

FBI "Carnivore" Internet Surveillance Questioned

ON NOVEMBER 21ST 2000 the US Senate Judiciary Committee asked the Federal Bureau of Investigation (FBI) to provide additional information on the capabilities of its "Carnivore" Internet surveillance system, whose existence was revealed last year.

The FBI describes the need for Carnivore in the following terms:

In recent years, the FBI has encountered an increasing number of criminal investigations in which the criminal subjects use the Internet to communicate with each other or to communicate with their victims. Because many Internet Service Providers (ISP) lacked the ability to discriminate communications to identify a particular subject's messages to the exclusion of all others, the FBI designed and developed a diagnostic tool, called Carnivore.

The Carnivore device provides the FBI with a "surgical" ability to intercept and collect the communications which are the subject of the lawful order while ignoring those communications which they are not authorized to intercept. This type of tool is necessary to meet the stringent requirements of the federal wiretapping statutes.

However, there has been substantial criticism of the Carnivore

programme, including the FBI's assertion that it permitted "surgical", rather than broadly based, surveillance. The Electronic Privacy Information Center (EPIC) in Washington reported on an independent technical review of Carnivore. The review, released on November 21st 2000, found that FBI agents operating the system can inadvertently collect more private communications than permitted by law, underscoring the potential dangers of the invasive technology. EPIC also noted a report on the results of an FBI test earlier that year showing that Carnivore "could reliably capture and archive all unfiltered traffic" transmitted through an Internet service provider and store the communications on a hard drive or removable disks. EPIC stated that the reviewers also reported that they "did not find adequate provisions (e.g. audit trails) for establishing individual accountability for actions taken during use of Carnivore."

The November 21st 2000 Senate Judiciary Committee's request to the FBI sought further information about Carnivore. The letter stated that "skepticism about Carnivore is based precisely on concerns about this program's capability and whether this capability would be exploited to do more than just intercept narrowly-targeted pieces of information."



Selected Carnivore documents, released as part an EPIC's Freedom of Information Act lawsuit relating to Carnivore, are available at: The Carnivore review report is available at: http://www.epic.org/privacy/carnivore/review_comments.html. The FBI description of Carnivore and its justification for the programme can be found at: <http://www.fbi.gov/programs/carnivore/carnivore2.htm>

Conference CALENDAR

Computers, Freedom and Privacy, Cambridge, USA, 6-9th March 2001

An annual conference on privacy and encryption. This conference will be chaired by Deborah Hurley, Director of the Information Infrastructure Project at Harvard's Kennedy School of Government. For more information, see <http://www.cfp.org>, or e-mail dhurley@well.com.

Privacy Laws & Business 14th Annual Int'l Conference, Cambridge, UK, 2-4th July 2001

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