

# Are we safer . . .

Information belongs to the American people, despite our government's insistence that it does not. In this age of terrorism, knee-jerk secrecy aims to protect us from the evils of the world. In practice, though, it might do just the opposite.

By Tom Blanton

The American ideal of open government has reached critical condition and needs intensive care. We have enough lab results to know the news is bad:

- ▶ The oldest still-pending Freedom of Information Act (FOIA) request is old enough to join the Army and go to Iraq (18 years).

- ▶ Backlogs on FOIA requests keep rising while the number of civil servants who the government assigns to FOIA keeps dropping — could there be a connection?

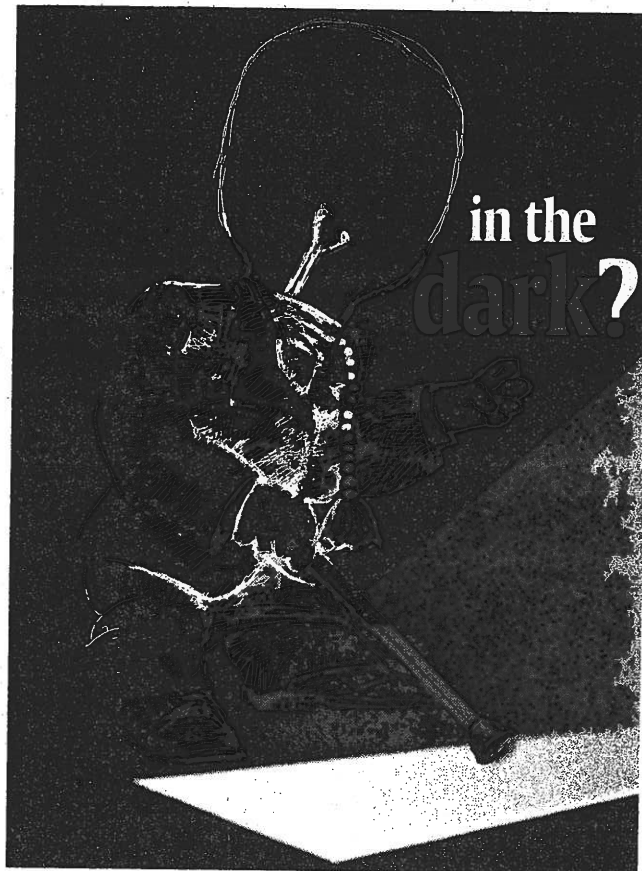
- ▶ Only one in five federal agencies actually complies with the 10-year-old electronic FOIA law that was supposed to put so much government information on the Web that we wouldn't need to file FOIA requests anymore.

- ▶ If you ask for historic presidential records, say from the Reagan White House, you'll wait a minimum of six and a half years (up from 18 months in 2001).

- ▶ The U.S. government has created more national security secrets each year for the past three years than at the height of the Cold War.

- ▶ The government spends more than \$7 billion a year on keeping the secrets (not counting how much the CIA spends, which is secret), but only \$320 million (\$1.10 per citizen) on the Freedom of Information Act and \$338 million on the entire National Archives.

- ▶ The Pentagon is waging information warfare overseas with dra-



By Web Bryant, USA TODAY

## YOUR RIGHT TO KNOW

matic expansions of propaganda and "psychological operations." The problem, internal documents revealed, is that in an Internet age, Americans will wind up consuming the lies, which is contrary to law.

### Pushing the other way

There's more, but let's not get so depressed that we pull the plug. Some trends are turning around. Up on Capitol Hill, Congress is showing new bipartisan energy for keeping government open. Sens. Tom Coburn, R-Okla., and Barack Obama, D-Ill., teamed up last year on a new law that will put government contracts on the Web. Reps. Henry Waxman, D-Calif., and Dan Burton, R-Ind., are trying to speed up the release of presidential records. Sen. Patrick Leahy, D-Vt., and Sen. John Cornyn, R-Texas, along with Waxman and Rep. Todd Platts, R-Pa., are moving FOIA reform legislation. Even President Bush, when

he attempted last year to pre-empt the FOIA bill with a far more modest executive order, actually gave leverage to the insiders who understand that all the secrecy makes government itself inefficient.

Outside of government, lots of people have diagnosed the crisis, which is the first step toward treatment. Journalists have started covering secrecy as a beat, and editors are organizing national efforts such as Sunshine Week this week. Librarians, public interest groups and others have created coalitions such as OpenTheGovernment.org (full disclosure: I'm the co-chair). Conservatives pushing against big government and liberals criticizing bad government are getting together on making government more open wherever you stand.

But government secrecy is a chronic condition. Every bureaucracy in history (most of them worse than our own) has hoarded information to protect its turf, avoid accountability, control the debate and keep citizens on the outside. Officials treat government information as if they own it, the way King Louis XIV said, "L'etat, c'est moi" (I

am the state). The American experiment turns that construction on its head: Here, the government is our custodian, and we are the owners. But to make this ideal a reality will require more leadership from the top, more pressure from the bottom (us citizens), and in the middle, a culture change among the bureaucrats.

### It's not either/or

A good first step is to get beyond the simplistic choice between security and freedom, as if one comes only at the expense of the other. After the 9/11 attacks, our leaders told us we need more secrecy to be secure — the familiar refrain that "loose lips sink ships." But a closer look at 9/11 reveals that government secrecy was part of the problem, not the solution. The CIA and FBI hoarded information from each other, and the 9/11 Commission found only one possibility that the attacks could have been prevented: If there had been "publicity" about the arrest of one of the conspirators at a Minnesota flight school, the planners might have called off the hijackings.

Remember the Unabomber? He sent letter bombs that killed and wounded scientists while the FBI chased him for years. He wasn't caught until newspapers published his screed and his brother recognized the crazy language and turned him in. Same with the snipers in the Washington, D.C., area: Within hours after a county official leaked the description of the suspects' car, a trucker spotted it at a rest area and the SWAT team moved in. We need to learn these lessons: Sunlight is not only the best disinfectant (in Justice Louis Brandeis' famous words), but also, in an open society, openness is our security.

We face a choice today. Many officials, especially in Washington, have the retro Cold War mind-set, urging us to adopt the methods and the secrecy of our enemies. In the Internet age, we should know better. Computer security experts tell us that if the software bug is secret, only the vendor and the hacker know, and the rest of us can neither protect our own computers nor contribute to a solution. We can either hide our vulnerabilities, or we can expose and fix them. We will never be safer in the dark.

*Tom Blanton is director of the National Security Archive at George Washington University.*