
Documentation

Federal Indictment of Lawrence Franklin

The following are excerpts from the indictment of Lawrence Franklin in the May 2005 term of the United States District Court for the Eastern District of Virginia, released June 13.

General Allegations

At all times material to this indictment:

1. The defendant, LAWRENCE ANTHONY FRANKLIN, was employed by the United States government at the Department of Defense (DoD) in the Office of the Secretary of Defense (OSD), International Security Affairs (ISA), Office of Near East and South Asia, Office of Northern Gulf Affairs, Iran desk, and held a Top Secret security clearance with access to Sensitive Compartmented Information (SCI). The defendant was also a Colonel in the United States Air Force Reserve (USAFR).

2. Throughout his employment with the United States Government, FRANKLIN has repeatedly signed written agreements acknowledging his duty to safeguard classified information:

- On or about July 31, 1979, FRANKLIN signed a DIA (Defense Intelligence Agency) Secrecy Agreement, by which he acknowledged that he would never divulge any classified

information relating to the national security without prior consent of the Director of the Defense Intelligence Agency or his designated representative. FRANKLIN further acknowledged that the burden was his to ascertain whether information is classified and who is authorized to receive it. FRANKLIN acknowledged that he had read and understood the provisions of the Espionage Act, including 18 U.S.C. §793, 794, and 798.

- On or about December 8, 1999, FRANKLIN signed a Classified Information Nondisclosure Agreement, a Standard Form 312 (SF312). In that document FRANKLIN acknowledged that he was aware that the unauthorized disclosure of classified information by him could cause irreparable injury to the United States or could be used to advantage by a foreign nation and that he would never divulge classified information to an unauthorized person. He further acknowledged that he would never divulge classified information unless he had officially verified that the recipient was authorized by the United States to receive it. Additionally, he agreed that if he was uncertain about the classification status of information, he was required to confirm from an authorized official that the information is unclassified before he could disclose it.

- On or about June 5, 2001, FRANKLIN orally attested that he fully understood his responsibility to protect national security information and would adhere to the provisions of the SF-312. . . .

- On or about July 17, 2001, FRANKLIN signed an SCI Nondisclosure Statement in conjunction with his employment at the DoD/OSD. FRANKLIN acknowledged that he was granted access to classified information protected as SCI and that he received a security indoctrination addressing the nature and protection of SCI information. . . .

Ways, Manner, and Means of the Conspiracy

A. It was part of the conspiracy that defendant LAWRENCE ANTHONY FRANKLIN would and did use his position as a desk officer in the Office of the Secretary of Defense to gather information relating to the national defense, for subsequent unlawful communication, delivery, and transmission to CC-1 and CC-2.

B. It was further part of the conspiracy that FRANKLIN would communicate by telephone with CC-1 and CC-2 to arrange meetings, share information, set agendas for meetings, and act upon requests for additional information.

C. It was further part of the conspiracy that FRANKLIN, CC-1, and CC-2 would and did meet at locations in the Eastern District of Virginia and elsewhere, to exchange information, including classified information relating to the national defense.

D. It was further part of the conspiracy that FRANKLIN would and did deliver, communicate and transmit classified national defense information in an effort to advance his own career, advance his own personal foreign policy agenda, and influence persons within and outside the United States government.

E. It was further part of the conspiracy that CC-1 and CC-2 would meet with FRANKLIN and cultivate a relationship that would enable them to obtain from the defendant national defense information. . . .