

▼ **Private Eyes.** The Clinton administration further hampers Internet privacy and electronic commerce with new export controls on data-scrambling encryption programs. Under the guise of arms control, the United States and 32 other countries agree to ban the export of state-of-the-art encryption, including software you can buy off the shelf from many retailers.

▼ **Bank Dicks.** In other privacy news, the feds try to turn bankers into spies. Regulations proposed by the Federal Reserve would force bankers to track customers' "normal" transactions and report "suspicious" activities. Everything from selling your car to switching your 401(k) could make you a criminal suspect.



▼ **Be Nice, Eh?** Canada considers a hate speech law that would make U.S. campus censors proud. (See "Codes of Silence," November.) A federal advisory group pushes a law that would make it a crime to possess materials "for the purpose of distribution to promote hate." British Columbia has already enacted the code. One obnoxious newspaper writer has been dragged in front of the province's Human Rights Tribunal for his cranky columns.



▼ **Post Awful.** Happy 1999: A first-class letter now sets you back 33 cents. The Hudson Institute's Thomas Duestenberg says that's four times what it cost in real terms 30 years ago. By contrast, over the same period the cost of long-distance calls has fallen by 88 percent.

long, tedious meetings, preferably held in expensive settings and at taxpayer expense. Among the suggestions: Invite mayors, community leaders, writers, homemakers, and caregivers to share their views on "old age in a new age." If that doesn't move you, then try this: Convene a

national conference on "agricultural tools for elders."

Bone Sell

By Ryan H. Sager

Your milkman is free to exclaim that milk does a body good. But if he tells you that milk also helps prevent osteoporosis, he may soon be in trouble with the Food and Drug Administration. Under a proposed rule change, the agency could classify such a statement as a "disease claim," which can be made only about FDA-approved drugs.

Under a 1994 law, manufacturers of dietary supplements and food products are already prohibited from claiming to cure or treat a disease—defined by the FDA

as "damage to an organ, part, structure, or system of the body such that it does not function properly (e.g. cardiovascular disease)."

This means that products cannot be represented as able to "cure cancer" or "treat arthritis." But manufacturers can make more general claims about health effects, as the milk example illustrates.

The FDA is now proposing to expand its "disease claim" definition to include "any deviation from the normal structure or function" of the body. The new definition is potentially limitless. As Dr.



Stacey Zawel, a food safety expert with the Grocery Manufacturers of America, points out, *any* health claim for a product will have something to do with its effect on the body's "structure or function."

Data on Demand

By Jacob Sullum

Information may want to be free, but sometimes researchers just don't want to let it go. During the 1997 debate about the Environmental Protection Agency's new limits on airborne particles and ozone, for example, the authors of a federally funded study that was cited to support the stricter standards refused to make their raw data public. (See "Polluted Science," August/September 1997.)

QUOTE

"Mr. Ventura...is basically a libertarian. 'I want to be the governor who destroys the property-tax system as we know it,' he says. When his term [as governor of Minnesota] is over, he'd like people to remember 'when Jesse Ventura was around, 'I didn't even notice the government.'...Mr. Ventura makes libertarianism, a rather dogmatic creed, sound like everyday wisdom."

—Michael Kazin, American University history professor, in a widely reprinted op-ed piece.

SOURCE

"For the first time since our measurements began in 1994," states the 1999 edition of the annual *Index of Economic Freedom*, co-produced by the Heritage Foundation and *The Wall Street Journal*, "global economic freedom has declined." The *Index*, which for the last half decade has measured the openness of hundreds of countries' economies in such areas as trade, taxation, and regulation, found that of the countries rated in the last two years whose score had changed, "27 improved their overall scores while 29 regressed." Overall, 71 countries earned a rating of "free" or "mostly free" while 90 countries were judged "mostly unfree" or "repressed." The executive summary, selected charts, and country analyses are available at www.heritage.org/index. The entire 490 pages can be purchased for \$24.95 online or by calling 1-800-975-8625.



BRICKBATS

◆ U.S. Navy officials in Norfolk, Virginia, were upset to find that their telephone directory mistakenly listed the number for a toll-free sex line instead of the number for an emergency line at the Navy Safety Center. They were even more upset when they found that the incorrect number had been listed for three years without anyone reporting it.

◆ The Little League in Lemont, Illinois, will be a bit more hard-pressed for cash for uniforms and equipment next year. Mike and Pat O'Brien have long sponsored a team. In return the team wears the name of their business, a local bar called The Carousel. Little League rules don't bar sponsorship by a bar, so long as alcoholic beverages aren't specifically named. But this year, one girl on the team taped over the name of the bar. When officials warned her that she was violating league policy, her family threatened to sue the Little League and The Carousel for "forcing" her to wear the bar's name. The O'Briens say they can't afford to fight a lawsuit, so they'll no longer sponsor a team.

◆ The new wing at Barnstable High School is so soundproof that youngsters can't hear the fire alarms. So the school board in Hyannis, Massachusetts, took action. They hired firefighters to stand guard over the new wing, at a cost of \$1,000 a day. If the fire alarm rings, the firefighters will let everyone know.

Henry Payne



In response to such stonewalling, Sen. Richard Shelby (R-Ala.) inserted a little-noticed provision into the omnibus spending bill that Congress approved last fall. It says researchers who receive federal grants have to make their data available to the funding agency, which in turn must release them to anyone who files a request under the Freedom of Information Act.

Previously, federal agencies had a contractual right to obtain research data, but they were not required to exercise it. "Lack of public access to research data feeds general public mistrust of the government and undermines support for major regulatory programs," Shelby said before the bill was passed.

Some researchers worry that access to the data on which government policy is

based will only magnify public mistrust. New York University environmental scientist George Thurston, who did some of the research on which the EPA relied for its revised particulate regulations, sees a danger in too much openness.

"It's the most insidious thing," Thurston told the *Daily Environment Report*, "because it sounds like a good thing at first blush." In an interview with *Science*, he predicted that "vested interests

will misuse [the Shelby provision] to discredit valid research results they don't like and to harass the researchers doing the work."

Yet one man's harassment is another's vigorous criticism, long thought to be an essential element of the scientific process. "If the research is sound," University of Chicago chemist R. Stephen Berry dared suggest to *Chemical & Engineering*

News, "then it will withstand the kind of analysis that these interests want to do."

Strip Steak

By Michael W. Lynch

Talk about unintended consequences: New York Mayor Rudolph Giuliani is waging a high-profile war on the city's adult entertainment industry, in part to shield minors from the corrupting influence of the skin trade. But at least one Big Apple eatery that serves up bare-breasted women along with top-grade steak will remain open precisely because it opens its doors to kids.

Facing a Giuliani-backed initiative to banish establishments that feature nude entertainment and "exclude

