

TOTAL INFORMATION AWARENESS (TIA)

The proposed Total Information Awareness Project (TIA), directed by retired Admiral John Poindexter at the Information Awareness Office (IAO) of the Defense Advanced Research Projects Agency (DARPA), is intended to allow the government to utilize data-mining to aggregate and analyze all public and private commercial database information to track potential terrorists and criminals.¹ The program aims to develop a comprehensive data profile of citizens and non-citizens alike, drawing on databases and public and private records of all kinds.² Many of the most intimate, personal details of the daily lives of all Americans would be subject to surveillance and cataloging by the federal government. As envisioned, TIA would enable the federal government to collect comprehensive personal data on ordinary people including driving records, high school transcripts, book purchases, medical records, phone conversations, e-mail, and logs of Internet searches.

The development of TIA began without public notice or a single congressional hearing. No oversight or accountability mechanisms were built into TIA or comparable data mining efforts by the government. As the public began to learn about TIA and its designs, information about the program started to disappear from the official TIA website. Biographical information about the TIA development team appeared and then was removed from DARPA's Information Awareness Office website in November; next the TIA logo, a globe topped by an all-seeing eye on a pyramid with the slogan, "Knowledge is Power," were removed from the site; and finally diagrams describing how TIA was to operate have been replaced by less detailed versions.³

Members of Congress from across the political spectrum expressed grave concerns about the program, including Senators Grassley (R-IA), Collins (R-ME), Feinstein (D-CA), Harkin (D-IA), Inouye (D-HI), Schumer (D-NY) and former Representatives Arney (R-TX), and Barr (R-GA). A broad range of groups including CATO, ACLU, the Free Congress Foundation, and the Eagle Forum have also raised questions about the privacy and constitutional implications of TIA. Former House Majority Leader Dick Arney (R-TX) commented that TIA is the "only thing that is scary to me."⁴

New Senate Governmental Affairs Committee Chairwoman Susan Collins (R-ME) also raised alarm regarding the danger that data mining by the Department of Homeland Security poses to privacy, saying TIA presents "the specter of the government using massive databases to compile information on individuals [when] there are no

¹ Electronic Privacy Information Center, Total Information Awareness (TIA), available at <http://www.epic.org/privacy/profiling/tia/> (accessed December 3, 2002).

² Electronic Privacy Information Center, EPIC Briefing on Total Information Awareness, available at http://www.epic.org/events/tia_briefing/ (accessed December 9, 2002).

³ Declan McCullagh, Federal Database Spy Site Slipping Away, *Cnet*, December 20, 2002, available at <http://news.com.com/2100-1023-978598.html> (accessed February 5, 2003).

⁴ Michelle Mittelstadt, Excess of Access for Feds?, *Dallas Morning News*, December 15, 2002, available at <http://www.dallasnews.com/dmn/news/stories/121502dnnatsnooping.b2ea3.html> (accessed January 8, 2003).

allegations of wrongdoing,” and “raises extraordinary concerns about individual privacy.”⁵ Senator Feinstein (D-CA) expressed strong reservations about TIA stating, “This is a panoply, which isn’t carefully conscribed and controlled, for a George Orwell America. And I don’t think the American people are ready for that by a long shot.”⁶

Criticism of TIA was not limited to concerns about privacy. The program’s lack of oversight was also a concern of many critics. William Safire wrote, “This is not some far-out Orwellian scenario. It is what will happen to your personal freedom in the next few weeks if John Poindexter gets the unprecedented power he seeks.”⁷ Senator Grassley (R-IA) expressed concerns about TIA funding, specifically the spending of Department of Defense resources on research for domestic law enforcement.⁸

In February 2003, Congress included in an omnibus spending bill a Senate-passed provision, sponsored by Senator Wyden (D-OR), that temporarily banned all funding for TIA until the program could be further explained and its impact on civil liberties assessed.⁹ Under this provision, TIA will receive no funds until the Attorney General, Director of Central Intelligence and Secretary of Defense provide a detailed report to Congress, within 60 days of passage of the bill, on the use of TIA. The report requires: an assessment of TIA’s impact on civil liberties and privacy; a detailed explanation of the use of funds; any technology transfer to other agencies; and a schedule for research and development.¹⁰

⁵ William New, “New Senate Chair Voices Concerns on Information Sharing,” *National Journal’s Technology Daily*, available at <http://www.govexec.com/dailyfed/0103/101003td2.htm> (accessed January 13, 2003).

⁶ Jim Puzzanghera, “Massive Database Dragnet Explored,” *San Jose Mercury News*, November 20, 2002, available at <http://www.siliconvalley.com/mld/siliconvalley/4569587.htm> (accessed January 8, 2002).

⁷ William Safire, “You Are A Suspect,” *New York Times*, November 14, 2002, available at <http://www.nytimes.com/2002/11/14/opinion/14SAFI.html> (accessed January 10, 2002).

⁸ Associated Press, “Grassley Wants Review of Database,” *Washington Times*, November 24, 2002, available at <http://www.washtimes.com/national/20021124-77963510.htm> (accessed December 10, 2002).

⁹ Susan Cornwell, Senate Blocks Funding for Pentagon Database, *Washington Post*, January 23, 2003, available at <http://www.washingtonpost.com/wp-dyn/articles/A34837-2003Jan23.html> (accessed January 27, 2003).

¹⁰ Senator Ron Wyden Press Release, “**Wyden Wins Passage of Legislation To Curb Plan to Spy on American Citizens,**” January 23, 2003, available at <http://www.senate.gov/~wyden/media/2002/2003123C23.html> (accessed February 10, 2003).