

# HOLDING UP INTELLIGENCE REFORM, CLAPPING TO ADMINISTRATION DEMANDS

So after a last minute dance with three Republican holds, James Clapper is poised to be confirmed as Director of National Intelligence. As I noted before, this means someone most Senators either have or have had concerns about will be approved by big numbers to head our intelligence community.

But the more important story about this nomination seems to be about holds and reform.

As I noted before, John McCain briefly put a hold on Clapper's nomination. As Marc Ambinder explains, he did so as leverage to demand information on a satellite program over which Congress and the Administration has clashed.

The Director of National Intelligence's office has sent Sen. John McCain's office its top secret report on the development of two "tier-two" electro-optical satellites that Congress doesn't want funded but the intelligence establishment believes it desperately needs. Neither McCain's office, the White House, nor the DNI would confirm that McCain was seeking information about the highly classified development program, nor would they say why it took so long to send McCain the report he requested.

In parallel with McCain's hold, Kit Bond and Tom Coburn—who, as Senate Intelligence Committee members, **both voted for Clapper's nomination** in the Committee—put a hold on Clapper's nomination as leverage to get a report on threat

assessments of people at Gitmo.

*The Cable* caught up with Senate Intelligence Committee chairwoman **Dianne Feinstein**, D-CA, who said that two other senators were holding up the nomination, committee ranking Republican **Kit Bond**, R-MO, and **Tom Coburn**, R-OK. The senators wanted ODNI to deliver an overdue threat assessment on the prisoners being held at Guantánamo Bay, Cuba.

[snip]

Bond told *The Cable* Tuesday that he is getting the information he desires.

“Today I talked to General Clapper and I’m pleased the intelligence community is now working to provide the documents and access that I – and other members – have been seeking and that they are required by law to share with lawmakers,” he said.

Coburn also denied he has a formal “hold” on Clapper but said he was worried about the Guantánamo threat assessment.

“I think it’s important that we look at the vast number of people that have been released under the Bush administration and the Obama administration from Guantánamo who are now trying to kill American soldiers,” he said. “And I think that information is due and the intelligence committee ought to be getting it. So I am trying to do whatever I can to make good decisions.”

So prepare for James Clapper to take over at DNI!

And with his confirmation, expect Congress to lose the leverage it had to force the Administration to accept some real intelligence reform, reform that would, among other things, require Presidential Administrations to share

information required by Congress more readily and widely.

So note the irony. The Ranking Member of the Senate Armed Services Committee, John McCain, had to put a hold on this urgent nomination to get information that he doesn't get (Ambinder says the Gang of Eight gets briefed on it, but not SASC; I think it more likely that a few members of the Senate Appropriations Committee get briefed on it, but neither the Gang of Eight nor the leadership of SASC). And the Ranking Member of the Senate Intelligence Committee, Kit Bond (as well as Tom Coburn, who never met a hold he didn't like), had to put a hold on this urgent nomination to get information he hadn't get but was entitled to by law.

And yet no one finds this state of affairs urgent enough to make real changes in intelligence oversight such that individual Senators don't have to find similar holds with which to gain enough leverage to get the information they need to do their job?