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Officials, Executives Envision Encryption Commission

Industry executives and government officials hope to bridge the divide over privacy and national security

By CAT ZAKRZEWSKI

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As Apple Inc. and the Justice Department spar over access to the phone of a San Bernardino shooter, some government officials and private-sector executives want to create a commission to address the challenging issues posed by encryption.

Rep. Michael McCaul, chairman of the House Homeland Security Committee, on Thursday pitched his proposal for a bipartisan encryption commission to a computer-security trade show in San Francisco. The Texas Republican proposed the commission in a bill he introduced to Congress this week with Sen. Mark Warner (D., Va.)

Earlier in the week, a group of industry executives and former government officials revealed a separate initiative to address the tensions between privacy and national security. Former RSA Security executive chairman Art Coviello, former Secretary of Homeland Security Michael Chertoff and former National Security Agency Director Mike McConnell joined with privacy groups to form The Digital Equilibrium project.

While neither effort proposed specific solutions, they both hope that simply putting adversaries together would encourage discussions that might help bridge the divides of the use of encryption technology.

Rep. McCaul in presenting his bill said the time had come to “lower the temperature” on the encryption debate ahead of any congressional debate. He said proposals to weaken encryption could undermine security and American business interests abroad.

“Most members don’t understand what encryption is,” Rep. McCaul said. “They don’t understand the threat. They don’t understand the value of encryption.”

He criticized proposals to create a “back door” that would give the government access to encrypted devices. But he said encrypted devices and communication apps are inhibiting both domestic law enforcement and global intelligence at a time when ISIS poses a growing threat.

Rep. McCaul compared his efforts to the bipartisan commission that investigated the Sept. 11, 2001 attacks.

The other group, which was formed before the San Bernardino attacks in December, suggested a summit of representatives from government, companies and civil-liberty groups. Mr. Coviello said the initiative is “totally in sync” with the efforts of Rep. McCaul and Sen. Warner.

Mr. Coviello said he understands that people may be cynical about such commissions. “My response to that is what alternative do we have?” he said.

Apple Chief Executive Tim Cook earlier endorsed a call for a congressional commission.