

Case 11.

The Pentagon has contracted with BeNow, a commercial direct marketing firm, to collect and analyze wide-ranging data on 30 million US youth aged 16-25. According to the *Washington Post*, information includes names and addresses, gender, Social Security numbers, email addresses, grade point averages, ethnicity, subjects of study, and interest in college. Added to that will be information BeNow compiles from such sources as commercial databases, state drivers' license records, and other government databases - but usually not directly from the individuals listed. The Pentagon has spent \$500,000 each year since 2002 on the database, in addition to millions on polling and market research.

The Pentagon believes this database will provide an efficient central recruiting file for all branches of the service and will help recruiters target their approaches to individuals. David Chu, top advisor to former Secretary of Defense Donald Rumsfeld, said, "If you don't want conscription, you have to give the Department of Defense an avenue to contact people." High schools, as required by a little-known provision of the 2002 No Child Left Behind legislation, must supply recruiters with their students' contact information, or risk losing federal funding. Ironically, the No Child Left Behind provision allows parents to opt their children out of providing information to recruiters. But exercising that option automatically puts the individuals' information into a "suppression" file in the Pentagon's database, assuring that they are still in the list.

Critics claim development of the database is in direct violation of the 1974 Privacy Act that specifies that when the government collects data on individuals, the individual must supply that data or be notified that it is being compiled. The Pentagon database is being compiled by a private sector company from secondary sources and, in fact, was several years along in development before its existence was revealed. The *Washington Post* reports "privacy advocates said the plan appeared to be an effort to circumvent laws that restrict the government's right to collect or hold citizen information by turning to private firms to do the work." Barry Steinhardt, speaking for the American Civil Liberties Union (ACLU), agrees: "The government should not be able to evade the law and core American values by outsourcing the work to the private sector." He calls the effort, "...especially disturbing when it's targeted at kids as young as 16."

The ACLU is also concerned that the Pentagon has reserved the right to disclose database information to any of fourteen entities in the "blanket routine uses" provision. These include tax authorities, law enforcement, and Congress, among others. Other critics fear for the security of such extensive and personal data held by either government or private sources. The threat of identity theft if the files are compromised seems quite high. Barbara Boxer, US Senator from California, said that the program "puts millions of teenagers unnecessarily at risk."

Felicity Crush, speaking for the organization Leave My Child Alone, fears the level of profiling and targeting the database allows in recruiting efforts. She reports that students with low grades were told, "This is your one shot out of here," while better students would hear, "You are a smart person, you belong in the military." Other critics fear coercion, and targeting youth from poorer economic backgrounds or particular ethnic groups.

A national coalition of advocacy groups petitioned the Pentagon to abandon the database and related targeted marketing efforts. They contend that the database "represents an unprecedented foray of the government into direct marketing techniques previously only performed by the private sector."

On the other side of the issue, however, few would disagree that, despite the increasing sophistication of recent weapons technology, the legitimate defense interests of the United States require large numbers of trained, combat-ready personnel, and, for this reason, without a military draft, the armed forces must be able to utilize highly effective recruitment methods.