

# Hail, Hail The Gang's All Here

## Appointment of John Negroponte as Director of National Intelligence

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Global Research, February 18, 2005

[www.TomPaine.com](http://www.TomPaine.com) 19 February 2005

Region: [USA](#)

Theme: [Police State & Civil Rights](#)

The appointment of John Negroponte to be director of National Intelligence is the latest evidence that President Bush is strengthening his cabinet's capacity to mislead Congress and trample civil liberties. Ray McGovern, 27-year veteran of the CIA, examines the meaning of the Negroponte appointment and the dark trend it confirms.

Ray McGovern, a CIA analyst from 1963 to 1990, is co-founder of Veteran Intelligence Professionals for Sanity. He chaired National Intelligence Estimates in addition to preparing the president's Daily Brief.

The nomination of John Negroponte to the new post of director of National Intelligence (DNI) caps a remarkable parade of Bush administration senior nominees. Among the most recent:

- Alberto Gonzales, confirmed as attorney general: the lawyer who advised the president he could ignore the US War Crimes Act and the Geneva Conventions on torture and create a "reasonable basis in law...which would provide a solid defense to any future prosecution."
- Michael Chertoff, confirmed as Secretary of Homeland Security: the lawyer who looked the other way when 762 innocent immigrants (mostly of Arab and South Asian descent) were swept up in a post-9/11 dragnet and held as "terrorism suspects" for several months. The dictates of PR trumped habeas corpus; the detentions fostered an image of quick progress in the "war on terrorism."
- John Negroponte: the congenial, consummate diplomat now welcomed back into the brotherhood. Presently our ambassador in Baghdad, Negroponte is best known to many of us as the ambassador to Honduras with the uncanny ability to ignore human rights abuses so as not to endanger congressional support for the attempt to overthrow the duly elected government of Nicaragua in the '80s. Negroponte's job was to hold up the Central American end of the Reagan administration's support for the Contra counterrevolutionaries, keeping Congress in the dark, as necessary.

### Introducing... Elliot's Protégé

Stateside, Negroponte's opposite number was Elliot Abrams, then assistant secretary of state for Inter-American affairs, whose influence has recently grown by leaps and bounds in the George W. Bush administration. Convicted in October 1991 for lying to Congress about illegal support for the Contras, Abrams escaped prison when he was pardoned, along with

former Defense Secretary Casper Weinberger (also charged with lying to Congress), former National Security Adviser Robert McFarlane and three CIA operatives. Indeed, their pardons came cum laude , with President George H. W. Bush stressing that “the common denominator of their motivation...was patriotism.” Such “patriotism” has reached a new art form in his son’s administration, as a supine Congress no longer seems to care very much about being misled.

President George W. Bush completed Elliot Abrams’ rehabilitation in December 2002 by bringing him back to be his senior adviser for the Middle East, a position for which the self-described neoconservative would not have to be confirmed by Congress. Immediately, his influence with the president was strongly felt in the shaping and implementation of policy in the Middle East, especially on the Israel-Palestine issue and Iraq. Last month the president promoted him to deputy national security adviser, where he can be counted on to overshadow—and outmaneuver—his boss, the more mild-mannered Stephen Hadley.

It is a safe bet that Abrams had a lot to do with the selection of his close former associate to be director of National Intelligence, and there is little doubt that he passed Negroponte’s name around among neocon colleagues to secure their approval.

As mentioned above, like Abrams, Negroponte has a record of incomplete candor with Congress. Had he been frank about serious government-sponsored savagery in Honduras, the country would have forfeited U.S. aid—thwarting the Reagan administration’s use of Honduras to support the Contras. So Negroponte, too, has evidenced Abrams-style “patriotism.” Those in Congress who still care, beware.

### **Civil Liberties At Stake**

The liberties that Gonzales, Chertoff and Negroponte have taken with human rights are warning signs enough. The increased power that will be Negroponte’s under the recent intelligence reform legislation makes the situation still more worrisome.

How many times have we heard the plaintive plea for better information sharing among the various intelligence agencies? It is important to understand that the culprit there is a failure of leadership, not a structural fault.

I served under nine CIA directors, four of them at close remove. And I watched the system work more often than malfunction. Under their second hat as director of Central Intelligence, those directors already had the necessary statutory authority to coordinate effectively the various intelligence agencies and ensure that they did not hoard information. All that was needed was a strong leader with integrity, courage, with no felt need to be a “team player,” and a president who would back him up when necessary. (Sadly, it has been 24 years since the intelligence community has had a director—and a president—fitting that bill.)

Lost in all the hand-wringing about lack of intelligence sharing is the fact that the CIA and the FBI have been kept separate and distinct entities for very good reason—first and foremost, to protect civil liberties. But now, under the intelligence reform legislation, the DNI will have under his aegis not only the entire CIA—whose operatives are skilled at breaking (foreign) law—but also a major part of the FBI, whose agents are carefully trained not to violate constitutional protections or otherwise go beyond the law. (That is why the FBI agents at Guantanamo judged it necessary to report the abuses they saw.)

This is one area that gives cause for serious concern lest, for example, the law enjoining CIA from any domestic investigative or police power be eroded. Those old enough to remember the Vietnam War and operation COINTELPRO have a real-life reminder of what can happen when lines of jurisdiction are blurred and “super-patriots” are given carte blanche to pursue citizen “dissidents”—particularly in time of war.

Aware of these dangers and eager to prevent the creation of the president’s own Gestapo, both the 9/11 Commission and Congress proposed creation of an oversight board to safeguard civil liberties. Nice idea. But by the time the legislation passed last December, the powers and independence of the “Privacy and Civil Liberties Oversight Board” had been so watered down as to be a laughingstock. For example, the Board’s access to information from government agencies requires the approval of the DNI and the attorney general, who can withhold information from the Board for a variety of reasons—among them the familiar “national security interests.” In addition, the Board lacks subpoena power over third parties. Clearly, if the Board does not have unfettered access to information on sensitive law enforcement or intelligence gathering initiatives, the role of the Board (primarily oversight and guidance) becomes window dressing. In short, the Board has been made lame before it could take its first step.

“What the hell do we care; what the hell do we care” is the familiar second line of “Hail, Hail, the Gang’s All Here.” Suffice it to say that, with Chertoff, Abrams and now Negroponte back in town, those concerned to protect civil liberties here at home and to advance them abroad need to care a whole lot.

### **Corruption, Politicization of Intelligence**

Gen. William Odom, one of the most highly respected and senior intelligence professionals, now retired, put a useful perspective on last summer’s politically driven rush into wholesale intelligence reform. In a Washington Post op-ed on Aug. 1, he was typically direct in saying, “No organizational design will compensate for incompetent incumbents.” I believe he would be the first to agree that the adjectives “careerist and sycophantic” should be added to “incompetence,” for incompetence often is simply the handmaiden of those noxious traits. And the failure of the 9/11 Commission and the Congress to insist that real people be held accountable is a major part of the problem.

Intelligence reform in a highly charged political atmosphere gathers a momentum of its own, and the reform bill Congress passed late last year is largely charade. The “reforms” do not get to the heart of the problem. What is lacking is not a streamlined organizational chart, but integrity. Character counts. Those who sit atop the intelligence community need to have the courage to tell it like it is—even if that means telling the president his neocon tailors have sold him the kind of suit that makes him a naked mockery (as with the fashion designed by Ahmed Chalabi).

Is John Negroponte up to that? Standing in the oval office with Gonzales and Chertoff, will Negroponte succumb to being the “team player” he has been...or will he summon the independence to speak to the president without fear or favor—the way we used to at CIA?

It is, of course, too early to tell. Suffice it to say at this point that there is little in his recent government service to suggest he will buck the will of his superiors, even when he knows they are wrong—or even when he is aware that their course skirts the constitutional prerogatives of the duly elected representatives of the American people in Congress. Will he

tell the president the truth, even when the truth makes it clear that administration policy is failing—as in Iraq? Reports that, as ambassador in Baghdad, Negroponte tried to block cables from the CIA Chief of Station conveying a less rosy picture of the situation there reinforces the impression that he will choose to blend in with the white-collar, white, White House indigenous.

The supreme irony is that President Bush seems blissfully unaware that the politicization that Vice President Dick Cheney, Defense Secretary Donald Rumsfeld, and he have fostered in the intelligence community has lost them an invaluable resource for the orderly making of foreign policy. It pains me to see how many senior careerists at CIA and elsewhere have made a career (literally) of telling the White House what they think it wants to hear.

If that proves just fine with the new DNI and he contents himself with redrawing wire diagrams, the security of our country is in greater danger. If, on the other hand, Negroponte wants to ensure that he and his troops speak truth to power—despite the inevitable pressure to fall in line with existing policy—he has his work cut out for him. At CIA, at least, he will have to cashier many careerists at upper management levels and find folks with integrity and courage to move into senior positions. And he will have to prove to them that he is serious. The institutionalization of politicization over the last two dozen years has so traumatized the troops that the burden of proof will lie with Negroponte.

### **The President's Daily Brief**

The scene visualized by President Bush yesterday for his morning briefing routine, once Negroponte is confirmed, stands my hair on end. I did such morning briefings for the vice president, the secretaries of State and Defense, the chairman of the Joint Chiefs of Staff, and the National Security Assistant from 1981 to 1985—each of them one-on-one. Our small team of briefers was comprised of senior analysts who had been around long enough to earn respect and trust. We had the full confidence of the CIA director; when he was in town we would brief him just before lunch, hours after we had made the rounds downtown.

When I learned a few years ago that former director George Tenet was going down to the oval office with the briefer, I asked myself, “What is that all about?” The last thing we wanted or needed was the director breathing down our necks. And didn’t he have other things to do?

We were there to tell it like it is—and, in those days, at least, we had career protection for doing so. And so we did. If, for example, one of those senior officials asked if there was good evidence of weapons of mass destruction in Iraq, and we knew that the serious, honest analysts thought not, we would say “No sir.”

But you ask, “Even if the director has said it was a ‘slam dunk?’” Yes. Even after the director had said it was a slam dunk! But bear in mind that in those days the task was not so heroic. We did not have the director standing behind us to “help.”

From what President Bush said yesterday, John Negroponte, the man farthest removed from substantive intelligence analysis—not to mention the background and genesis of the briefing items chosen for a particular day—will be the president’s “primary briefer.” I am told that President Bush does not read the President’s Daily Brief, but rather has it read to him.

Who will do the reading? Who will attempt to answer the president’s questions? Will there

be a senior analyst there in a supporting role? Will s/he have career protection, should it be necessary to correct Negroponte's answers? Will Negroponte ask CIA Director Porter Goss to participate as well? Will the briefer feel constrained with very senior officials there? Will s/he be able to speak without fear of favor, drawing, for example, on what the real experts say regarding Iran's nuclear capability and plans? These are important questions. A lot will depend on the answers.

We had a good thing going in the '80s. Ask those we briefed and whose trust we gained. It is hard to see that frittered away. Worst of all, the president appears oblivious to the difference. I wish he would talk to his earthly father. He knows.

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