

# Fears Mount Over 'Total' Spy System

By J. MICHAEL WALLER

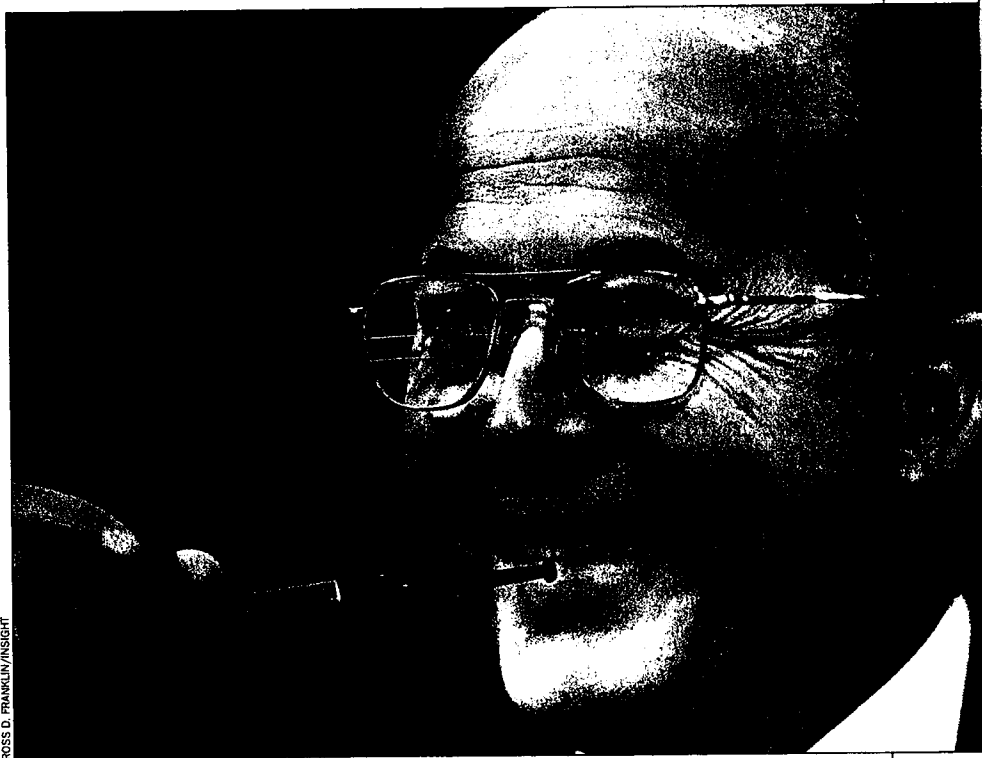
Civil libertarians and privacy-rights advocates are fearful of a new federal database aimed at sorting vast quantities of personal data to identify terrorist threats.

**T**he Pentagon has blundered into another self-made public-relations disaster, allowing critics for the second time in a year to fan flames of hysteria over development of high-tech means to wage the war on terrorism. Called Total Information Awareness (TIA), it is a small experimental program in its infancy deep within the Pentagon research unit that developed the Internet. TIA is designed to test whether terrorist attacks can be detected and stopped before they occur by combining massive amounts of electronic data already available on commercial and government databases.

Critics leaked, apparently falsely, that TIA would build electronic dossiers on the personal lives of all Americans. And while few would argue that it raises powerful concerns about civil liberties and the abuse of government power, the most inflammatory and paranoid allegations took on a life of their own when critics pointed to the official running TIA: retired Rear Adm. John Poindexter.

As national-security adviser to President Ronald Reagan, Poindexter took responsibility for the so-called Iran-Contra scandal, in which the White House had planned to rescue American hostages in the Middle East in exchange for selling weapons to Iran. The proceeds would be used to circumvent congressional restrictions — imposed by lawmakers sympathetic to Marxist-Leninist revolutionaries in Central America — and fund the military needs of the anti-communist Nicaraguan resistance fighters, known as “contras.”

Poindexter took the political and legal bullet for President Reagan, and was convicted on five felony counts of lying to Congress and related charges. A



**He's baack:** Rear Adm. John Poindexter during the Iran-Contra hearings.

higher court overturned the convictions. While legally exonerated, Poindexter remained a political hot potato with plenty of political enemies in Congress and the media. Even some of his fans agree off-the-record that it was unwise to place a political lightning rod in charge of a program that raised so many civil-liberties questions.

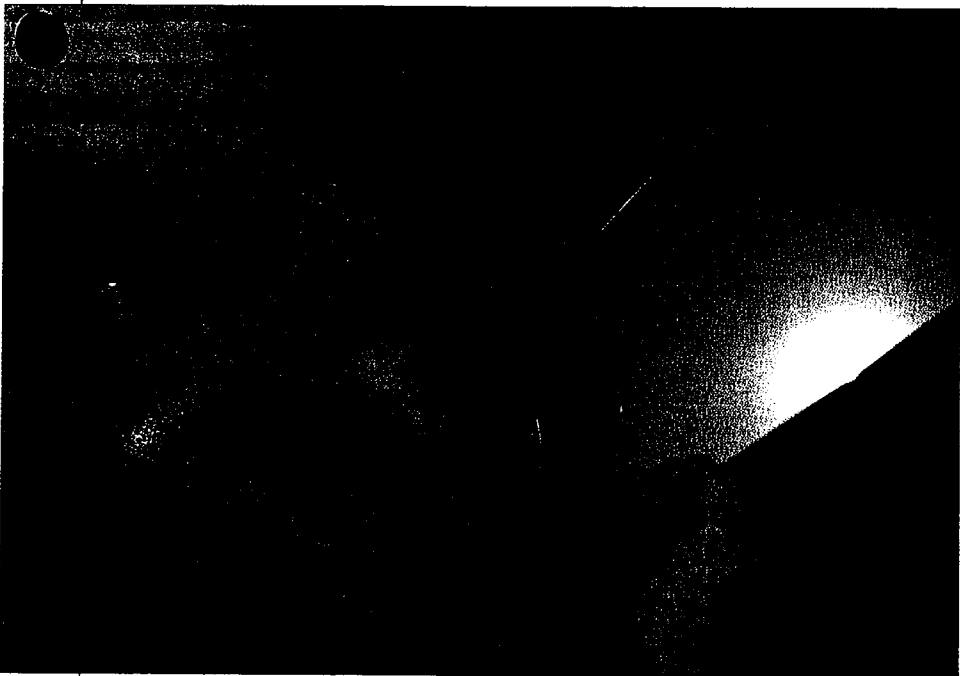
And so, the real purpose of TIA was lost amid the controversy. *INSIGHT* has put together the pieces to explain what TIA is all about.

The Bush administration is building a layered defense against terrorists: First, destroy terrorist cells and capture or kill individual terrorists and their sponsors abroad. Second, neutralize their bases of operation in other countries. Third, erect a security barrier to prevent their entry into the United States. Fourth, deny sanctuary to those who either have entered the United States or have been recruited here. Fifth, monitor, infiltrate and disrupt their domestic-support networks. Finally, move in on the terrorists themselves before they strike.

Federal antiterrorist investigators tell *INSIGHT* that they severely lack the human resources — agents, officers and citizen volunteers — to make a dent in the terrorist-support infrastructure in the United States. While making some headway in such hot areas as Dearborn,

Mich. — where a large, ethnic-Arab/Muslim community serves as a proverbial sea in which the terrorist fish swim — the FBI and other agencies say they have a long way to go to shut down terrorist networks already on U.S. soil.

Law enforcement continues to suffer from the 1970s campaigns against the federal security and intelligence agencies, and the since-abolished intelligence units of state and local police. With the loss of literally thousands of trained personnel and their painstakingly built support networks, authorities at all levels sometimes are waging the domestic antiterrorism war without



JOHN E. MARTIN/INSIGHT

supersnoop's dream: 'Total Information Awareness' about every U.S. citizen," Safire wrote.

Framed in terms of the government keeping dossiers on every citizen, press commentary on TIA since has wobbled between paranoia and prudence. For once *The Nation*, long the keeper of the party line of the pro-Soviet left, and the happily unreconstructed McCarthyites of *National Review* sounded the same alarm: Big Brother is here. "Fighting terror by terrifying U.S. citizens," the panicked *San Francisco Chronicle* called it. "Orwellian," editorialized the *Washington Post*. A screaming page-one banner headline in the *Washington Times* cribbed Safire's line: "A supersnoop's dream." Popular Washington news-talk host Chris Core of WMAL radio likened TIA to the Soviet KGB and the Nazi Gestapo.

TIA was all the more dangerous, critics said, because the man running the alleged program was Poindexter. *National Review* called him a "pipe-smoking Reagan capo." Sen. Charles Schumer (D-N.Y.) grandstanded on television, demanding that Defense Secretary Donald Rumsfeld fire the scholarly admiral. Rumsfeld ignored him.

"Take a nice deep, deep breath," Rumsfeld chided reporters. "It's a case of 'Ready. Shoot. Aim.' The hyped and alarmed approach [in the media] is a disservice to the public," he said. "Nothing terrible is going to happen."

Oddly, some of the most reasoned commentary came from foreign news organizations — and not all of them friendly to the United States. *Khilafah.com*, an Islamic revolutionary news organization devoted to promoting the re-establishment of the caliphate, tagged TIA not as a spy system to snoop on U.S. citizens but an "information matrix to track movements of America's enemies."

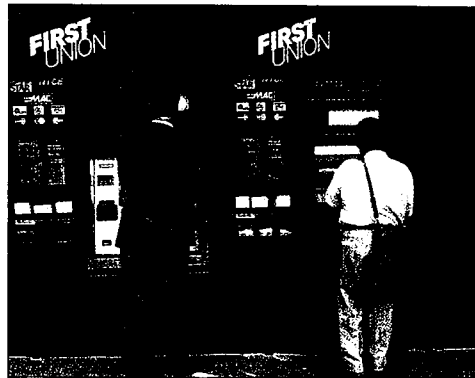
The American Civil Liberties Union (ACLU), which led the successful fight in the 1970s to cripple the FBI and CIA and abolish local police-intelligence units that monitored terrorist and subversive groups, launched a new campaign against TIA. The DARPA project, it says, is "a computer system that would provide government officials with the ability to snoop into all aspects of our private lives without a search warrant or proof of criminal wrongdoing." According to the ACLU, "Under this program, our entire lives would be catalogued and available to government officials." Poindexter, the ACLU alleges, "has been quietly promoting the idea of creating 'a virtual centralized database'

eyes or ears. They say they need to use new information technologies to help close the gap.

The federal government, to say nothing of the legal system and political culture, is only starting to get used to the idea that it is responsible for defending the American people against terrorist attacks before they occur. This post-9/11 perspective throws previous custom and practice out of the window. FBI Director Robert Mueller is battling the bureau to change from a reactive investigative force that busts bad guys only after they maim and kill to a proactive force that stops the terrorists before they attack. That's a huge cultural shift for the by-the-book G-men, and it means changing the very essence of what the FBI has been since its inception, to say nothing of the mind-set and legal practice of federal prosecutors, defense lawyers and the judges who issue warrants and hear criminal cases. With revolutionary information technologies offering a possible solution to the human-intelligence shortage, new controversies have arisen.

Now, a combination of left-wing activists, Islamist sympathizers of terrorist groups, civil libertarians, gun-rights advocates and mainline conservatives are up in arms about the latest proposals to prevent terrorists from killing more Americans. They fear, for different reasons, that the Bush administration and Congress are vastly increasing and centralizing the power of the federal government over the American population in the name of fighting terrorism.

The existence of TIA [see *sympo-*



MAVA ALLERIZZO/INSIGHT

### Someone to watch over you:

*Civil-rights advocates fear that TIA will allow the government to pry into minute details of Americans' private lives.*

...sium, p. 46] became public information when the Defense Advanced Research Projects Agency (DARPA), the Pentagon's central research-and-development organization, solicited proposals last March for private companies to bid on developing the program. But it received little attention until Congress was passing the Homeland Security bill in November and conservative *New York Times* columnist William Safire attacked it as George Orwell's 1984 come to life. "To this computerized dossier on your private life from commercial sources, add every piece of information that government has about you — passport application, driver's license and bridge-toll records, judicial and divorce records, complaints from nosy neighbors to the FBI, your lifetime paper trail plus the latest hidden-camera surveillance — and you have the

that would have the 'data-mining' power to pry into the most minute and intimate details of our private lives."

The Pentagon says TIA is simply "an experimental prototype in the works that will determine the feasibility of searching vast quantities of data to determine links and patterns indicating terrorist activity." DARPA conceived of the terrorist-prediction data-crunching system with the benefit of the 20/20 hindsight from studies of past major terrorist attacks. "In all cases, terrorists have left detectable clues that are generally found after an attack," according to a DARPA fact sheet on the issue. If in the course of investigation federal authorities could identify and act upon clues that would let them wrap up terrorist cells, TIA developers reasoned, they could pre-empt the terrorism and save lives.

Administration officials working on TIA and related initiatives agree that a domestic-security matter should not be under the purview of the Pentagon. "If DARPA didn't support it when we needed to give it a try, what other agency would have?" asks a counterterrorism official. "The fact is, there was no one else. We're in a war, Poindexter had an idea worth testing and DARPA stepped up to the plate."

Given those considerations, the Bush administration planned from the beginning to move such projects from out of the purview of the Pentagon and DARPA and designed a new Security Advanced Projects Research Agency (SARPA) under the new Department of Homeland Security.

Undersecretary of Defense Pete Aldridge, under whose authority DARPA falls, says that TIA's mission consists of three parts: to research technologies that would allow rapid language translation, to discover connections between current activities and future events, and to develop "collaborative reasoning and decisionmaking tools to allow interagency communications and analysis" — just the tools needed to keep one agency informed of the intelligence produced by another agency.

Critics have cited the lack of communication between U.S. agencies as one of the main reasons several of the Sept. 11 terrorists were able to enter the country. The CIA reportedly tracked some of the future hijackers from the Philippines and Malaysia as they entered the United States, but the FBI apparently neither received nor followed up on the reports, thus allowing the terrorists to organize and launch their attacks undetected. Recent investigative reports have found that the State Department issued visas to several of

the 9/11 hijackers even though the applications contained unacceptably incomplete and even demonstrably false information, and that alleged Washington Beltway sniper John Muhammad actually procured a U.S. passport with a birth certificate that a U.S. consular official suspected was forged, but which her superior apparently instructed her to ignore.

Some of those problems could be solved with bureaucratic restructuring, improved training and discipline, and changes of mission — all problems being addressed. Others require vastly improved information technologies to collect, analyze and synthesize ever-increasing quantities of data for human analysts and policymakers who already are overloaded with information.

"Even if we could find these clues faster and more easily, our counterterrorism defenses are spread throughout many different agencies and organizations at the national, state and local levels," notes DARPA's Information Awareness Office (IAO), which supervises TIA development. "To fight terrorism, we need to create a new intelligence infrastructure to allow these agencies to share information and collaborate effectively, and new information technology aimed at exposing terrorists and their activities and support systems. This is a tremendously difficult problem because terrorists understand how vulnerable they are and seek to hide their specific plans and capabilities. The key to fighting terrorism is information. Elements of the solution include gathering a much broader array of data than we do currently, discovering information from elements of the data, creating models of hypotheses and analyzing these models in a collaborative environment to determine the most probable current or future scenario."

According to the IAO, "The goal of the TIA program is to revolutionize the ability of the United States to detect, classify and identify foreign terrorists and decipher their plans — and thereby enable the U.S. to take timely action to successfully pre-empt and defeat terrorist acts. To that end, the TIA objective is to create a counterterrorism information system that: (1) increases information coverage by an order of magnitude and affords easy future scaling; (2) provides focused warnings within an hour after a triggering event occurs or an evidence threshold is passed; (3) can automatically queue analysts based on partial pattern matches and has patterns that cover 90 percent of all previously known foreign terrorist attacks; and (4) supports collaboration, analytical reasoning and

information-sharing so that analysts can hypothesize, test and propose theories and mitigating strategies about possible futures so decisionmakers can effectively evaluate the impact of current or future policies and prospective courses of action."

The \$10 million program is only an "experiment," explains Aldridge. "In order to preserve the sanctity of individual privacy, we're designing this system to ensure complete anonymity of uninvolved citizens, thus focusing the efforts of law-enforcement officials on terrorist investigations." By collecting applications for passports, visas, driver's licenses, airline-ticket purchases and rental-car reservations, as well as purchases of firearms and precursor chemicals for explosives, medical data and credit- and debit-card purchases, flying lessons, arrests and reports of suspicious activities, proponents say they hope TIA will develop a product able to single out factors indicating preparations for a possible terrorist attack. But the idea is for the information to be anonymous until such time that a warrant is needed for surveillance, arrest or detention.

And given the nature of so slippery an invasion of privacy, how can Americans be sure of that? "The data are subject to the same Privacy Act restrictions that currently govern law enforcement and government," says Aldridge. To investigate further requires government agencies to go through the same processes of procuring judge-issued warrants and other legal hoops to protect individual rights, he says.

Civil libertarians, privacy advocates, gun-rights groups and others worry that even experimenting with such a system risks transfer of unprecedented power to an unaccountable — and often incompetent — central government. Poindexter says that the TIA system is being built with safeguards embedded in the software, with audit trails and the protection of individual identities, and that his shop is only creating the experimental technology. How that technology would be used, he states, would be up to the executive branch, Congress and the courts, with all the necessary safeguards. He recognizes that the project will go nowhere without public support. Though his office now says he is not taking press interviews, he told the *Washington Post*, "We can develop the best technology in the world and, unless there is public acceptance and understanding of the necessity, it will never be implemented."

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*Insight* MAGAZINE.