

FBI Agent: Robert Mueller Is No Hero

The former FBI director has acceded to numerous wrongful abuses of power in the post-9/11 era.

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Commentators display amnesia when they describe former FBI Directors Robert Mueller and James Comey as stellar and credible law enforcement figures. Perhaps if they included J. Edgar Hoover, such fulsome praise could be put into proper perspective.

Although these Hoover successors, now occupying center stage in the investigation of President Trump, have been hailed for their impeccable character by much of official Washington, the truth is, as top law enforcement officials of the Bush administration (Mueller as FBI Director and James Comey as Deputy Attorney General), both presided over post-9/11 cover-ups and secret abuses of the Constitution, enabled Bush-Cheney fabrications to launch wrongful wars, and exhibited plain vanilla incompetence.

TIME Magazine would probably have not called my own disclosures a "[bombshell memo](#)" to the Joint Intelligence Committee Inquiry in May 2002 if it had not been for Mueller's having so misled everyone after 9/11. Although he bore no personal responsibility for intelligence failures before the attack, since he only became FBI Director a week before, Mueller denied or downplayed the significance of warnings that had poured in yet were all ignored or mishandled during the spring and summer of 2001. Bush administration officials had circled the wagons and refused to publicly own up to what the 9/11 Commission eventually concluded, "that the [system had been blinking red](#)." Failures to read, share or act upon important intelligence, which a FBI agent witness termed "[criminal negligence](#)" in later trial testimony, were therefore not fixed in a timely manner. (Actually some failures were never fixed.) Worse, Bush and Cheney used that post-9/11 period of obfuscation to "roll out" their misbegotten "war on terror," which only served to [exponentially increase worldwide terrorism](#).

I wanted to believe Director Mueller when he expressed some regret in our personal meeting the night before we both testified to the Senate Judiciary Committee. He told me he was seeking improvements and that I should not hesitate to contact him if I ever witnessed a situation as that behind the FBI's pre-9/11 failures. A few months later, when it appeared he was acceding to Bush-Cheney's ginning up intelligence to launch the unjustified, counterproductive and illegal war on Iraq, I took Mueller up on his offer, [emailing him my concerns](#) in late February 2003. Mueller knew, for instance, that Cheney's claims connecting 9/11 to Iraq were bogus yet he remained quiet. He also never responded to my email.

In the aftermath of the attacks, Mueller directed the "[post-9/11 round-up](#)" of around 1,000 immigrants who mostly happened to be in the wrong place (NYC area) at the wrong time, as FBI Headquarters encouraged more and more detentions for what seemed to be essentially PR purposes. Field offices were required to report daily the number of detentions in order to

supply grist for FBI press releases about FBI “progress” in fighting terrorism. Consequently, some of the detainees were brutalized and jailed for up to a year despite the fact that [none turned out to be terrorists](#).

Long before he became FBI Director, serious [questions existed about Mueller’s role](#) as Acting U.S. Attorney in Boston in effectively enabling decades of corruption and covering up of the FBI’s illicit deals with mobster Whitey Bulger and other “top echelon” informants who committed numerous murders and crimes. When the truth was finally uncovered through intrepid investigative reporting and persistent, honest judges, U.S. taxpayers footed a \$100 million court award to the four men framed for murders committed by (the FBI operated) Bulger gang.

Current media applause omits the fact that former FBI Director Mueller was the top official in charge of the [Anthrax terror fiasco investigation into the 2001 murders](#), which [targeted an innocent man \(Steven Hatfill\)](#) whose lawsuit eventually forced the FBI to pay \$5 million in compensation. Mueller’s FBI was also severely criticized by Department of Justice Inspector Generals finding the FBI overstepped the law improperly serving hundreds of [thousands of “national security letters”](#) to obtain private (and irrelevant) metadata on citizens, and for [infiltrating nonviolent anti-war groups](#) under the guise of investigating “terrorism.”

For his part, Deputy Attorney General [James Comey](#), too, went along with Bush and Cheney after 9/11 and signed off on a number of highly illegal programs including warrantless surveillance of Americans and [torture of captives](#). Comey also defended the Bush administration’s three year-long detention of an American citizen without charges or right to counsel.

Up to the March 2004 night in Attorney General John Ashcroft’s hospital room, both Comey and Mueller were complicit with implementing a form of martial law, perpetrated via secret Office of Legal Counsel memos mainly written by John Yoo and predicated upon Yoo’s singular theories of absolute “imperial” or “war presidency” powers, and requiring Ashcroft every 90 days to renew certification of a “state of emergency.” What’s not well understood is that Comey and Mueller’s joint intervention to stop Bush’s men from forcing the sick AG to sign that night was a short-lived moment. A few days later, they all simply went back to the drawing board to draft new legal loopholes to continue the same (unconstitutional) surveillance of Americans. The mythology of this episode, repeated endlessly throughout the press, is that Comey and Mueller did something significant and lasting in that hospital room. They didn’t. Only the legal rationale for their unconstitutional actions was tweaked.

Mueller was even OK with the CIA conducting [torture programs after his own agents warned](#) against participation. Agents were simply instructed not to document such torture, and any “war crimes files” were made to disappear. Not only did “collect it all” surveillance and torture programs continue, but Mueller’s (and then Comey’s) FBI later worked to prosecute NSA and CIA whistleblowers who revealed these illegalities.

Neither Comey nor Mueller—who are reported to be [“joined at the hip”](#)—deserve their current lionization among politicians and mainstream media. Instead of Jimmy Stewart-like ‘G-men’ with reputations for principled integrity, the two close confidants and collaborators merely proved themselves, along with former CIA Director George “Slam Dunk” Tenet, reliably politicized sycophants, enmeshing themselves in a series of wrongful abuses of power along with official incompetence.

It seems clear that based on his history and close “partnership” with Comey, “one of the closest working relationships the top ranks of the Justice Department have ever seen,” Mueller was chosen as [Special Counsel](#) not because he has integrity but because he will do what the powerful want him to do. He didn’t speak the truth about a war he knew to be unjustified. He didn’t speak out against torture. He didn’t speak out against unconstitutional surveillance. And he didn’t tell the truth about 9/11. He is just their man.

Coleen Rowley, a retired FBI special agent and division legal counsel whose May 2002 memo to then-FBI Director Robert Mueller exposed some of the FBI’s pre-9/11 failures, was named one of TIME magazine’s “Persons of the Year” in 2002. Her 2003 letter to Robert Mueller in opposition to launching the Iraq War is [archived in full text on the NYT](#) and her 2013 op-ed entitled “[Questions for the FBI Nominee](#)” was published on the day of James Comey’s confirmation hearing. This piece will also be cross-posted on [Consortiumnews.com](#).

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