C.I.A. THE NEW YORK TIMES, WEDNESDAY, FEBRUARY 1, 1984 Homosexuals Press Fight on Right to Be Agents

By PHILIP TAUBMAN Special to The New York Times

WASHINGTON, Jan. 31 — Sex and security. The combination has always been volatile, and the history and literature of spying are replete with tales of betrayal and blackmail resulting from romantic attachments.

These days, like almost everything else, the subject has landed in the courts, but the issue being tested bears little relation to the popular image of a rakish male spy caught in a tryst with a female foreign agent. To the considerable concern and consternation of intelligence officials, the subject of the lawsuits is homosexuality and security, specifically the idea that the two are incompatible.

In Washington, Los Angeles and San Francisco, homosexual men who worked directly or indirectly for the Central Intelligence Agency and lost their security clearances when their sexual orientation became known have gone to court to challenge longstanding attitudes of intelligence forces toward homosexuality. All the cases are still pending.

Clearance Issue Raised

Their contention, stated in the Los Angeles complaint filed by John W. Green, an electrical engineer at the TRW Corporation who lost his clearance to work on classified intelligence projects, is simple: "There is no rational, legitimate or demonstrable relationship between homosexuality and a person's suitability to hold a security clearance."

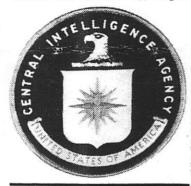
The C.I.A.'s position is equally plain: There is often a rational, legitimate and demonstrable relationship. "Foreign intelligence services," said an agency spokesman, Dale Peterson, "are <u>known to target for cultivation and exploitation persons known or believed to be practicing adult</u> <u>homosexual behavior</u>. There have been a <u>significant number</u> of espionage <u>cases in which homosexual con-</u> duct has been a factor."

Mr. Peterson added that the C.I.A. had no blanket prohibition against hiring homosexuals or giving them security clearances. "Each case is reviewed on its merits," he said, declining to say whether the agency had ever retained an employee known to be homosexual.

The court cases have crystallized an assue that has long troubled intelligence forces. In 1980, the National Security Agency, which monitors worldwide communication's and handles code-breaking for the Government, routinely suspended the security clearance of a linguist who was discovered to be a homosexual.

Then, in a highly unusual step, the agency reinstated the clearance after the linguist promised to tell his family he was a homosexual and vowed that he would not succumb to blackmail. The decision, made by Adm. Bobby R. Inman, then the director of the N.S.A., rocked the intelligence establishment.

The prevalent attitude among intelligence officials then, and one that has changed little since, is that <u>homosexuality equals trouble. As</u> evidence, officials cite the Soviet spy ring in



Is homosexuality incompatible with security?

Britain led by Kim Philby that revolved, in part, around homosexual relationships. In the United States, intelligence officials said that perhaps the most serious espionage case at the N.S.A. involved two analysts who defected to the Soviet Union in 1960. The officials said both were believed to be homosexual.

"There was a time," one official said, "when we believed the great danger posed by homosexuals was the threat of blackmail. I think as attitudes about homosexuality have changed, and their behavior has become more open and acceptable, the blackmail threat has receded somewhat. A primary concern now is that homosexuals often seek sex in <u>ques-</u> tionable places and with unknown. <u>partners</u>, possibly jeopardizing their, own safety and our security."

Reinstatement Plea Rejected

In the case of Mr. Green, for example, the C.I.A.'s director of security, William R. Kotapish, in rejecting an appeal for reinstatement of the security clearance in 1982, wrote Mr. Green, "You stated that for a six- to eight-month period, you had sexual relationships with a different man about once a week, usually meeting these various partners at Los Angeles discos."

Mr. Kotapish also cited "two incidents of sexual activity with other males, one involving a foreign nation," that "took place while you were on a business trip to a sensitive facility abroad."

Mr. Green's response, as presented by his attorneys in court documents, was that he had worked without incident for nearly 10 years on classified contracts at TRW, that he never misled the company or the C.I.A. about his sexual orientation, and that he "is not embarrassed or ashamed about his homosexuality." To the charge that he failed to inform either TRW or the C.I.A. that he was a homosexual, Mr. Green replied that he had reported his membership in the largest homosexual ski club in Los Angeles and had discussed his homosexuality with colleagues at work.

In the Washington case, a C.I.A. electronics technician was dismissed after an internal investigation concluded that "the circumstances of his homosexuality" posed a security threat. The man, who filed suit in 1982 as "John Doe" because C.I.A. regulations require that employees not publicly disclose their work, asked to be missal violated normal agency termi nation procedures.

Last week Richard L. Gayer, a electrical engineer at the GTE Sylva nia Corporation in Mountain View Calif., sued the C.I.A. in Federa court in San Francisco charging tha he had failed to receive a securit clearance to work on a classifie project. Mr. Gayer, who has been a activist for homosexual rights, sai he had assumed that the C.I.A. wa responsible for the problem.

"They are simply tied to the past, he said in a telephone interview "They assume that gays are going part with secrets at the slightest presure and that <u>as a class</u>, we care les about the welfare and safety of the nation. That's simply not true."

Franklin E. Kameny, a Washingto resident who advises homosexua about security clearance issue called the C.I.A. "nutty and hyster cal" on the question. Mr. Kamer said: "Here in 1984 they are operatir on the basis of notions unchange since 1954. Their minds seemed he metically sealed."

Agencies Seen as Holdouts

Mr. Kameny said that the intel gence agencies, along with the mi tary services, were the main holdou against homosexuality. "We won the Civil Service," he said, "and most cases among defense contra tors involving sensitive weapo projects, gays can keep their securiclearances unless there are aggraving circumstances. The policies of t intelligence agencies are set by int lectual Neanderthals. Their attitu is that homosexual sex is the locus t the divulgence of secret informatic What about heterosexual sex?"

Mr. Gayer, refining the point, sa "The highest-risk class when comes to security are parents."

Intelligence officials are awaiti the court decisions to see wheth they will have to adopt a more lenic attitude toward homosexuals. One ficial said: "This is one field whe the sexual revolution hasn't arrive We hope it never does."