

Senate Confirmation Hearings for CIA Director

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Global Research, September 24, 2004

24 September 2004

On September 22, 2004, the Senate voted 77 to 17 to confirm Porter Goss, President Bush's appointee for CIA Director. Soon he will be sworn in as Director of Central Intelligence (DCI), overseeing the CIA, which is not only our "central" intelligence agency, collecting and analyzing information from all US government intelligence agencies, but also the covert operations arm of the President's foreign policies, running the gamut from political intrigue to paramilitary group.

Although Goss sailed through the confirmation vote, he could have a brief tenure if John Kerry is elected. Kerry would of course be entitled to choose a new DCI or NID. Kerry has so far avoided commenting on the Goss nomination. John Edwards, the Democrats' nominee for Vice President, did not attend the hearings or votes, even though he's a member of the Senate Select Committee on Intelligence that vetted Goss. Of the sixteen members of the committee, only four asked difficult and probing questions: Carl Levin (D-MI), Ron Wyden (D-OR), Jay Rockefeller (D-WV), and Richard Durbin (D-IL). They were outvoted by twelve to four. Although unsuccessful in blocking the nomination, these four Senators did succeed in getting many important issues "on the record" — although somewhat less successful in getting Goss to answer questions.

The record

In his bid for CIA Director, Goss stressed his nonpartisanship. He vowed a total break with his political past — to the point of refusing to answer any questions about it.

It started when he was asked by Senator Rockefeller about his voting record in Congress. Goss replied "the record is the record." As the hearings continued, this phrase would be repeated whenever Goss was asked about controversial positions he's taken, or statements he'd made.

Senator Rockefeller was concerned with statements Goss had made to the press that John Kerry, and the Democrats in general, had voted for cutbacks in intelligence funding. Rockefeller had a large graph comparing Republican versus Democrat votes for intelligence spending bills. Goss refused to comment on the chart or on any of Rockefeller's questions about his voting record. In his concluding remarks, Rockefeller accused Goss of having no management experience, and said that no one who'd been in politics as long as he had should do the job. According to Rockefeller, CIA Directors were rarely politicians, with the exceptions of George Bush Sr. and William Casey (who'd worked for the Republican National Committee).

Goss was also quizzed on a bill he'd proposed on June 16th of this year, which would have given the CIA the authority to conduct operations within the United States, something the

Agency has always been forbidden from doing. Under intense pressure from Senator Wyden, Goss declared that “The CIA should have no arrest powers in the United States of America.” Defending his bill, he claimed it was the 9/11 Commission which blurred the line between domestic and foreign intelligence collection, and that he did not actually support the idea, but only proposed it to stimulate debate on the topic.

Rockefeller later asked if he correctly understood the bill to give the President the power to direct covert CIA operations within the US by issuing secret findings. Goss acknowledged this to be correct, but seemed more concerned over setting standards to avoid potential liability for violating anyone’s civil rights. He gave the impression that any violation of civil rights might be acceptable, as long as the end — eliminating the threat — justified it.

Wyden also asked Goss what he thought about his bill to reform the Patriot Act. Goss replied simply that he supported the Patriot Act and that his reasons for doing so were already in the record. Wyden criticized Goss for voting against forming the 9/11 Commission, and blocking an investigation into Ahmad Chalabi’s alleged leaking of documents to Iran. Wyden also asked about amendment to the Patriot Act under consideration which would require libraries to keep records of books people checked out of a library. He asked whether there had been any incidents to justify this bill. Surprisingly, Goss replied that yes, there were specific instances justifying the bill, but he couldn’t discuss them in open session. Wyden asked for a closed session hearing to examine this, but Committee Chairman Roberts refused.

Senator Levin quizzed Goss on a number of classified and declassified documents he’d sent him by fax. One was a letter from the CIA to the Department of Defense (DoD) relating to alleged factual misrepresentations made by Douglas Feith to the Senate intelligence committee. Goss replied that he was aware of the document, but since it was classified he was not allowed to read it.

Another document, this one declassified, was a email from Paul Wolfowitz of DoD requesting the CIA prepare an intelligence briefing on Iraq for Secretary of Defense Rumsfeld, “without telling anyone about it.” Levin claimed that Douglas Feith was running a rogue “Iraq intelligence cell” out of his office. According to Levin, George Tenet was not aware of a briefing given as a result, to VP Cheney and the National Security Council staff. This rogue intelligence cabal was “hot wired directly to the White House,” according to Levin. Goss answered that he would not allow such a thing as CIA Director, but didn’t know whether it was unusual for CIA analysts to produce reports for the DoD without telling anyone because he’d never been DCI. Levin then asked about an article appearing in the Weekly Standard, in which Dick Cheney referred to the report as the “best source of information on the issue.” Goss said he had no idea about this. He did, however, state that “[t]he CIA is responsible for the product, but not the use of the product.” Apparently, he would have sat behind Colin Powell before the United Nations Security Council, as George Tenet did, lending the CIA’s support to claims he knew to be false.

Levin also asked about a Senate intelligence committee report on alleged training of al-Qaida by Iraqis, in the use of chemical and biological weapons. Although this report was based on sources of “variable reliability,” National Security Advisor Condoleeza Rice took the position that we “knew” that Saddam was training al-Qaida in the use of these weapons. Goss said he personally believed that Saddam was doing this training and refused to criticize Rice’s remarks.

Rockefeller asked Goss about the controversial October 2003 report of David Kaye of the Iraq Survey Group. Goss felt that no one had been misled by the report. According to Goss, Saddam Hussein was a “real, grave, growing threat to the US and the rest of the world.” And “we still don’t know what happened to the weapons.” This was an eminently political statement — stubborn adherence to the administration party line, which refuses to admit that most Americans were misled by exaggerated claims made about the existence of chemical, biological, and even nuclear weapons in Iraq. Goss said that the problem was one of conventional wisdom, and deception by Saddam, who tricked us into believing he was on the verge of developing nuclear weapons. He felt that the statements of Islamic fundamentalists that they wanted to acquire nuclear weapons justified taking the Iraqi nuclear threat seriously.

Goss was also asked about several statements he has made to the press, including criticism we’d plucked military commanders from the field to waste their time in hearings on the Abu Ghraib scandal, and that as Chairman of the House intelligence committee, he’d be willing to investigate the exposure of CIA agent Valerie Plame as soon as he got a blue dress with DNA on it. Goss apologized for his indiscrete statements, which were duly recorded into the record.

Where was Porter Goss on the Morning of September 11th?

On the morning of September 11, Porter Goss hosted a breakfast meeting on Capitol Hill in honor of General Mahmoud Ahmad, head of Pakistan’s Inter Services Intelligence agency (ISI). Ahmad has been accused of playing an undercover role in channeling financial support to the 9/11 hijackers, and was dismissed from his post shortly after September 11th. General Ahmad had been on an official visit to Washington from the 4th to the 13th of September 2001, meeting his counterpart George Tenet as well as key members of the administration and the US Congress. His host was Porter Goss. (For further details see <http://www.globalresearch.ca/articles/CHO407A.html>)

The 9/11 breakfast meeting has been described as a “follow-up meeting” to another held in Pakistan two weeks before. In that meeting, Porter Goss, Senator Bob Graham and Senator Jon Kyl met with Pakistani President Pervez Musharraf and with Pakistan’s military and intelligence leaders, including General Ahmad.

Besides providing a link between Porter Goss and the financing of the September 11th attacks, the meetings raise serious questions about how Porter Goss could be liaising and doing CIA business, and still maintain his adversarial role as Chairman of the CIA’s oversight committee in the House of Representatives. Was the ISI assisting Congress in its oversight role? We’d be in serious trouble if that were the case. In his confirmation hearings, Goss described his meetings with foreign intelligence officials as being commonplace.

Intelligence Reform in the Works

Lurking in the background of the Goss nomination lie a presidential election in six weeks, and widespread congressional support for restructuring the entire intelligence community before the election. Some fifteen federal agencies would be put under a National Intelligence Director, who would have budgetary, hiring and firing authority for personnel in those agencies. The NID would also personally advise the President on national security matters, based on information from all of the organizations under him. It’s not clear how the NID would be in any position to evaluate the immense amount of information that the fifteen

agencies will doubtless provide him, without a sizeable staff. Isn't this what the CIA analysts are supposed to be doing? Intelligence reform proposals by Senators Collins and Lieberman don't address this.

Goss may also become the nation's first National Intelligence Director (NID), overseeing fifteen intelligence agencies, including the CIA. This was a position recommended by the 9/11 Commission. It's not clear what kind of staff the new "NID" will have, or what this means in light of the CIA's charter to do the same thing: collect and analyze intelligence, including from all other U.S. intelligence agencies. Whether the CIA will come out at the bottom or top of the new "wiring diagram" remains to be seen.

Goss proposes to reform the CIA primarily through motivation and setting a personal example for the agency. Although somewhat weak from a public interest perspective, this is a good mission statement from a prospective manager. However, the example also includes his personal history and views on terrorism, which echo those of the administration. We are at war; our enemies are committed to destroying our way of life; we won the cold war by pre-emptive action. The neoconservative national security line comes through loud and clear. This is a fundamental problem with Porter Goss' approach to managing the CIA. It's going to be a losing strategy, not only for the United States, but for analysts in the CIA.

Goss agrees with two proposals made by FBI Director Robert Mueller in another hearing on September 8th: that the collection requirements should be driven by the analysts (Mueller had said "consumers") and that analysts should have source visibility.

He also favors "co-locating" CIA analysts and case officers together, so the analysts gain the benefit of the case officer perspective. The counterargument to this is that analysis and operations should be separated — they both now exist within the CIA — to insulate the analysts from political consequences for their opinions. In response to a question from Senator Rockefeller the pressure put on CIA analysts to come up with the politically correct answers, Goss said he would defend analysts the same way whistleblowers are already protected: they would have a hot line to his office. While this may be a good answer for the analysts, the larger question is how to reduce the political spin put on information reaching the White House. That is a question of Mr. Goss' character, and of his worldview. Senator Levin warned that the new National Intelligence Director shouldn't just be a "more powerful yes-man," saying that George Tenet was guilty of using intelligence in misleading ways to support policy. But how much of this can be blamed on Tenet? It's a moot question when everyone is in cahoots.

What was the Senate thinking to confirm the nomination of a neoconservative like Porter Goss? His appointment stands for a further shift to the right. It heralds an aggressive, proactive era of agents on missions in the Middle East and the Muslim world. Is any of this legal, moral, or even useful? Those questions were raised, at least, by leading Democrats in the Senate intelligence committee. Although the majority remain unanswered, they are firmly established "on the record," thanks to the work of these outspoken Senators.

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