

Hearings Point to Confirmation of CIA Nominee

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Robert M. Gates, President Bush's nominee to be director of central intelligence, appeared assured of Senate confirmation yesterday after surviving a thin volley of critical questioning from two Democratic senators without showing any serious bruises.

Only Sens. Howard M. Metzenbaum (D-Ohio) and Bill Bradley (D-N.J.) leveled critical questions at Gates yesterday during his seven hours of testimony in the second

day of hearings before the Senate intelligence committee. There was even a dropoff in attendance at the hearing, in both the press and spectator sections, as the long-anticipated confrontation between the nominee and the committee largely failed to materialize.

In a sharp exchange at the opening of yesterday's session, Metzenbaum charged that the committee's seven Republicans had decided not to ask any "strong substantive questions" in deference to Bush's strong preference for Gates.

Sen. Warren B. Rudman (R-N.H.)

interrupted in loud, indignant tones, accusing Metzenbaum of having his facts wrong in various questions he put to Gates. "I resent being told that I am sitting here as a political pawn of anybody, because I am not, nor are my colleagues," Rudman declared.

Late Monday, in an interview on ABC's "Nightline," Metzenbaum conceded of the nominee that "in all probability, he will be confirmed."

Little new information has emerged during the hearings about Gates' involvement in the Iran-contra affair, about whose key

events the nominee has expressed ignorance or a bad memory. He disarmed his critics at the first session Monday by confessing that he made "misjudgments" in the scandal and should have putstet signs of wrongdoing more aggressively when he was first told about them in the fall of 1986.

Sen. Dennis DeConcini (D-Ariz.), who had been sharply critical of Gates as the hearings opened, told him yesterday that he was impressed with the nominee's "can-do."

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In one new line of questioning yesterday, Bradley suggested that Gates had overstepped legal limits in sharing intelligence information with Iraq and in strengthening its military capabilities in its drawn-out war with Iran during the 1980s.

Gates said he was "certainly aware of the passage or sharing of intelligence with Iraq" while he was the agency's deputy director for intelligence under the late Director William J. Casey and after Casey's death in 1987. But he said he believed the exchange was a "traditional" liaison relationship. Such arrangements usually involve the United States' providing intelligence data and, in some cases, collection equipment and training, in return for which the cooperating country provides Washington with intelligence.

Bradley suggested that the aid given to Iraq may have amounted to a covert action that was

not properly sanctioned by a presidential finding. But the questioning was interrupted by Senate intelligence committee Chairman David L. Boren (D-Okla.), who said it was "verging on classified information" and suggested it be put off until a closed-door session with Gates next week.

Bradley moved to another aspect of intelligence involving the Persian Gulf area. After Iraq won the war with Iran in 1988, the CIA limited its intelligence coverage of Iraq and the gulf, particularly by satellite, and moved to other areas of the world, such as the Soviet Union. Bradley suggested that this amounted to turning a blind eye on Iraq at a key moment.

At that point, he said, Iraq "was still a problem . . . admittedly the most powerful country in the

region and we moved our intelligence resources elsewhere. Yet Iraq had not demobilized. To the contrary, it increased its aggressive attempts to get strategic materials and actually began to re-live ties with terrorists."

Bradley asked Gates, who as deputy director was directly in charge of such matters, whether this was "a wise thing to have done."

Gates responded by bringing up a study done the year after he left the CIA to become Bush's deputy national security adviser. He referred to a 1989 intelligence assessment that stated, "Sad- dam Hussein and Iraq would be spending the next several years . . . engaged in rebuilding and

not turning toward external aggression." Gates told Bradley that he was not responsible for that analysis.

Later in the day, under friendly prodding from Rudman, Gates said agency colleagues may have lied to him about crucial aspects of the Iran-contra scandal before it became public in late

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1986. It was on Nov. 25 that year that then-Attorney General Edwin Meese III disclosed at a White House news conference that profits from secret U.S. arms sales to Iran had been diverted to aid the Nicaraguan contra rebels.

Gates also said that he handled an early Oct. 1, 1986, warning about the diversion with special caution because he was fearful of antagonizing the agency's covert operations directorate.

Actually, both the secret sales to Iran and the covert military resupply network for the contras were run out of the Reagan White House, despite the reservations and objections of senior officials of the CIA covert operations directorate, such as Clair E. George, who headed operations. But Rudman questioned Gates as though they were CIA projects that were outside his purview.

Gates has said that the first hint he got of the diversion came on Oct. 1 from a senior CIA analyst, Charles Allen. He said he told Allen to take his concerns to Casey. Allen saw Casey on Oct. 7 and, Gates said, "we directed him" to write a memo setting down his conclusions.

Rudman told Gates that "when Allen came to you with this complaint, he was essentially talking about something that was within the realm of the Operations Directorate, am I correct?"

"Yes sir," Gates replied.

Rudman then suggested that "one of the reasons you proceeded with extreme caution was that you did not want to get yourself into a situation of antagonizing the Operations Directorate without adequate and substantial cause to go forward."

Gates said he "certainly was concerned that they not view me as having some sort of an inherent suspicion of them in terms of their activities and their integrity. I did worry about that, yes." He also agreed that "some" people may have regarded him and Clair George as "competitors for advancement within the agency."

Rudman turned to admissions that one of George's senior officials, Alan D. Fiers, former chief of the CIA's Central American task force, made in federal court in July. Fiers said that four days after the shutdown of a contra resupply plane over Nicaragua on Oct. 5, 1986, George directed him to withhold certain facts about the operation from Congress because they would "turn the spotlight" on the administration "and thus reveal the role of Lt. Col. [Oliver L.] North in the resupply effort." North was the White House aide in charge of the operation.

Gates said he was not provided the information either.

"In fact, Mr. Gates, as sad as it is to state here this morning," Rudman said, "you were lied to, if the possession of those facts is accurate. . . . You were lied to by your own people."

Gates replied, "If that [Fiers] statement is correct, that is true."

Under earlier questioning by Metzenbaum, Gates said another reason he moved slowly was the fact that Allen's greatest strength was "worst-case analysis." "I have seen him hit some home runs, but I have frankly also seen him strike out," Gates said.

Metzenbaum pointed out that Gates's first reaction to Allen's warning, as Gates said in 1987 testimony, was that he didn't want to hear about it.

"That blows my mind," Metzenbaum said. "It was as if you said . . . 'See no evil, hear no evil, speak no evil.'"

Gates maintained that he deserved some credit for following up, albeit cautiously, on the warning despite his initial reaction to it.