

# CIA Chief Fires 2 Over Scandal In Guatemala

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CIA Director John M. Deutch said yesterday that the spy agency violated the law in the early 1990s by keeping Congress in the dark about its ties to a Guatemalan military officer linked to two murders, and announced that he had fired two senior CIA officers and disciplined eight others for their involvement in the wrongdoing.

Deutch was quoted by two senators as telling a closed hearing of the Select Committee on Intelligence that he agreed with the panel that CIA employees had "deliberately withheld" information from Congress regarding secret CIA payments to the military officer, which the agency terminated in 1991.

Terry Ward, the most senior of the 10 officials disciplined yesterday, was the former chief of the Latin American division in the CIA's Directorate of Operations. He has been working at another overseas post and was "asked to retire" by Deutch for failing to "properly manage" the division and ensure that Congress was kept abreast of all its activities, Deutch said.

Frederick Brugger, the other officer whom Deutch told Congress he had "asked to retire," is a former

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chief of the CIA's station in Guatemala now working at CIA headquarters. He was accused of failing to manage the station properly and also withholding "pertinent information" about the Guatemalan military officer and related matters from the U.S. ambassador and Senate committee staff.

In a letter to Capitol Hill, Deutch called the scandal—which erupted last spring after Rep. Robert G. Torricelli (D-N.J.) disclosed the CIA's ties to the military officer—"a very wrenching

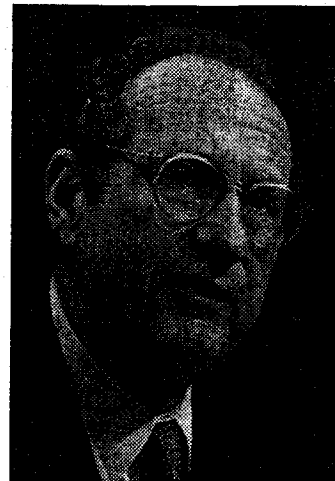
experience for the CIA work force," particularly those in the operations directorate. The group, which covertly gathers intelligence and tries to influence foreign affairs, has long been the most secretive and, some critics say, the most hidebound of the agency's four main directorates.

Officials in the directorate first learned in 1991 that the CIA agent in question, Col. Julio Roberto Alpirez, likely was present at the interrogation of a U.S. citizen, innkeeper Michael Devine, who was brutally murdered. They obtained evidence in 1993 that Alpirez similarly had been present at the interrogation of a Guatemalan guerrilla fighter who had been slain the previous year.

But members of the Senate committee staff were not told of the CIA's ties to Alpirez when they asked pointed questions about Devine's slaying at CIA headquarters in 1992. Although the CIA secretly notified the Justice Department of the connection, no one on Capitol Hill was told until after a hunger strike last autumn by the guerrilla fighter's widow—American lawyer Jennifer Harbury—provoked the White House to order a detailed review of what the intelligence community knew and when it learned it.

Sen. Arlen Specter (R-Pa.), the committee chairman, and Sen. Bob Kerrey (D-Neb.), the vice chairman, yesterday quoted Deutch as agreeing with them for the first time that the CIA officers had "knowingly misled" Congress when they failed to disclose all they knew in 1992. There are "open questions as to criminality," Kerrey said, adding that he intends to ask the Justice Department to rule whether those involved are subject to prosecution.

But Deutch said in his prepared statement that "there is no evidence that there was a conspiracy not to inform Congress" even though information was deliberately withheld. That conclusion was also reached by President Clinton's Intelligence Oversight Board, an independent group that attributed the failure to CIA mismanagement; the absence of a systematic congressional notification process and a routine desire by lower-echelon offi-



JOHN M. DEUTCH

... "we are correcting [CIA] errors"

cial to protect the identities of all CIA sources.

Deutch, who took office in May, after the scandal broke, wrote that he had found compelling evidence that in addition to the agency having kept Congress in the dark, "the actions of some CIA officers did not meet minimum acceptable professional standards" for passing information up the chain of command within the CIA. "A common theme . . . is a lack of candor," he said. "This must not occur again."

Three of those reprimanded or warned by Deutch were said in his letter to have delayed or omitted from their reports relevant information about human rights abuses in Guatemala, in one case for a period of three months. Three others were cited for having been poor managers of the CIA's Guatemala station during the early 1990s, including a former director of the operations directorate, Thomas Twetten, who retired last month after also serving as CIA station chief in London.

"We have made errors; we have recognized them," Deutch said, striking a posture that won praise from lawmakers in both parties yesterday. "We are correcting those errors and we are moving forward to meet our responsibilities" for collecting intelligence.

CIA officials said the two firings were more severe than any punishment imposed against officials accused of overlooking the decade-long espionage for Moscow of CIA officer Aldrich H. Ames, but were similar to those imposed against a handful of CIA

officers for failing to adequately inform Congress about the Iran-Contra matter in 1987.

The letters of reprimand will hinder advancement by those still serving with the agency and, for those who are retired, block any CIA contracts for up

to two years. All of those reprimanded are serving or served in the past in covert roles.

Several lawmakers said the persistence of the problem indicated that the operations directorate's culture of obsessive secrecy may still be resistant to reform. "I've seen it before," said Sen. William S. Cohen (R-Maine), explaining that some agency officials have a "mind-set [that] if you ask the wrong question, you get the wrong answer. If you ask the right question, you get half the right answer."

Cohen, one of the longest-serving members of the intelligence committee, attributed the agency's secrecy partly to a legacy of the distrust of Capitol Hill that first infected the operations directorate when William Casey was director in the 1980s. Cohen said that CIA officials were refusing even now to admit that "a failure to fully inform the committee of relevant facts is

the act of committing a misrepresentation" tantamount to deception or lying.

Other lawmakers raised concerns that CIA officials more senior than those punished yesterday are responsible for the wrongdoing, citing CIA documents indicating that Richard Kerr, who was acting CIA director in late 1991, knew of Alpirez's link to DeVine's slaying and could have briefed Congress about it but did not. Kerr has explained to congressional investigators that he understood others would convey the information.

Alpirez has denied responsibility for the two murders, and a military tribunal in Guatemala city yesterday acquitted him of involvement in Devine's slaying. U.S. officials contend that such tribunals lack credibility, however, and Washington has been pressing the government to conduct a civil investigation.