

US v. Apple The Equities Issue

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The Equities Issue:

Who should be given advantage?

Attack?

Defense?

The facts

- I did not work this case
 - So I don't have any of the real facts
 - Unless you did – neither do you
- The supposed facts
 - Vary by who you ask
- I am not a rumor monger
 - So I am not going to make facts up
- Rather
 - I will attribute various fact patterns to their sources
 - And speculate about the underlying issue(s)

Some tradeoffs

- Exigent search vs normal cases
 - There are cases when time is of the essence
 - That was not the issue here
 - There was no actual basis for exigency
 - Post facto – there might have been!
 - There always might be! So what!
 - It takes time regardless
 - If you want to get in fast, use a hacker
- Corporations aren't that fast!
- Especially doing new things



Some tradeoffs

- Terrorism and fear mongering
 - How many people are killed by terrorism?
 - There are more dangerous things than this!
 - Bathing
 - Driving
 - Smoking
 - Swimming
 - Lightning
 - Starving
- I didn't actually look this up, but you should
 - Stop pushing the fear button to take away freedoms!
 - Drive public policy by reason, not by emotion



Some tradeoffs

- The only thing we have to fear is fear itself
 - The constitution is not a suicide pact
 - Actually – it was... sort of
- Those who give up freedoms to gain security lose both
 - A misquote of course
 - But I use Wikipedia sometimes too
- You can have my guns when you take them from my cold dead hands
 - If bullets costs \$500, there would be far fewer shootings
- These meaningless platitudes brought to you by “sayings”
 - It only effects the masses if you can say it simply!
 - Goebels (actually not – but thematic nonetheless)

The equities issue

- My take on this whole US v. Apple (them) thing
 - It's about the equities issue
 - When should we favor offense vs. defense
 - A.K.A. How did we get such weak cyber systems?
- No system is or can be “secure”
 - We don't even widely agree on what “secure” is!
 - Even if we did, the infinite dimensional Hilbert space
 - Fatalistic (nothing we can do matters) **OR** effected by the acts of everything always
 - The best we can hope for is to imperfectly constrain futures in a contest between views and acts

What if we applied the same criteria to bridges

- Bridges can be blown up
 - Do we build bridges to withstand arbitrary attack?
 - No! They are designed not to fall on their own
 - Nature is the design basis threat
- Detonation teams (hackers) can blow up bridges (break in)
 - They could kill untold numbers of people
 - They could disrupt the entire economy
- Don't worry – they are falling down all on their own
 - Because we are spending all our money on terrorism instead of fixing our breaking infrastructure
 - Save the infrastructure! Stop trying to break into iPhones and instead pay that money to fix bridges!

Equities

- The best defense is a good offense!
 - Football saying aside, it's not actually
 - At least in cyberspace
- The reason we favor attack over defense in cyberspace
 - Intelligence is the only way to interdict attacks
 - The ability to break into systems and gain access is core to our ability to defend the nation against all threats, foreign and domestic
 - The constitution rules
- But when we spend too much on attack and weaken defenses intentionally, the weaknesses are available to everyone
 - In cyberspace, your unique entry today is my automated script today. It only takes a minute or two – often less

Equities

- Manning to Snowden – a.k.a. risk aggregation
 - Risk aggregation was a known and published problem long before Manning or Snowden
 - Defenders knew or should have known that a single trusted insider could take mass quantities
 - Manning took advantage of aggregated risk
 - All the eggs in one basket – one person got the eggs
 - Who could have known! Nobody ever did this before!
 - You should have known! Done many times before!
 - So fix it! (I personally/publicly told them to fix it)
 - Snowden again took advantage of aggregated risk
 - So they have a two-person rule now... sort of...

You are warned!

- Someone will do it again – perhaps two people together!
 - They may be lovers! They may be spies!
 - If you put all your eggs in one basket... you're cracked!
- The underlying problem is not bad management
 - The underlying problem is that we don't spend the time and effort to know as much about defense as offense
 - And we are the ones most vulnerable to attack
 - Because we are the most dependent on cybersystems
 - Why are we so dependent?
 - Because we decide to be
 - Efficiency over effectiveness
 - By bad management decisions!

Sort of

- Bad management decisions regarding risk are not so bad...
 - Start with 10 companies in business X
 - 5 spend a lot on security, 5 spend a little
 - Of the more secure ones, 2 fail from natural causes
 - Of the less secure ones 1 more fails from insecurity
 - Now have 2 insecure companies with more money and 3 more secure companies with less money
 - Each less secure company buys a more secure one with the extra money they made
 - We now have 2 insecure and 1 more secure company
- Less security is the better business decision!
 - It's good management! If the goal is to make more money!

Capitalism

- If capital is the religion, security is not the goal
 - It's the classic problem of local vs. global optimization
 - The global optimum is more slightly more secure companies
 - But since each optimizes for itself, the time sequence rules
- The political system with global optimization is called...
 - Authoritarianism (not communism – that's even worse – you lose both the efficiency and the security)
 - We don't want it! (I hope)
- Maybe we need another “ism”
 - Enlightened self-interest / Long-term capitalism
 - Wow! All this from an iPhone?!

Back to the iPhone

- LE/Gov wants vulnerabilities only they can exploit
 - But it doesn't work that way
 - If there is a vulnerability anyone can find and exploit it
 - History shows that this happens (a.k.a. evidence)
- LE/Gov says “trust us – we are the good guys”
 - But it doesn't work that way
 - If it can be taken advantage of for good, it can for ill
 - History shows that this happens (a.k.a. evidence)
- So because of a few bad apples, this spoils the whole bunch?
 - Welcome to the equities issue! The magnitude of the damage depends on what happens!
- The infinite dimensional Hilbert space returns!

Some facts folks are going to have to live with

- The technical geniuses CAN NOT do “anything” regardless of their ads
 - Artificial intelligence isn't – aliens found no intelligent life on Earth
 - Natural stupidity we seem to have plenty of (thanks Irwin Marin)
 - You can build systems you cannot get into – but it's a bad idea
 - Just because you cannot get in, doesn't mean I cannot
 - Ain't a horse that can't be rode,
 - Ain't a man that can't be throwed!
- “Any” is not “all” - but in computers today, “any” implies “all”
 - If you can get to “any” record, you can get to “all” records
 - It doesn't have to be this way – but today it largely is
 - Don't imagine Apple knew how to get in immediately
- Hackers cannot do “anything” regardless of the propaganda
 - Stop associating magical powers with things you don't understand

The solution!?! ---

- I didn't promise you solutions!
 - I promised tradeoffs and plenty of problems with them
- Where do I stand?
 - I don't care about Apple or the FBI
 - I care even less about the assholes who kill people because they have a wacko view of a religion they misunderstand
 - I care about the same things you do
 - My family and their happiness
 - Everyone else's families and their happiness
- In the US, we are highly dependent on cybersystems
 - We need to defend them so as to avoid aggregated risks and their consequences when exploited

Avoiding serious negative consequences of risk aggregation

- Apologies: I have used the 4-letter word that ends in “k”
 - Risk is the set of unconstrained futures of the infinite dimensional Hilbert space that is the current view of reality from physics
 - As we build more interdependent and interconnected cybernetic systems, we change the Hilbert space so that more of the futures involve outcomes with serious negative consequences
 - Serious negative consequences are
 - The things I care about
 - My family and their happiness
 - Everyone else's families and their happiness

Avoiding serious negative consequences of risk aggregation

- To avoid the potentially serious negative consequences
 - We seek to constraint the futures of the Hilbert space
- The thing we (people) do is:
 - Model-based situation anticipation and constraint
 - We model the Hilbert space imperfectly
 - We use the models to anticipate futures
 - We seek to act so as to constrain futures
 - If the most serious negative consequences are the result of risk aggregation, a seemingly obvious solution is to
- Stop aggregating risks beyond the threshold of security to adequately mitigate it
- Disaggregate risks where they exceed the threshold today

Back to the equities issue

- So what are the serious negative consequences today that exceed the ability of cybersecurity to mitigate them adequately?
 - We (the US) lacks the political will to figure it out
- I have my ideas about it and you probably have yours
 - But the right way to get at the real answers is to study it using a scientific approach
 - Sound science takes time and money
 - We don't even fix our bridges
- The real underlying equities issue is our broken political system
 - The worst system ever invented – except all the others
 - The way to fix it is to DO YOUR HOMEWORK and VOTE!!!
- I believe in democracy when the people can get the truth

Thank You



fc at manalyt.com (among others)