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CS349
SURVEILLANCE AND WHISTLE BLOWING
HISTORY OF SURVEILLANCE

“Enlightened rulers and good generals who are able to obtain intelligent agents as spies are certain for great achievements.” – Sun Tzu

Spies and intelligence networks have historically been used across a multitude of civilizations

Ciphers and codes common for transmitting sensitive information

- Caesar cipher named after Julius Caesar, who used it in his correspondance

In such networks agents would:

- Target and monitor the activities of individuals
- Plant information/engage in activities to gather information
Cipher Bureau: Origins of US Modern Intelligence

- Cipher Bureau of Military Intelligence created during WWI and headed by Herbert Yardley
  - Used to break German codes during the war
  - Aided diplomatic negotiations with Japan in 1922
  - Used Western Union and other telegraph companies to gain information entering and leaving the country
- Secretary of State closed the agency in 1929
- In 1931 Yardley published activities of Cipher Bureau for US citizens and the world to see
In 1930, US Army formed Signal Intelligence Service (SIS) for code-breaking outside of State Department

- Focused on monitoring the Japanese Empire
- Cracked Japan’s Purple cipher and JN-25 code (used during Midway)

President Truman reorganized SIS into the National Security Agency (NSA) in 1952
NSA’S COLD WAR ACTIVITIES

- Monitored correspondence of US citizens under program called Project SHAMROCK
- Monitored communications of civil rights leaders and opponents to Vietnam War under Project MINARET
- A 1967 program used to monitor suspected terrorists and drug traffickers expanded by later presidents to monitor political dissidents
- In 1978 Church Committee hearings led to Foreign Intelligence Surveillance Act (FISA) to set guidelines for what the NSA could collect and prevent warrantless surveillance
- NSA shrank in size after end of Cold War
SURVEILLANCE IN THE TURN OF THE CENTURY

- FBI launched Carnivore, a customized packet sniffer, to monitor Internet traffic and use.
- After 9/11, NSA launched data mining program to look through electronic data.
  - Under President George W Bush, NSA also authorized to monitor phone calls and e-mails of US citizens without a warrant.
  - Warrantless wiretap program ended in 2007 due to public pressure and questionable legality.
- FISA Amendments Act of 2008 allows government agencies to monitor electronic communications of foreigners abroad.
  - President Obama extends Act by five years in 2012.
  - Reauthorized again for six years in 2018.
- In 2013, NSA contractor, Edward Snowden, revealed PRISM program, allowing officials to collect material including search history, e-mail content, file transfers and live chats.
  - Done in collaboration with major corporations including Microsoft, Yahoo, Google, Facebook, YouTube, Skype, AOL, and Apple.
SO WHY IS THIS SORT OF SURVEILLANCE DIFFERENT?
INFORMATION IN THE INFORMATION AGE

- Understanding of information, and the transmission of information, rapidly developed in the 20th Century
- Amount of information in the world also exploded
  - But not necessarily any good way to process so much data

Sources: IDC, Radicati Group, Facebook, TR research, Pew Internet
DEEP LEARNING

- In 2012, deep learning added more layers to the traditional convolutional neural network approach for classifying information
  - Extremely good results with enough data
  - Result is rapid improvements in the areas of machine learning, natural language processing, computer vision, and pretty much anything that requires pattern recognition
DEEP LEARNING IN SURVEILLANCE

- Facial recognition
- Behavioral recognition
- Object identification
- Large data sets that can be processed without human assistance...
WHAT DOES THIS MEAN?

▸ What does this mean for you as a computer scientist?
▸ What does this mean for societies worldwide?
▸ What does this mean laws, enforcement, and future systems of government?
WHISTLEBLOWING

- Whistleblowing is when someone in a company reports immoral or illegal activities to an outside organization.
  - Publicizes company’s actions to general public.
  - Allows for government fines or prosecution if laws or regulations are being violated.
  - Whistleblowers protected from company retaliation by federal and often state laws.
WHAT ABOUT WHISTLEBLOWING AGAINST THE GOVERNMENT?

- Whistleblower Protection Act (WPA) states that the government cannot take “adverse personnel actions” against employees who engaged in “protected disclosures to specified persons”
  - Personnel actions includes firing, demoting, and cutting pay but offers no protection against criminal prosecution
  - Specified persons means, in the case of classified information, only includes certain officials
- Does not apply to anyone in a confidential, policy-determining role, or apply to anyone in the FBI, CIA, or NSA
- The Intelligence Community Whistleblower Protection Act (ICWPA) permits disclosure of certain information to agency’s Inspector General (IG) but does not protect against retaliation
WHISTLEBLOWING AGAINST THE MILITARY?

- Military Whistleblower Protection Act (MWPA) provides similar protections as the IWPA but for military personnel
  - Disclosures should go through Inspectors General in the Department of Defense
  - Nominally provides protections against retaliation and reprisals
  - IGs often do not acknowledge connection between previous whistleblowing and reprisal
- Incidentally the Nuremberg Principles do not allow for the “superior orders” defense in crimes under international law
CHELSEA MANNING

- In 2010, Pfc. Manning, currently deployed in Iraq, released classified and sensitive documents relating to the conduct of US soldiers in Iraq and Afghanistan to international watchdog organization, WikiLeaks
  - Revealed larger number of civilian casualties than US had reported
  - Included footage of the 2007 Baghdad airstrikes that killed two Iraqi war correspondents working for Reuters
- In May 2011, Manning charged by US Army with 22 counts of unauthorized possession and distribution of secret diplomatic and military documents
  - Received a 35-year sentence
- In 2017, President Obama pardoned her three days before leaving office
In March 2013, Snowden, a contracted NSA analyst, fled the US to Hong Kong.

Leaked information to the press on NSA’s Prism program as well as British agency, GCHQ, which was tapping fiber-optic cables under the codename Tempora.

Revealed spying not just against US and UK citizens but other international states, including China, Germany, Brazil, and Mexico.

Snowden currently in exile in Russia.
PATRIOTS OR TRAITORS?
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