

By Ray McGovern

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CIA Director-designate John Brennan's assertion to the Senate Intelligence Committee that Iran is "bent on pursuing nuclear weapons" is precisely the kind of dangerous "mistake" made by his mentor, former CIA Director George Tenet, who made many such "mistakes" a decade ago in greasing the skids for war on Iraq.

Of course, the appropriate word is not "mistake" but "fraud." And perhaps what should disqualify Brennan as much as anything is his intimate connection to the lies and abuses perpetrated by the thoroughly discredited Tenet. As one of Tenet's former protégés, Brennan could not even bring himself to admit on Thursday that waterboarding was torture.



Former CIA Director George Tenet.

Brennan also engaged in other Tenet-like hairsplitting as he displayed the worst of his Jesuit education. Brennan, like me a Fordham graduate, seems to have absorbed the style of “jesuitical” argument that is defined as “practicing casuistry or equivocation, using subtle or over-subtle reasoning; crafty; sly; intriguing.”

Brennan's misleading statement on Iran was both “sly” and “intriguing.” It also did not come as an off-the-cuff answer to a question, but rather was embedded in the written text of his “Opening Statement for the Record” for his confirmation hearing. His disingenuousness on this neuralgic issue is another reason to reject his nomination to be CIA director.

Brennan's assertion about Iran's nuclear ambitions stands on its head the unanimous intelligence community judgment in a 2007 National Intelligence Estimate (NIE) – revalidated every year since – that Iran stopped working on nuclear weaponization at the end of 2003 and has not resumed that work.

One might have thought that an indication from the next CIA director-to-be that he was predisposed to overturn the considered judgment of the intelligence community's top analysts – and take the politically preferred “tough-guy” position toward Iran – would have set off alarm bells with the Senate Intelligence Committee, which (commendably though belatedly) excoriated the politicization of intelligence that led to the Iraq War.

But committee members instead had [their prepared posturing to do](#), and thus let the statement on Iran slide by without noticing – much less challenging – it. And, luckily for Brennan, by that point in his prepared testimony, committee chair Dianne Feinstein had removed from the hearing room the many Code Pink-led protesters, who would have been the only ones knowledgeable and courageous enough to call loud attention to Brennan's dishonesty.

Anatomy of a 'Mistake'

In that part of his testimony, Brennan warned the senators that the “regimes in Tehran and Pyongyang remain bent on *pursuing nuclear weapons...*” (Emphasis added)

When “practicing casuistry,” half-truths and conflating two very different situations often work better than straight-out lies. They are, as the Jesuits might attest, very old rhetorical tricks. Is North Korea “bent on pursuing nuclear weapons?” A definitive “Yes” has been the answer to that question for several years. Indeed, the North Koreans apparently already have a few.

But the case is different for Iran, as the U.S. intelligence community has asserted since 2007. For instance, let's compare Brennan's phrasing to the most recent congressional testimony of Director of National Intelligence James Clapper on Jan. 31, 2012:

“We judge North Korea has tested two nuclear devices. Its October 2006 nuclear test is consistent with our longstanding assessment that it produced a nuclear device, although we judge the test itself was a partial failure. The North's probable nuclear test in May 2009 had a yield of roughly two kilotons TNT equivalent and was apparently more successful than the 2006 test. These tests strengthen our assessment that North Korea has produced nuclear weapons.”

But what about Iran? Are the Iranians, too, “bent on pursuing nuclear weapons?” Clapper's words were much more conditional in that part of his testimony: “We assess Iran is keeping open the option to develop nuclear weapons, in part by developing various nuclear capabilities that better position it to produce such weapons, should it choose to do so. We do not know, however, if Iran will eventually decide to build nuclear weapons.

“Iran nevertheless is expanding its uranium enrichment capabilities, which can be used for either civil or weapons purposes. ... [We judge] that Iran is technically capable of producing enough highly enriched uranium for a weapon, if it so chooses. ... We judge Iran's nuclear decision-making is guided by a cost-benefit approach, which offers the international community opportunities to influence Tehran.”

It is likely that Clapper, like Brennan a political appointee, is going as far as he can in presenting a frightening case regarding Iran, yet – unlike Brennan – is staying within the

parameters of the less alarming assessment of professional intelligence analysts.

Brennan instead edged past that line with his rhetorical sleight-of-hand – lumping Iran in with North Korea – the sort of trickery that he witnessed up close as a Tenet favorite during the early excesses of the “war on terror” and the run-up to the invasion of Iraq.

After all, Iran has been a front-burner issue for the past several years. It beggars belief that Brennan has forgotten the key judgment of the National Intelligence Estimate of 2007 in which all 16 U.S. intelligence agencies concurred, “with high confidence,” that Tehran had halted its nuclear weapon design and weaponization work in 2003 – a judgment reaffirmed every year since by the Director of National Intelligence in sworn testimony to Congress.

Careful Distinctions

Brennan also can hardly claim memory lapse. Defense Secretary Leon Panetta reiterated that judgment as recently as Feb. 3 on NBC’s “Meet the Press.” Panetta, who also served as President Obama’s first CIA director, stuck to the NIE’s judgment despite goading from Chuck Todd:

TODD: “You have said a couple of times that you did not believe the Iranians were pursuing a nuclear weapon, that they have been pursuing the capabilities on — on nuclear energy ... not pursuing nuclear weapons. Are ... you still confident they’re not pursuing a nuclear weapon?”

PANETTA: “Right. What I’ve said, and I will say today, is that the intelligence we have is they have not made the decision to proceed with the development of a nuclear weapon. They’re developing and enriching uranium. ...”

TODD: “Why do you believe they’re doing that?”

PANETTA: "I think — I think the — it's a clear indication they say they're doing it in order to develop their own energy source. I think it is suspect that they continue to — to enrich uranium because that is dangerous, and that violates international laws..."

TODD: "And you do believe they're probably pursuing a weapon, but you don't — the intelligence doesn't know what..."

(Cross talk with JCS Chairman Martin Dempsey, who was also on the program.)

PANETTA: "I— no, I can't tell you because— **I can't tell you they're in fact pursuing a weapon because that's not what intelligence says** we— we're— they're doing right now. ..." (emphasis added)

The contrast between Panetta's careful distinction and Brennan's careless distortion is no small matter. The difference suggests that Brennan, like his mentor Tenet, cares more about positioning himself within the favored contours of Washington's group think than in standing up to those pressures and standing behind independent-minded analysts of the intelligence community.

Professional Analysts

Former Director of the National Intelligence Council Thomas Fingar, who supervised preparation of the landmark NIE saying Iran had stopped working on nuclear weaponization, was given the Sam Adams Award for Integrity in Intelligence last month at a ceremony in Oxford, where he is now teaching in Stanford University's overseas study program.

Fingar, who had been Director of Intelligence at the State Department, [recruited analysts](#) who had as much integrity as they had expertise. They jettisoned the “if-the-White House-says-two-plus-two-is-five-we-need-to-conjure-up-the-evidence-to-prove-that-it’s-true” behavior of Tenet and his deputy at CIA, John McLaughlin.

Fingar and his co-workers made a substantial contribution in restoring integrity to the challenging discipline of intelligence analysis after the debacle on Iraq. Acting with all deliberate speed (accent on the deliberate), they drafted an empirical, bottom-up assessment of all prior evidence about Iran’s nuclear program and, fortuitously, benefited from fresh intelligence acquired and analyzed in 2007.

The result was a tell-it-like-it-is conclusion that played a huge role in thwarting plans by President George W. Bush and Vice President Dick Cheney to attack Iran in 2008, their last year in office.

Since the Estimate marked such a sharp departure from earlier assessments of Iran’s nuclear program it was considered a sure bet to leak, so, on White House orders, the authors prepared an unclassified version of the key judgments for publication. Once that hit the streets, with the understandable public reaction at home and abroad, the effect was to fortify the longstanding opposition of the most senior military officers to war on Iran.

It became politically impossible for Cheney and Bush to have their war with Iran. Bush admits as much in his memoir, *Decision Points*, in which he laments that the “eye-popping” findings of the 2007 NIE stayed his hand: “How could I possibly explain using the military to destroy the nuclear facilities of a country the intelligence community said had no active nuclear weapons program?” Indeed.

What does all this have to do with John Brennan? Brennan’s career path must be understood in its relation to Tenet, who served as President Bill Clinton’s last CIA director and was kept on in that job by President George W. Bush. Tenet made Brennan his chief of staff in 1999 and then elevated Brennan to be the CIA’s deputy executive director in March 2001. In 2003 and 2004, Brennan also served as director of the Terrorist Threat Integration Center, which was criticized for distributing politicized threat assessments, such an infamous “Orange Terror Alert” over Christmas 2003.

Not long after Tenet left the U.S. government in 2004, Brennan followed in 2005, moving on to high-paying intelligence-related jobs in the private sector. He supported Barack Obama in Campaign 2008 and was considered a top choice to become CIA director after Obama's victory. But the nomination was scrapped because of questions about Brennan's work for Tenet. Instead, Brennan filled a White House post as President Obama's counterterrorism adviser.

Former colleagues of mine who were at the CIA during the lead-up to war on Iraq assure me that, given his protégé-mentor relationship with then-CIA Director Tenet and also Brennan's very senior position as deputy executive director, it is almost certain that Brennan was aware of what Sen. Jay Rockefeller later called the "uncorroborated, contradicted, or even non-existent" nature of the intelligence conjured up to "justify" war with Iraq. Rockefeller made this public comment on June 5, 2008, when, as chair of the Senate Intelligence Committee, he announced the bipartisan findings of a five-year committee investigation.

Rockefeller all but said it outright. Not just "mistakes" – as Bush, Tenet and much of the mainstream news media insist – but outright intelligence fraud and a conspiracy to launch an aggressive war, what the post-World War II Nuremberg Tribunal called "the supreme international crime, differing from other war crimes only in that it contains the accumulated evil of the whole," i.e. unleashing abuses like torture and other human rights violations.

The Iraq War conspiracy peaked ten years ago when then-Secretary of State Colin Powell told a pack of lies to the UN Security Council. Were Brennan to have been asked about this at Thursday's hearing, he probably would have disclaimed responsibility, saying (as he did on the torture issue) that, although he had "awareness" and "some visibility" into what was afoot, he was not in the "chain of command" and, thus, chose to do nothing.

But the reality is that John Brennan owed his major career advancements to Tenet, who personally gave Powell's deceptive speech the CIA's stamp of approval by physically sitting behind the Secretary of State as he delivered lies and distortions to the Security Council. If Brennan had spoken out against this fraud at that time, he would have surely seen his spectacular career grind to a halt.

VIPS' Maiden Effort

When our fledgling Veteran Intelligence Professionals for Sanity (which was established in January 2003 to protest the obvious perversion of the intelligence on Iraq) learned that Powell would address the UN, we decided to do a same-day analytic assessment – the kind we used to do when someone like Khrushchev, or Gorbachev, or Gromyko, or Mao, or Castro gave a major address.

We were well accustomed to the imperative to beat the media with our commentary. Coordinating our Powell effort via e-mail, we put VIPS' first Memorandum for the President on the wire at 5:15 p.m. – “Subject: Today's Speech by Secretary Powell at the UN.”

Our understanding at that time was far from perfect. It was not yet completely clear to us, for example, that Saddam Hussein had for the most part been abiding by, rather than flouting, UN resolutions. We stressed, though, that the key question was whether any of this justified war: “This is the question the world is asking. Secretary Powell's presentation does not come close to answering it.”

And we warned President Bush: “Intelligence community analysts are finding it hard to make themselves heard above the drumbeat for war.” And we voiced our distress at “the politicization of intelligence,” as well as the deep flaws: “Your Pentagon advisers draw a connection between war with Iraq and terrorism, but for the wrong reasons. The connection takes on much more reality in a **post-US invasion scenario**.” [bold in original]

“Indeed, it is our view that an invasion of Iraq would ensure overflowing recruitment centers for terrorists into the indefinite future. Far from eliminating the threat it would enhance it exponentially.”

Dissociating VIPS from Powell's bravado rhetoric claiming that the evidence he presented was “irrefutable,” we noted, “No one has a corner on the truth,” and warned the President: “But after watching Secretary Powell today, we are convinced you would be well served if you widened the discussion beyond violations of Resolution 1441, and beyond the circle of those advisers clearly bent on a war for which we see no compelling reason and from which we believe the unintended consequences are likely to be catastrophic.”

It's clear today that nothing would have dissuaded President Bush and Vice President Cheney from plunging ahead with their "war of choice." But that is no excuse for intelligence officials, like Brennan, or America's leading newspapers abnegating their duty to ask tough questions and to speak truth to power whatever the consequences.

We also know today that the chief co-conspirators in the Iraqi intelligence fraud – like the torturers in the CIA's "enhanced interrogation" program – have escaped accountability for their malfeasance. But that doesn't mean now that their obedient subordinates, who kept quiet in the face of these crimes, should be rewarded with top jobs.

When officials are not held accountable – for crimes of both commission and omission – it is an invitation for others to follow in their footsteps. It remains to be seen how closely Brennan will retrace the path marked by his mentor Tenet – one of cooking the intelligence to the tastes of the White House – this time to facilitate war with Iran.

The Senate Intelligence Committee got a sampling of how Brennan might add some jesuitical spices to such recipes when he proffered a crafty explanation of why it was fine for President Obama to release the legal opinion on Bush-era "enhanced interrogations" but not the legal justification for the lethal drone program.

The former activity, Brennan noted, was over, while the latter one was ongoing. Yet, why the American people should be denied the constitutional arguments for such executive powers until they are no longer in use was never explained. It would seem the opposite logic should prevail, that it is more important to know the justification when something is occurring than when it is over, especially since the drone killings along with the "war on terror" may go on indefinitely.

But — as Brennan seems headed toward Senate confirmation — his deceptive comments on legal transparency as well as on Iran's nuclear program are not a good sign.

Ray McGovern works with Tell the Word, a publishing arm of the ecumenical Church of the Saviour in inner-city Washington. In the early 60s he served as an Army infantry/intelligence officer and then, for 27 years, as a CIA analyst. He is co-founder of

Veteran Intelligence Professionals for Sanity (VIPS).

Below is the full text of the first VIPS issuance, a Memorandum for the President, Feb. 5, 2003. (Links to this and the other 21 VIPS memoranda to date can be found at warisacrime.org/vips .)

SUBJECT: Today's Speech by Secretary Powell at the UN

Secretary Powell's presentation at the UN today requires context. We give him an "A" for assembling and listing the charges against Iraq, but only a "C—" in providing context and perspective.

What seems clear to us is that you need an intelligence briefing, not grand jury testimony. Secretary Powell effectively showed that Iraq is guilty beyond reasonable doubt for not cooperating fully with UN Security Council Resolution 1441. That had already been demonstrated by the chief UN inspectors. For Powell, it was what the Pentagon calls a "cakewalk."

The narrow focus on Resolution 1441 has diverted attention from the wider picture. It is crucial that we not lose sight of that. Intelligence community analysts are finding it hard to make themselves heard above the drumbeat for war. Speaking both for ourselves, as veteran intelligence officers on the VIPS Steering Group with over a hundred years of professional experience, and for colleagues within the community who are increasingly distressed at the politicization of intelligence, we feel a responsibility to help you frame the issues. For they are far more far-reaching—and complicated—than "UN v. Saddam Hussein." And they need to be discussed dispassionately, in a setting in which sobriquets like "sinister nexus," "evil genius," and "web of lies" can be more hindrance than help.

Flouting UN Resolutions

The key question is whether Iraq's flouting of a UN resolution justifies war. This is the question the world is asking. Secretary Powell's presentation does not come close to answering it.

One might well come away from his briefing thinking that the Iraqis are the only ones in flagrant violation of UN resolutions. Or one might argue that there is more urgency to the need to punish the violator of Resolution 1441 than, say, of Resolution 242 of 1967 requiring Israel to withdraw from Arab territories it occupied that year. More urgency? You will not find many Palestinians, Arabs, Muslims who would agree.

It is widely known that you have a uniquely close relationship with Israeli Prime Minister Ariel Sharon. This presents a strong disincentive to those who might otherwise warn you that Israel's continuing encroachment on Arab territories, its oppression of the Palestinian people, and its pre-emptive attack on Iraq in 1981 are among the root causes not only of terrorism, but of Saddam Hussein's felt need to develop the means to deter further Israeli attacks. Secretary Powell dismisses this factor far too lightly with his summary judgment that Iraq's weapons of mass destruction are "not for self-defense."

Containment

You have dismissed containment as being irrelevant in a post 9/11 world. You should know that no one was particularly fond of containment, but that it has been effective for the last 55 years. And the concept of "material breach" is hardly anything new.

Material Breach

In the summer of 1983 we detected a huge early warning radar installation at Krasnoyarsk in Siberia. In 1984 President Reagan declared it an outright violation of the Anti-Ballistic Missile (ABM) Treaty. At an ABM Treaty review in 1988, the US spoke of this continuing violation as a "material breach" of the treaty. In the fall of 1989, the Soviet Union agreed to eliminate the radar at Krasnoyarsk without preconditions.

We adduce this example simply to show that, with patient, persistent diplomacy, the worst situations can change over time.

You have said that Iraq is a "grave threat to the United States," and many Americans think you believe it to be an imminent threat. Otherwise why would you be sending hundreds of thousands of troops to the Gulf area? In your major speech in Cincinnati on October 7, 2002, you warned that "the risk is simply too great that Saddam Hussein will use instruments of mass death and destruction, or provide them to a terror network."

Terrorism

Your intelligence agencies see it differently. On the same day you spoke in Cincinnati, a letter from the CIA to the Senate Intelligence Committee asserted that the probability is low that Iraq would initiate an attack with such weapons or give them to terrorists—UNLESS: "Should Saddam conclude that a US-led attack could no longer be deterred, he probably would become much less constrained in adopting terrorist actions."

For now, continued the CIA letter, "Baghdad appears to be drawing a line short of conducting terrorist attacks with conventional or chemical/biological warfare against the United States." With his back against the wall, however, "Saddam might decide that the extreme step of assisting Islamist terrorists in conducting a weapons-of-mass-destruction attack against the United States would be his last chance to exact vengeance by taking a large number of victims with him."

Your Pentagon advisers draw a connection between war with Iraq and terrorism, but for the wrong reasons. The connection takes on much more reality in a **post-US invasion scenario**.

Indeed, it is our view that an invasion of Iraq would ensure overflowing recruitment centers for terrorists into the indefinite future. Far from eliminating the threat it would enhance it exponentially.

As recent events around the world attest, terrorism is like malaria. You don't eliminate malaria by shooting mosquitoes. Rather you must drain the swamp. With an invasion of Iraq, the world can expect to be inundated with swamps breeding terrorists. In human terms, your daughters are unlikely to be able to travel abroad in future years without a large phalanx of security personnel.

We recommend you re-read the CIA assessment of last fall that pointed out that "the forces fueling hatred of the US and fueling al Qaeda recruiting are not being addressed," and that "the underlying causes that drive terrorists will persist." That CIA report cited a Gallup poll last year of almost 10,000 Muslims in nine countries in which respondents described the United States as "ruthless, aggressive, conceited, arrogant, easily provoked and biased."

Chemical Weapons

With respect to possible Iraqi use of chemical weapons, it has been the judgment of the US intelligence community for over 12 years that the likelihood of such use would greatly increase during an offensive aimed at getting rid of Saddam Hussein.

Listing the indictment particulars, Secretary Powell said, in an oh-by-the-way tone, that sources had reported that Saddam Hussein recently authorized his field commanders to use such weapons. **We find this truly alarming**. We do not share the Defense Department's optimism that radio broadcasts and leaflets would induce Iraqi commanders not to obey orders to use such weapons, or that Iraqi generals would remove Saddam Hussein as soon as the first US

soldier sets foot in Iraq. Clearly, an invasion would be no cakewalk for American troops, ill equipped as they are to operate in a chemical environment.

Casualties

Reminder: The last time we sent troops to the Gulf, over 600,000 of them, **one out of three came back ill** —many with unexplained disorders of the nervous system. Your Secretary of Veterans Affairs recently closed the VA healthcare system to nearly 200,000 eligible veterans by administrative fiat. Thus, casualties of further war will inevitably displace other veterans who need VA services.

In his second inaugural, Abraham Lincoln appealed to his fellow citizens to care for those who “have borne the battle.” Years before you took office, our country was doing a very poor job of that for the over 200,000 servicemen and women stricken with various Gulf War illnesses. Today’s battlefield is likely to be even more sodden with chemicals and is altogether likely to yield tens of thousands more casualties. On October 1, 2002, Congress’ General Accounting Office reported “serious problems still persist” with the Pentagon’s efforts to protect servicemen and women, including shortfalls in clothing, equipment, and training. Our troops deserve more effective support than broadcasts, leaflets, and faulty equipment for protection against chemical and biological agents.

No one has a corner on the truth; nor do we harbor illusions that our analysis is irrefutable or undeniable. But after watching Secretary Powell today, we are convinced that you would be well served if you widened the discussion beyond violations of Resolution 1441, and beyond the circle of those advisers clearly bent on a war for which we see no compelling reason and from which we believe the unintended consequences are likely to be catastrophic.