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Dr. No to Freedom Of Information

WASHINGTON — The CIA has claimed "one of the most productive sources" for leaking military technology to the Soviets is The Freedom of Information Act. The only problem is, when challenged, the intelligence agency was forced to admit its charges simply were not true. The impact, though, is far more than simply tripping up the CIA in another fabrication.



BY JACK ROBERTSON

The much publicized charges are part of the Reagan Administration's drive to justify a massive crackdown not only on the Freedom of Information Act (FOIA), impose censorship on open scientific literature, and limit academic freedom of research.

Soviet attempts to ferret technical military secrets are real enough, as evidenced by last week's arrest of a Silicon Valley engineer, but these breaches should be handled through regular law enforcement and legal channels.

In no way should such clear espionage cases be justification for attempts to censor unclassified technical and scientific communications. Yet this is precisely what Rear Admiral Edward Burkhalter, director of the CIA Intelligence Community Staff, did earlier this year in grouping the Freedom of Information Act with spy cases as the source "for ready-made proven state-of-the-art technology . . . for Soviet military expansion."

He told an Armed Forces Communications & Electronic Association audience: "One of the more productive means by which the Soviets have acquired large amounts of valuable information in recent years has been adroit use of the Freedom of Information Act.

"As voluminous and valuable as this openly available information is — who in this room has not been shocked by details of sensitive projects being published in the open press?"

Admiral Burkhalter then praised "Administration efforts in Congress to modify the Freedom of Information Act to deny the public release of sensitive technological information, especially that relating to U.S. weapons systems."

The CIA official was claiming the Soviets could get more valuable data from FOIA than much of the U.S. press has been able to force out.

IRONICALLY, FOIA DID WORK in exposing the apparently groundless charges by Admiral Burkhalter on alleged Soviet gains from this crucial law. Paul Rosa, a local attorney associated with freedom of the press activities, sued in district court here under FOIA to demand the supporting evidence for the admiral's broad charges.

Larry Strawderman, CIA Information & Privacy Coordinator, finally replied to the court that a copious search of government records was unable to recover a single FOIA request by the Soviet Union and only a single request by the Polish Embassy for a memorandum on Agency-Academic Relations.

David Muller, Jr., executive assistant to Admiral Burkhalter, who researched details for the speech, told the court he relied on a paragraph in a 1982 Senate Government Affairs Committee report but examination of that shows it offers no substantiation and only the broad assumption that "The Soviets are able to purchase every one of the 80,000 technical documents issued each year by the (unclassified) Commerce Department's Technical Information Service."

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