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Ethics and Law on the Electronic
Frontier

~~How cyberspace gets civilized~~

How the net is changing society

The Law

vs.

The Laws (statutes)

Engineering vs. Law

- Engineering and science: experiment, scientific method.
- Law: conflict resolution and precedent.
- Law:
 - Much of it is by accumulation of cases.
 - It works by precedents.
 - Different circuits may have different standards.
- The law is always catching up.

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THE WHITE HOUSE

WASHINGTON

January 17, 1991

MEMORANDUM FOR THE HONORABLE DICK CHENEY
Secretary of Defense

THE HONORABLE WILLIAM P. BARR
Attorney General

THE HONORABLE ROBERT M. GATES
Director of Central Intelligence

SUBJECT: Legislative Strategy for Digital
Telephony (S)

On December 30, 1991, I sent to the President a memorandum seeking his approval for a legislative strategy for digital telephony. The substance of that memorandum is attached. On January 15, 1992, he approved the following course of action:

- Justice should go ahead now to seek a legislative fix to the digital telephony problem, and all parties should prepare to follow through on the encryption problem in about a year. Success with digital telephony will lock in one major objective; we will have a beachhead we can exploit for the encryption fix; and the encryption access options can be developed more thoroughly in the meantime. (TS)

Brent Scowcroft
Brent Scowcroft

Attachment

Declassified/Released on 6/28/96
under provisions of E.O. 12958
by J. Saunders, National Security Council

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10