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Punishment in Guatemala

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When CIA director John M. Deutch briefed a large group of employees Friday morning about his plans to punish those responsible for mishandling intelligence reports about Guatemala, many openly expressed dismay. Some even laughed derisively at Deutch's claim to support future "risk-taking" by CIA officers, according to several of those present.

The episode underlined the angry, defensive mood of those in the agency's Directorate of Operations (DO), which has been hit hard by Deutch's decision to fire two senior officials, demote another and reprimand or discipline seven others for actions they took under a different CIA director, in a different era, in the early 1990s.

By imposing tough penalties for actions that he deemed a violation of federal law, Deutch has sought to prove wrong a legion of CIA critics who say that the agency is scornful of the standards of legality and morality that apply to other federal employees.

In doing so, however, he has ignited a backlash among the CIA officers who work in the DO, who conduct the most secretive and sensitive type of U.S. intelligence work and who

are the target of Deutch's lesson. To them, it bespeaks a hasty effort to burnish the CIA's image on Capitol Hill at the expense of a handful of officials wrongfully judged by more precise, contemporary standards.

"I'm concerned about this rush to judgment in what seems to be a Star Chamber," said Richard Kerr, who was deputy director of the CIA from 1989 to 1991, when the alleged CIA misdeeds in Guatemala occurred. "What you're seeing now is a touch of revisionist history" about the activities of those involved, said Kerr, who now is retired.

A current, veteran CIA officer said yesterday that Deutch's disciplinary actions represent "just another step toward doing away with the clandestine service. . . . The congressional people that are pushing this have never forgiven the agency for its role in Iran-contra and Central America."

The clash of views suggests a deep cultural divide between long-standing employees and the new management team at the CIA, many of whom worked previously on Capitol Hill, that will complicate further reform efforts. Additional tensions loom ahead, stemming from an expected critical report by senior CIA officials on the DO's performance in Honduras during the late 1980s.

Affair Sparks Angry Backlash at CIA

Some current and former CIA officers say Deutch's success will depend in part on his ability to demonstrate that the actions he takes are based on standards for performance that were clearly articulated at the time of any infraction, not just now.

At issue is whether the disciplined CIA officers failed to comply—or failed to ensure that others in the agency complied—with 1980 legal requirement that the House and Senate intelligence oversight committees be kept “fully and currently informed . . . of any significant intelligence activity and any significant intelligence failure.”

The intelligence failure in question concerned a Guatemalan military officer on the CIA's payroll, Col. Julio Roberto Alpirez, who was linked by others in Guatemala to the 1990 murder of a U.S. citizen and the 1992 death of a guerrilla fighter married to an American lawyer. Congress was not told until last winter that Alpirez was a CIA asset, even though the CIA told the Justice Department about it in 1991.

“While there is no evidence that there was a conspiracy not to inform Congress, the essential facts are that Congress was not kept informed as required by law,” Deutch told lawmakers on Friday. He said those punished had

direct responsibility for specific acts that abridged “high levels of professional standards.”

But some officers in the DO have complained that Deutch acted too harshly in a misguided effort to soothe congressional anger over the refusal of former CIA director R. James Woolsey to fire those who overlooked the lengthy espionage for Moscow by CIA officer Aldrich H. Ames.

Kerr said in an interview that those lawmakers who demanded, for example, that Kerr be held accountable for failing to brief the Hill on the CIA's ties to Alpirez had misunderstood a key CIA document from the period. The document, which appeared in a CIA book prepared to brief Kerr for a hearing, states that “we are attempting to arrange a briefing for the staff director” of one oversight committee about Alpirez's connections with the CIA, Kerr said.

While Sens. Arlen Specter (R-Pa.) and Bob Kerrey (D-Neb.) saw the document as evidence that Kerr knew about the connection and withheld the information, Kerr said that he would never have disclosed it during such a hearing but would have done so in a more confidential setting. He said he is not sure why the plan to brief Congress was never carried

out, but assumes “it slipped through the cracks.”

“People knew the obligation [to inform Congress] rather clearly,” Kerr said. “The problem is, each time [a scandal erupts] there is another kind of threshold” for disclosure that is applied retroactively while in fact there are “a lot of messy situations that aren't neatly defined as something that must be disclosed.”

Kerr also raised a special problem that CIA case officers faced when recruiting agents in countries such as Guatemala and Honduras, particularly during the Reagan and Bush administrations. The emphasis then was on counteracting leftist insurgencies rather than on reporting to Congress on human rights abuses.

In that period, Kerr said, the CIA was doing “hard things with tough people” like the Guatemalans.

In a sign of the current mood at Langley, a retired former high-ranking CIA official said he had received dozens of calls from clandestine officers “who have started looking for other jobs. I've never heard the place so blue.”

He said, “I've seen them listen to other directors,” and they got “contemptuous or angry” on occasion, “but I've never heard them laugh.”