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search

jobs

US edition



home > tech

Election 2016

US

World

Opinion

Sports

Soccer

Arts

Lifestyle

Fashion

all sections

Silicon Valley

US defense chief tells Silicon Valley: 'encryption is essential'

Ashton Carter has been courting tech firms in San Francisco, trying to heal the rift between the Pentagon and the industry in the ongoing Apple and FBI clash





US defense secretary Ashton Carter has been attempting to heal the rift between the Pentagon and Silicon Valley.
Photograph: Jeff Chiu/AP

Spencer Ackerman in New York and Danny Yadron in San Francisco

Wednesday 2 March 2016
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The escalating encryption fight between [Apple](#) and the FBI has a prominent dissenter inside the government: US defense secretary Ashton Carter.

Apple v FBI congressional hearing – as it happened

In an important precedent for whether US security agencies can influence how private companies develop code, Apple argued its case against the FBI

The powerful Pentagon chief has not publicly undercut the FBI's demands for Apple to write software undermining security features on its iPhone, which the bureau says is necessary to investigate the [San Bernardino terrorist attack](#).

Yet Carter, according to people familiar with his thinking, has grown concerned that the increasingly bitter showdown between Apple and the bureau is

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jeopardizing his own efforts to forge closer ties with [Silicon Valley](#) – a major priority of his tenure at the Pentagon. As Comey fights encryption, Carter is bear-hugging it.

His current trip to the west coast, only the latest in a series of California jaunts, is devoted primarily to appealing for help with securing US defense networks – embracing the robust encryption that the [FBI](#) warns will lock law enforcement out of judicially-authorized criminal and national security investigations.

“I’m just speaking for the [Defense Department] – data security, including encryption, is absolutely essential to us,” Carter said on stage at the RSA security conference in San Francisco on Wednesday.

Defense Department top brass, including some leaders at the National Security Agency, also have a different set of interests in the encryption debate compared to law enforcement. The military has more of an interest in iron-clad data security as it traffics in highly classified secrets. Meanwhile, the NSA tends to have more hacker tricks up its sleeve to get around intelligence targets’ security measures, including encryption, compared to the typical FBI agent or local police investigator.

Carter said, for instance, that he would be opposed to building a function into commercial encryption that would give the government access to data. “I’m not a believer in backdoors or a single technical approach. I don’t think that’s realistic,” he said.

Congress may end up drafting legislation ‘in anger and grief’

Carter declined to comment specifically on the Apple case other than to say one incident shouldn’t determine the final outcome of the privacy fight. But he is understood to think the FBI is not unreasonable in its demand in the Apple case. The defense chief is concerned that the fight is leaving the tech industry confused about how the government views encryption, and the acrimony surrounding it is deepening the [post-Edward Snowden rift](#) between the government and Silicon Valley.

Still, the defense secretary in conversation with the venture capitalist Ted Schlein, who is himself close to Washington, urged technology companies to look for ways to compromise with the government. If they don’t, the pair warned, both the industry and the government will have to deal with legislation written by Congress “who don’t have the technical knowledge”, Carter said. “It may be written in an atmosphere of anger and grief.”

Pentagon wants to attract ‘vetted hackers’

In 2015, Carter became the first defense secretary to travel to the Bay Area in 20 years, signaling his concern that the US military is losing the technological advantages it has had for a generation.

Carter wants to attract what the Pentagon called “vetted hackers” for Hack the Pentagon, a hackathon to test the tensile strength of US military cybersecurity, officials said on 3 March. The Pentagon will invite hackers to search for vulnerabilities on its public webpages that hackers might exploit - a task familiar to Silicon Valley but not the the Pentagon. It is expressly aimed at the very coders who might feel alienated by the Apple-FBI clash. The one requirement is that hackers be US citizens, Carter said.

“Bringing in the best talent, technology and processes from the private sector not only helps us deliver comprehensive, more secure solutions to the DoD, but it also helps us better protect our country,” said Chris Lynch, the director of the Defense Digital Service, another Carter initiative to bolster the department’s digital defense.

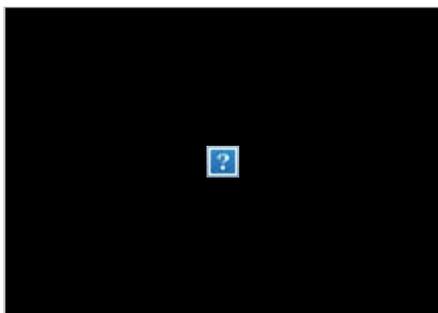
As Comey was [defending to Congress](#) his pursuit of unlocking an iPhone 5C used by a terrorist in December’s San Bernardino attacks, Carter explicitly called Apple a “partner” during a speech at the Commonwealth Club on 1 March.

Carter waxed lyrical about the “garages and dorm rooms and home offices and research laboratories” of tech-sector giants and pledged to “preserve access to a free, open and secure internet” that technologists say the FBI will undermine by compelling Apple to write software that rolls back the company’s user-security features.

Even as Carter delicately tiptoed around the Apple-FBI clash, he urged continued “partnership” with Silicon Valley and warned against China’s “intent to require backdoors to all new technologies” – a point Apple has made to underscore the unintended consequences of the FBI’s push.

Carter, more so than any other Washington official these days, appears to have had some success befriending Silicon Valley even as it wages a war of words with other parts of the [Obama administration](#).

On Wednesday he announced a new defense innovation board that will try to use the valley’s smarts to solve major defense problems, to be led by Alphabet executive Eric Schmidt.



Google, Facebook and Microsoft all expected to file supporting briefs

Despite Carter's plea for partnership, the battle lines between law enforcement and Silicon Valley are hardening.

Major tech companies including Microsoft, Google and Facebook are expected to file a legal brief supporting Apple by 3 March.

On 2 March Apple [filed its formal objection](#) to the federal judge's order to help the FBI unlock an iPhone used by one of the San Bernardino attackers.

The digital-rights groups AccessNow and the Wickr Foundation, as well as the American Civil Liberties

Security experts: FBI asking Apple to weaken encryption is 'path to hell'

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Union, on 2 March filed briefs strongly backing Apple, warning that the "far-reaching consequences" of the FBI's position include "deliberately compromised digital security [that] would undermine human rights groups around the globe".

The ACLU argued that the FBI has exceeded the bounds of both [the almost 230-year-old law](#) enabling judges to enforce warrants and the Constitution by effectively "enlist[ing] private parties as its investigative agents to seek out information they do not possess or control".

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