

Chronology of Disappearing Government Information
Data collected through May 8, 2002

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DATE	EVENT	ISSUES/SOURCES
1998	EPA web site removed Risk Management Plans collected under Section 112® of the Clean Air Act. Now parts of the plans would only be available in reading rooms to read, but not copy. Other parts not available to public.	<p>This data important to several environmental groups. See, for example: “Chemical Plants Under Wraps,” by Declan McCullagh. Wired News, Feb 10, 1999. At: http://www.wired.com/news/print/0,1294,17841,00.html</p> <p>Joint hearing held February 10, 1999 by Health and Environment Subcommittee and the Oversight and Investigations Subcommittee of the Dept. of Commerce, working together to solve problems of risk management publications.</p> <p>Mr. Bilirakis notes that the Clean Air Act requires risk management plans to be made available to the public after they are registered with EPA, and that the courts have indicated they might have to post them online. So the best EPA intentions may be overridden by court requirements of non secrecy. See Joint Hearing on “Internet Posting of Chemical Worst Case Scenarios : a Road Map for Tourists.” http://purl.access.gpo.gov/GPO/LPS4505</p>
March 2001	Revisions made to National Fish and Wildlife web site.	<p>Parts of website dealing with environmental impact of oil drilling in national refuge removed from site. Bush campaign promise to allow oil drilling. See “Oil and Websites Don’t Mix” by Jeffrey Brenner. Wired News, March 23, 2001. http://www.wired.com/news/print/0,1294,42536,00.html</p>
July 2001	Pressure applied to retract the Foreign Relations of the United States (FRUS) volume on Indonesia. Another completed FRUS volume on Greece/Turkey is still being withheld.	<p>Is information being withheld because it is politically embarrassing rather than for any national security issues?</p> <p>“Papers Show U.S. Role in Indonesian Purge; GPO Seeks Return of Official History Detailing Covert Actions in Mid-1960s.” <i>Washington Post</i> (July 28, 2001):A08</p>

<p>Sept 4, 2001</p>	<p>Senate Committee on Foreign Relations issues a report which criticizes the State Dept. for being out of compliance with the law in issuing FRUS (Foreign Relations of the United States) volumes.</p>	<p>Dept. has not yet published Johnson Administration papers from 1969, law required publication within 30 years. Agency says its because of time consuming declassification process. 107th Cong. Senate 107-60 1st session. Calendar No. 149. <i>Foreign Relations Authorization Act</i>, Fiscal Years 2002 and 2003, Sept. 4, 2001 http://frwebgate.access.gpo.gov/cgi-bin/useftp.cgi?IPAddress=162.140.64.21&filename=sr060.pdf&directory=/diskb/wais/data/107_cong_reports</p>
<p>September 11, 2001</p>	<p>President Bush declares a National Emergency, which gives the president special powers, including withholding from congress and/or the public any information deemed potentially sensitive regarding national security.</p>	<p>National Emergencies are subject to congressional review six Months from the date of declaration. See: National Emergencies Act of 1976 (PL-412) and <i>Federal Register</i>: Sept. 18, 2001 (Vol. 66, Number 181) Presidential Documents—page 48197-48199.</p>
<p>Sept 11-Oct. 02, 2001 Many government agencies responded to events of Sept. 11 by immediately shutting down critical websites or restricting information on these sites. The executive office additionally responded by restricting many sources of government information.</p>	<p>Federal Aviation Administration (FAA) removes from its web site public information in its enforcement files, including information about security violations. (EIS database)</p>	<p>Civic organizations begin to keep track of “disappearing government information.” See: OMBWatch: Post Sept. 11 Environment http://www.ombwatch.org/info/2001/access.html Electronic Frontier Foundation Chilling Effects of Anti-Terrorism http://www.eff.org/Privacy/Surveillance/Terrorism_militias/antiterrorism_chill.html</p>
	<p>Chief immigration Judge Michael Creppy issues a memorandum ordering closure of all deportation and immigration proceedings (Sept. 21, 2001)</p>	<p>ACLU news. January 29, 2002. This is a possible violation of the open records rule in the FOIA. http://www.aclu.org/news/2002/n012902a.html See Homefront Confidential for discussion of legalities involved. http://www.rcfp.org/homefrontconfidential/</p>

	<p>FERC (Federal Energy Regulatory Commission) removes documents on web site which detail specs for energy facilities. The files included information about security violations .</p>	<p>OMB watch. http://www.ombwatch.org</p> <p>See also <i>Homefront Confidential</i>, www.rcfp.org/homefrontconfidential/timeline.html.</p> <p>For more discussion see Federal Computer Week Online , Feb. 4, 2002 http://www.fcw.com/fcw/articles/2002/0204/pol-access-02-04-02.asp</p>
	<p>CDC removes report on chemical terrorism from its website.</p>	<p><i>Part of ongoing effort by agencies to remove information considered dangerous were it to be viewed by terrorists.</i> <i>Washington Post</i>, 4 October, 2001 http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&node=&contentId=A2738-2001Oct3&notFound=true</p>
	<p>Nuclear regulatory Commission closes web site down, then re-opens several days later, with much data removed.</p>	<p>Includes information on longitude and latitude of nuclear plants, technical data on plant operations, and aerial photos – OMBwatch. http://www.ombwatch.org</p> <p>See also Durham, NC Independent Weekly, online http://www.indyweek.com/durham/2001-12-12/triangles.html</p> <p>See also Federal Computer Week Online, Feb. 4, 2002 http://www.fcw.com/fcw/articles/2002/0204/pol-access-02-04-02.asp</p>
	<p>Department of Transportation takes pipeline mapping off their web site. Wall St. Journal reports that many pipeline companies still have maps available on their web sites. DOT also removes a study of risk profiles of various chemicals</p>	<p>Washington Post, 4 Oct. 2001. http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&node=&contentId=A2738-2001Oct3&notFound=true</p> <p>Site visitors may now email a request for downloading information, including their name, address and organization. See www.npms.rspa.dot.gov/</p>
	<p>Agency for Toxic Substance and Disease Registry dropped a report on chemical site security from its web site.</p>	<p>See OMBWatch site http://www.ombwatch.org/article/articleview/213/1/1/</p>

	National Imagery and Mapping Agency stops selling large scale digital maps through their web site, and turns off search engine where you could download the maps.	See Washington Post, 2-24-02, http://www.washingtonpost.com/wp-dyn/articles/A58430-2002Feb23.html
	Geographic Information Services at the Bureau of Transportation Statistics have Been removed from their web sites. Includes National Transportation Atlas And North American Transportation Atlas.	This site is a national resource for transportation spatial data and GIS in transportation. The site is used by environmentalists to assess the impact of transportation proposals. See OMBWatch at http://www.ombwatch.org/article/articleview/213/1/104/#NIMA Data will now be provided, after consideration of a written request, only to Federal, State and local government officials. The Bureau of Transportation Statistics is reevaluating whether the data will be provided in the future. See website at: http://www.npms.rspa.dot.gov/data/bts_data.htm Also see Congressional Research Service, CRS Report for Congress http://www.fas.org/irp/crs/RL31354.pdf
Several items removed from DOE websites.	Dept. of Energy Office of Defense Programs page was removed from the National Nuclear Security Administration's web site. (Nov. 1)	Much of the DOE data would warn the public of safety hazards, educate the public health officials and emergency workers, and provide the public with instructions for preventative actions. See OMBWatch site at http://www.ombwatch.org/article/articleview/213/1/104/#DOE
	DOE web site for National Transportation of Radioactive Materials shut down.	See above. OMB Watch site mentions most of the DOE removals. http://www.ombwatch.org/article/articleview/213/1/1
	DOE removed from its web site maps and descriptions of all 10 nuclear facilities with plutonium and uranium.	See OMBWatch http://www.ombwatch.org/article/articleview/213/1/1
	DOE report on liquefied fuel dangers on web site has been password protected.	See OMBWatch http://www.ombwatch.org/article/articleview/213/1/1/
	DOE removed information from its web site on its Occurrence Reporting Program which provides notification to the DOE complex of events that could have adverse effects on the plants and/or staff.	See OMBWatch The information removed could help environmentalists, and provided health and safety information to users. http://www.ombwatch.org/article/articleview/213/1/1/

	NASA's Glen Research Center limits its web site access to the public, nothing now visible to public, only to NASA staff.	See OMBWatch http://www.ombwatch.org/article/articleview/213/1/1/
	The International Nuclear Safety Center removed interactive maps from its site.	These maps allowed users to click on a power plant site to learn more about it. Gave out useful information about nuclear power. See OMBWatch http://www.ombwatch.org/article/articleview/213/1/1/
	Los Alamos National Labs remove information from their web site, though site remains partially open to public.	Many of the site links are dead, but you can send in identification documentation for receipt of mailed documents. See OMBWatch http://www.ombwatch.org/article/articleview/213/1/1/
	USGS has removed a number of reports on water resources.	Check on OMBwatch for a list of titles http://www.ombwatch.org/article/articleview/213/1/1/ This is a problem for environmentalists, who need information for cleaning up polluted sites and reports on availability of water in drought areas.
	National Archives and Records Administration closed down part of its web site, with the site indicating why it has removed access to some information.	NARA has information on its website explaining how it will implement availability of records for national security – OMBwatch http://www.ombwatch.org/article/articleview/213/1/1/ See Federal Computer Week Online, Feb. 4, 2002 for more details http://www.fcw.com/fcw/articles/2002/0204/pol-access-02-04-02.asp

<p>October 2, 2001</p>	<p>Dept. of Defense asks defense firms to use discretion in official statements about “seemingly innocuous” industrial information., such as production, delivery and statistical information about defense materials.</p>	<p>“Homefront Confidential” http://www.rcfp.org/homefrontconfidential/</p> <p>The DOD says these kinds of statements can convey a tremendous amount of information to hostile intelligence forces. The department also forbid Pentagon acquisition officials from talking with the media. Deb Reichmann, “U.S. More Tightlylipped Since September 11.” <i>Washington Post</i>, 2 October, 2001. http://www.fas.org/sgp/news/2001/11/ap111501.html</p> <p>For copy of Dept. of Defense memorandum see: FAS Secrecy News : http://www.fas.org/sgp/bush/aldridge.html</p>
<p>October 2, 2001</p>	<p>Internal Revenue Service ends public access to its Reading Room except by appointment and with an escort.</p>	<p>See OMBwatch, “Status of the IRS reading room” - this action restricts public access to public records. http://www.ombwatch.org</p> <p>Also see “Homefront Confidential” http://www.rcfp.org/homefrontconfidential/</p> <p>Also, <i>Washington Post</i>, 2-24-02, see http://www.washingtonpost.com/wp-dyn/articles/A58430-2002Feb23.html</p>
<p>October 4, 2001</p>	<p>Air Force procurement officers directed not to discuss “any of our programs” with the media... Later this directive was retracted.</p>	<p>See FAS Secrecy News, October 4, 2001. http://www.fas.org/sgp/news/2001/11/ap111501.html</p> <p>For the actual message see Fas Secrecy News: http://www.fas.org/sgp/news/2001/10/druyun.html</p>

October 5, 2001	White House directive to CIA and FBI directors and secretaries of State, Treasury, Defense and Justice, narrows the list of congressional leaders entitled to briefings on classified law enforcement information. White House and Congress later compromise on briefings.	<p>See "Homefront Confidential". Congressional restrictions will lead to more restrictions in public disclosure. http://www.rcfp.org/homefrontconfidential/</p> <p>See FAS Secrecy News, Nov. 2001 http://www.fas.org/sgp/news/2001/11/ap111501.html</p> <p>Direct link to memorandum: http://www.fas.org/sgp/news/2001/10/gwb100501.html</p> <p>For good discussion see FAS Secrecy News Oct. 10, 2001 http://www.fas.org/sgp/news/secrecy/2001/10/101001.html</p>
October 12, 2001	Atty. General John Ashcroft issues memorandum revoking most of the openness instructions of memorandum by Janet Reno, changing interpretation of <i>Freedom of Information Act</i> to allow agencies to deny access more often to public records if a claim of invasion of privacy or breach of national security can be alleged.	<p>He encourages agencies to consider closely national security, law enforcement, personal privacy and business concerns before releasing information sought under the FOIA. Violations in thought if not in deed requested of agencies. Deb Reichmann, "U.S. More Tightlylipped Since September 11", See FAS Secrecy News, November 15, 2001. http://www.fas.org/sgp/news/2001/11/ap111501.html</p>
October 15, 2001	State Department Historical Advisory Committee meets and discusses moves by the CIA to exercise greater control over the publication of the <i>Foreign Relations of the United States</i> (FRUS) series. The CIA refused to release several sets of documents for publication until there was a new Memorandum of Understanding on publication procedures giving the CIA more authority over the series.	<p>Marc Susser, Historian of the State Department, remarked that FRUS "is the State Department's publication, and we cannot let the CIA take over the series". See the group's minutes available from the Federation of American Scientists at: http://www.fas.org/sgp/advisory/state/hac1001.html#cia</p>
October 15, 2001	At request of U. S. Geological Survey, Sup. Of Documents asks librarians at depository Libraries to destroy CD-ROMS containing details of surface water supplies in the U. S. (Open File Report 99-248). Unprecedented request. FBI follows up to assure compliance.	<p>OMBwatch has link to list of documents removed, many on water resources, and important to environmentalists, but still considered "terrorist friendly". See OMBWatch http://www.ombwatch.org/info/2001.html</p> <p>For information on ARL's response to withdrawal of CD see memorandum to Prudence Adler of ARL from Thomas R. Susman of Ropes & Grey, reviewing legal responsibilities of FDL's and GPO with policy considerations: http://www.arl.org/info/frn/gov/susman.html</p>

October 16, 2001	President Bush issues Executive Order concerning “protections of nations infrastructure”, the web of facilities and services, setting up public/private partnership involving corporate and non-governmental agencies.”	Great attempt on Administration’s part to increase secrecy in government in the name of protection of the nation from terrorists. Among other provisos, the OMB shall advise departments if there is insufficient security protection of their information, to bring them under new guidelines. For copy of order see http://www.whitehouse.gov/news/releases/2001/10/20011016-12.html
October 18, 2001	Federal FOI officers and specialists meet with co-directors of the Justice Depts.’ Office of Information and Privacy to review the new Attorney General’s FOIA memo and to receive instructions on using FOIA exemptions to withhold information that agencies might feel disclose vulnerabilities to terrorists.	See “Homefront Confidential” http://www.rcfp.org/homefrontconfidential/timeline.html
October 18, 2002	Defense Dept. employees urged to exercise great caution in discussing information related to DOD work in any work related common areas, public places, or commuting or in emails which might not be protected.	See “Homefront Confidential” http://www.rcfp.org/homefrontconfidential/timeline.html
October 26, 2001	President signs USA PATRIOT ACT into law. Permits wiretapping of detainees and lawyers, of suspected terrorists	Surveillance of government increased in name of terrorism prevention, fear of wiretapping could limit reporter’s ability to know and reduce public information. See “Homefront Confidential”. Also allowed for FBI to remove docs from depository libraries. http://www.rcfp.org/homefrontconfidential/ For further discussion see Electronic Frontier Foundation analysis of provisions of the Act that relate to online activities http://www.eff.org/Privacy/Surveillance/Terrorism_militias/20011031_ef_f_usa_patriot_analysis.html
October 29, 2001	Coalition of civil rights groups, including the Reporters committee, file a formal FOIA request to obtain information about more than 1000 detainees held in U.S. Six members of Congress write a letter to the Justice Department, urging release of information.	See “Homefront Confidential” http://www.rcfp.org/homefrontconfidential/

November 1, 2001	Bush signs Exec. Order 13233 restricting public access to the papers of the former Presidents, just as Reagan papers were to be released.	<p>Executive Order 13233 on presidential papers, which “violates both the spirit and the letter” of the 1978 Presidential Records Act. (“The President’s Papers are the People’s Business,” by Steven Hensen. Washington Post Online, Sunday, December 16, 2001; Page B01) For copy of the order see FAS Secrecy News http://www.fas.org/irp/offdocs/eo/eo-13233.htm</p> <p>Assoc. of American Publishers issued an Amicus Brief, 2-28-02, supported by a coalition of authors, journalists, publishers and historians, calling Bush’s attempt to change the release of Reagan’s Papers an unlawful attempt to render void the Presidential Records Act. http://www.publishers.org/press/pr022802.htm</p> <p>Later PEN joins fight , Mar. 7, 2002. see: http://www.pen.org/freedom/pressrel/papers.htm.</p> <p>For list of historical works which would have been affected by this order, see ALA website “Ongoing List of Historical Works That Would Have Been Affected by Executive Order 13233” http://www.ala.org/alaorg/oif/historicalworks.html</p>
November 6, 2002	House Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations holds a hearing concerning this Exec. Order and the Presidential Records Act.	<p>“Homefront Confidential” http://www.rcfp.org/homefrontconfidential</p> <p>Testimony from the Horn hearing is available herefrom FAS Secrecy News: http://www.fas.org/sgp/congress/2001.html#pra</p>
November 8, 2001	Justice Dept. announces that it will no longer release a tally of the number of detainees held on American soil. Names and status of these detainees will also not be disclosed.	<p>Opponents have files a FOIA request asking for this information to be revealed. The cover up is also thought to block democracy by limited the amount of Democratic oversight to these actions. See: FAS Secrecy News: http://www.fas.org/sgp/news/2001/1/11/ap111501.html</p>

November 8, 2001	House of Rep. Committee on Transportation and Infrastructure, Subcommittee on Water Resources and the Environment holds hearing on “public right to know”.	Environmentalists, industry, and agency officials testify and disagree on the level of secrecy that will optimize public safety. Report entitled “Right to Know” after September 11 th , report available at depository libraries website or at: http://roger.ucsd.edu/search/tright+to+know+after+september+11/tright+to+know+after+september+++11/1,1,1,B/1856&F=tright+to+know+after+september+++11&1,,0,1,0
November 13, 2001	Bush issues a military order, stating that suspected terrorists could be tried by secret military tribunals	Violates FOIA principles. Civil liberties advocates say using military courts to try suspected terrorists, not seen since World War II, is evidence of Bush’s administration is “unwilling to abide by checks and balances of American democracy.” See http://www.fas.org/sgp/news/2001/11/ap111501.html For copy of order see direct link from above site, or link to: http://www.fas.org/irp/offdocs/eo/mo-111301.htm For background discussion of issues involved in secrecy (the Supreme Court has never ruled on constitutionality of secret tribunals but in general has voted for public access on individual trials) See Homefront Confidential http://www.rcfp.org/homefrontconfidential/
November 16, 2001	Larry Flynt files lawsuit against Rumsfeld, claiming the Pentagon violates American journalists First Amendment Rights by denying them access to the battlefield during Operation Enduring Freedom.	“Homefront Confidential” http://www.rcfp.org/homefrontconfidential/
November 26, 2001	Atty. General Ashcroft says he will not release names of detainees because it would violate their privacy and help terrorist groups.	Sen. Leahy, Judiciary Chair, thinks White House decision makers are by-passing Congress in this endeavor. This would constitute violation of American government structure as well as FOIA violations. http://www.fas.org/sgp/news/2002/1/11/ap111501.html
November 28, 2001	Several civil liberties and historical groups, including Reporters Committee, file suit against White House to gain access to 68,000 Reagan Administration documents	Groups include Public Citizen, the American Historical Association, Organization of American Historians, the National Security Archive, and Reporters Committee for Freedom of the Press. See “Journalists, historians seek immediate release of Reagan papers” http://www.rcfp.org/news/2002/0212exorde.html

November 28, 2002	Justice officials release information about those charged with crimes in connection with Sept. 11 investigations, and release information about their nations of origin, but not their names.	See "Homefront Confidential" http://www.rcfp.org/homefrontconfidential/
December 5, 2001	Reporters Committee and 15 other groups file lawsuit against Dept. of Justice, alleging violation of the FOIA by not releasing info about detainees. Justice dept. eventually releases names of 93 people, refuses to give names of remaining 548.	See "Homefront Confidential" http://www.rcfp.org/homefrontconfidential/
December 6, 2002	Court-ordered closure of the Dept. of the Interior web site . Sites lost include National Parks site and Bureau of Land Management.	Closure prevented citizens from accessing all kinds of government information unrelated to the court case shutting down the web site. More than a month later, most of the site was still unavailable. For discussion of this problem (related to lawsuit with Bureau of Indian Affairs rather than Sept. 11) and for "right to know" issues, see <i>Los Angeles Times</i> , Jan 3, 2002, "Legions Used Closed U.S. Web Sites" http://www.latimes.com/news/nationworld/nation/la-010302web_story
December 6, 2001	Ashcroft reiterates decision to omit names of detainees.	See "Homefront Confidential" http://www.rcfp.org/homefrontconfidential
December 6, 2002	Marines quarantine reporters to prevent photographers from viewing American troops killed in Afghanistan by a stray bomb.	Restriction of information to the press, weakens American Public's right to know, see "Homefront Confidential" for background on legality of this move http://www.rcfp.org/homefrontconfidential

December 10, 2001	Bush signs Administrative Order empowering Secretary Of Health and Human Services to classify information as “secret”. Dept. formerly had no classified documents.	<p>Removes many formerly unclassified documents from public view. See “Homefront Confidential” http://www.rcfp.org/homefrontconfidential/timeline.html According to an agency spokesperson, the documents to be classified include those relating to bioterrorism and the nation’s preparedness to respond to it. “Officials said the kind of information that might be classified would be storage sites for vaccine stockpiles, certain laboratory floor plans or some details about emergency medical stocks.” See Allison Mitchell, “A Nation Challenged: Classified Information; Bush Gives Secrecy Power to Public Health Secretary”, <i>New York Times</i>, Dec. 20, 2001. http://www.nytimes.com/2001/12/20/politics/20SECR.html</p> <p>In response, the American Society for Microbiology (ASM) reported that “...the society is concerned about the implementation of an order signed last October by President Bush allowing the Health Department – including the NIH - to fund classified projects.” See Allison Mitchell, above.</p> <p>For copy of order see FAS Secrecy News: http://www.fas.org/sgp/bush/hhsorder.html</p>
December 13, 2001	Bush administration (finally) allows news organizations to air videotape of bin Laden boasting about terrorist attacks.	<p>Whitehouse spokesperson stated officials wanted to be sure tape was “authentic” before releasing. See Free Speech Radio News, Dec. 13, 2001 http://www.webactive.com/freespeech/fsm20011213.html</p> <p>See “Homefront Confidential” http://www.rcfp.org/homefrontconfidential</p>
December 13, 2001	Bush asserts executive privilege to withhold from Congress documents relating to work of the Campaign Finance Task Force. This includes deliberative memoranda from other investigations containing recommendations about whether criminal prosecutions should be brought.	<p>FAS Secrecy News See http://www.fas.org/sgp/bush/121201_execpriv.html</p>
December 16, 2001	Rep. Dan Burton (R-Ind.) and Sen. Arlen Specter(R-Pa.) ask the GAO to audit the Justice Dept.’s terrorism list, which apparently has been inflated for years for budget reasons.	<p>See Philadelphia Enquirer December 16, 2001 http://www.ferc.fed.us/news/pressreleases/51398.htm</p>

December 16, 2001	Federation of American Scientists reports Defense Nuclear Facilities Safety Board, an agency charged with oversight of the DOE, halted public access to unclassified technical documents it obtained from the DOE.	FAS Secrecy News December 18, 2002 http://www.fas.org/sgp/news/secrecy/2001/12/121801.html
December 19, 2001	FAA restores general aviation access to airspace above the nations 30 largest metropolitan areas. News aircraft thus can return to the skies.	Some news helicopters can still not navigate the airspace.. See "Homefront Confidential" http://www.rcfp.org/homefrontconfidential
December 24, 2001	In response to USA Patriot Act's possible restrictions on immigration and restrictions on student visas for foreign university students, Robert R. Rich, President of the American Society for Microbiology, expresses concern about possible restrictions on foreign-born graduate students and scientists who are mainstays of American science.	Many scientists also feel that foreigners should not be restricted from using "select agents" in laboratories, (so designated in Sec. 817 of the Patriot/USA Act) since they are often the scientists with the most knowledge of exotic diseases and pathogens which are prevalent in foreign countries. This will restrict U. S. scientific research (and publication). See: John Fialka, "U.S. Begins Testing Security Systems of University Labs That Use Anthrax," Wall Street Journal, Dec. 24, 2001. Also see FAS Secrecy News, Dec. 12, 2001, and Genevieve J. Knezo, CRS Report for Congress, April 8, 2002, p. 27-28. http://www.fas.org/irp/crs/RL31354.pdf
December 27, 2001	Pentagon disbands pool coverage and allows open coverage in Afghanistan.	Reporters had not been able to access battle areas, against previous government practice. For discussion see : "Homefront Confidential" http://www.rcfp.org/homefrontconfidential
December 27, 2001	Bush administration announces that captured Taliban and Al Qaeda fighters will be held at Guantanamo Bay, will not release identities or nationalities.	See discussion of secrecy problems in "Homefront Confidential" http://www.rcfp.org/homefrontconfidential

December 28, 2001	President signs Intelligence Authorization Act, citing that “the president has a constitutional authority to withhold information the disclosure of which could impair foreign relations, national security, or deliberative processes of the executive or the performance of the executive’s constitutional duties, as well as the CIA director’s responsibility to protect intelligence sources and methods and other ...sensitive matters.”	See White House Website, “President signs Intelligence Authorization Act” for President’s comments. http://www.whitehouse.gov/news/releases/2001/12/20011228-3.html Bush’s statement dismisses a provision of the FY2002 intelligence authorization bill requiring written reports to Congress of “significant anticipated intelligence activities” and “significant intelligence failures”. FAS Secrecy News Jan. 2, 2002. http://www.fas.org/sgp/news/secrecy/2002/01/010202.html
January 3, 2002	NARA releases about 8000 pages of Reagan administration documents out of the approximately 68,000 pages subject to the <i>Presidential Records Act</i> ..	Critics maintain that a larger portion of the records should have been released a year earlier under the <i>Presidential Records Act</i> . See: “Fraction of Reagan’s Confidential Papers Approved for Release,” by George Lardner, Jr., <i>Washington Post</i> , December 21, 2001, Final Edition., p. A03. See also “Partial Release of Presidential Records Insufficient; Lawsuit Not Affected,” from the web site of Public Citizen, available at: http://www.citizen.org/pressroom/release.cfm?ID=979 “Homefront Confidential” http://www.rcfp.org/homefrontconfidential/ Also see Mar. 13, 2002 release of more papers, in this document, for more information.
January 6, 2002	USA Today reports that Pentagon documents indicate that many Status of Forces Agreements, issues of decision-making jurisdiction and authority held by the host country, are now classified documents. Those with Kuwait, Oman, and the UAE, for example, are classified. During the Cold War, these agreements were usually public documents concern the U.S. military forces and bases in the various countries.	As of Sept. 11, US had these agreements with Qatar and 92 other countries. Since Sept. 11, new secret agreements have been established with several former Soviet republics. Many secret military bases are being established having nothing to do with the Afghanistan problem. See “US. Bases pave the way for long term intervention in Central Asia” by Patrick Martin, World Socialist Web Site http://www.wsws.org/articles/2002/jan2002/base-j11.shtml <i>USA Today</i> Jan. 6, 2002
January 8, 2002	A Federal district court judge rules against Larry Flynt, saying journalists do not have a First amendment right to accompany troops into battle.	“Homefront Confidential” http://www.rcfp.org/homefrontconfidential

January 8, 2002	Endorsement by some politicians of previously rejected legislation aimed at criminalizing leaks of classified information via a bill which “would permit the executive branch to both define the crime (by unilaterally deciding what is classified) and then to prosecute its violation.”	Again, violation of FOIA by deciding to re-classify information previously unclassified. A congressionally mandated review underway in Dept. of Justice. FAS Secrecy News, January 8, 2002 http://www.fas.org/sgp/news/secrecy/2002/01/010802.html
January 8, 2002	Pentagon orders troops to not allow photographers to transmit images of prisoners in Afghanistan.	Violation of FOIA. Government claims national security reasons for action. Violent conditions of prisoners probably violates Geneva Convention on treatment of prisoners of war. See: “World: Pentaagon blocks photos of Taliban, al-qaida detainees”, by Christopher Newton, AP. http://www.nandotimes.com/world/story/216019p-2084699c.html
January 11, 2002	Bush rejects Congressional direction that classified Special Access Programs “should not be initiated until 30 days after Congress is notified of their establishment”	Bush states that the President has the right given by the Supreme Court to immediately initiate classification actions. See FAS Secrecy News Jan. 11, 2002 http://www.fas.org/sgp/news/secrecy/2002/01/011102.html
January 13, 2002	John Marburger, director of White House Office of Science and Technology Policy, tells AP that Bush administration is considering whether to restrict distribution of govt. docs on germ warfare. He indicates it is because the picture of biology it represents is 50 years old.	See Abilene Reporter-News, Jan. 13, 2002 http://www.reporter-news.com/1998/2001/anthrax/germ0113.html
January 16, 2002	U. S. Federal Energy Regulatory Commission issues a notice which asks for public comment on how it makes public the informational filings it receives involving critical infrastructure. The FERC is concerned that information it had taken off its web site would still be available under FOI requests. The notice suggests measures such as non-disclosure agreements and “need to know” disclosures.	See FERC website, and January 16, 2002 notice in the <i>Federal Register</i> . Site below has updates from May 7 on results. http://www.ferc.fed.us/news/pressreleases/51398.htm
January 29, 2002	American Civil Liberties Union files suit against categorical block on public access to immigration hearings.	ACLU says private hearings are unconstitutional. See American Civil Liberties Union news Press Release 1-29-02 Takes issue with Michael Creppy memo. http://www.aclu.org/news/2002/n012902a.html
February 2, 2002	<i>Nashville Tennessean</i> reports that the U.S. Air Force base in Tullahoma asked the state to stop taking detailed aerial photographs that the state was using to create its geographic information system.	“Homefront Confidential” http://www.rcfp.org/homefrontconfidential/timeline.html

February 17, 2002	DTIC/NTIS withdraws over 6600 documents dealing with production of germ and chemical <i>weapons</i> .	William Broad of the <i>New York Times</i> reports that, in addition to this response on the part of agencies, the Bush Administration is considering an order to remand federal policy forbidding reclassification of formerly secret documents. <i>New York Times</i> , Feb. 17, 2002.
February 17, 2002	Dept. of Commerce reportedly withdrew nearly 7,000 documents in response to security concerns about potential terrorists.	Part of response to agencies shutdown of website material thought to be a security risk. See William J. Broad, "U.S. Is Tightening Rules on Keeping Scientific Secrets," <i>New York Times</i> , Feb. 17, 2002, pp. 1, 19. See also Genevieve J. Knezo, "CRS Report for Congress", April 8, 2002, p. 37. http://www.fas.org/irp/crs/RL31354.pdf
February 17, 2002	White House asks American Society for Microbiology to limit "potentially dangerous information" in the 11 journals it publishes, including <i>Infection and Immunity</i> , <i>The Journal of Bacteriology</i> , and <i>The Journal of Virology</i> .	One Bush Administration proposal is to eliminate the sections of articles that give experimental details (materials and methods) which other researchers from other labs would use to replicate results (the mainstay of scientific research is to provide reproducible results). William J. Broad, "U.S. Is Tightening Rules on Keeping Scientific Secrets", <i>New York Times</i> , February 17, 2002. See also Genevieve J. Knezo, "CRS Report for Congress", April 8, 2002, p. 35, 47. http://www.fas.org/irp/crs/RL31354.pdf
February 18, 2002	Dept. of Justice, in abuse of FOIA, refuses to release Office of Legislative Affairs "Weekly Reports" to the Attorney General. These reports concern legislative activity, including lobbying and lobbyist information.	Reporter Michael Ravnitzky encourages press to request these documents, since they cannot be destroyed while a request is pending. http://www.securityunit.com/asale/justice.htm
February 19, 2002	News organizations report that the Defense Department's new "Office of Strategic Influence," aimed at influencing public opinion abroad, plans to plant disinformation in foreign and U. S. media.	"Homefront Confidential" http://www.rcfp.org/homefrontconfidential/ See also discussion at Guerrilla News Network at http://www.guerrillanews.com/war_on_terrorism/doc344.html and the <i>New York Times</i> , Feb. 19, 2002
February 20, 2002	Rumsfeld announces that the Office of Strategic Influence will not lie to the public or plant disinformation in the media. A federal interagency group, the National Response Team, begins to restrict public access to "sensitive" government documents that include plans for responding to releases of hazardous materials.	Rumsfeld announces that the team has hired the Rendon Group, a global communications company to assist the new office overseas. See Guerrilla News Network http://www.guerrillanews.com/war_on_terrorism/doc344.html or the <i>New York Times</i> , Feb. 19, 2002.

February 22, 2002	General Accounting Office files suit against the White House for failing to release information to Congress about Vice President Cheney's Energy Task Force.	<p>First ever lawsuit by federal agency against Executive Branch. GAO is monitoring the actions of the Task Force for budgetary purposes, Cheney is claiming executive privilege for refusing to cooperate. Lawyer's group says Executive Privilege does not apply to V.P. The lawsuit has been over a year coming, read review of the facts in: "Confusing the Facts of the GAO-Cheney Dispute," by Ben Fritz, at the Spin City Website: http://www.spinsanity.org/columns/20020204.html</p> <p>Also see FINDLAW's legal commentary at: http://writ.news.findlaw.com/dean/20020201.html</p>
February 24, 2002	Washington Post reports that the DOE has removed over 9000 documents from the Information Bridge Web source, research papers containing words <i>nuclear</i> or <i>chemical</i> and <i>storage</i> . Some are being reposted after review.	<p>Walter Warnick , director of the agency's Office of Scientific and Technical Information said that the review could take months, and legitimate research could be delayed during review. http://www.washingtonpost.com/wp-dyn/articles/A58430-2002Feb23.html</p>
February 24, 2002	<p>Washington Post also reports that there are over 30 bills pending in Congress to redefine what the government is required to publish under FOIA. Richard Clarke, White House information security advisor, is urging Congress to pass exemptions for information about computer attacks.</p>	<p>See Washington Post , 2-24-02 http://www.washingtonpost.com/wp-dyn/articles/A58430-2002Feb23.html</p> <p>Also check your legislative updates sources for pending bills.</p>
February 24, 2002	Washington Post reports that the Google Search Engine is cooperating with government agencies, and removing caches of items the agencies have removed from their sites.	http://www.washingtonpost.com/wp-dyn/articles/A58430-2002Feb23.html
February 26, 2002	Rumsfeld closes the Office of Strategic Influence.	<p>See Atlanta Journal-Constitution, March 5, 2002 Also "Homefront Confidential" http://www.rcfp.org/homefrontconfidential/</p>

February 27, 2002	A federal judge orders the DOE to release records from the Vice President's task force to develop energy policy.	Over 7500 pages of documents related to Cheney's task force ordered released, would make public for first time detailed info about the influence of industry executives and others over the administration's energy policy. From Taegan Goddard's Political Wire, 02/28/02 (site no longer available, see New York Times, Feb. 28, 2002, p.A19.)
February 28, 2002	Sen. Patrick Leahy (D-Vt.) asks GAO to examine how federal agencies enforce the FOIA after Atty. General Ashcroft's Oct. 12 memorandum. The House Government Reform Committee edited its popular "Citizen's Guide" to FOI to specifically refute Ashcroft's instruction.	For discussion see "Homefront Confidential" http://www.rcfp.org/homefrontconfidential/
March 5, 2002	A second federal judge orders seven federal agencies including the DOE to release records from Vice Pres. Cheney's Energy Task Force.	See "Homefront Confidential" http://www.rcfp.org/homefrontconfidential/
March 7, 2002	Letter from Rep Stephen Horn (R-CA) , chairman of the subcommittee on government efficiency to House Members, needing bill co-sponsors for a bill to clean up the Presidential Records Act of 1978, saying the bill would negate Bush's executive order limiting this act.	For copy of letter see Society for American Archivists Executive Order Action Alert site at http://www.archivists.org/news/eo-action-alert.asp For a letter to Rep. Horn from the Assn of Law Libraries regarding the problems involved in restrictions to Presidential Records, from Nov. 19, 2001, see their website ALL Washington Affairs Online http://www.ll.georgetown.edu/aallwash/lt11192001.html
March 10, 2002	A full copy of the classified Pentagon report known as the Nuclear Posture Review is leaked to the Press. No unclassified copies were made available as suggested in the 2001 <i>National Defense Authorization Act</i> (PL 106-398). A three-page "Forward" to the report was made public in January, and Congress received classified copies of the report months later than was legally mandated.	Critics argue that the report, contrary to Administration characterizations, calls for developing new types of weapons and lowering the barriers for using them. Controversy was stirred when arms control proponents sensed a major policy change, but were denied access to the details of the classified report. Some organizations, such as globalsecurity.org, have made unofficial excerpts of the report available online. See "U.S. Nuclear Plan Sees New Targets and New Weapons," by Michael R. Gordon, <i>New York Times</i> , Sunday Late Edition, March 10, 2002, Section 1, p. 1.
March 12, 2002	Bush signs <i>Homeland Security Presidential Directive #3</i> , creating Homeland Security Advisory System (HSAS). This is to be a "communication structure for disseminating information regarding the risk of terrorist attacks. Risk levels will be assessed and color coded and appropriate security measures will be leveled	Many problems relating to loss of government information could result from the decision to possibly reclassify previously unclassified documents, due to this coding system. For copy of release see White House Website March 12, 2002 release http://www.whitehouse.gov/news/releases/2002/03/20020312-1.html

March 13, 2002	NARA releases 59,000 more Reagan Papers	See "Homefront Confidential" http://www.rcfp.org/news/2002/0313americ.html
March 14, 2002	The EPA announced that there will no longer be direct access to <i>Envirofacts</i> databases, starting April 1. Access will be limited to EPA employees, contractors, military, federal and state government agencies. Some libraries, of course, which can be designated state or federal employees can get limited access with an EPA official acting as a sponsor.	This site was created to provide public direct access to a wealth of information on its databases. Both the FBI and Congress have acknowledged that disclosure on the Web of information would have no unique increase on terrorism effects. See OMB Watch for discussion: http://www.ombwatch.org/article/articleview/608/1/97
March 19, 2002	Presidential cyber security advisor Richard Clarke spoke to industry at a trade show advocating proposed amendments to the FOIA to exempt private sector security information submitted to federal authorities from FOIA exposure.	Clarke indicated that much more of the U.S. Budget would be spent on security measures... see Government Computer News, "Clarke: President's IT budget puts money behind policy" by William Jackson http://www.gcn.com/vol1_no1/security/18216-1.html
March 19, 2002	Andrew Card, chief of Staff, sends a memo to federal agencies calling for immediate re examination of current measures to ID and protect information on weapons.	See "Memorandum for the Heads of Executive Departments and Agencies" March 19, 2002 http://www.fas.org/sgp/bush/wh031902.html
March 19, 2002	Rep. Stephen Horn introduces amendments to <i>Presidential Records Act</i> to nullify Bush's order.	See "Congressman offers presidential records bill to nullify Bush's order" NMU Freedom of Information, March 18, 2002. http://www.rcfp.org/news/2002/0318presid.html
March 20, 2002	The <i>Washington Times</i> reports that the White House has ordered all federal agencies to scrub their web sites of sensitive information on weapons of mass destruction, including so called "sensitive but unclassified information."	A Federation of American Scientists (FAS) newsletter that "sensitive but unclassified information" is not defined and could cover a wide range. The newsletter reports that the government has already pulled more than 6000 documents from government web sites, some with no security implications, such as Pentagon evaluations reports on procurement programs. See NMU Washington, D.C. Freedom of Information, March 21, 2002 http://www.rcfp.org/news/2002/0321whmemo.html
March 21, 2002	Senate Government Affairs Committee marked up a revised version of S. 803, the "E-Government Act of 2002".	Bill will create an "Office of Electronic Government" (OEG) within OMB. A significant step forward for improved management and public access to information. For discussion of the bill see: ALAWON: American Library Association Washington Office Newline, Vol. 11, Number 22, March 21, 2002.

<p>March 26, 2002</p>	<p>Col. John Fenzel, former staff director for the National Preparedness Review, discusses new Homeland Security Advisory System, a new policy for classifying information and for sharing it with State and Local Governments.</p>	<p>White House would be able to control all information from various agencies before it is published for the public. See http://few.com/geb/articles/2002/0325/web-ridge-03-27-02.asp</p>
<p>April 1, 2002</p>	<p>Report on <i>Data Quality Act</i>, written under Clinton Administration but to take effect Oct. 1, 2002, under Bush Administration. Allows . “affected persons” to criticize scientific information disseminated by federal agencies.</p>	<p>Several agencies already meeting on this during March and April, 2002, including EPA and National Academy of Sciences. Issue is that it will not really be peer review of articles, but review by protestors with a commercial or political interest in the outcome. DQA will not censor information per se, but will determine which information is “good enough” to be the basis of federal regulations and to be disseminated. Will effect scope, content, quality and corrigibility of government Freedom of Speech. Full text of statute see: http://makeashorterlink.com/?R1C124D9 or your legislative sources for the Data Quality Act. For additional citations to agency involvement in this act see: http://www.topica.com/lists/suber-fos/read, click on 4-01-02.</p>
<p>April 3, 2002</p>	<p>Court rules closed immigration hearings are illegal</p>	<p>Rules against Sept. 11 order by Chief Immigration Judge Michael Creppy to close hearings in time of national emergency. See Carl R. Baldwin, “District Court Holds That Closed Immigration Hearings are Unconstitutional” from Immigration Daily, April 3, 2002 http://www.ilw.com/lawyers/colum_article/articles/2002,0410-Baldwin.shtm</p>
<p>May 4, 2002</p>	<p>Office of Management and Budget issues memo to federal agencies regarding ending the ”monopoly of the GPO”, and requiring competitive bids on over \$500 million of yearly federal publishing contracts.</p>	<p>Bush Administration says this would save government over \$50 million per year. What would happen to the Depository Program? What effect will would private publishers have on freedom from copyright restrictions for government information? See <i>Washington Post</i> article from May 4, 2002: http://www.washingtonpost.com/wp-dyn/articles/A33355-2002May4.html For a copy of the document, M-02-07, Procurement of Printing and Duplicating through the Government Printing Office (123K) http://www.whitehouse.gov/omb/memoranda/m02-07.pdf</p>

May 28, 2002	OMB Watcher publishes article on background of Data Quality Act, outlining restrictions to government information which could result.	See OMB Watcher http://www.ombwatch.org/article/articleview/773/
June 12, 2002	Federation of American Scientists sues for disclosure of 2002 Intelligence Budget	Text at http://222.fas.org/sgp/foia/2002int.html
June 13, 2002	Washington Post reports that the Dept. of Labor is posting on their web site internal financial documents of labor unions, but not corresponding information for employers (i.e. how much they pay labor unions and management consultants)	Department reports that “they intend to do it in the future” and that they have “no funds” to do so now. See Washington Post, June 12, 2002, page E02. http://www.washingtonpost.com/wp-dyn/articles/A41354-2002Jun12.html
June 14, 2002	Bill introduced in the Senate to restrict public access to information about worse case scenarios at chemical facilities.	See text of “Community Protection From Chemical Terrorism Act” S2579 http://www.fas.org/sgp/congress/2002/s2579.html
June 20, 2002	Homeland Security Bill proposed which would create exemptions from the FOIA for information provided voluntarily by non federal entities or individuals that is related to infrastructure vulnerabilities.	See text at: http://www.fas.org/irp/news/2002/06/hts-bill-html
June 26, 2002	During senate debate over Defense Authorization Act for 2003 news emerges that previously unclassified information about tests of emerging missile defense technology will be classified in the future.	See FAS Secrecy News http://www.fas.org/sgp/congress/2002/s062502.html For a list of congressional statements and actions on secrecy see FAS page at: http://www.fas.org/sgp/congress
June 27, 2002	House adopts Homeland Security Information Sharing Act, which will allow information sharing between state and local and federal agencies.	This will in effect create a third Homeland Security classification between classified and unclassified or declassified materials, and many may no longer be seen by the public. See House Judiciary Report http://www.fas.org/irp/congress/2002rpt/hrpt107-534.html
July 16, 2002	In a report to congress on implementation of Section 1001 of the USA Patriot Act, the Justice Dept. reports it has received 458 complains alleging civil liberties or civil rights violations between 10-26-01 and 6-15-02, or since the Patriot Act was passed .	See “Report to Congress on Implementation of Section 1001 of the USA Patriot Act” on FAS Secrecy News http://www.fas.org/sgp/news/secrecy/2002/07/071602/htm

July 16, 2002	Federal judge chastises Bush Administration for attempt at aggrandizement of Executive power in ruling on lawsuit by Sierra Club and Judicial Watch seeking disclosure of information about Cheney's Energy Task Force.	See U. S. District Judge Emmet Sullivan's decision here: http://www.dcd.uscourts.gov/01-1530.pdf
July 19, 2002	House Energy and Commerce Committee Chair Billy Tauzin and other senior republicans send letter to Homeland Security Director announcing their support for increased government secrecy in the name of security.	Senators are uncomfortable with EPA pursuing the assessments under the Clean Air Act. See OMB Watcher June 24, 2002 for discussion and links to bills and letters. http://www.ombwatch.org/article/articleview/866/1/126 Also reported in AP article by Leslie Miller in Washington Post on June 10, 2002.
July 23, 2002	Following FAS lawsuit on FOIA, Director of Central Intelligence Agency says he will give "significant consideration" to declassifying the 2002 budget.	See FAS Secrecy news, 7-23-02 http://www.fas.org/sgp/news/secrecy/2002/07/072302.html
July 26, 2002	Justice Department refuses to disclose certain classified information requested by House Judiciary Committee relating to counterintelligence and counterterrorism surveillance activities	See FAS Secrecy news 8-15-02 http://www.fas.org/sgp/news/secrecy/2002/08/081502.html Also see letter of response from Justice Department http://www.fas.org/irp/news/2002/08/d0j072602.pdf See earlier (June 13) of request from Chairman Sensenberger: http://www.house.gov/judiciary/ashcroft061302.htm
July 29, 2002	House defeats Senate amendment of Homeland Security Bill which would have eliminated exemption from FOIA for private industry	See FAS Secrecy News, 7-29-02 http://www.fas.org/sgp/congress/2002/h072602.html
July 30, 2002	The Inspector General Report mentions that the Dept. of Defense continues to publish inappropriate web pages (inappropriate for security).	See report summary: http://www.dodig.osd.mil/audit/reports/fy02/02129sum.htm Also see FAS Secrecy News for July 30, 2002 http://www.fas.org/sgp/news/secrecy/2002/07/073002.html
July 11, September 11, 2001 to present	Several States, including the following: California, Connecticut, Florida, Idaho, Kentucky, Maryland, Michigan, Missouri, Nebraska, New York, New Jersey, Rhode Island, South Carolina, South Dakota, Tennessee, Washington, Wisconsin, and Wyoming, are considering legislation, or have pending legislation, regarding limiting access to government information. Do you know what your state legislature is doing?	For some discussion of state activities, see "Homefront Confidential", at: http://www.rcfp.org/homefrontconfidential/ The ALA Washington Office will create a list of state legislative and administrative actions in response to the Patriot Act and other federal government terrorist-related actions. If you know of any state activity please contact Patrice McDermott or Lynn Bradley at 1-800-941-8478, or email at pmcdermott@alawash.org or lbradley@alawash.org

August 2, 2002	Federal court orders Bush Administration to disclose names of most of detained individuals connected with September 11 acts in response to FOIA lawsuit by ACLU Center for National Security Studies and 21 other groups.	Lawsuit cites abuse of power , need to know identifications in public interest. Memorandum of Opinion regarding Center for National Security Studies vs U. S. Dept. of Justice at: http://www.dcd.uscourts.gov/01-2500.pdf
August 5, 2002	Congress concerned over <i>Science Magazine</i> July issue, online, publication on synthesis of polio virus from mail order components. Issues resolution regarding “problem”.	Congress feels <i>Science Magazine</i> should classify this, and further feels that the Executive Branch should examine all policies on federally funded research. See FAS Secrecy news 8-5-02 http://www.fas.org/sgp/congress/2002/hres514.html
August 8, 2002	State Department History of U. S. relations with Greece report finally published	Part of FRUS 1964-1968m vik, xvi, files printed two years ago and suppressed by CIA. Covers Greece, Cyprus and Turkey. See FAS Secrecy news, August 7., 2002. http://www.fas.org/sgp/news/secrecy/2002/08/080702/html
August 9, 2002	<i>The Hill</i> online reports that Congress is furious over Bush administration’s refusal to respond to the most routine and basic requests for information, even refusing to acknowledge requests from congress for information.	Congress may be forced to subpoena information from the White House. See <i>The Hill</i> , 8-9-02 http://www.thehill.com/080702/secrecy.shtm
August 12, 2002	<i>Orlando Sentinel</i> article reports the tragedy of the U. S., the world’s leading democracy, charting a path away from the recent global trend to greater access to government information.	See “Tilt must be against secrecy”, by John C. Bersia, <i>Orlando Sentinel</i> , opinion section, August 12, 2002. See FAS Secrecy news, August 12, 2002. http://www.fas.org/news/secrecy/2002/08/081202.html
August 12, 2002	DOE proposes to discontinue PubScience, citing access is available to most documents by private databases Scirus and Infotrieve.	Many private companies see PubScience as intrusion of Government on access to non-government information. Librarians feel it will put this information out of reach of smaller libraries who cannot afford larger private databases. http://pubsci.osti.gov Also see article in <i>Government Information Quarterly</i> Vol. 19 no. 3, and no. 4 on e-government activities. Also see Los Angeles Times article, 9-15-02, Opinion, Part M page 3, by Karrie Peterson. Use Academic Universe under “A step toward tyranny” or http://www.latimes.com/news/printedition/opinion/la-op-peterson15Sep15.story

August 13, 2002	New York Times reports problems with restrictions to scientific research due to September 11. Article reports restrictions to research on certain pathogens and future restrictions on scientific publications.	See "September 11 strikes at labs' door: by Diana Jean Schemo, New York Times, 8-13-02, http://www.nytimes.com/2002/08/13/science/13RESE.html Also see FAS Secrecy News 8-14-02 http://www.fas.org/sgp/news/secrecy/2002/08/081402.htm
August 13, 2002	American Society for Microbiology had adopted a measured policy for screening submissions to its journals for unduly sensitive content	Response to pleadings from Homeland Security Office to regulate publishing of scientific information. See ASM Journals site: http://journals.asm.org/misc/Pathogens and Toxins.shtml
August 15, 2002	D.C. District judge Gladys Kessler grants stay of her August 2 decision to disclose names of detainees. The decision could now go to higher court, and take months.	See FAS Secrecy news, 8-16-02 http://www.fas.org/sgp/news/secrecy/2002/08/081602.html
August 16, 2002	GAO issues report, Data Disclosure and IRS's Oversight of Organizations Should Be Improved, recommending that the IRS consult with users of PAX soft money disclosure reports and improve usability of information on web.	Public Accessibility to information is restricted or unavailable in this area at present. See OMB Watcher 8-19-02. http://www.ombwatch.org/article/articleview/1053/1/148
August 19, 2002	A recent report of the National Academy of Sciences on countering Agricultural Bioterrorism, requested by the USDA, was submitted to the USDA and to the Office of Homeland Security for review before publication.	This could not be classified as secret because, at the time, USDA had no such authority. See: National Academy of Sciences page: http://www4.nationalacademies.org/news.nsf.isbn/0309085454?OpenDocument See FAS Secrecy News, 9-30-02 http://www.fas.org/sgp/news/secrecy/2002/09/093002.html
August 26, 2002	National Intellectual Property Research Association (NIPRA) files suit against USPTO announced plans to discontinue paper versions of patents.	NIPRA cites numerous errors in online versions of publications, see: http://www.nipra.org/PR082602.html See actual lawsuit document http://www.nipra.org/pdfs/Rogan/rogan.pdf
August 27, 2002	Federal Judge Richard Vollmer of the U. S. District Court for Alabama overturns "Stealth PAC" law of 2002 unconstitutional.	Law requires political action committees to be exempt from reporting to IRS their contributions and expenditures. See OMB Watcher http://www.ombwatch.org/article/articleview/1063/1/150

August 27, 2002	National Intellectual Property Researches Assn. Files suit against USPTO's desire to cancel all paper patents and trademark backfiles.	Study by group indicates over half of 4000 trademarks filed last year were assigned incorrect search codes or had illegible or missing images. See <i>Washington Post</i> , 26 August 2002, http://www.washingtonpost.com/wp-dyn/articles/A64178-2002Aug26.html
August 28, 2002	OMB reviews EPA report on children's health prior to publication, and give EPA feedback at August 29 interagency meeting.	Review by OMB of purely technical document, which contains no policy or regulatory action, is unprecedented and raises questions about potential political conflict. OMB has no scientific expertise on environmental factors affecting children. See OMB Watcher, 9-30-02 http://www.ombwatch.org/article/articleview/1117/1/152
September, 2002	Atlantic Monthly article reports that, a year after terrorist attacks temporary emergency actions have evolved into fundamental changes in public's right to know.	See <i>Atlantic Monthly</i> , September 2002, "The Information Wars", by Mary Graham: http://www.theatlantic.com/issues/2002/09/graham.htm
September 3, 2002	White House Office of Homeland Security asks OMB to develop new policy on so-called "sensitive but unclassified" information to preserve confidentiality without a formal classification.	See FAS Secrecy News, 9-3-02 http://www.fas.org/sgp/news/secrecy/2002/09/090302.html See earlier article "Understanding Controls on Unclassified Government Information, or 'Who's on First'" by James J Bagley, from <i>NCMS Viewpoint</i> , vol. 1, 1993 http://www.fas.org/sgp/eprint/bagley.html
September 3, 2002	Science Magazine reports that the OMB is reviewing an EPA report of children's health before publication.	Report discusses administrations opposition to publication of evidence that runs contrary to their position. IF the administration can shape a report's findings before its made public, it can protect itself from further regulations. See OMB Watcher 9-3-02 http://www.ombwatch.org/article/articleview/1061/1/150
September 5, 2002	FERC announces plans to aggressively restrict public access to information it deems sensitive, such as access to information about power plants, pipelines and other components of the energy information structure.	FERC indicates that they are entitled to exemption to FOIA rules, comparing its activities in regulating the Federal Power Act and Natural Gas Act to law enforcement activities. See OMB Watcher 9-16-02 http://www.ombwatch.org/article.articlenew/1087/1/151 See notice in FAS secrecy news site from Federal Register: http://www.fas.org/sgp/news/2002/09/fr091302.html

September 10, 2002	FAS Secrecy news reports article in October issue of REASON, discussing open government after September 11.	Article mentions that Bush Administration's assault on open government dates from the second month of his term in office. See "Closing the Books: Open Government after 9/11" by Jeffrey Benner in October issue of Reason online http://reason.com/0210/fe.jb.closing.shtml
September 16, 2002	OMB meets with scientists, civil libertarians, librarians and others to gather advice on whether to limit public access to information that is sensitive but unclassified.	Material to be reclassified includes highly detailed digital maps, toxic chemical storage facilities, research on certain pathogens, much of which has been available to the public for a long time. See William Matthews, <i>Computer Week</i> , 9-16-02 "OMB Weighs Information Classification" http://www.fcw.com/fcw/articles/2002/0916/news-omb-09-16-02.asp
September 18, 2002	Department of Education announces plan to drop thousands of files from its websites, including many ERIC documents, much new information and many research files. Everything on site dated before 2-2001 (i.e. before Bush) will be removed unless needed for legal reasons or if it supports the "No Child Left Behind Act" of 2001 (Bush Admin. Law).	Files were chosen for deletion without public consultation, and little opportunity for archiving before deletion. See OMB Watcher : http://www.ombwatch.org/article/articleview/1130/1/96 Also see Education Week on the web, 9-18-02 http://www.edweek.org/ew/ewstory.cfm?slug=03web.h22
September 22, 2002	New York Times reports that John Ashcroft moving to exert political shift of authority of the Bureau of Justice Statistics and the National Institute of Justice to the Asst. Attorney General for the Office of Justice Programs (Deborah Daniels) and the deputy to the Asst Attorney General (Tracy Henke).	The deputy attorney general was responsible for inserting language in the Patriot Act undercutting these two agencies' independence. Statistical reports and decisions on research grants are to be sent to the Asst. Atty. Gen. for "clearance" before publication, and some are delayed for 2-3 months. See New York Times 9-22-02 http://www.nytimes.com/2002/09/22/national/22CRIM.html
September 25, 2002	Univ. of Cal. San Diego orders student organization to delete hyperlinks to alleged terrorist website, citing USA Patriot Act.	See article by Declan McCullagh, CNET news.com http://news.com.com/2100-1023-959544.com
September 26, 2002	<i>Christian Science Monitor</i> notes that university scientists worry that freedom of inquiry, open access and internalization are at risk under new security measures.	See "Academia becomes target for new security:", by Mark Clayton, in the September 24 <i>Christian Science Monitor</i> : http://www.csmonitor.com/2002/0924/p11s02-lehl.html See FAS Secrecy News, 9-26-02 http://www.fas.org/sgp/news/secrecy/2002/09/092609.html

September 30, 2002	Plans afoot to offer Senator Corzine's Chemical Security Act as addendum to Homeland Security bill...	Would place entire responsibility for Chemical Security with new Homeland Security agency rather than with the EPA. Waste facilities that conduct bio-terrorism assessments from these chemical security assessments might be exempt. See OMB Watcher 9-30-02 http://www.ombwatch.article.articleview/1119/1/152/
September 30, 2002	OMB Watcher reports Bush administration is overhauling scientific advisory committees which were reaching conclusions contrary to its political objectives.	Bush administration stacks committees in FDA, HHS and CDC to limit studies contrary to its views. See "HHS Seeks Science Advice to Match Bush Views", by Rick Weiss, <i>Washington Post</i> , 9-17-02, page A01, and OMB Watch 9-30-02 http://www.ombwatch.org/article/articleview/1118/1/152
September 30, 2002	OMB Watcher reports latest homeland security bill in Senate, sponsored by Sens. Phil Gramm and Miller contains information provisions that would exempt documents voluntarily forwarded to the new Department of Homeland Security from disclosure under FOIA.	Bill also pre-empts state disclosure laws and criminalizes release of critical infrastructure information. See OMB Watcher 9-30-02 http://www.ombwatch.org/article/articleview/1116/1/152
September 30, 2002	GAO report shows agencies taking much longer for processing FOIA requests.	Dept. of Energy took 16 days to process requests in 1999, now takes 211 days, complex requests took 55 days in 1999, now take 1788 days!!! See GAO report http://www.fas.org/sgp/foia/gao02493.pdf See report by Chirstopher Lee in the Washington Post, 9-29-02, "Agencies Fall Behind on Information Requests" http://www.washingtonpost.com/wp-dyn/articles/A13499-2002Sep27.html
September 30, 2002	Bush authorizes the Secretary of Agriculture to classify information up to the Secret Level, in directive published in the Federal Register.	Follows similar directives to the Secretary of Health and Human Services and the Administrator of the EPA. No rationale given for the decisions. See FAS Secrecy news 9-30-02 http://www.fas.org/sgp/bush/ag.html
October 1, 2002	Deadline set by OMB for finalization of Data Quality guidelines by Executive Agencies.	Concerns raised that guidelines may be misused by the regulated community to slow down the regulatory process and possible overturn long established regulations or refuse publication of information critical to industry. See OMB Watcher 9-30-02 http://www.ombwatch.org/article/articleview/1114/1/152

October 2, 2002	CIA still refuses to declassigy 1947-48 budget on grounds that it could damage national security.	This even though the 1997 budget was released 5 years ago. See editorial in Washington Post on October 1, 2002 http://www.washingtonpost.com/wp-dyn/articles/A30208-2002Oct1.html Also see FAS Secrecy News, October 2, 2002 http://www.fas.org/sgp/news/secrecy/2002/10/100202.html					
October 2, 2002	Department of Justice publishes new FOIA decisions, from July-September 2002.	Published by Justice Department's Office of Information and Privacy: http://www.usdoj.gov/oip/foiapost/2002foiapost24.htm					
<table border="1" style="display: inline-table; vertical-align: middle;"><tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table> October 9, 2002						FERC extends public comments period on notice of proposed rulemaking 9-5-02 in Federal Register (9-13-02)	Rule would limit public access to critical energy infrastructure information that formerly was public. New deadline is November 14, 2002. See OMB Watcher 10-15-02 http://www.ombwatch.org/article/articleview/1134/1/153
October 10, 2002	American Society for Microbiology cautions that Scientific Publishing Restraints may have negative impact on Public Health and Safety.	ASM stresses the necessity of reproducible results and collaborative research. See ASM site http://www.asmta.org/pasrc/researchsecuritytest.htm					
October 11, 2002	FAS Secrecy news reports that White House Science advisor John H. Marburger, in addressing congress about new category of information, says "sensitive" category of information not a new concept, but is really material not routinely released.	This in response to scientific community fears of effect on foreign students and faculty. See FAS Secrecy News 10-11-02 http://www.fas.org/sgp/congress/2002/index.html#sci					
October 19, 2002	House J. Continuing Resolution 120, extending funding through November 22, 2002, includes new language regarding GPO and OMB proposals.	Stresses agencies must go through GPO for their printing.. Signed into Public Law 107-229 on 9-30-02. The amended Sec. 4 says that no funding can comply with the OMB memorandum. White House says agencies can ignore order! See GovExec.com, 9-27-02 http://www.govexec.com/dailyfed/0902/092702b1.htm See testimony of Mitchell Daniels (OMB director) here: http://www.infoday.com/it/sep02/Quint.htm					
October 15, 2002	Associated Press reports on problems with secrecy in scientific community.	See "Researchers Stymied by Block on Government Documents" by Rachel Kipp of the AP on CNN news http://www.cnn.com/2002/TECH/science/10/15/attacks.document.ap					

October 15, 2002	Scientists at Livermore National Laboratories under orders from DOE to evade public inquiries concerning Iraqi Weapons of mass destruction, the threat of catastrophic terrorism and related issues.	Told to respond “NO Comment”, even to congressional inquiries. Text of Michael Anastasio memo (Lab Director) to staff: http://www.fas.org/sgp/othergov/doe/iraq091302.html
October 30, 2002	OMB ignores congress, may bypass printing office to print federal budget.	Rep. Steny Hoyer, member of Joint Committee on Printing, says he is mystified by OMB’s determination to defy the Congress. See GovExec.com, 10-30-02 http://207.27.3.29/dailyfed/1002/103002b1.htm
October 31, 2002	<p>OMB Watcher reports the CDC has removed information from its web site about educational programs that have proven effective in reducing risky behavior among adolescents, plus fact sheets regarding the effectiveness of condoms in preventing sexually transmitted diseases.</p> <p>Also, the National Institutes of Health website has removed information that debunks the commonly held myth that abortion increases the risk of breast cancer.</p>	See OMB Watcher October 28, 2002 http://www.ombwatch.org/article/articleview/1163/1/154 and http://www.ombwatch.org/Watcher/oct282002.pdf

Major sources of Information

New York Times, *Washington Post*, and other major U.S. newspapers

FAS Secrecy News <http://www.fas.org>

Government Documents Listserv, govdoc-L

Knezo, Genevieve J., "CRS Report for Congress. Possible Impacts of Major Counter Terrorism Security Actions on Research Development, and Higher Education", <http://www.fas.org/irp/crs/RL31354.pdf>

OMBWatch, <http://www.ombwatch.org>

See this site for discussion of various issues, summaries of Data Quality Act issues, OMB/GPO issues.

RCFP White Paper, "Homefront Confidential," prepared by Reporters Committee for Freedom of the Press, <http://www.rcfp.org/homefrontconfidential/>.

White House website, <http://www.whitehouse.gov>

For further information on ARL's response to withdrawal of government information, especially on the withdrawal of the USGS CD, see memorandum to Prudence Adler, of ARL from Thomas R. Susman of Ropes & Grey, reviewing legal responsibilities of FDL's and GPO with policy considerations: <http://www.arl.org/info/frn/gov/susman.html>

Center for Democracy and Technology (CDT) web page on issues involved in development of Homeland Security Agency. Discusses implications for privacy, internet security and responsibility of Government for actions and policies. <http://www.cdt.org/security/usapatriot/hearings.shtml>

ALA GODORT Legislation Committee Webpage on disappearing information. See this site for many links on testimony and legislation <http://sunsite.berkeley.edu/GODORT/legislation>

Dept. of Justice site on changes in laws due to Patriot Act <http://www.cybercrime.gov/PatriotAct.htm>

ALA Legislation Committee/ ALA/GODORT Task Force on Restrictions to Access to Government Information Many links to information on this subject, links to Education Page of GODORT for more information <http://www2.library.unr.edu/dept/bgic/Duncan/RAGI.html>

Library Records Post-Patriot Act (Federal Law) by Mary Minnow, on LLRX.com site, discusses laws involved in obtaining library records. <http://www.llrx.com/features/libraryrecords.htm>

ALA Washington Office Newslines, ALAWON, for up to date information on government events affecting libraries, librarians, and the American Library Association.

<http://www.ala.org/washoff.alawon/>

Remember December 11, 2002 12:00-3:00 p.m. EST

Safeguarding our Patrons' Privacy: What every Librarian needs to know about the USA Patriot Act & Related Anti-Terrorism Measures - a teleconference

Hosted by the Health Sciences and Human Services Library and the Thurgood Marshall Law Library, University of Maryland Baltimore.

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