

Commentary

By Mark Anderson
Special to ABCNEWS.com

MARK ANDERSON



THE FBI: HIGH GROWTH, LOW ACCOUNTABILITY

If you or I had been responsible for the massacre at Waco, Texas, and the homicides at Ruby Ridge, we'd be looking for a new job right now. After all, the bombing of the Murrah Federal Building seems to have been in retaliation for Waco, and the sharpshooter from Ruby Ridge has been indicted for murder.

Of course, that didn't keep the shooter's boss, Larry Potts, from being promoted to No. 2 at the FBI, even as he was destroying evidence in the case. Who promoted him? FBI Chief Louis Freeh, naturally, the fellow who has been working so hard to keep strong encryption out of U.S. software products. Although Louis was later forced to dump Potts, he seems accountable to no one, à la J. Edgar himself.

So it's with some alarm that I note two new FBI measures, both chilling to American freedoms. First, we have a proposal to allow the FBI to create a new operational division which would pre-emptively patrol all manner of "strategic" computing systems, snooping ahead of time just to make sure that no one else was. Just gives you a safe and secure feeling, doesn't it?

The second move was a hold put on the operating license of Globalstar and other satphone vendors, based on the Communications Assistance for Law Enforcement Act of 1994 (CALEA), which forces digital telecommunications companies to provide easy access for wiretapping to the FBI, at their own expense. The inference is that the FBI, while not legally involved in clearing new satellite systems, will do what is necessary to block their operation until the owners agree to provide user-location data and easy wiretap access similar to that already in place for the cell phone industry.

Shall I add that the FBI is now working to involve itself in numerous extra-U.S. operations, ranging from Kosovo to Columbia, and Interpol has recently (unofficially) complained of apparent competition? Or that the FBI closed its decades-long public tour operation of headquarters in July, claiming security risks?

With a month to go before system commercial launch, Globalstar, Loral and U.S. marketing partner Verifone/AirTouch are bound to be making some late-night calls to their elected representatives. My advice to their negotiators: Don't use your cell phones.