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Central Intelligence 'more open'

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WASHINGTON — Despite public suspicions to the contrary, the Central Intelligence Agency presently operates a "more open" type of intelligence gathering than any other similar organization in the world.

That statement came from Adm. Stansfield Turner, Director of Central Intelligence, who told a recent Washington seminar of Panax editors that America's intelligence community "functions in an almost totally new environment."

WITHOUT MENTIONING Watergate by name, Turner conceded there was evidence of some past instances where "the CIA had abused secrecy." He insisted, however "there were more allegations than facts" concerning the agency's misdeeds.

In Turner's view the CIA has lost, to some extent, the trust and faith of the American people and now faces the task of winning that back. He said:

"We are forced into being a little more open ... The CIA is operating a new model of intelligence, for the first time in the world."

TURNER SAID the next Congress will be asked to approve a charter for the intelligence community that would define clear guidelines for espionage and covert work, protect American secrets and yet avoid any trampling of citizens' rights.

From the shrill tone employed by some of the self-styled liberal media and the drumfire of criticism that came from post-Watergate congressional hearings on intelligence, it would be easy for an American citizen to gain the impression that the CIA was an extremely sinister organization operating with almost no restraints.

Turner's statement to the Panax editors meeting in CIA headquarters gave an entirely different picture. He characterized the agency as a highly efficient one which also was mindful of its public image.

RUSSIA'S KGB would feel hamstrung by the restrictions under which the CIA operates. Even the intelligence agencies of America's allies — Britain, France and West Germany — are given much more latitude.

For example, in any other western democracy but the United States, Daniel Ellsberg, the former government employee who made the Pentagon Papers available in 1971 to the New York Times and Washington Post undoubtedly would have been prosecuted for violating various official secrets

The United States has no such statute. While Turner conceded that such a law would make the work of the intelligence community easier, he had no expectation that Congress would enact such legislation.

"THERE IS A difficult borderline area between the rights of citizens and the obligation of the government to protect its secrets," Turner pointed out.

Citizens' rights should be defended, he continued, but in doing so the government should not cripple the institutions charged with protecting those very rights from foreign interference.

One way the British get around the problem is through a mechanism called the "D Notice." Under that arrangement the British government confides to the top executives of the nation's media that a certain important bit of information is in the government's hands and should not be referred to, without prior authorization, either in print or on the air.

TURNER SAID no consideration was being given to such an arrangement in the United States.

It is difficult to see how "a D Notice" system or an official secrets act could be drafted that did not violate the Constitution's First Amendment guarantee of free speech and a free press.

Turner pointed out that legal complications likely would arise in a case, say, where a federal employee slipped a confidential document to a newsmen. Prosecuting the official would be possible, but what about the newsmen?

UNDER MOST foreign official secrets statutes the reporter in such a case also would be guilty of violating the law if he did not promptly report what had happened to the proper authorities. In the United States that would raise the whole question of protection of a free press.

Turner conceded that intelligence agents and newsmen have a distinct adversary relationship. Agents collect and protect secrets. It is the newsmen's duty, on the other hand, to find out as much as he can about what is going on.

Recognizing this fact, Turner told the editors with a grin: "We really do have a problem with you newsmen when it comes to leaks. I'm taking a lot of steps around here to cut you off. There is no way, however, you can legislate to close all the cracks — whether in regard to espionage or news leaks."

HE THOUGHT government secrets were less than a news story 20 years ago and blamed the widespread use of office copy duplicating machines for the change.