

Special Report

The unholy trinity of electronic snooping: Bolton, Negroponte and Hayden

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May 5, 2005—As the Senate Foreign Relations Committee prepares to vote on the nomination of Under Secretary of State for Arms Control and International Security John Bolton to be U.S. ambassador to the United Nations, further details are emerging from within the U.S. Intelligence Community on unofficial and back channel intelligence operations directed over the past four years from neo-conservative cells in Vice President Dick Cheney's office, the Pentagon, the State Department, and the National Security Agency (NSA).

The three key participants who have emerged as orchestrating the misuse of NSA and other U.S. intelligence resources to conduct surveillance of those who opposed neoconservative plans to invade Iraq and ratchet up tensions with North Korea, Syria, Cuba, Venezuela, Iran, the Palestinian Authority headed by the late Yasir Arafat, and the former government of Haiti are Bolton; NSA's director and the new Deputy Director for National Intelligence General Michael V. Hayden; and former U.S. Ambassador to the United Nations and Iraq and current National Intelligence Director John Negroponte. Hayden served alongside Condoleezza Rice in the National Security Council under President George H. W. Bush.

In the lead up to the Iraq War, Negroponte, Bolton, and Hayden, as well as other leading neoconservatives in the Pentagon and White House, directed an e-mail and telephone surveillance campaign against UN Security Council delegates to determine the voting intentions of wavering countries on the council's resolution authorizing military action against Iraq. The targeted delegations were Angola, Cameroon, Chile, China, France, Mexico, Guinea, Pakistan, and Russia.

A January 31, 2003, Quick Response Capability memo sent by Frank Koza, the chief of the Regional Targets group within NSA's National Security Operations Center (NSOC), to NSA's counterparts in the Echelon communications intelligence monitoring tasking system—Britain, Canada, Australia, and New Zealand—authorized a "surge" telephone and e-mail intercept operation on the offices and homes of government officials of UN Security Council members and "non-UN Security Council Member UN-related and domestic comms." The latter included UN officials such as Secretary General Kofi Annan, Chief UN weapons inspector Hans Blix, International Atomic Energy Agency Director Mohammed El Baradei, and Pope John Paul II (who was lobbying African and Latin American Security Council members against the U.S. Security Council war resolution).

Negroponte and Bolton received intercept data from Hayden's staff at NSA. Secret Security Council negotiations to reach a compromise with Iraq and seek more time for UN weapons inspectors were scuttled when Negroponte and Bolton were made privy to private telephone conversations of UN delegates, including the Mexican and Chilean ambassadors.

Leading neoconservatives working for Cheney and Defense Secretary Donald Rumsfeld were kept apprised of the sensitive surge surveillance operations. It was only due to the leak of the Koza memo by Katharine Gun, a Mandarin Chinese linguist working for NSA's British counterpart, the Government Communications Headquarters (GCHQ), that the surveillance directed against the UN Security Council members and non-members became public. Criminal charges against Gun were later dropped by Britain's

Labor government, which was clearly embarrassed over revelations that it took part in the NSA's snooping of the UN. The U.S.-led UN surveillance program was later confirmed by former British International Development Secretary Clare Short.

To ensure that systematic violations of the Foreign Intelligence Surveillance Act (FISA) and NSA's United States Signals Intelligence Directive 18 (USSID 18) in permitting electronic surveillance of U.S. persons on behalf of Bolton and Negroponte went unhindered, Hayden directed his Directorate of Security and Counterintelligence at NSA to browbeat any analyst or operator who showed the slightest tendency to question authority. Hayden's personally-chosen deputy director, William Black, who serves in a position always considered to be somewhat independent from the transitory NSA director, buckled to Hayden's dictates rather than challenge them.

NSA's General Counsel's office, which, according to internal memos released by NSA in 2000 to the Electronic Privacy Information Center (EPIC), had expressed concern over an increase in requests for raw intercept data from external "customers" since Hayden took over in 1999, was effectively neutralized by Hayden's team. Instead, the General Counsel's office provided legal cover for repeated violations of FISA and USSID 18. In responding to internal complaints, NSA's Inspector General's office became a virtual rubber stamp for Hayden and defaulted to ruling against all whistleblowers.

The political surveillance operations directed against current and former U.S. government officials and serving and retired U.S. military officers who opposed the neoconservative game plan was primarily carried out by NSA's super-classified "black ops" organization, the Special Collection Service (SCS)—a joint NSA/CIA "higher-than-Top Secret" joint activity headquartered in Beltsville, Maryland.

Tasking was conducted through NSA's Signals Intelligence Directorate (SID) and authority was granted by Hayden to largely bypass USSID 18 legal restrictions by using off-the-books "training missions" as a cover. Although training mission intercept data collected on U.S. persons is to be destroyed after completion of the mission, intercepts of phone calls made by scores of U.S. government and private persons found their way into the hands of Bolton, Cheney, and other neoconservative elements within the Bush administration.

To deal with actual or perceived troublemakers at NSA, Hayden's handpicked security chief at NSA, Kemp Ensor III, instituted a Kafkaesque system that abruptly yanked personnel security clearances without explanation; wiretapped black (non-secure), gray (secure), and personal telephones; subjected employees to psychiatric examinations and evaluations; concocted trumped up charges against employees involving such things as tax problems and personality disorders, and punished highly-trained and skilled technicians, analysts, and linguists by sending them to non-secure "Red Badge" warehouses and other logistics facilities to perform manual labor duties.

However, the reign of terror instituted by Hayden and his staff against NSA employees has resulted in a blowback effect. Although NSA employees are known for being the most indoctrinated in the intelligence community in that they have no historical legacy in revealing classified information to the public, their mistreatment has resulted in a number of embarrassing disclosures:

1. NSA has recorded tactical communications intelligence—overheard on a speaker system in the NSOC—that demonstrates that United Flight 93 was shot down by U.S. fighter planes over Pennsylvania on September 11, 2001, and the Bush administration concocted a phony "patriotic" cover story about the passengers and crew deliberately crashing the plane into the ground.
2. NSA conducted telephone surveillance of phone calls between Secretary of State Colin Powell and New Mexico Democratic Governor and former ambassador to the UN Bill Richardson concerning a visit by a North Korean UN delegation to New Mexico to meet with the governor in an attempt to reinstate direct negotiations with the U.S. government over nuclear issues.

3. NSA possesses communications intelligence that proves the A.Q. Khan nuclear smuggling ring in Pakistan was also selling nuclear components to Saudi Arabia.
4. Intercept evidence of Chinese intelligence penetration of U.S. intelligence services is not being acted upon by the Bush administration. Similarly, signals intelligence data involving Israeli intelligence operations inside the United States and deep within the Bush administration are being covered up.
5. That NSA's poorly managed, fraudulent, and wasteful Trailblazer and Groundbreaker technical upgrade and reorganization contracts have resulted in massive intelligence failures. For example, fratricide or "friendly fire" incidents have occurred in Iraq and Afghanistan because faulty and outdated SIGINT/ELINT (signals intelligence/electronic intelligence) threat/non-threat data was retained in databases distributed to field military units. Such erroneous data was responsible for the Patriot missile shootdown of the British RAF Tornado and death of its two crew members near the Iraqi-Kuwaiti border shortly after the outbreak of the war, the four Canadian troops killed by a USAF F-16 in Afghanistan, the Navy F-14 attack on a Kurdish convoy in northern Iraq, and numerous other fratricide incidents. Trailblazer and Groundbreaker also involve questionable and possibly illegal procurement conflicts of interest between certain NSA officials and contractors such as SAIC, Booz Allen, Computer Sciences Corporation, and CACI.

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