

Federation of American Scientists  
307 Massachusetts Avenue, NE  
Washington, D.C. 20002

for more information:  
Steven Aftergood  
(202)675-1012

## SECRECY & GOVERNMENT BULLETIN

To Challenge Excessive Government Secrecy and  
To Promote Public Oversight and Free Exchange  
In Science, Technology, Defense, and Intelligence

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### Timberwind LiTe

S&GB has learned that the Timberwind secret nuclear rocket program is being repackaged for "security reasons." Part of the program's work will be publicly acknowledged in January, while another part is continued in a new highly secret special access program known by its initials "LT."

Nine months after the existence of Timberwind inadvertently became public knowledge, its work will be described by U.S. military officials at the Ninth Symposium on Space Nuclear Power Systems in Albuquerque, New Mexico, which begins January 13, 1992.

A press conference involving officials from several agencies is expected to "reveal" that the Air Force has a nuclear thermal propulsion program underway, based on a particle bed reactor. The codename Timberwind, which is being retired, will not be acknowledged.

Because of continuing leaks, the 1500 individuals cleared for access to information about the program are all being formally "read out." The new LT program encompasses a much smaller number of people.

Many sources in industry and government evince a surprising degree of hostility (i.e. they are even angrier than we are) towards the classification of Timberwind and now LT. They believe overclassification has impeded technical interchange and jeopardized the chances for public acceptance of a space nuclear propulsion program. Public acceptance is essential for any successful space nuclear power program and it is widely feared that the denial and deception surrounding Timberwind and LT may make such acceptance impossible to achieve.

*A more detailed press release is available from the FAS Secrecy Project office.*

The most practical way to proceed would be to immediately terminate the "Confidential" classification category. This would free up millions of low-level classified documents dating back to 1917 (!) without painstaking page-by-page review. (Confidential documents that are three years old or less, and foreign-origin documents, could be reviewed to determine if their classification should be retained.)

Elimination of the Confidential category-- the lowest of the three official categories-- has the political advantage of having already been proposed by the Senate Intelligence Committee in December 1985:

"The Committee has found that the classification system is unduly complicated and that it breeds cynicism and confusion in those who create and use classified information. The Committee believes that a streamlined system, in which the Confidential classification is eliminated and all information is either Secret or the equivalent of Sensitive Compartmented Information, would be much more workable despite the major changes and initial costs that this would entail." ("Meeting the Espionage Challenge," Senate Report 99-522, 1986, p. 7)

Incredibly, the proposal to eliminate the Confidential category dates back to June 1957, when the Commission on Government Security (known as the "Wright Commission") criticized the overuse of this label and recommended its immediate termination.

Even the Information Security Oversight Office has noted that "The data on classification levels appear to underscore the logic, but not the practicality, of instituting a two-tier rather than a three-tier system." (1989 Annual Report, page 19) But few alternatives to the current system could be less practical, less cost-effective, or more damaging to a legitimate concept of national security.

### Eliminate the "Confidential" Classification

Even Steven Garfinkel, the Director of the Information Security Oversight Office, agrees that way too much information is being kept classified without a genuine national security justification. Garfinkel, whose office is responsible for overseeing the classification system, was asked by Tim Weiner of the Philadelphia Inquirer (19 December 1991, p. 1) how many classified documents there are in the U.S. and he responded:

"A mountain... tens of millions or hundreds of millions or billions. We've got to do something or that mountain's going to build up more. What are we going to do? Wave a magic wand and declassify it? Burn it?"

In fact, most observers would agree that some kind of wholesale declassification effort will be required if complete information gridlock is to be avoided.

### Confirmation Disinformation

At his recent confirmation hearing, CIA Director Robert Gates suggested that the CIA might disclose the total aggregate intelligence budget as a way of mending its public image. But now that he has actually been confirmed, that budget information remains as closely held as ever.

Gates told the Senate Intelligence Committee on September 17, 1991, "I have been trying to think ... what symbolic steps that the Agency could take ... that would suggest that the mentality of the Cold War has changed at the Agency, that there is an appreciation of a new day ... that would suggest to the American people that there is a greater sense of openness and a greater sense for the people to have trust that the Agency is playing by the rules.... A couple of ideas that occurred to me-- one was

this idea of declassifying the top line [budget] number...."

Once Gates was confirmed, we naively submitted a request to the CIA, citing his remarks and requesting disclosure of this aggregate budget number. Needless to say, the request was denied. John H. Wright of the CIA cited President Reagan's Executive Order on national security information and also asserted that the requested information "relates directly to intelligence sources and methods" and therefore must be protected from disclosure.

This secrecy fetish has no national security basis. Imagine that the CIA had disclosed that the aggregate annual budget is \$30 billion, as commonly assumed, or \$40 or \$20 billion or some other number. What would you have learned about intelligence sources and methods? Nothing, except that they cost a heck of a lot of money.

The refusal to disclose the information reveals far more about the CIA than its disclosure would have.

### Glomar Warning

The staff at the Department of Energy's Nevada Operations Office were excited by our Freedom of Information Act request for a copy of the Environmental Assessment of the Timberwind nuclear rocket ground test facility at the Saddle Mountain Test Site in Nevada, which is now supposed to begin construction in January 1992.

"Thanks to your request," they said, "we got to use the Glomarization statute for the first time ever!" Glomarization refers to the policy of refusing to confirm or deny the existence or non-existence of certain highly classified information, including anything having to do with Timberwind. The term derives from Howard Hughes' Glomar Explorer salvage ship, which was contracted by the CIA in 1971 to raise a sunken Soviet submarine.

Through an inexplicable, though welcome, anomaly, a summary of the Saddle Mountain Test Site Environmental Assessment has been prepared in unclassified form. This document, which locates Saddle Mountain near the geographical center of the Nevada Test Site, includes estimates of offsite radiation doses in the event of a full or partial fuel melting accident.

*Copies of the unclassified summary viewgraphs are available from the FAS Secrecy Project.*

### Still Waiting

The estimable Senator Howard Metzenbaum made the following remarks in a newly released hearing record from a May 1990 hearing before the Senate Intelligence Committee ("S. 2726 to Improve U.S. Counterintelligence Measures," S. Hrg. 101-1293, page 94, emphases added):

"In 1986, our Committee found that the classification system is unduly complicated and that it breeds cynicism and confusion in those who create and use classified information. ... [Also] in 1986, we endorsed a series of ISOO recommendations to curb overclassification and improve security awareness....

"Four years later, we are still waiting for the Executive Branch to act on those recommendations. But the world is not standing still while we wait. It is time for the Executive Branch to act....

"Mr. Chairman, this Committee should call on the Administration to develop within 60 days, and to share with us, plans for significant classification reforms that can be enacted by the end of the year. Our national security cannot wait another five years...

"Finally, if the Administration cannot revamp the classification system this year, I propose that this Committee and other interested committees report out legislation to enact this needed reform."

Make it so.

### Where No Pentagon Office Has Gone Before

The Strategic Defense Initiative Organization (SDIO) has always been full of surprises. But now SDIO is proposing to launch a nuclear reactor powered spacecraft to explore the solar system, rather a far cry from SDI's ostensible mission of strategic defense.

According to a recent agency proposal, SDIO would purchase not one, but "several" Soviet Topaz II space reactors, modify them, launch them, conduct an on-orbit demonstration, and proceed "out of the Earth-Moon system on an exploratory mission." Why not?

Well, lots of reasons. While there is something to be learned from study and testing of the (former) Soviet technology, the Topaz reactor design does not conform to U.S. safety standards and would never receive launch approval. Specifically, for example, the Topaz has positive reactivity coefficients, which means that under certain circumstances the reactor power level could accelerate out of control. (This was also infamously the case in the Chernobyl reactor.) SDIO proposes to modify the design accordingly in a \$50 million, three year program, but few believe this would suffice for the major changes needed.

The proposal for an exploratory mission raises other questions. In particular, who authorized SDIO to explore the universe?

*A copy of the SDIO proposal is available on request from our office.*

### "Unclassified" Controlled Nuclear Information

The Department of Defense has issued its final rule on so-called Unclassified Controlled Nuclear Information, or UCNI (Federal Register, 11 December 1991, p. 64553).

UCNI is an oxymoronic concept by which unclassified information is classified, i.e. withheld from the public in the interest of national security. Whereas ordinary classified information is withheld because its disclosure could supposedly "damage" national security, UCNI is withheld because its disclosure could have "an adverse effect" on national security. None of these terms-- damage, adverse effect, or even national security-- have clear definitions. The resulting policy is equally vague and susceptible to abuse.

Much of the information subject to the UCNI category appears to be legitimately sensitive, including details of security planning and hardware for protection of nuclear materials. Of all things, such data would appear to be worthy of full classification. But instead of simplifying the classification system, the Defense Department seems to be making it needlessly complex.

To add a further note of futility, our survey of ten DOD Commands found that as of mid-1991, the UCNI category was not being utilized at all. (The Energy Department applies UCNI to some information regarding the Nuclear Emergency Search Team [NEST], assessment of threats by nuclear terrorists, response to such threats, and several other areas.)

In a minuscule victory for open government, DOD revised the final rule in response to public comments, establishing a procedure to allow otherwise "unauthorized persons" to request access to UCNI.

### Biloxi is Not Amused

"The mountains of documents being hidden from the people of the freest nation on earth make a mockery of the concept that this democracy is a government of, by and for the people. Too much of what the government has done or said is being kept from the people without justification." (from the lead editorial in the Biloxi, Miss., Sun Herald, 19 December 1991, p. A8).