

HOMELAND SECURITY

Georgia task force's data is 'law enforcement sensitive'

By Tom Bennett

The records of the Georgia Homeland Security Task Force are off-limits to media. Any of them coming from the federal government warn that a person releasing them to media could be prosecuted. And even the location of the meetings of the Georgia task force is a secret, according to a spokesman.

Gov. Barnes created the task force to coordinate work against terrorism by the Ga. Dept. of Public Safety; Ga. Department of Defense; Ga. Emergency Management Agency; Ga. Dept. of Human Resources; and Ga. Dept. of Natural Resources.

For added communication, Dir. of Public Safety Robert Hightower, who is the coordinator, added the Ga. Assn. of Chiefs of Police; Ga. Sheriffs' Association; and Ga. Fire Chiefs Association. He delivered his report to the governor in September. You can read it at:

www.gahomelandsecurity.com

For the first time there is a "Georgia Information Sharing and Analysis Center," or GISAC, according to the report. Jim Shuler, spokesman for the Dept. of Public Safety, was asked, What are the implications of that for open records?

"We're fifteen months into Homeland Security and you're the first individual to ask me that," Shuler said.

"When it says 'information sharing,' that's for sharing between law enforcement, and not with the general public. The information gathered by GISAC is not for law enforcement purposes. It is not available under Open Records, and I do not anticipate it will be."

Documents moving around through the task force, whose meeting location is even a secret, bear a disclaimer establishing that they are "law enforcement sensitive."

Should any of them have originated with the White House Office of Homeland Security, and now the U.S. Department of same, there is an even stronger disclaimer. It warns of federal prosecution if any of the information reaches the general public, Shuler said.

Georgia efforts to fight terrorism also include two bills in the biennial legislature and held over from last year.

House Bill 1170, introduced by Rep. Lanett Stanley-Turner of Atlanta and five others, would exempt from Open Records the "security plans and vulnerability assessments" for public waterways. It received a second reading in 2001.

Senate Bill 365, introduced by Sen. Richard Marable of Rome and three others, would exempt from Open Records the Ga. Emergency Management Agency "safety assessments of public buildings." It cleared the Senate, and a committee of the House, in '02.

'A LOOPHOLE BIG ENOUGH TO DRIVE ANY CORPORATION AND ITS SECRETS THROUGH'

President Bush signed the Homeland Security bill Nov. 25. It brings about the largest reorganization of the federal government since 1947 and alarms the nation's freedom of information non-profits. To read a summary, go to: www.c-span.org

"The critical infrastructure exemption represents the victory of narrow corporate interests in secrecy over the massive public interest in knowing how our government is working with the private sector," said Charles N. Davis, executive director of the Freedom of Information Center at the University of Missouri and a UGA journalism graduate.

Rep. Janice Schakowsky (D.-Ill.) warned that the infrastructure exemption will create "a loophole big enough to drive any corporation and its secrets through."

A different FOIA environment prevails now that Bush signed the 484-page bill. He created a cabinet-level department integrating, over the next nine months, the work of 22 agencies with 170,000 employees.

"It will be interesting to see what freedom of information people go in there," said Rebecca Daugherty, an attorney and director of the Freedom of Information Service Center at the Reporter's Committee for Freedom of the Press in Arlington, Va.

"I am really hopeful that they get someone who has a sense of what FOI means."

A second exception is for the records of advisory committees to the Homeland Security Department.

"They don't have to be subject to the federal Advisory Committee Act," said Daugherty. "It's all we have here (in the federal government) ; we don't have the nice Open Meetings Acts that you have at the state level."

A third area affected is transportation.

"It has gotten less attention, but there are some fairly strong secrecy provisions that applied to the FAA and now are going to apply to the Transportation Safety Board," Daugherty said.

"This means that information that you are going to be able to keep secret about planes you also can keep secret about trains and other modes of transportation."

A typical disclaimer on Georgia Homeland Security Task Force shared information

“For law enforcement use

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