

Richard Nuccio is a career policy advisor in the state Department who was involved in efforts to help the military government in Guatemala reach an accord with guerrillas to end a thirty five year struggle. He told members of Congress, in good faith, that, to the best of his knowledge, the state Department and the CIA knew little about two slayings, one of an American innkeeper, and the other of a captured guerilla leader married to an American lawyer, who had alleged CIA involvement in the killings (The CIA and the state Department had denied any knowledge about the killings on several occasions). Shortly thereafter, Nuccio learned that the CIA and the state Department had numerous top secret files on the killings implicating a paid CIA informer. When Nuccio learned of these files he informed a member of Congress, who, in turn, wrote a letter to the President, accusing the CIA and the state Department of direct involvement in the killings, which overstated the facts. Within months Mr. Nuccio was under investigation for violation of federal laws. The investigation has been dropped, but the CIA has taken steps to bar Mr. Nuccio from ever receiving security clearance to receive top secret information. This would mean the end of his career. Currently his case is under review by a special panel appointed by the Director of the CIA.

What recommendations should the panel make in regard to Nuccio's security clearance? State your reasons.

MODERATOR'S ANSWER: The CIA and State Department should not revoke Mr. Nuccio's top secret clearance. Revocation would be appropriate if an official's actions indicated untrustworthiness or poor judgment. Mr. Nuccio's actions appear to reflect neither of these deficiencies. Maintaining secrecy about the identity of CIA covert agents obviously is critical to the success of secret operations. In this case, however, Mr. Nuccio had clear evidence that CIA representatives had lied to Congress. Under a democratic form of government it is absolutely essential that intelligence organizations, carrying out secret operations, be accountable to the nation's elected officials. Elected officials, however, have no independent means to assess the truth of reports they receive in the case of secret operations. This means that democratic accountability with respect to secret operations completely depends upon the truthfulness of reports about the operations. Mr. Nuccio's actions thus appear to have reflected a correct understanding of the responsibilities of his position.

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