

# Why Espionage Is Boring

**The latest Chinese case points up how tacky spying is these days.**

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Boy, do we love spy stories. James Bond. Jason Bourne. All those great John le Carré novels. In the popular imagination, there is something endlessly romantic and just plain cool about the world of espionage. Well, it's about time we put this myth behind us. Spying might have been the stuff of drama during the cold war (though even then its impact was exaggerated; the CIA and KGB essentially cloak-and-daggered each other into a standoff). But today's espionage mostly involves dull drones who seek to cull information from all sorts of places--much of it from the public domain. And what they get for their efforts is barely worth the risk. James Bond has become Inspector Clouseau.

That's why so many of the spy cases announced in recent years collapse upon close examination, or simply fade into irrelevance. (The most gripping cases, like the one involving FBI spy Robert Hanssen in 2001--basis for the recent movie "Breach"--tend to be holdovers from the cold war). Take the arrest of Gregg Bergersen, a Defense Department analyst, who was nabbed in a dramatic 5:30 a.m. raid on his Alexandria, Va., home on Monday. Bergersen was charged in the Eastern District of Virginia with conspiring to disclose national-defense information to persons not entitled to receive it--namely his two codefendants, Tai Shen Kuo and Yu Xin Kang, who worked in the U.S. but had links back to Beijing (Bergersen's lawyer has declined to comment publicly). Assistant U.S. Attorney Ken Wainstein, in his announcement, declared that China's efforts to get hold of U.S. technology are now "approaching Cold War levels," quoting testimony from the director of the Office of National Intelligence last fall.

But at a news conference, Wainstein and other U.S. officials revealed just how little this case resembles the cold war. First, Kuo owned a furniture store, Kang worked in it and Bergersen appeared to think that if they were working for any government, it was Taiwan's. Asked whether Bergersen knew that he was dealing with agents of the Chinese government, U.S. Attorney Chuck Rosenberg said: "I don't want to comment about what he may or may not have known." And, upon questioning, he didn't deny suggestions that the case was less like espionage and more like the 2004 indictment of two officials at the American-Israeli Public Affairs Committee (AIPAC). CBS News initially reported that saga as a "full-fledged espionage case ... at the highest levels of the Pentagon." But it turned out to be about a bumbling junior Defense Department official who passed on information of dubious use, this time to Israel.

As a general rule, when U.S. officials start talking about full-fledged espionage, or comparing these spy cases to the cold war, run for the exits. That's what we should have done a decade ago when The New York Times brought us perhaps the most infamous case of the post-cold-war period. In 1999, the Times reported that one of America's most important nuclear weapons secrets, the design for the Trident II missile warhead, had been stolen from the Los Alamos National Laboratory; authorities were focusing on a suspect, the Times reported: a Chinese-American scientist who was later identified as Wen Ho Lee. The story quoted former CIA official Paul Redmond as saying, "This is going to be as bad as the Rosenbergs," referring to the spies who in the 1940s helped the Soviets steal bomb secrets from the Manhattan Project. The Lee case set off a firestorm in Washington. But no espionage case was ever brought. It was utterly unclear what the Chinese had learned. What's more, FBI officials realized that the "exclusive" secrets Lee had allegedly passed on from Los Alamos were actually "available to hundreds and perhaps thousands of individuals scattered throughout the nation's arms complex," as the Times' own science reporter, William Broad, later wrote--and that the Chinese could have learned much of what they knew from public sources. (The Times later acknowledged that its reporting in the Lee case was flawed, but that hardly repaired the damage).

One problem with the Wen Ho Lee story was that everyone still thought espionage was going to

be like it was during the cold war. But it isn't. It's much more pedestrian. What happened to all the glamour? Mainly, the global economy happened. During the cold war, America maintained a "hothouse" defense industry; equipment was developed and manufactured mainly for the Pentagon. There was a much higher premium on keeping that know-how out of foreign hands. Moscow, meanwhile, was motivated all the more to deploy spies to get ahold of it. Today there are no more walls. Borders are simply too porous in this open global system we have built, technologies too fast-flowing and widespread. At the same time it has just gotten too expensive for the Defense Department to build its own new technology from scratch on "milspec," or military specifications. So the unsung agents of America's military dominance lie in Silicon Valley and other oases of commercial creativity, rather than the Pentagon's old, scary "military-industrial complex" (though it still exists, big time). That's why so much "espionage" these days turns out to be one bunch of corporate guys trying to steal from another bunch of corporate guys (often in California).

This still has serious implications. China gets most of its defense knowledge through ordinary commercial transfers and partnerships with U.S. companies. But it is "supplementing" that with espionage activities in the United States that are "so extensive that they comprise the single greatest risk to the security of American technologies," the U.S.-China Economic and Security Review Commission, a quasi-governmental body, concluded last fall.

But the U.S.-China relationship is not a duel to the death like the clash between Soviet and U.S. interests. And unlike during the cold war--when one simply went after spies and moles--we can't just shut down this practice of industrial espionage. Most state-of-the-art U.S. defense companies get substantial portions of their revenues from overseas sales, and to stay ahead of their foreign rivals they must compete freely and in a stable, expanding marketplace. Supercomputers, for example, are necessary to 21st century warfare--determining everything from warhead design to weather patterns in the event of an airstrike--and every U.S. supercomputer company now gets at least half of its revenues from overseas sales. So we have to allow that some loss of know-how is going to occur on a regular basis. "There's going to be a lot more slippage and leakage," says former assistant Defense secretary Joseph Nye. "This technology is broadly shared, and the sense of threat [about China] isn't broadly shared."

Yes, we like spy cases. But they're no longer terribly relevant. The Chinese nationals accused in the Bergersen case appeared to be mainly trying to figure out what kind of communications systems Washington was sharing with Taiwan. Bergersen gave them some unclassified documents, and in return Kuo picked up Bergersen's poker and theater bills during a trip to Vegas. On another occasion, Kuo apparently tried to get projected sales to Taiwan for the next five years (a fairly innocuous piece of information that is available from most self-respecting think tanks in Washington).

Yes, these cases should be prosecuted. But in the way they are presented, as grand instances of cold-war-style espionage, they often create a chilling effect on our high-tech sector. For a long time after the Wen Ho Lee case and the equally overblown story that preceded it--involving satellite data that two companies allegedly gave to Beijing--U.S. defense companies lost business because of too-stringent export controls, and the best scientific minds were no longer as eager to work for U.S. nuclear labs. Our romantic attachment to outdated notions of cloak and dagger is obscuring the truth: America, which won the cold war because of the openness of its markets and the attractiveness its freedoms held for foreign scientists, is today at great risk of falling behind because it is compromising those very advantages. It's time to stop indulging in spy stories.

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