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Coming to set terms for DCI

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Senator and presidential contender John Kerry has loudly and critically clanged the intelligence-reform bell in President Bush's ears. Recently, Mr. Kerry proposed great expansion of the director of central intelligence's (DCI) authority over the National Security Agency, Defense Intelligence Agency and National Geospatial-Intelligence Agency. But true reform must first come with the DCI's emancipation from the White House through providing a 10-year term as a presidential appointee.

Mr. Kerry and Mr. Bush owe it to the nation to "agree" before the November election on a "new" central intelligence director who would serve a 10-year term. Likewise, the Senate should confirm the "new" DCI before the election. This is the only way the nation and the world could see firsthand the U.S. is genuinely committed putting intelligence analysis above even the appearance of politics.

This would be a refreshing and unprecedented display of pre-Election Day bipartisanship that would help both candidates and be hailed by the nation. Indeed, restoring congressional, public and international trust and confidence in the quality and adequacy of Langley's intelligence ledger is an imperative of the first order. Such a move might also turbo-charge low morale in the intelligence community.

The case for a 10-year term DCI is quite compelling. For some of the same reasons of political independence that the FBI director serves a 10-year term and governors of the Federal Reserve System serve 14-year terms, the time has come for future DCIs to no longer serve at the president's pleasure. Even the semblance of politicized law enforcement, monetary policy or intelligence is anathema to a constitutional democracy.

All would agree that federal law enforcement - especially in the post-September 11, 2001, era - must be above the political fray.

Since 1976, FBI directors have served for one term, not to exceed 10 years. Congress chose a 10-year term in re-engineering director tenure to insulate the bureau from the inevitability of partisan politics. Evidently, a director can only be removed for cause, i.e., evidence of wrongdoing.

The legislative goal was to avoid changing FBI directors and presidents simultaneously. This legislative move was a dramatic rebuke to the 48-year infamous rein of abuse of J. Edgar Hoover, FBI director from 1924 until his death in 1972.

While some anxiety might exist among some members of Congress that a 10-year term would be too long for a mediocre or failure-prone DCI, a DCI could always voluntarily opt to leave before the end of the 10-year term.

Consider the surprise retirement of FBI Director Louis Freeh in 2001, after only eight years of his 10-year term. Mr. Freeh's watch at the FBI was plagued by high-profile controversies. Intense media attacks on Mr. Freeh's leadership might have contributed to his early exit.

Mr. Freeh's sudden departure afforded President Bush the opportunity to nominate Robert Mueller as FBI director. The Senate confirmed Mr. Mueller, and he was sworn in just a week before the September 11 attacks.

All would agree that the formulation and setting of monetary policy must be above the political fray. Congress created the Federal Reserve Board pursuant to the Federal Reserve Act of 1913, in the wake of the calamitous Panic of 1907, which resulted from failure of a major New York bank, triggering a ripple effect of bank failures.

Through statutory evolution, the Fed Board has evolved into a federal regulatory body with unrivaled structural and institutional freedom and insulation from political influence and the political process.

The president, with the advice and consent of the Senate, appoints the board of governors of the Federal Reserve System to 14-year terms, and its members are removable only for cause. The terms of Fed Board members are staggered so one of the seven members' terms expires every two years. This allows a president who serves only a single term the opportunity to appoint only two Fed Board members.

The Fed chairman, a member of the board, is appointed for a four-year term. The term of Fed members is the longest of any federal agency - congressional acknowledgement of the primary importance of monetary policy being free of "a majority of special interests."

Indeed, Congress intended the Fed to exercise its extraordinary control over monetary policy in a manner that represents the "general public interest." Truly, monetary policy and political correctness are antipodal universes.

Intelligence assessments and political correctness are antipodal universes, too. Only when this is recognized can the intelligence community make the tough calls in those very hard cases like determining rogue nations' ambitions for weapons of mass destruction.

Now is the time, drawing upon advantages of the political independence of the FBI director and Federal Reserve Board, for Congress to legislate a 10-year term for the director of central intelligence. Mr. Kerry and Mr. Bush owe it to the nation to set this in motion now.

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