

## **FBI pressuring Google, Facebook to allow 'back doors' for wiretapping**

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ACLU: Proposed expansion of wiretap powers 'a clear recipe for abuse'

FBI Director Robert Mueller traveled to Silicon Valley this week to convince major Internet players to build "back doors" into their software that will allow law enforcement to wiretap data on their networks, says a news report.

It's part of an effort to expand the FBI's wiretapping powers to include the latest communications technologies, including social networking sites, voice-over-Internet (VoIP) telephone services and BlackBerries.

But privacy and civil rights advocates are raising the alarm about the proposal, saying that the proposed wiretapping tools could just as easily be used by hackers to steal personal information, or by oppressive governments to track political dissidents.

The [New York Times](#) reported Wednesday that Mueller is on a lobbying trip in Silicon Valley to sell tech companies on the idea.

Mr. Mueller and the F.B.I.'s general counsel, Valerie Caproni, were scheduled to meet with senior managers of several major companies, including Google and Facebook, according to several people familiar with the discussions. How Mr. Mueller's proposal was received was not clear.

"I can confirm that F.B.I. Director Robert Mueller is visiting Facebook during his trip to Silicon Valley," said Andrew Noyes, Facebook's public policy manager. Michael Kortan, an F.B.I. spokesman, acknowledged the meetings but did not elaborate.

The Obama administration plans to introduce the new law -- an update to the 1994 Communications Assistance to Law Enforcement Act -- next year.

The current law mandates that phone companies have to be ready to wiretap a customer if law enforcement requests it, but supporters of the new law say that's no longer good enough. The FBI says its ability to wiretap is "[going dark](#)" because people are increasingly using encrypted communications tools, such as Skype and the BlackBerry. The new law would require companies such as these to install "back door" access to their communications.

That's raising the alarm among privacy advocates who say the same tool that lets the FBI snoop on communications can be exploited by hackers for criminal purposes.

"Building backdoors in software to help the FBI wiretap will attract hackers who want to do the same thing -- access confidential communications," Gregory Nojeim, a lawyer at the Center for Democracy and Technology, told [SC Magazine](#).

"It is important to realize that this proposal isn't simply applying the same sort of wiretap system we have for phones to the Internet; it would require reconfiguring and changing the nature of the

Internet," Laura Murphy of the ACLU's legislative office said in a [statement](#).

"We remain very concerned that this proposal is a clear recipe for abuse and will make it that much easier for the government to gain access to our most personal information. Americans should not simply surrender their privacy and other fundamental values in the name of national security."

The Times reports that there is resistance to the proposed law even within the Obama administration.

The Commerce Department and State Department have questioned whether it would inhibit innovation, as well as whether repressive regimes might harness the same capabilities to identify political dissidents, according to officials familiar with the discussions.

Another problem has to do with the non-geographic nature of the Internet. Many services used by US Web surfers are based in other countries. Under the proposed law, those services would have to route their communications through a US server so that they could be tapped. Whether foreign communications companies could be required -- or would be willing -- to do that remains an open question.

"They are really asking for the authority to redesign services that take advantage of the unique, and now pervasive, architecture of the Internet," said James Dempsey of the Center for Democracy and Technology in a [Times interview](#). "They basically want to turn back the clock and make Internet services function the way that the telephone system used to function."

But James Lewis of the Center for Strategic International Studies says the concerns about the proposed law were "cooked up" by the privacy-rights community. [SC Magazine reports](#):

Such legislation would not expand the FBI's current ability -- it would just preserve it, Lewis said. Under 1994's Communications Assistance for Law Enforcement Act, phone and broadband networks are required to have interception capabilities, Lewis said. As people increasingly communicate online, law enforcement's capabilities will further decrease, making it easier for criminals to get away with crimes.

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