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SECRECY & GOVERNMENT BULLETIN

To Challenge Excessive Government Secrecy and
To Promote Public Oversight and Free Exchange
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A Government-Wide "Security Policy Committee"?

The Joint Security Commission, which was established last spring to overhaul a wide range of secrecy practices in defense and intelligence, is proposing to create a single, comprehensive new entity with authority over most government secrecy and security policies.

Since members of the Commission have each signed multiple non-disclosure agreements, details of their deliberations are not easy to come by. But according to a Commission briefing document obtained by *S&GB*, one of their pending recommendations is the establishment of a government-wide Security Policy Committee. The proposed Committee would be co-chaired by the Deputy Secretary of Defense and the Director of Central Intelligence. Other government agencies are appended to the organizational chart, but it is not clear whether they have endorsed the plan, or even been consulted about it.

The Security Policy Committee and related topics were described in a November 17 briefing to DCI James Woolsey entitled "Redefining Security." Viewgraphs from the DCI briefing are available from *S&GB*.

The proposed Committee represents something of a new structure, with subpanels on threat assessment, security policy and standards, implementation, and oversight. But its new policy implications, if any, are not evident from the DCI's briefing. To a large extent, it appears to constitute a perpetuation of the Joint Security Commission itself. The Commission's current staff director, Dan Ryan, is apparently in line to be designated as staff director for the new Committee.

The Committee would replace or absorb several other existing bodies, such as the DCI Security Forum, the NAG/SCM, the SAP/SAR working group, the NSTISSC, the NOAC, the NISPPAC, and others. (If you have to ask exactly what all these organizations do-- you don't need to know!) In a second phase, according to the briefing, 18 out of 20 positions at the Information Security Oversight Office would be transferred to the Committee.

Though the proposal for the new Committee has not been approved, a handwritten notation on the briefing indicates that [DepSecretary of Defense] "Perry likes it."

The Joint Security Commission is working toward a February 1 deadline for providing its final report and recommendations to the DCI and the DepSecDef.

DOE Openness Initiative

On December 7, Energy Secretary Hazel R. O'Leary announced a new initiative to reduce Cold War secrecy at DOE, releasing what she described as "the biggest delivery of declassified material in the history of this department."

Specific disclosures included a surprisingly large 204 unannounced nuclear explosive tests; the location and

quantities of most of the U.S. stockpile of plutonium for weapons; most but not all previously classified information on inertial confinement fusion; and other data. A 67 page collection of DOE fact sheets on the disclosures is available from *S&GB*.

The announcement of the new openness initiative promptly drew criticism from all sides, which is as it should be. The Military Production Network, a national alliance of environmental organizations, applauded the move in a letter to O'Leary but noted that it is largely focused on historical data. "There must be equal emphasis on past, present and future documentation," Steve Schwartz of the MPN wrote. The Network urged greater disclosure of current DOE activities and curtailment of the use of the "oxymoronic" designator UCNI--Unclassified Controlled Nuclear Information.

But the wisdom of O'Leary's initiative was implicitly confirmed by the weirdness of some of her critics. For example, *Washington Times* columnist Frank Gaffney likened O'Leary's action to the bombing of Pearl Harbor, calling the declassification move "the most devastating single attack on the underpinnings of the U.S. national security structure since Japan's lightning strike on the 7th fleet 52 years ago." (12/14/93, p. A16).

DOE still has a long way to go before anyone will be able to plausibly accuse it of openness. Internal estimates put the backlog of old classified documents at 32 million pages, or a stack 3.3 miles high. Moreover, mid-level managers at DOE facilities haven't heard the news, and continue to practice an aggressive Cold War secrecy policy even, in one recent instance, reclassifying declassified restricted data in violation of the Atomic Energy Act.

Despite the limited scope of the recent declassification announcement, it is a substantial earnest of Secretary O'Leary's good faith and for that she deserves credit and support. Besides, as O'Leary said, it is "just a beginning to the process."

Intelligence Budget to Be Disclosed-- In Israel

While the U.S. intelligence budget remains classified in violation of the Constitution, the State of Israel (which has no Constitution) is moving towards publication of its intelligence budget. (*Intelligence Newsletter* [Paris], 11/25/93, p.3).

Israeli officials recently disclosed that the total annual budget of the Mossad and the Shin Bet, the two principal secret services, is "less than a billion shekels," or about \$345 million. (*Ha'aretz*, 10/28/93, p.A1, translated in FBIS-NES-93-207, 10/28/93, p. 29).

Two senior members of the Knesset subcommittee on intelligence, representing both Labor and Likud factions, said that they do "not oppose disclosing the total budget of the secret services, provided that it is published

without the details." Making the figure public, they indicated, "will not harm state security."

In what passes for debate on this subject in the U.S., opponents of disclosure frequently point out that other countries do not disclose their budgets for intelligence, as if that ought to determine U.S. policy. Thus, Rep. Greg Laughlin (D-TX) explained his opposition to budget disclosure with the observation that "No other government in the world releases its intelligence budget number." (*Congressional Record*, 8/4/93, p. H5776). For whatever it may be worth, that's not true any more.

GAO: Classification Costs Billions

A new General Accounting Office study confirms that classification-related security costs run into the billions of dollars per year. The new report was requested by Rep. Gary Condit, Chairman of the House Subcommittee on Information.

The 32-page GAO report does not, however, give more than a general sense of the costs of classification, since some agencies like the CIA refused to cooperate and those that did often lacked suitable accounting procedures to enable an accurate assessment.

Thus, costs directly attributable to classification for 1992 totaled only around \$350 million. But an additional \$6 billion was spent within the Department of Defense to protect classified information. Such expenditures include the costs of secure storage containers, background investigations, guards, communications and computer security, special courier services, and on and on.

The GAO acknowledged the limitations of its analysis, noting for example that "The Central Intelligence Agency would not provide us with cost information." Presumably national security would have been placed in jeopardy if the CIA had disclosed such data.

Also not included were the substantial costs incurred by the Department of Energy, by hyper-classified special access programs, and by industrial security programs (which protect government classified information within industry). An earlier government estimate put the cost of industrial security alone at \$13.8 billion in 1989.

Single copies of the report [Report number GAO/NSIAD-94-55] may be requested for free by calling the GAO at (202)512-6000.

Rationalizing Classification

Recognizing that the classification system has become highly arbitrary, several government agencies are belatedly attempting to define specific, plausible rationales for classification decisions. One such effort is an August 1993 paper entitled "An Approach to Deciding What Kinds of Information Should Be Classified for National Security Purposes," authored by Dr. Michael Kennedy of the RAND Corporation under contract to the Air Force.

Kennedy discusses at length and rather abstractly how a classification system could be founded on cost-benefit principles.

In general, he writes, "For each set of information that one may wish to classify, [one should] identify the national security goal, and associated national security strategy, that is supported by keeping the information secret. In practical terms, this means identifying how much the carrying out of a strategy would be impeded, and thus how much the attainment of an associated goal would be reduced, if the information were revealed at large. This cost of revealing the information should then be compared to the cost of keeping it secret, which is how much society would gain if the information were not kept secret."

This kind of thinking represents a step forward if only because it requires a balancing of costs and benefits, so that "there is no absolute criterion on which one can say certain information should or should not be classified" prior to evaluating the costs and benefits.

The RAND analysis does not explicitly

acknowledge as a benefit the positive value of public access to government information. In a telephone interview, Kennedy conceded "that's a good point," but said that the study focused on classification of technical details that were likely to have minimal public interest value. He further observed that with the disappearance of the major high-tech superpower adversary, "the rationale for conducting black programs on an unacknowledged basis has now diminished sharply."

A copy of the RAND paper is available from S&GB.

More Aurora

Aerospace writer T.A. Heppenheimer offers the latest attempt to sift fact from fantasy out of the reports of secret hypersonic surveillance aircraft, often referred to as "Aurora," in the first chapter of his new book *Hypersonic Technologies* (Pasha Publications, 1993).

Heppenheimer carefully reviews the evidence, allegations, and sightings, and presents these conclusions:

- It is not plausible that a hypersonic aircraft exists or soon will exist as an SR-71 replacement.
- It is highly plausible that at least one major high-speed aircraft program has gone forward within the black world, featuring a new type of propulsion-- the pulsed detonation engine.
- Rather than regard this craft as moving toward operational status, one should view it as an experimental testbed.
- The National Aerospace Plane program may well have served as a cover for this project, supporting particularly the development of new materials. Having served its purpose, NASP will gracefully fade away.

As Bill Sweetman and others have pointed out, the possibility that NASP was a cover for some sort of Mach 6 (or so) Aurora program is consistent with the curious fact that the "low speed" (Mach 6 to 10) portion of the NASP program is classified, while the higher speed (Mach 10 to 17 and above) portion of the program is not.

More broadly, it is increasingly clear that many unacknowledged black programs are paired with an analogous unclassified program that is used to deflect attention from them. "This basic cover and deception maneuver has been identified repeatedly in black programs," said John Pike of FAS.

Groom Lake Photos, Paraphernalia for Sale

New photographs of the secret, unacknowledged "Area 51" military facility at Groom Lake, Nevada, are now available from the Secrecy Oversight Council, a private research and publishing company "promoting openness and reasonable public oversight in government."

The mural-size photos of the Groom Lake base were taken by photographer James Goodall. The Council notes that the new 1993 panoramic prints feature "exquisite detail" and are suitable "for den or office." "Richly colored winter morning shot with fine grain and excellent definition, even in this huge blowup. Almost as informative as Russian satellite photos costing many times more, and far more attractive."

Also available from the Council are Glenn Campbell's exemplary *Area 51 Viewer's Guide*, the Testor Corporation's toy models of the alleged Aurora spy plane, and phony Area 51 visitor's permits and cloth patches.

A free copy of the current publications catalog may be requested by sending a SASE to the Secrecy Oversight Council, HCR Box 38, Rachel, Nevada 89001.

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