

# Why secrecy won't make us safe

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SPECIAL TO THE STAR-TELEGRAM

Since the Sept. 11 terrorist attacks, the Bush administration and Congress have expanded the kinds of documents and information that are withheld from the public in order to protect national security. Of most concern is the Homeland Security Act that may put excessive amounts of information about chemical, nuclear and other privately owned facilities out of public reach. Equally troubling has been the Bush administration's obsession with secrecy in the form of threats to prosecute whistleblowers.

A more careful approach to handling sensitive information was surely needed after Sept. 11 given the new terrorist threats against the American people. However, overreaching secrecy has created a new set of problems.

The government and the industries it regulates are failing miserably to upgrade security to meet the new terrorist threats. Secrecy conveniently hides these failings from journalists, concerned citizens and nonprofit watchdogs who play a vital role holding government accountable and making public policy stronger. Without sunshine and vigorous public debate, our homeland security vulnerabilities are festering behind closed doors in Washington.

My own institution, the Project On Government Oversight (POGO), has seen this phenomena firsthand in its investigations that revealed troubling deficiencies with nuclear power plant security post-Sept. 11. Security officers at power plants approached POGO last year with compelling evidence that the nuclear industry was grossly misrepresenting its security capabilities. POGO learned during the course of its investigation into their allegations that many security officers at nuclear power plants were trained and armed about as well as security guards at shopping malls.

POGO found that with enormous pressure to protect its financial margins, the nuclear industry had resisted costly security upgrades at the expense of the safety of millions of Americans. The agency responsible for setting security requirements, the Nuclear Regulatory Commission, blindly heeded nuclear industry claims about its capabilities while ignoring concerns raised by the security officers.

With no one from the public or the front lines of nuclear plant security "at the table" when security decisions were being made, the industry and the NRC plodded along, failing to

## INFORMATION

Government and industry used post-9/11 fears to keep the public in the dark.

address basic vulnerabilities.

After POGO's report exposing the many shortcomings of security at nuclear power plants and extensive media attention to our findings, the NRC was finally forced to address some of these problems. These improvements would have never happened without a bright probing spotlight and public access to a reasonable amount of information about security at the power plants.

But recent efforts to put domestic security information out of the public domain make it less likely that independent institutions like the news media and POGO can play such a countervailing role. Draft regulations from the Homeland Security Department make the definitions of what can be denied under Freedom of Information Act requests vague and open-ended, a recipe that is ripe for abuse. The regulations also seek to expand secrecy far beyond what Congress intended, making information about nuclear, chemical and other industries for all government agencies (including the NRC) exempted from Freedom of Information Act, rather than just the Homeland Security Department itself.

And Nixon's plumbers would be proud. In an October 2002 report, Attorney General John Ashcroft pledged to use unprecedented measures to identify and prosecute non-espionage whistleblowers disclosing classified information. This aggressive stance will serve only to protect individuals who abuse power. With the notable exception of protection of sensitive intelligence sources, the overwhelming majority of leaks have served great public good, exposing the dark underbelly of the government.

These attacks on government transparency will make the problem of back-room deals between industry and government worse at a time when more, not less, intervention is needed to ensure the American public is being protected. Given the alarming capacity of those who seek to hurt us, we cannot afford to allow government secrecy make us less safe. We, the American public, need to demand access to enough information to ensure that the government is, in fact, doing its job and making us safer. Our homeland security depends on it.

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