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Post 11/27/95

## Put the Ambassador in Charge

Beginning with President Kennedy, U.S. presidents have issued a letter of instruction to their ambassadors abroad. Traditionally, these letters subordinate all executive branch offices and personnel serving in a foreign country—with the exception of military personnel under the command of a U.S. area military commander—to the authority of the American ambassador. A glaring, deliberate gap, however, has been the exception granted for certain types of communications—i.e., intelligence—between the field and Washington.

The current letter, issued by President Clinton in September 1994, exemplifies this situation. It states: "I charge you to exercise full responsibility for the direction, coordination, and supervision of all Executive Branch offices and personnel in [country]." The key sentence on the ambassador's right to be informed reads: "All Executive Branch personnel under your authority must keep you fully informed at all times of their current and planned activities, so that you can effectively carry out your responsibility for U.S. Government programs and operations."

But then comes the big loophole for the intelligence agencies: "You have the right to see

all communications to or from mission elements, however transmitted, except those specifically exempted by law or executive decision." The wording is crucial, for it authorizes the CIA communications the ambassador is not permitted to see. The CIA and other intelligence agencies fought tenaciously to ensure that this sentence, or one like it, is included in presidential letters of instruction to ambassadors.

Why? First and foremost, the CIA culture. The agency steadfastly resists sharing either sources or methods used in gathering information and conducting operations with anyone not cleared—i.e., anyone who is not a CIA employee. That includes the American ambassador. Hence, despite best efforts to make sure intelligence activities in his or her country of accreditation are legal and track with overall U.S. policy objectives, the ambassador is doomed to failure because the "sources and methods" criterion allows the CIA to withhold from ambassadorial scrutiny communications on any matters it wishes, including proscribed ones. Assuming press reports are accurate, that is exactly what happened in the Guatemala controversy engulfing the CIA.

A number of concrete steps, easily imple-

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mented by presidential action, would ameliorate these problems and lead quickly to much greater accountability of CIA activities in the field. These include:

- Revising the president's letter of instruction, which without equivocation should specify the ambassador's authority—as the personal representative of the president—over every aspect of official U.S. activities in his or her country of accreditation, including control of all communications with Washington.
- "Opening the books" at CIA stations abroad to ambassadors. This includes CIA telecommunications links, classified e-mail capability, secure telephones, pouch facilities, breakdowns of program funding and lists of all informants. Reasonably fail-safe procedures could be established for this purpose.
- Requiring written ambassadorial approval for each and every covert operation, contact with informants and payments. The ambassador should be required to certify that each payment contravenes no U.S. law or regulation and is in the national interest.

The ambassador, as the president's personal representative, must impose accountability

from above on the CIA in the field because the CIA (and companion agencies, as CIA Director John M. Deutch is learning) has clearly demonstrated an institutional disinclination to impose accountability on itself. These suggestions represent no panacea, but they would go far toward reining in agency abuses where they occur: overseas.

The dramatic strengthening of ambassadorial authority suggested here would, of course, also require rethinking the process by which ambassadors are selected. These reforms would place much greater burdens of judgment, discretion and policy sensitivity on ambassadors than is required now. Only special Americans could qualify for ambassadorships in this scenario. Paying off political debts would no longer be an acceptable criterion for choosing ambassadors. Neither would rewarding broken-down career officers simply for their bureaucratic staying power.

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*The writer, who recently retired from the Senior Foreign Service, was the first U.S. ambassador to the Republic of Belarus.*