SECURITY AND SCIENCE

Researchers See Progress in Finding the Right Balance

House Science Committee hearing explores a perennial debate between scientists and the government that was reignited by the terrorist attacks

After years of controversy, U.S. scientists reached a deal of sorts with the government nearly 2 decades ago on how to handle information that might threaten national security: Classify some things, and don't touch the rest. That arrangement served the community well as the Cold War ended and the United States emerged as the world's paramount military power. Then came the 11 September terrorist attacks and the anthrax letters. Suddenly people were talking about gray areas of security, self-censorship, and prepublication reviews.

Last week, barely a year after those horrific events, the House Science Committee convened a hearing to explore the proper balance between science and security. And a panel of government and academic leaders suggested that the country might be close to finding a new equilibrium point in this chronic debate. "I'm increasingly optimistic that we are going to be able to arrive at ... constructive oversight," says Ron Atlas, a dean at the University of Louisville, Kentucky, and president-elect of the American Society for Microbiology (ASM), which has been deeply involved in efforts to shape new research regulations.

Atlas and other science leaders readily admit that they are not out of the woods. The government has yet to release the details of how it plans to implement several policies unveiled since 11 September. That list includes rules governing researchers who work with potential bioweapons, the shape of a new government committee that will screen foreign graduate students entering certain fields, and guidelines on how the heads of several major departments—including the one that oversees the National Institutes of Health (NIH)—can wield new powers to classify research results. Scientists are also closely watching a White House effort to define government information that, although not important enough to be classified, is "sensitive" enough to remain hidden from public view. And although science lobbyists feel that they have won approval for most of their organizational suggestions, the proposed Department of Homeland Security is still awaiting final congressional action.

Much of last week's hearing, which included testimony from House science adviser John Marburger, revolved around a White House order issued last March for government agency heads to withhold "sensitive but unclassified information" that might aid terrorists. Although the memo did not define sensitive material, it prompted some agencies to delete documents from Web sites and withdraw information on everything from the history of chemical warfare to the characteristics of oil refineries. Those moves also coincided with reports that the Department of Defense and other agencies were pressuring university grantees to submit basic research results to government reviewers for vetting before publication.

Be careful. Ron Atlas, M. R. C. Greenwood, and Sheila Widnall say new rules about sensitive data should be clear.

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Although most universities have rebuffed the requests, saying that they violate existing Pentagon policies, concerns grew after the White House announced this summer that it planned to issue regulations shortly that would flesh out a new category of "sensitive homeland security information." The news raised fears that the government was rewriting a hard-won compromise spelled out in a 1985 presidential directive that says the government should classify information that poses a threat to security and leave all else in the public realm.

Marburger went out of his way at the hearing to reassure academic researchers that the pending rules would not hinder them. It is "incorrect," he said, to say "that the Administration is considering a policy of prepublication review of sensitive federally funded research." The real goal, he said, is to find ways to shelter limited classes of government information—such as bioterror response plans or safety-related data—that might aid terrorists. Along the way, the White House has held several meetings with science and university groups.

Marburger's outreach has gotten high marks from science advocates. "The Administration has made an effort to listen," says Toby Smith, a Washington, D.C.–based lobbyist for the University of Michigan, Ann Arbor, one of the nation's largest research institutions. Atlas also congratulated Congress and the Administration for crafting new rules, such as the bioterror law, that "represent a balanced approach."

But Atlas and others remain concerned that any new regulations be sufficiently clear to prevent risk-averse bureaucrats from interpreting them in a repressive manner. "The situation opens [researchers] to potentially arbitrary dictates, however well intended," from government managers, noted Sheila Widnall, an aeronautics professor at the Massachusetts Institute of Technology in Cambridge and a former Secretary of the Air Force. "The right approach ... is to identify precisely the specific areas that require classification and to build very high walls."

A clear definition of what constitutes a threat, panelists said, is also needed before the government decides how to screen foreign graduate students who want to study certain sensitive fields. Marburger noted that the planned screening committee will include experts from government science agencies, and he expects the number of fields covered to be small. But M. R. C. Greenwood, chancellor of the University of California, Santa Cruz, argued that keeping foreign doctoral students out of the United States might do little to prevent terrorists from acquiring desired skills—in part because of the rising number of science and engineering Ph.D.s being produced by European and Asian universities. "In some ways," she said, "[this] is a modern version of closing the barn door after the horse has left."

Science committee chief Sherwood Boehlert (R–NY) said his panel plans further hearings. And he's not the only one interested. The National Academy of Sciences is planning a series of university-based workshops for researchers. Biologists, meanwhile, are discussing new voluntary guidelines on publishing potentially dangerous information, in part to head off possible government rules. The challenge, says Boehlert, is to "figure out how science should operate in a brave new world."

–DAVID MALAKOFF