

Deutch Under Pressure to Punish

Several Congressmen Urge Strong Action Against Those Who Kept

By Walter Pincus
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Congressional pressure is building for CIA Director John M. Deutch to take strong action against individuals involved in the agency's failure for more than three years to tell Congress about an intelligence report that implicated a CIA-paid Guatemalan military officer in the 1990 murder of a U.S. citizen.

Deutch will also decide what sanctions, if any, will be taken against agency personnel involved in the affair, including two station chiefs who failed to keep the U.S. ambassadors in Guatemala informed about that murder and the disappearance and apparent murder of the Guatemalan rebel husband of a U.S. lawyer.

Also up for possible censure are agency employees who authorized back pay of \$44,000 to Col. Julio Roberto Alpirez, the secretly paid CIA informant inside the Guatemala military linked to both murdered men.

Sen. Arlen Specter (R-Pa.), chairman of the Senate intelligence committee, said he and his committee will be "watching very carefully what Director Deutch does now with respect to sanctions or punishment or penalties."

The ranking minority member of the Senate panel, Sen. Bob Kerrey (D-Neb.), said, "There is no better way to change the 'culture' of the CIA—an obnoxious description of the problem—than holding people accountable." Kerrey, a Congressional Medal of Honor winner, referred to

his own experience in the Army, where, he said, leaders cannot give "tightening management" as the response for a failure. "Somebody is responsible," he said.

Even more outspoken is Rep. Robert G. Torricelli (D-N.J.), a member of the House intelligence committee who was almost censured by his colleagues for speaking out publicly last March on the once-secret Guatemala affair. "Until [CIA] officers pay with career impact penalties, law violations will never stop," Torricelli said in a recent interview.

Deutch, who has just returned from a swing through Europe, has yet to make a decision on what disciplinary actions, if any, he will take, although he has asked three close aides to review the record and make suggestions.

"It's his first real test . . . whether Deutch or the Congress runs the agency," a retired senior CIA officer said yesterday, reflecting the view among many senior CIA officials that no severe actions are called for.

Deutch must deal with a complicated problem. At issue between the CIA inspector general, Frederick P. Hitz, who investigated the Guatemala affair, and members of Congress is whether there was a willful violation of the law that requires the CIA to keep congressional oversight committees "fully and currently informed."

In 1990, a American innkeeper in Guatemala, William DeVine, was tortured and brutally killed, apparently by members of the Guatemala military. The Bush administration, dissat-

isfied by the Guatemalan investigation of the murder, publicly responded by cutting off the \$3 million military assistance program to that country.

In October 1991, a CIA case officer in Guatemala was told by a source that Alpirez may have been present during the interrogation of DeVine that preceded his death. Because Alpirez was on the CIA payroll at the time, the report implicating him in DeVine's death was immediately sent to headquarters.

Senior CIA officials, realizing the possibility that one of their agents

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—Sen. Bob Kerrey (D-Neb.)

could have been involved in murdering an American, forwarded the information to the Justice Department to determine if Alpirez could be prosecuted.

Although it was clear the report had enormous significance at that time for the CIA, the information was not disclosed to congressional oversight committees until last January.

Hitz, in his report last week, determined that agency officials in 1991 intended to tell Congress "but failed to follow through." Hitz attributed this to "management inattention" and said he could not find evidence that any-

CIA Agents

Guatemala Murders Secret

one at the CIA "advocated not notifying Congress or made a decision not to do so."

Hitz added that "no one took clear responsibility to ensure it was done."

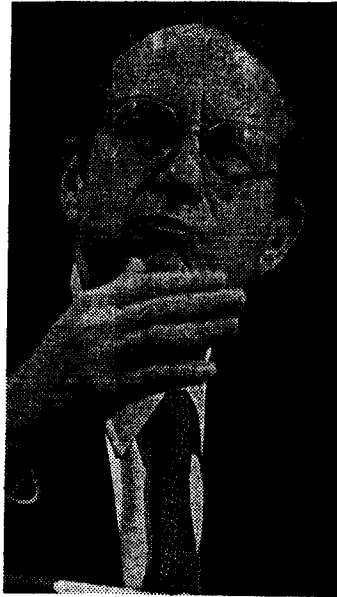
One factor in Hitz's conclusions may have been that his recent investigation determined that the case officer who made the original report has now said it is not clear whether Alpirez was "in the interrogation" or "merely in the area." Hitz also found that the officer is "uncertain about the accuracy of key elements of the information that he reported."

Whether the original report was accurate or not, Specter said his reading of the DeVine incident is that in 1991 there had been "a deliberate withholding of information by the CIA from this intelligence committee in violation of their commitment to provide all information to this committee."

Kerrey was harsher. He said a central issue in the Guatemala affair is the failure to disclose the DeVine information to the congressional committees. "The law says keep Congress fully and currently informed, and I believe we were not," Kerrey said. "If people break the law, they should be prosecuted."

In his report, Hitz has identified deficiencies of an undisclosed number of agency employees and divided them for greater and lesser disciplinary actions. These recommendations have been supplied only to Deutch.

A senior CIA official said last week that Hitz did not recommend that anyone be fired, which Deutch is said to have accepted.



JOHN M. DEUTCH

... asked aides to review case

The oversight committees last week reacted negatively to Deutch's statement that in response to the DeVine incident he would issue guidelines to ensure Congress would be fully informed in the future.

Last week Torricelli recalled what happened to Deutch's predecessor as CIA director, R. James Woolsey, who decided to retire weeks after he got into trouble on Capitol Hill for not taking stern action against the 23 active and retired CIA officers mentioned in Hitz's report on confessed CIA spy Aldrich H. Ames.

Reflecting a view of several House intelligence panel colleagues who asked not to be quoted, Torricelli said, "Deutch cannot allow his decisions to not have career impacts, or he will be revisiting Woolsey."