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Why Robert Gates Should Be Confirmed

During Robert Gates's recent confirmation hearings, the dark veil that conceals the CIA's inner workings was lifted. Behold, what the public discovered was not a spy palace filled with robotic objectivity and sterility, but a bureaucracy teeming with real human beings, fuel-injected with passions, prejudices, ambitions and jealousies. Contrary to popular myth, our intelligence professionals have not been drained of the emotions that bedevil most mortals.

It was an important revelation and a timely reminder that as we search for the best individuals to lead our institutions, we not view imperfection in character or error in performance with such piety that we embrace those who have made no errors or enemies by virtue of their having made no decisions.

Bob Gates is a man who made both errors and enemies during his long career at the CIA. His critics claim that he is steel-elbowed, hawkish, clever, selectively amnesic and intellectually accommodating to his superiors. The most serious charge is that he is essentially dishonest. As evidence, his critics say he was involved in the Iran-contra scandal, skewed intelligence to conform to President Reagan's or Bill Casey's predilections and was openly hostile to analysts who viewed the Soviet Union through glasses less darkly. The charges are more easily made than proved.

■ **Iran-contra involvement.** A common error is made in joining the sale of weapons to Iran with the diversion of funds from the sales to the Nicaraguan contras to form the shorthand description, "Iran-contra scandal." Knowledge of the foolhardy but legal sale of weapons is wrongly deemed to establish knowledge of and acquiescence in the illegal diversion of funds. I concede that Gates, once apprised of the diversion—be it in August or September of 1986—should have pursued the issue more aggressively. But I don't concede the charge that he was deeply involved in helping to conceal that diversion.

One witness argued that since the director of the CIA knew of the diversion of funds, as allegedly did the deputy director for operations, it was inconceivable Gates did not have full knowledge of the covert activities of Oliver North and others. As Arthur Liman, the Senate's counsel to the Iran-contra committee, has said: "Criminal conspiracies usually do not conform to corporate hierarchies. Conspirators confide in fellow conspirators—not necessarily in their bosses." Adm. Bobby Inman's experience as Bill Casey's deputy offers validity to Liman's observation.

■ **Preparation of false testimony to Congress.** Gates was charged with overseeing the preparation of Bill Casey's testimony to Congress on Nov. 20, 1986. An initial draft indicated that a shipment of Hawk missiles in November of 1985 was said to be oil-drilling equipment. It is clear from the evidence that by 1986, Bill Casey knew that Hawk missiles were aboard a CIA-controlled aircraft. It is unclear, however, whether Casey knew at the time of the shipment itself the true nature of the cargo. In fact, John McMahon,

who was then Casey's deputy, testified that he initially believed that the cargo consisted of oil-drilling equipment. No evidence obtained throughout four major investigations supports the charge that Gates knew what McMahon did not or that Gates had engaged in misleading Congress by preparing false testimony.

■ **Politicization of intelligence.** Two former intelligence analysts and one present consultant testified that Gates was guilty of the cardinal sin of manipulating intelligence to appease policy makers. It is not an unprecedented charge—similar allegations were leveled against William Colby and more recently against William Webster—but it is one to be taken seriously, for it strikes at the very core of the agency's mission to seek and present the truth. Slanted intelligence is more dangerous than poor intelligence, or indeed, no intelligence.

Politicization, like beauty, may rest in the eye of the beholder. The criticism, rejection or simple omission of an analyst's work may be seen by that analyst as intellectual dishonesty rather than a legitimate difference of opinion. There are no hard evidentiary rules that can resolve the inevitable disputes between the managers of intelligence analysis and the managed. One must weigh factors

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such as: the personalities, philosophies, motivations and reputations of the individual involved; the persistence and depth of their disagreements; and the quality of the final intelligence products submitted to the policy makers. Of the roughly 2,500 intelligence estimates produced during Bob Gates's tenure, a handful were presented to the committee as evidence that Gates sacrificed his integrity for political expediency.

While others view the evidence differently, I found the charge of intellectual corruption exaggerated in some cases and simply wrong in others. For example, one witness (who himself was accused of politicization and believes he was demoted by Gates) vehemently adhered to allegations that were flatly contradicted by the evidence. In one case, he alleged that Bill Webster had ordered an investigation of politicization and had directed that Gates not be advised of the investigation. In another, he alleged that Gates had used a cover letter to transmit a CIA report on the attempted assassination of Pope John Paul II to Anne Armstrong, a member of the president's Foreign Intelligence Advisory Board, that was different from the one sent to the vice president. Both allegations were disproved at the hearings. Contrary to the charge that Gates was an unprincipled sycophant who curried favor with his superiors, the evidence showed that Gates disseminated numerous reports contradicting the policies of the Reagan administration on

such contentious issues as chemical weapons, Lebanon, the Soviet pipeline and Soviet defense spending.

■ **A new world order demands a non-career, non-controversial director of central intelligence.** The Soviet empire's collapse coupled with declining defense and intelligence budgets in the United States means that we will need to restructure the intelligence community radically to meet the requirements of the new age. Some believe that no director of the CIA should ever come from within the agency, as that individual will be hampered or compromised by institutional loyalties or enmities.

Independence and objectivity are important qualifications for any director. In addition to these qualities, President Bush obviously believes that an empirical understanding of intelligence requirements and operations also is important at a time of dynamic global change.

Some of Gates's critics, however, even while assuming that an intelligence career person is not to be automatically disqualified from directing the CIA, maintain that whether his faults are real or imaginary, the mere perception that this particular nominee carries the bruised baggage of another era precludes his confirmation to this position. It is an argument similar to one sweeping the country today that current members of Congress (who are viewed by a significant percentage of the American people as being corrupt) no longer should be called upon to deal with the fiscal, domestic and foreign policy problems confronting our nation. Experience, be damned, they argue. We need those who have yet to be corrupted.

I believe the hurricane winds of change dictate the next DCI be one who thoroughly understands the strengths and weaknesses of a vast bureaucracy; who comprehends the complexities of the intelligence world, who knows where the agency must go in the future because he understands where it has been, and one who has learned from past mistakes and is dedicated not to repeat them.

My judgment rests on something less tangible than, but equal in importance to, the documentary record compiled on Bob Gates. I have had occasion to work with him closely when he served as acting director of the CIA and deputy director to Bill Webster. I found his commitment to strong congressional oversight to be sincere. There was no holding back or cutting cute corners with partial disclosure of information. He proved open, forthcoming and prepared to carry out his responsibilities as fully to Congress as he was to the president.

Bob Gates is not flawless man with an unblemished record. There are few people in or out of Washington who can claim perfection. I am persuaded, however, that he has the ability and the will to exercise judgment that is independent of political pressure and that he has the capacity to restore morale and effectiveness at the CIA.

The writer, a Republican senator from Maine, was vice chairman of the Select Committee on Intelligence from 1987 to 1990.