agencies are capable of cracking the encryption designed to provide online

privacy and security. The Guardian, The New York Times and ProPublica reported the case.

As the NY Times points out, encryption “guards” global commerce and banking systems, protects sensitive data like trade secrets and

medical records, and automatically secures the emails, web searches, internet chats and phone calls of Americans and others around the world.”

In a collaborative effort with the British counterpart, the Government Communications Headquarters, the National Security Agency has attempted to break into protected traffic of popular internet companies such as Google, Facebook or Yahoo. After a summer of seemingly unexpected and unprecedented revelations about how the N.S.A. and other agencies were eavesdropping its own people and its allies, this is considered only the latest chapter

in a series of worrisome events that undermine privacy and fundamental liberties.

Since its inception in 2000, the highly classified program code-named Bullrun has allowed the N.S.A. to hack into computers of companies to snare messages before they were encrypted. Despite losing a public battle to insert its own “back door” called the Clipper Chip in all encryption in the 1990s, the N.S.A. employed the method regardless.

Nadine Strossen, professor of Law at New York Law School, was not surprised by this. Having been an advocate for civil liberties

all her life, she, unlike the general public, was aware about not only the existence of the surveillance program, but also about its extent.

“What’s really dismaying to me is that every time you think you have a victory, you don’t really because the agencies just go ahead and do it anyway,” Strossen said.

In 2002, the Bush administration initiated a program called Total Information Awareness. The program received a considerable amount of press in the wake of 9/11. According to a NY Times article from 2002, the underlying idea of the T.I.A. program is that

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Public largely unaware; Strossen happy about disclosures

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“the best way to catch terrorists is to allow federal agencies to share information” currently stored in separate databases.

T.I.A. was a trailblazer for the massive domestic surveillance scheme called PRISM, which remained secret until early June this year, when information about the program was leaked by whistleblower Snowden.

Strossen said the government doesn't make it easy for the public to find out.

“The information flow between we the people and the government is exactly the opposite of what it should be. We should know what our government is doing but we don't because of undue secrecy and they shouldn't know what we do but they do because of undue

surveillance.”

She said that the lack of knowledge has a lot to do with people not being aware of events in general and the fact that both the private sector and government have hidden information.

Strossen, who served as president of the A.C.L.U. for 18 years, underscores the importance of civil liberties in a democratic society.

“Without fundamental freedoms, in particular speech, thought, press and association, which are all 1st amendment freedoms, we would not be able to advocate for any other right, we wouldn't have access to information, we couldn't communicate about our government and we couldn't criticize it.”

In other words: There wouldn't be a functioning democracy.

Many people seem to

be more concerned by surveillance and data mining by the private sector than they are by government. A Sept. 5 survey by the Pew Research Center found out that internet users “are more intent on trying to mask their personal information from hackers, advertisers, friends and family members than they are trying to avoid observation by the government.”

The latest revelations, however, clearly show how getting information from private companies is a vital part of intelligence agencies' strategy.

Although major tech firms like Microsoft and Google insist that they “provide user data to government only in accordance with the law,” the classified documents indicate that the agency's success depends on the collaboration with the internet companies.

According to one of the documents leaked by Snowden, who was granted temporary asylum in Russia after he had spent over one month at a Moscow airport, the N.S.A. spends more than \$250 million a year on a project that allows it to “actively engage the U.S. and foreign IT industries to covertly influence and/or overtly leverage their commercial products' designs” to make them “exploitable.”

Amid the developments, Strossen insisted that the state of civil liberties when it comes to surveillance is better now that the surreptitious proceedings have been confirmed. Strossen said she is relieved things didn't get worse since 9/11.

“The fact that we know about it thanks to

whistleblowers such as Snowden is actually a big improvement.” “To me, Snowden is a patriotic hero,” Strossen said, adding that she feels “much more encouraged today” than she was prior to the revelations.

What's more, the Pew Research Center survey revealed that 86 percent of people surveyed have taken steps to remove or mask their digital footprints, while 55 percent say they are worried about information available about them online, a figure that was only at 33 percent in 2009.

Strossen said that “there has been an amazing amount of uproar and criticism.”

Many people have signed letters of protest and petitions. The A.C.L.U. and other organizations have been encouraging people to communicate with members of Congress, which led to a

recent Congressional vote and near passage of a cut back on the government's authority.

Strossen will give a presentation on “Surveillance Society and the Threat to Our Civil Rights” on Sept. 17 in the Anheuser-Busch Leadership Room at 7 p.m.

It will be Strossen's first speech about surveillance, which she calls a “very important civil liberty issue.” All students are encouraged to attend.



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NYTimes.com*

N.S.A. campus in Fort Meade,
Maryland.