University of California installs secret spyware system

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Over the last few months, reports have revealed that the University of California (UC) Board of Regents, presided over by ex-chief of Homeland Security and former Democratic Governor of Arizona, Janet Napolitano, has sanctioned a secret spyware system capable of monitoring and collecting data from all individuals within the networks of the ten UC campuses and five medical centers throughout California.

As head of the UC Board of Regents, Napolitano is one of 26 members who oversee one of the state's largest institutions and employers. The University of California is comprised of almost 20,000 faculty members, 200,000 staff, and a student body comprised of nearly 250,000. The spyware system has been installed in complete secrecy, without the knowledge or consent of students, faculty, and staff.

The UC Office of the President (UCOP), has issued statements that the spyware is necessary to prevent "cyber-attacks" and what it terms "Advanced Persistent Threats (APTs)." The office cites a July 2015 UCLA cyber-attack that put the personal and medical information of 4.5 million people at risk. The UCOP stated that from "time to time, if a serious cybersecurity threat arises that may potentially impact multiple campuses, the Office of the President may direct campuses to coordinate security monitoring, investigation, and threat remediation activities."

Though the spyware has been in place since August 2015, information of the spyware was not revealed until December 2015 when Ethan Ligon, an associate professor at the UC Berkeley campus and member of the Academic Senate-Administration Joint Committee on Campus Information Technology, sent an email to faculty members, ignoring orders by the UC administration to keep the project confidential.

"The intrusive device is capable of capturing and analyzing all network traffic to and from the Berkeley campus, and has enough local storage to save over 30 days of [all] this data… This can be presumed to include your email, all the websites you visit, all the data you receive from off campus or data you send off campus," Ligon wrote in the email.

UC Berkeley campus IT staff also showed the device to Associate Professor Greg Niemeyer because they felt "sufficiently uncomfortable" with the system and its lack of transparency. Niemeyer told the *DailyCal*, "Right now we don't know, we can't ask and we can't find out…The whole operation is covert, and we can only assume from the hardware we see that it's extremely expansive."

The UCOP has chosen a data collections system, Fidelis XPS, made by Fidelis Cybersecurity, which has the ability to inspect and intercept all communications, including encrypted emails, and has the ability to analyze the contents of that communication.

Upon revelations of the Fidelis spyware, students, staff, and faculty have justifiably vocalized the threat of such a spyware system to their privacy rights and academic freedom.

"Unfortunately, many have been left with the impression that a secret initiative to snoop on faculty activities is underway," Napolitano said in a statement Monday. "Nothing could be further from the truth."

There is no reason to take Napolitano's statements for good coin. As the former chief of Homeland Security for the Obama administration, Napolitano possesses an immense familiarity with NSA spyware systems and privacy infringement.

In 2012 while serving in her previous post, she oversaw the "Secure Communities" program to identify and gather fingerprint and other information on

immigrants. She also expanded the 287(g) program which cemented partnerships between federal government and local police to enforce immigration law.

Expansion of these programs were deemed necessary to counter "home-grown threats," Napolitano said, and called for "a culture of collective responsibility" in which all individuals act as government informants.

When asked the question if she was suggesting that US citizens "from school days on" should be trained "to watch more carefully their schoolmates, their coworkers, their families and their neighbors and then more effectively report what they say to some authority," Napolitano replied to the questioner that they were in fact "getting the gist of what I'm saying."

Napolitano and the UCOP insist that the aggregated data will not be used for "non-security purposes." However, it is not difficult to imagine a situation in which student protests and strikes for higher wages are easily categorized as "security purposes" by the UC administration. Additionally the security policy makes an exception to disclose the personal data for those considered to be engaged in "illegal activity."

The 26 member UC Board of Regents are handpicked by the Governor to serve 12-year terms. Like the majority of the board, Napolitano has no experience in higher education. While governor of Arizona from 2003 to 2009, Napolitano oversaw $100 million in cuts from the Arizona State Universities and another $40 million from the state's community colleges. Such was the extent of her previous experience overseeing higher education.

The Regents and UC administration are overseeing a virtual wrecking operation increasing tuition all while libraries, art centers, classes, and campus services are cut. The Regents are so widely despised by students, faculty and staff that the board has been forced to hold meetings in secret, as all publicly known meetings have been meet with protests.

Currently, students are protesting the chancellor of UC Davis, Linda P.B. Katehi , after the *Sacramento Bee* reported her ties to private companies, including for-profit universities such as DeVry, and having received $420,000 over three years for serving on the board of textbook publisher John Wiley & Sons, exposing a true conflict of interest.

There is little doubt that such a protest would constitute "illegal activity" in the eyes of the administration, giving license to the administration to spy on student and faculty organizers protesting Chancellor Katehi's obscene conflicts of interest.

Above all it is Napolitano's background as Chief of Homeland Security which has made her the most desirable candidate to enforce cuts which will dramatically impact the lives of students, faculty, and workers throughout the system.

Like the other governor-appointed members, Napolitano hails from the highest echelons of the ruling elite. The students, faculty, and staff of the UC system have every reason to believe the Fidelis spyware and other methods will be directed and used against them as social struggles emerge in the coming period.