

In rough waters, White House cancels controls on databases

Only days after President Reagan appointed former Senate majority leader Howard Baker Jr his new chief of staff, the probable threat of government restrictions on electronic databases came to an improbable end. The decision to limit open access to unclassified nongovernment databases was among the problems festering in the White House. This one was enunciated in a brief memorandum bearing the lengthy title of "National Policy on Protection of Sensitive but Unclassified Information in Federal Government Telecommunications and Automated Information Systems." It had been issued last 29 October by Vice Admiral John M. Poindexter, then Reagan's national security adviser. Since then, Poindexter has lost both his White House job and a star from his Navy rank after he ran aground in the Iran-contra tempest. But the policy remained on the books.

Then, on 17 March, in a stunning policy change, Baker wrote Representative Jack Brooks, chairman of the powerful House government operations committee, that the Poindexter memorandum, formally titled National Telecommunications and Information System Security Policy No. 2, had been revoked. Though Baker's letter said nothing about the formidable opposition it had amassed among scientific societies, library associations, civil liberty groups and commercial information services, he noted that the White House "has moved promptly to rescind the policy directive."

Unannounced. Stopping the Poindexter policy in its tracks deftly avoids a collision between military security and information openness. While NTISSP 2 had never been announced publicly or published in the *Federal Register* for comment, it was intended to extend current security procedures to unclassified government databases as well as to nongovernment information within computers and telecommunication systems (PHYSICS TODAY, January, page 51). The policy would have enabled the National Security Agency and Defense Department to review what goes into the electronic databases and who would have access to such government-sponsored operations as the National Technical Information Service, the National Science Foundation's supercomputer centers and even the National Library of Medicine's Medline.

The policy would also cover scientific and commercial networks, which are steadily supplanting letters, reports and journals as the preferred means of

communicating quickly. Already, abstracts of articles appearing in some 90 physics journals published by the American Institute of Physics are accessible on an electronic database service called SPIN, which is carried, for example by Lockheed Corporation's Dialog. The SPIN database is also included among the abstracts from 130 000 journals, reports, PhD theses and other scientific papers available worldwide (including Eastern Europe) on Physics Briefs, an online network operated by STN International through service centers in Japan, West Germany and the US. The Poindexter directive seemed to be aimed specifically at requiring the operators of such databases to turn away users who US authorities believe might pass "sensitive" scientific and technical information or even financial data and personal messages to certain foreigners, especially those in the Soviet bloc.

'Mosaic.' Advocates of the policy claim that although the data are unclassified, some of the information, when pieced together by computer searches, could form an aggregate "mosaic" of classified information. In fact, a Pentagon position paper issued in September 1984 reviewed the need for just the kind of controls on nongovernment databases put forward by the directive. It concluded, without citing any evidence, that such databases save Soviet military industries "years of scientific research and testing time as well as millions of rubles." In the end it recommended that the way to deal with this is to "thoroughly screen all candidate database entries and keep sensitive government information out of public databases or limit its availability to US and allied defense contractors."

Few opponents of NTISSP 2 quarrel with the government's efforts to protect information that is vital to national security. Even so, they argue, limiting access to unclassified information does more harm to the US than to its adversaries. This also is the basis for objections to National Security Decision Directive 145, signed by President Reagan on 17 September 1984. Still White House policy, this directive sets up a broad new category of "sensitive but not classified information" that needs to be safeguarded, particularly in telecommunications and computers. Poindexter's policy got its authority from NSDD 145.

The President's order has been the subject of several stormy hearings before Brooks's committee. On the opening day of the 100th Congress last

January, Brooks, a Texas Democrat in his seventeenth term in the House, and Representative Dan Glickman, Democrat of Kansas, introduced a bill, ironically bearing the number H.R. 145, that would transfer from the NSA and Pentagon to the National Bureau of Standards principal authority for protecting government computers and setting security standards for nonclassified computer systems. That would leave the Defense Department responsible for only classified information in electronic databases.

Troublesome. In discussing NSDD 145 and NTISSP 2, Brooks refers to Orwell's "Big Brother." They are "ill-advised and troublesome directives," he says, and represent "an unprecedented expansion of the military's influence into our society, which is unhealthy and potentially dangerous. Clearly, the basement of the White House and the corridors of the Pentagon are not places at which national policy should be established."

At a hearing before Brooks's committee on 17 March, Poindexter invoked the Fifth Amendment protection against self-incrimination, as he had before other committees of Congress investigating clandestine arms sales to Iran. During the same hearing, Poindexter's successor as the President's national security adviser, Frank C. Carlucci, along with Commerce Secretary Malcolm Baldrige and Deputy Defense Secretary William Howard Taft IV, testified that they would work with Congress to develop a compromise between the H. R. 145 and NSDD 145.

It seems that Reagan's more astute advisers decided that the political currents are now too perilous to negotiate new approaches to controls on unclassified information. The Tower Commission, in its investigation of White House involvement in the Iran-contra affair, had already criticized the Administration's obsession with secrecy and its flawed procedures for hearing challenges to new policies. So, rather than risk riding out the heavy seas, the President's new advisers opted for distancing the White House from the storm on the horizon. The absence of Poindexter and the impending departure of Richard N. Perle, assistant Defense secretary for international policy, who has been characterized on Capitol Hill as "the prince of darkness" for his tough stance on arms agreements, export controls and scientific openness, may make accommodation with Congress and others much easier and less combative.

—IRWIN GOODWIN □