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James Madison University

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Reforming the U.S. Intelligence Community:
Successes, Failures and the Best Path Forward

A Project Presented to
the Faculty of the Undergraduate
College of Arts and Letters
James Madison University

in Partial Fulfillment of the Requirements
for the Degree of Bachelor of Arts in International Affairs

by Christopher John Sheehy

December 2014

Accepted by the faculty of the Department of Political Science, James Madison University, in partial fulfillment of the requirements for the Degree of Bachelor of Arts in International Affairs.

FACULTY COMMITTEE:

HONORS PROGRAM APPROVAL:

Project Advisor: Jonathan, Keller, Ph.D.,
Associate Professor, Political Science

Philip Frana, Ph.D.,
Interim Director, Honors Program

Reader: Timothy, Walton, Ph.D.,
Professor, Intelligence Analysis

Reader: Glenn, Hastedt, Ph.D.,
Director and Professor, Justice Studies

Dedication Page

I dedicate this study to my family, for their unwavering strength and love.

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Introduction

“The U.S. intelligence system remains the largest and most influential in the world- as model, rival or target” Mark Lowenthal, *From Secrets to Policy* (11)

The attacks on September 11, 2001 were catastrophic events that immediately changed the course of history. Besides Pearl Harbor, no other foreign enemy had ever done such damage on U.S. soil. The attacks sparked the controversial war on terror, bringing innumerable foreign policy challenges for the United States ever since.

Attempts from the media, the public, Congressional Committees, academics, and politicians alike to find blame for these disasters put the U.S. Intelligence Community (IC) under immense scrutiny – providing an opportunity to address a constant feature of the IC’s history, debates on reform. The Homeland Security Act and the PATRIOT Act were signed to counter perceived needs for greater intelligence capability on our home turf. In 2004, the fallout over 9/11 led to the Intelligence Reform and Terrorism Prevention Act (IRTPA), arguably the most significant intelligence reform since 1947, when the community was created. The discussion has not ended, as numerous works since analyzed the community’s implementation of the IRTPA and the future role of intelligence. Notably, controversies over Edward Snowden’s revelations, torture practices, and similar domestic issues have brought the moral side of these arguments back into the spotlight, potentially shifting the dynamics of the reform discussion to one dominated by civil liberties and moral issues (Aldrich 155).

There is still no clear answer for how to better the IC, the proper role of intelligence in our society today, or if improvement is even possible or necessary. In this paper, I hope to illustrate the history of intelligence reform and the implications the path of the community’s

evolution has on today's debates. This history will show the challenges that have consistently characterized intelligence reform. Perhaps more importantly, it will demonstrate the major role the global affairs context, the people in power, and the secret nature of the IC's operations have on the capability to achieve reform¹. Through the historiography, we will see that the community has changed tremendously as a natural response to these limitations and the ever-evolving state of affairs. In combining the features and patterns that characterize the pending historiography, a clear outline of the debate today and the feasibility of reforms will emerge. This thesis culminates with my set of recommendations, framed within the rest of the studies implications.

The community's capability to change, in a structural sense, will prove to be rather limited. IC organizations basic structure, function and hierarchy largely mirror their original framework laid out in Harry Truman's National Security Act in 1947 (Gutjahr XXVI-VII; Rolington 750; Odom 1-3). Depending upon scholars' opinions of the necessity of reform, this lack of change may be either beneficial or detrimental to the IC's capability to assist the protection of our national security. I hope to demonstrate structural change as more of an "easy-fix" solution that appeases the outside, but not the issue of substance to worth addressing moving forward.

Since the end of WWII, intelligence organizations have evolved from ad hoc, wartime, military-focused structures into an expansive, permanent institutional network. Today's community is a massive bureaucracy constantly working to protect the United States from potential threats and provide essential information and analysis to their wide array of consumers

¹ One example of the value of historical context was Japan, who saw little use of intelligence for much of the cold war, piggybacking off American intel. But as North Korea grew in its nuclear prowess, so too did Japan's intelligence community, keeping tabs on their regional adversary (Scott and Huges 654).

(Kramer 457-459; Lowenthal *Secrets* 11-27). This paper will demonstrate the value, nature and causes of this evolution, and in doing so highlight history's influence on the "best path forward".

Outlining the Study

In Chapters One to Four, I hope to demonstrate how the evolution of the modern IC shapes the conversation today. I will first elaborate on the National Security Act in Chapter One, because so many elements of its structure and organization remain intact. Its vague nature also contributed to the importance of the IC's context to its evolution, as will be demonstrated.

In Chapter Two, I will first cite the large expansion of the community's size and scope in the early part of the Cold War, outlining specific IC features that emerged as a result. I will then describe the increased controversies over IC morality in the 70's, marking a turning point in IC oversight and public access to information on the IC. Following these instances was a surprising return to trends past under Ronald Reagan, albeit with a couple reforms and features worth mentioning.

In Chapter Three I will highlight the relative stasis emerging out of budget and military downsizing in the 90's, which has been critiqued as a source of the failure to predict 9/11. Chapter Four will highlight the implications of this failure, elaborating on the historic 9/11 commission and the resultant legislation, IRTPA. IRTPA's new framework centers on the creation of a Director of National Intelligence to manage the community whose value will be touched on.

In Chapter Five, I will illustrate patterns or trends that have defined the history of the other chapters, grouping reforms and long-term implications of specific events together under key features visible today. This will help to illuminate what changes tend to be achievable and which ones do not, assisting with the discussion of the feasibility of reform efforts. My trends will reference numerous scholars' opinions on individual features of today's community. The

inherent limitations of intelligence's unique place in both national security and the government as a whole are crucial backdrops to the discussion.

In Chapter Six, I discuss my series of suggestions for improving the community, based upon the context the rest of the study identifies. It begins with my set of broader suggestions, which primarily deal with moving away from the obsession with a structural reorganization and into something less challenging to achieve or dangerous in the short-term. I then go into breaking down my individual series of reforms, focused on improving the individual analyst's environment and capability for success, and often dealing with the cultural dynamic.

Methodologies: Necessary Context and Operational Definitions for a Historiographical Study of Intelligence

Analyzing the history of intelligence reform, as well as the community's capability for future changes, can have its limitations. This is partly because of the widely varying picture observers and even IC employees have of the community and its work. Mark Lowenthal and William Odom both note that nearly every study of intelligence begins with a long definitions chapter. These chapters offer necessary context through the authors' own operational frames for terms like intelligence, intelligence reform, the intelligence community, and intelligence failure or success, and were visible throughout most of the longer works I surveyed (Lowenthal *Secrets* 1; Odom 8-9). One example of their importance: "In the allocations of people and budgets, for example, small definitional distinctions can mean near billion dollar differences" (Odom xxiii). With regards to organizational jurisdiction and day-to-day practice, misunderstandings of roles and concepts can have life or death consequences.

The lack of uniform definitions for these concepts means authors' are commenting on an organization they all see functioning differently (made all the more arduous by challenges like secrecy and widely varying expectations for "success and failure"). Intelligence's results lack a uniform measure for evaluation — what Dr. Rob Johnston calls a "taxonomy," or "matrix," of systemic variables we can use to measure analysis' quality (Marrin "Evaluating"; Johnston xviii). Improved public, policymaker, and even intra-IC understanding and codification of IC concepts and expectations would have encouraging prospects for a better-functioning community, and would help the policymaker-IC dynamic to be discussed when defining intelligence consumers. However, this is an arduous task.

I will contextualize my study with my own sets of operational definitions in this chapter. In addition, I will offer a brief background on the hierarchies and methodologies of the community, which will be further illuminated as I trace their evolution.

Challenges in Intelligence Literature

Challenges in finding measurable parameters of success and providing valuable analysis for reforms are partly amended through operational definitions. However, studying intelligence reform is also difficult because of the important role of secrecy and other limitations in IC literature. Secrecy might be unavoidable for the community (which some have debated as people's access to information is revolutionized), but it is also one that can make its study more arduous from the outside (Scott and Hughes "Lessons" 658). Academics and observers attempting to study the community must rely on reporting revealed long after attempted reforms or notable failures, to the point that many historians have been hesitant to study it (654-658). Gregory F. Treverton, a former vice chair of the National Intelligence Council, noted that historiography has its challenges in the lack of current documents, relying on secondary analysis that may be flawed (Treverton *Reshaping* xvii). A WikiLeaks analysis does not appear to be a scholarly undertaking many in this field would desire, even if it helps frame the discussion. Nor do I.

Furthermore, reform and its history are not a sexy topic like spy operations or the major failures in history. Philip Zelikow, who served as executive director of the 9/11 commission, calls IC organizational history an "arcane topic to people not close to it." He also notes, "It can be numbing to plenty of insiders too" ("Evolution" 2). In addition, when the IC deters threats and saves lives, it may not be in best interest of future national security for the public to know, so

some of the most appealing secrets should remain as such. We want similar successes to continue (Odom 185).

In addition to secrecy, the shape that most historical examinations have taken add to the challenges in producing an objective historiography. The aforementioned “spy novel” is more the average reader’s book on intelligence, such as Timothy Weiner’s *Legacy of Ashes* or Thomas Powers’ *Intelligence Wars*. From these books, I only pull tidbits that are hard to misconstrue or offer useful analysis fitting the mold of points other works in this study make. Additionally, I have tried to incorporate both former IC professionals and observers without experience on the “inside.”

Former IC members might be more likely to offer favorable analysis of the community or remain especially attached to certain issues. On the other extreme, there can be a tendency for investigative journalism or “muckraking”, which would take an overly negative view of the community, and so I cannot overly rely on either extreme (Hunter). Although this paper still deals heavily with “memoirs” from former professionals, I attempt to use the ones framed within an academic context, or use books and other sources from authors who have shown an extensive interest in studying the community since leaving it (*Reshaping* xvii). IC commentators widely varying motivations and approaches can lead the studies to be overly “personalist and idiosyncratic,” and I found that there were few works without a passionate stance throughout (Johnston xviii). The extensive use of authors Loch Johnson, Mark Lowenthal, Richard Best Jr., Michael Warner and J. Kenneth McDonald, and Glenn Hastedt, lies partly in their ability to illustrate what I perceived as more distant and objective views of community operation or intelligence reform.

Richard Aldrich has found that the study of intelligence is well incorporated into “mainstream international and military history,” but less so in the fields of international relations and political science. When incorporated in these fields, it tends to deal with organizational-theory like discussions (141). I think the community would benefit from greater IR approaches to its study, as intelligence has shown itself to be a tool of international relations.

The secrecy challenge may prove especially significant when one discusses current day-to-day operations of the community. Especially when evaluating the community post-IRTPA, with authors tending to comment on the lack of fundamental change without seeing some of the community’s inner working (Immerman 159-163). I later define these day-to-day features as the cultural element of intelligence reform, and they should be viewed equally as importantly to structure in any discussions of the IC’s merit and capability (Cardillo). The fact that structures and tactics may exist completely warrants a note.

A few other features throughout the literature were taken into account as I undertook this endeavor. Firstly, there is a tendency for analyses of the IC to focus on the lessons of individual cases of intelligence success or failure (discussed more in the coming pages), which are often seated in a larger discussion of the aforementioned nature of strategic surprise. Secondly, many histories have been CIA-centric, which will also be addressed as I describe the value of a historical study of intelligence reform.

Coinciding with the focus on case-study analysis, much of the intelligence literature now deals with the nature of strategic surprise (Olcott 2), with surprise and failure used almost interchangeably in the literature. As will be illustrated, preventing surprises is likely the IC’s purpose for its creation. Scholars’ conceptions on strategic surprise are central to the debate on

intelligence failure, and whereby reform (Gutjahr 1). Observers who are most critical of the community's intelligence functions would be more inclined to expect "absolute security," whereby strategic surprise is not a possibility (Theoharris *Absolute Security*). They would also seem to be more likely to call for fundamental reorganization (i.e. Amy Zegart). On the opposite extreme, authors like Richard Posner, whom identify inevitable patterns among strategic surprises, illustrating an unavoidable nature, would argue that reform might help marginally, but ultimately some failures cannot be avoided (*Strategic Surprise*). Somewhere in the middle of these stance lie authors like Paul Pillar and Robert Jervis, who argue for the potential to improve the "batting average" of the community on failures, but not to eliminate them completely (*Why Intelligence Fails*; "Unintelligent Design"). Based upon the features of history and the present debate I identify in Chapter Five, I will argue that the marginal approach is most accurate and beneficial to the community's future.

In addition, I have struggled to find comprehensive histories of intelligence reform, instead finding numerous analyses of individual pieces of legislation, comprehensive histories of intelligence operation or practice, or histories on intelligence centered on specific eras. The repeated use of the works of Michael Warner and J. Kenneth McDonald, Richard Best Jr., Douglas Garthoff, and Melanie Gutjahr is in part due to their similar nature to the historiography segment of my study, although they take varying approaches. Gutjahr's *Intelligence Archipelago* is the closest, although its Cold War coverage is rather underwhelming, and the trends I identify throughout history largely differ. Best and Warner and McDonald both deal largely with legislative proposals or prominent study's, while I discuss more in-depth changes that did not emerge out of legislation or executive order. Douglas Garthoff's work largely focuses on changing authorities under individual DCI's.

In trying to fill in the gaps in this literature, I hope to find the line between the memoirs, the muckraking, the elaborate histories of successes and failures, and the CIA historiographies. In addition, I hope to stray from outside critiques of the community that call for an intelligence revolution (or even ones from former IC professionals), which in my eyes do not recognize the true value of and limitations too intelligence reform. Finally, I hope to use history's implications on the community's features left in place more than other studies have, offering useful boundaries and prospects for strong reforms moving forward.

Historiography as a Basis for Recommendations

As just noted, I hope to avoid a case study approach, instead creating a more holistic historiography of the community's reform history. Some of the most prominent intelligence successes and failures will still be referenced, albeit briefly, for their value on the history of reform and their implications for future analyses. Especially the September 11 attacks, whose narrative has come to dominate today's reform efforts. However, this study will still be far from a case-study approach.

As Dr. Timothy Walton states, "over a long period of time analysts trying to understand such difficult situations or solve a problem have found certain ways of thinking to be helpful," offering value for the use of history to make recommendations for the future(Walton XI). However, concerning a case study analysis, and even my historiographical approach, Scott and Hughes raise a valuable caveat: "History is constructed, and applying it to organizations is even more complex, as one cannot ignore the limitations imposed by organizational theory, competing self-interest among policymakers and bureaucratic structures, and cognitive and psychological weakness in decision making (657)." I hope to construct a historiography that values and

includes these limitations, and elaborates their long-term implications in Chapter Five. Part of how this problem is addressed is a much greater emphasis on the details and events of the modern era of reform, with the discussions of earlier history delving more deeply into features they put in place that are still visible today, offering a similarity to Dr. Walton's "ways of thinking".

As just noted, many histories are CIA-centric, and this work dives heavily into the changes in structure and function of the CIA (Lowenthal *Secrets* 28). I avoid making this a similarly CIA-centric study, but when analyzing the U.S. intelligence community I believe it should remain a key part of the discussion. A central agency, producing finished national intelligence products, and chartered to coordinate the entire community's operation and analysis, is a key feature separating the U.S. IC from other communities (Lowenthal 10-13; Johnson 126-128; Warner and McDonald 9).

In addition to the trends and long-term implication approach, another feature of the U.S. IC helps to overcome Scott and Hughes' historiography limitations. The community's evolution is actually very short compared to some of the most prominent intelligence formations, such as the organizations in Britain and France (Lowenthal 11-12). The lasting value of the National Security Act's provisions makes sense when you consider the community has really only existed for sixty-some years, and that more than two-thirds of this history was waging the Cold War.

Operational Definitions

Intelligence The first definition of value is intelligence. Intelligence for the sake of this study will use Dr. Rob Johnston's definition, piggybacked off one proposed by Dr. Mark Warner: "secret state or group activity to influence or understand domestic and international opponents" (Johnston 4). Intelligence today covers a wide array of issues and deals with a set of highly varied customers. More specifically, this paper will focus on intelligence as applied to national security, or what has been coined "national intelligence" in legislation throughout IC history, an equally vague notion. Although this often includes economic intelligence, as economics are a factor in today's national security environment, unfortunately addressed in a limited fashion in my study (Lowenthal *Secrets* 5). The intelligence cycle transforms this gathered intelligence into finished products for consumers.

Intelligence Collection Gathering intelligence is coined as intelligence collection within this field. There are multitudes of forms of intelligence that are gathered. These include signals intelligence (SIGINT), gathering communications, which requires encoding and decoding of numerous forms, human intelligence (HUMINT), i.e. gathering of intelligence directly from contacts, often clandestinely or using espionage, imagery intelligence, gathering images of what is on the ground through satellites or other technology above, (IMINT), and measurement and signals Intelligence, concerned with weapons and industrial capabilities and activities(MASINT). Finally, there is open source intelligence (OSINT), which is centered on analysts' use of information accessible to the public (i.e. news reports, academic sources, etc.) necessary to their understanding (Lowenthal *Secrets* 69-82").

Intelligence Analysis I define intelligence analysis as the process of transforming collected intelligence information into finished products for consumers through cognitive processes, technological tools and critical thinking methods. Analysts have to first sift through the waves of data thrown at them and prioritize what they deem as necessary, under their expertise or pertaining to issues their superiors have pegged as critical (*Odom Fixing Intelligence*). They then have to organize this information in a presentable fashion and come to conclusions on the questions asked by their consumers using extensive cognitive and critical thinking methods, sometimes individually and sometimes in groups (*Lowenthal Secrets 55-56*). The presentation part is critical, as the information assimilated for presentation can get lost in translation or miscommunication when relayed to policymakers. This requires rapid thinking and the ability to write strongly but succinctly, as analysts often have very limited windows to present their conclusions and challenges (*Walton 7*). Analysis is really what the community is most measured on or criticized for (*Olcott 1-3*), as the finished products are what offer the warning to policymakers or communicate conclusions to the ones who make the decision. Both analysis and collection are supposed to be shaped by planning from their consumers, and future products shaped by consumer feedback on the products they receive, but there may be challenges in these two phases that limit the community's potential (*Travers XVI-XVII*).

The Intelligence Community The modern US Intelligence Community has evolved out of the structure created by Harry Truman's National Security Act in 1947. This act codified the CIA as a multi-discipline information gathering and analysis center, solidified the position of Director of Central Intelligence (DCI) as a direct link between the IC and the newly created National Security Council (NSC) and the president, and merged the army and naval intelligence departments into components of what eventually became the Department of Defense (DOD)

(Warner and McDonald 3-5). Since then, the IC has grown to house 17 organizations. They have multiple areas of expertise and take on widely varying shapes. The supervisor is the Director of National Intelligence (DNI), who is nominally responsible for managing the budget, internal evaluation, organization and coordination of the entire community as well as the National Intelligence Program (NIP) (“A Complex Structure”). The NIP is the source of funding for most federal intelligence activities and the CIA, and this paper will continually highlight how discussing this budgetary control defines the debate.

All of the IC lies under the executive branch, serving the executive departments or president directly (“A Complex Structure”). There exists an Office of the DNI (ODNI), which houses a variety of elements responsible for assisting the DNI in implementing its aforementioned tasks. The other 16 agencies can be grouped into three types, program managers, departmentals, and services. Oversight comes from both the executive branch, through two distinct executive boards on intelligence (more on these later), and the legislative branch, primarily through the House and Senate Committees on Intelligence.

Program managers have authority to support ODNI in IC management and national products. They include the NSA, FBI National Security Branch, National Geospatial Intelligence Agency (NGA), the National Reconnaissance Organization NRO, and the Defense Intelligence Agency (DIA). The departmentals work primarily under the direction and responsibility of their parent departments outside the DOD, while the services organizations serve their DOD customers. The departmentals include the Bureau of Intelligence and Research (INR), serving the state department, the Department of Homeland Security (DHS) Office of Intelligence and Analysis, the Treasury Office of Intelligence and Research, the DEA Office of National Security Intelligence, and the Energy Office of Intelligence and Counter-Intelligence, serving the

Department of Energy. The services organizations consist of Air Force, Army, Coast Guard, Marine Corps and Naval Intelligence (“A Complex Structure”). Ever-expanding government contracting have an ambiguous place in the structure. The best way to describe them is perhaps as sitting within the organizations whose functions they are serving. As this paper will continually highlight, the hierarchy can give us an idea of how the community works, organizational charts most certainly do not tell the full story on the complex nature of agencies’ interactions and work.

Intelligence Consumers vary from congressional representatives, to foreign policy advisors, to major businesses, to military leaders at home and abroad, to the president himself, among many others (Lowenthal *Secrets* 56-60). The success of IC analysts and their agencies depends largely on their interaction with these customers. There is a crucial caveat often overlooked in the discussion of intelligence’s value. While the IC can influence policy and policy can influence the IC, only policymaker’s hold responsibility for the ultimate decisions that result from IC analysis, and have the power to ignore or agree with IC conjectures to whatever degree they like. This relationship partly defines intelligence failure. The ultimate goal of intelligence is timely delivery of products to the right hands, with accurate assessments of the validity and threat-level of its judgments, in a manner understandable to policymakers. Some observers call these mistakes policy failures rather than intelligence ones, citing consumers’ unrealistic expectations of the IC (Pillar “Lessons”).

Misperceptions on the part of intelligence consumers from historiography about past IC failures, poor personal relationships between specific policymakers and analysts, the lack of public awareness on this very dense issue (Kramer 462) or strong disagreements in viewpoints can all weaken interactions and belittle the role of the analyst in the process. Similarly, a strong

relationship between an analyst and consumer can give them significant influence on the consumer's stances (Pillar "Lessons"). No matter the relationship, the window for interaction between consumers and analysts is most always rapid because of the busy schedules of national security professionals, leaving even more room for losses in translation (Walton 7). This relationship is key to the discussion of "failures" of intelligence prompting reform today, and reinforces the value of definitions noted earlier in this chapter. Individual DCI to president relationships will prove to have particularly strong implications.

Intelligence Reform Intelligence Reform, the central topic of this study, I define as changes to the structure, culture, or methodologies of the Intelligence community. Intelligence Reform comes from executive orders (E.O.s), legislative amendments (most to the National Security Act of 1947) and acts, community adaptations to changing global affairs and operating environments, or internally led reforms called for by IC leaders. Melanie Gutjahr notes that "intelligence reform has become a catch-all phrase for any changes proposed to the intelligence community," and this study uses a similarly vague definition, within a set of categorical constraints (Gutjahr 7).

Structural change implies hierarchies between organizations (partly visible through the distribution of funding), the role of (or existence of) the central body in the intelligence community, or the creation of new organizations. The most visible of these efforts will come under large-scale reorganization (i.e. Act in 1947 or IRTPA), but the public has had more and more access to IC organizational charts throughout history. Culture in this instance will discuss personnel characteristics, the framework of cross-agency interactions, issues with information sharing, and any other day-to-day functions, with this section as a whole dealing largely with the role of IC personnel and practice. Methodologies encompasses a two-fold concept: the tactics

being used most commonly to serve intelligence customers (i.e. technology versus spying, analysis versus collection, covert action versus mere information gathering) as well as the varying hierarchies these tactics have in the IC's choices for operations and analysis.

This paper harps extensively on reform history because debates on intelligence reform have been a part of the IC's entire existence, and as repeatedly noted, there is no perfect model from which to copy, nor concrete measure of success. Even the creation of the community was a contested decision, and studies have constantly dissected the initial framework for the IC.

This thesis will briefly highlight the reports that achieved measurable impact, chosen partly based upon the ones Warner and McDonald identified throughout their extensive survey of prominent reports and legislation (iii-v). It will also occasionally reference studies' conclusions as a source of ideas for reform. Prominent executive orders (E.O.) throughout history are discussed. I go in depth on the E.O.s I identify. They fit into my later conjectures about the importance of executive-DCI relations, and Richard Immerman describes their under-appreciation in the literature (164).

I reaffirm this thesis does not mirror Best's ("Proposals") or Warner and McDonalds' legislative and E.O.-centered studies. Although that would be an equally as enlightening and arguably even longer endeavor than the approach I take here, it does not fit in my broad reform definition or the expedited history I am seeking to achieve. I think that many of the conclusions of this type of study would appear evident in the trends this work identifies however.

Intelligence failure in this study is also a multidimensional concept. On one hand, failure is any national security crisis or misstep where the role of individual intelligence agencies, or the greater community, is often cited as a source of the mistake. This represents a "classical failure"

in the eyes of Melvin Goodman, while he also cites a “moral failure” concept (Goodman 89). Classical failure exists when the correct information or answer was recognizable within the collected data, but analysts surmise incorrectly or miss the signs of an impending catastrophe. Moral failure denotes misuse of one’s position in the IC to promote personal viewpoints or ideology or gain policy influence, often through too close of ties to the executive (89).

I will also take moral failure one-step further, and discuss a scenario where statutory restrictions or IC norms are usurped, but the risk or rights violations outweigh the potential national security threat. In the context of reform debates, both types of failures are used as a justification for desired changes in the community. Some of the most prominent crises cited as “classical” intelligence failure have included Pearl Harbor, the Tet Offensive, the fall of the Shah in Iran and the Iraqi WMD crisis (Turner 1-2; Goodman 290-292; Jervis *Why Intelligence Fails*). The implications of these issues on intelligence reform were highlighted when discussing strategic surprise. Repeated failures are ultimately the prime reason for reforming the community, besides burgeoning costs (something addressed throughout numerous studies, but largely a result of political support for military spending at the time).

Chapter One: The National Security Act and the Emergence of Today's IC

The National Security Act is possibly the second most important piece of legislation in American History, marking a fundamental restructuring of the foreign-policymaking apparatus (Stuart 296). Within this new structure, there was a permanent home and influential place for intelligence analysis and operation, solidifying earlier efforts by the likes of Franklin D. Roosevelt and the nearly-mythicized figure William “Wild Bill” Donovan — former leader of the WWII Coordinator of Information (COI) and Office of Strategic Services (OSS) (CSI “COI Came First”). The efforts preceding the Acts’ signing are stimulating history, and much literature exists on them. However, they are only addressed briefly, for their immediate implications on the National Security Act that remain of value today.

The National Security Act was not only shaped by dramatically changing global environment, but also helped construct the new foreign policy approach for the Cold War. The legislation was an intentionally vague compromise in some areas of IC function, and could not define how every phase of intelligence structure, methods and culture functioned in practice. The foreign-policy context of the community’s growth, as well as prominent studies soon after permanent intelligence organizations’ creation, serve as key factors in the way the IC evolved, which will be demonstrated both here and through the rest of the historiography. As such a powerful piece of legislation, it emerged out of a heated debate, often on issues for which there are still no clear answers.

Pre-National Security Act Intelligence

There was no intelligence “community” until the passage of the National Security Act in 1947, and even then, the term was not in use until a wave of changes following the Korean War (Zelikow 2; Garthoff 17). The United States’ isolationism and limited global role before WWI

may have contributed to the perceived lack of need for permanent or national-level structures (Fessenden; Lowenthal *Secrets* 12). The U.S. was the last great power to create a permanent intelligence function (Powers 3).

While they were late to the game, the United States did have some experiences with intelligence. Pre-1947, most intelligence activities lied under the State Department during peacetime or individual military services during wars (Stuart; Tidd; “Appendix A”). During WWII, “interagency collaboration emerged out of crisis-driven necessity,” serving multiple wartime functions (Fessenden). Between the world wars, there was an expanse of domestic intelligence capabilities to counter the growing threats of fascist and Marxist ideologies. Theoharris described a “culture of lawlessness” already developing by 1936 under FBI Director J. Edgar Hoover (Tidd; Theoharris 46-82). Although the types of work these agencies did was evident in later conceptualizations, these agencies did not have permanent statutory functions or the level of influence they do now. Additionally, their roles and relations were constantly shifting (Fessenden; Lowenthal *Secrets* 12-13).

The years preceding the National Security Act were a prime opportunity for intelligence reform (the nature of these opportunities is highlighted in the “Limited Structural Reform” section of Chapter Five). Pearl Harbor devastated the American public much like 9/11 later would, and pressures for a response were strong enough that preventing another Pearl Harbor may have proven the defining aim of the Act (Stuart 293; Lowenthal *Secrets* 13). Moreover, Harry Truman demonstrated a strong will and desire for changes to the national security functions, in the midst of evolving global dynamics to reinforce his desire (Warner and McDonald 3-6).

Without delving too deeply into the history of the accused intelligence failure at Pearl Harbor, which deserves a study the length of this one, some critics would argue that warning signs and necessary information were available but not properly disseminated to policymakers (Goodman 3). According to Stuart, Pearl Harbor highlighted how “differences in procedures, cultures and priorities undermined the ability of the army and navy to work together to prepare for, and respond to, a military attack” (295).

The end of WWII left the U.S. in an unprecedented position of preeminence in global politics. This meant new needs for foreign affairs, coinciding with an emerging threat in the Soviet Union (Tidd). When combined with growing Soviet capability, Pearl Harbor’s damage to citizens’ collective psyche, as well as the new concept of nuclear warfare, may have influenced fears of similar attacks on the homeland. Mark Lowenthal described the emerging “threat-based” approach as a critical feature of U.S foreign policy and the IC ever since (*Secrets* 13). Zelikow described this as the country “preparing in earnest for WWII” (2). Whether these fears were valid and deserved the changes they prompted ultimately lies in one’s beliefs about the strength of the very “architecture that eventually won the Cold War” (Travers xi), and the soundness of foreign policy theory that defines such threat-based approaches. The foreign policy apparatus was defined by needs at the strategic level: deciphering Soviet intention and capability. These needs were well serviced by the existing and future intelligence capability (Treverton *Reshaping* 70).

An evolution of the nascent central agencies was underway during Franklin D. Roosevelt’s (FDR) tenure, and with further efforts from Harry Truman, they began to represent more and more the CIA we now know. In 1941, FDR created the COI (COI), the nation’s first national intelligence organization, disseminating intelligence directly to the president. In addition

to its distinction from the departmental customers of other agencies, it also had access to “uncovered funds,” not audited in detail. They were at the president’s discretion, setting the stage for future covert action and espionage ordered by the president through this organization (“COI Came First”). During WWII, this agency needed an expansion as the military and naval intelligence services were not proving sufficient. The Office of Strategic Services (OSS) was created in response (“Appendix A”).

As the inclination to return to minimalist peacetime structures started again at the end WWII, Truman countered the trend with the creation of the Central Intelligence Group (CIG) in 1946, including some of the old OSS and COI elements and staff. The CIG became CIA under the National Security Act (Tidd; “Appendix A”). Truman issued a memorandum in 1946 that solidified this CIG structure, as well as creating what evolved into the Interagency Advisory Committee (IAC). In the IAC, heads of the intelligence functions served in an advisory capacity to the DCI, offering one of the first real avenues for coordination. Similar boards have proved an influential constant of IC history (Garthoff). Interestingly, Truman prioritized the correlating (i.e. producing finished products based off the rest of the community’s work) rather than coordinating capabilities of the agency, essentially putting the DCI’s ability to inform the [resident as its first priority. However, the National Security Act and reports afterward seemed to reorder these two tasks, illustrating the continued calls for DCI coordination that will remain a constant (Garthoff 14-15).

Additionally, the US Communications Intelligence Board (USCIB) was created, solely for SIGINT coordination purposes. This offered a picture into constant challenges characterizing the scholarship and reports: ambiguous management authorities over collection functions and

turf challenges between the CIA and the departments for the ever-growing technological tools (Garthoff 22-25).

The Heated Debate Coinciding with Truman's decisions was a highly contested debate on the future place for IC in the emerging national security structure. John Tidd characterized both sides of the argument: the "centralizers" versus the "departmentalizers". The "centralizers" were arguing for institutionalized DCI authority, expanding upon the nascent central orgs coordinating capabilities. This camp tended to cite Pearl Harbor as an example; they believed the aforementioned deficiencies during the attack could be best overcome through expanded CIA and DCI authority and better civilian-military coordination (Stuart 295; Tidd; "Appendix A"). In addition, these features were necessary to dampen bureaucratic limitations. The DCI also needed to be capable of producing truly independent analysis while limiting their affinity towards their own organization's views. Additionally, "centralizers" cited the aforementioned strategy factor in opposing the Soviet Union (according to Goodman, Pearl Harbor would not have been enough of a justification on its own for the new structure) (Goodman 4; Tidd).

The "departmentalizers" were wary of the bureaucratic and functional limitations that would come with a new managed structure, and saw their own entrenched patterns for the use of intelligence under threat. Amy Zegart, the most often-cited voice on the inherent flaws in the community, traceable to the Act in 1947, noted that "the War and Navy departments, the intelligence bureaucracy, and Congress were all too busy guarding their own interests to worry about national ones," increasing the likelihood of a vague compromise (Zegart "Flawed" 57). The most notable feature of these debates is their prescience, the civilian-military battles, the level of centralization, and DCI management capabilities have remained constant issues throughout reform history.

The Signing of the National Security Act and Lasting Implications

In ultimately concluding the debates, Warner and McDonald cite three key decisions Truman made that have defined the community. The first was that a coordinator of information, “synthesizing departmental intelligence at the national and strategic level” was necessary, which could have helped overcome Stuart’s just mentioned Pearl Harbor IC limitations. Truman’s second decision was to find a leader and home for the clandestine operational capabilities built during the course of the war, ultimately resulting in the DCI directing a substantial portion of the community’s espionage and covert action, taking the “uncovered funds” one-step further. His third key decision was to allow the departmental intelligence agencies to remain as such, and structure the community as a loose confederation of agencies with no overarching direction from either civilian or military (Warner and McDonald 3-5). Chapter Five will illuminate their lasting impact on today’s conversation.

The First CIA Truman found himself somewhere in-between the “centralizer”- “departmentalizer” debate. The act proved to be a compromise, with the central agency and DCI as direct link to the president capable of coordination, but a continued prominence of defense intelligence, vague statute to support mandated responsibilities and no codified “line” authority between the civilian central office and military departments (Best “From DCI to DNI”).

Melanie Gutjahr described well the relatively vague set of CIA capabilities outlined under the National Security Act:

Coordinating government intelligence activities, advising the NSC on intelligence matters, evaluating and distributing intelligence information, performing services of “common concern” in the intelligence field as determined by the NSC, and “such other functions and duties related to intelligence affecting the national security” as defined by the NSC. (Gutjahr 21).

All of these did not veer far from the original mandate of the COI, but added the important components of oversight of the community and the operational capabilities. The CIA would be an independent, central agency and as such not part of a policy department (Gutjahr 21).

In outlining the CIA in this fashion, it made clear that the CIA was the DCI's tool for carrying out its coordination capability, a contrast with the pre-National Security Act DCI whose primary tool was his own office. This may have created an organizational bias and responsibility for the DCI, especially with CIA operational and analytical capability (Garthoff 22). The DCI was not given a seat on the National Security Council, keeping it as an advisory rather than decision-making body (Tidd).

The Structure in Place after 1947 “At the end of 1947, the IC consisted of the CIA, FBI, State Department Office of Intelligence Research, Army and Naval Intelligence Offices, the Directorate of Intelligence, and the military signals intelligence offices” (Stuart 294).

Of national intelligence agencies, only the CIA, and later the NGA (created in 1996) existed by law, leaving the other intelligence agencies at the whim of Congress, the DCI and presidents for reform and for the creation of new agencies (Gutjahr27). As mentioned already, the Act left intentionally vague quite a few areas, not just as a compromise, but also to give agencies freedom to operate.

One of the primary controversies in intelligence resulting from the Act of 1947 was the reduction of the State Department's role in the community. Prior to this, the State Department had essentially functioned as the head of foreign policy decision making in the United States, but this Act may have replaced its policy-shaping role with the NME, the NSC and the CIA throughout the Cold War (Stuart 297). Truman initially wanted the old OSS officers and their

responsibilities moved into state department, giving state clandestine responsibilities. He then later wanted the small central agency he was proposing placed within the State Department as well. However, state declined, as they were worried about cuts from their existing activities and a culture shift from swallowing the old OSS employees into the organization. They also had little interest in leading the clandestine activities (Stuart 297-310; Tidd). They may not have foreseen the negative effects of these choices on State's influence in intelligence and possibly even policy as well.

Vague Outline for Domestic Intelligence The FBI began intense domestic operations between both World Wars, as just noted. Guy Oakes saw this taken a step further following the Act; Harry Truman started "a moral crusade representing an unprecedented invasion of Americans' private lives" (379). The debate on the merit and necessity of such domestic functions will be elaborated on much more extensively moving forward, but what is clear is that the National Security Act, intentionally or otherwise, did little to clarify the issue.

The role and future of domestic intelligence was not explicitly laid out. Truman's single biggest fear in instituting the Act was creating a police state, or what he coined an "intelligence gestapo" (Gutjahr 25-26). The law was explicit that the "the agency [CIA] shall have no police, subpoena, law enforcement powers or internal security functions," so they themselves would not be the one's prosecuting any potential opponents. In addition, the Act "insisted on limiting the CIA's access to FBI files only if written notice was given first" and only if access was "essential to national security" (Gutjahr 21). However, these statements would appear a direct contradiction to CIA mandates in "coordinating those phases of domestic intelligence and counter-intelligence which relate to the national security," as well as the early military IC organizations' history of domestic counterintelligence. In addition, the NSC had the capability to

order CIA operations for necessary national security purposes. At times, this could mean operations at home, depending upon their interpretation (Stuart 299; Tidd; Warner and McDonald 11).

Conclusion

While the structure laid out in the National Security Act is criticized by numerous scholars, this criticism is likely overblown. I do not think we can put the blame fully Harry Truman or the enactors for the lack of a fundamental reorganization since, or the path solidifying the Acts features took. Many of the Act's aims were commendable and were goals still sought today. The vague legislation left history and future leaders with the potential to shape the community, and perhaps this is where criticism deserves direction. Truman's three decisions prove influential components of the lasting debate, in addition to issues with morality and analytical product that can find some roots in the decisions of this era.

Chapter Two: Waging the Cold War, Intelligence Evolution

Although the Cold War defined nearly fifty years of world history, it was not marked with a major reorganization on par with the National Security Act or the IRTPA. However, within this study's vague definition, an array of substantive intelligence reform still occurred: early leadership solidifying the culture, methods and structure of the community, continual shifts in the shape and product for the CIA's analytical offices, the emergence of new organizations for collection purposes, growth in covert action and technical collection, and a newfound moral spotlight on the IC during the mid-70s. While Pearl Harbor may have been key to sparking the IC's creation, Mark Lowenthal calls the "Cold War the major defining factor in the development of most basic forms and practices of the U.S. Intelligence Community" (*Secrets* 13). Given the vague nature of the National Security Act highlighted in Chapter One, it was left to IC leaders and organizations, policymakers, prominent studies and (some) legislation to refine the IC. All of these parties were influenced by their operating context as they enacted reform — countering the Soviet threat (Stuart 303; Lowenthal *Secrets* 12-16).

Two prominent Cold War studies of intelligence are among the most impactful in history: the Dulles Report in 1949 and the Schlesinger Report in 1971 (Warner and McDonald iii-v). These studies, and perhaps the Church Committee report, proved an exception to reforms of this era however. Most Cold War intelligence reform I identify tended not to result from legislation or executive orders. Instead, it evolved out of perceived necessity as tool for fighting an "intelligence war" against the soviets, or as a result of the individual DCIs and presidents in power.

The crux of this war was deciphering soviet strategy and capability. Additionally, stopping the spread of communism coincided with this aim. Both goals benefited substantially from new clandestine and technological intelligence capabilities, and the growth in tech and covert action has since had important long-term ramifications for the community. Fear of each other's intelligence services became a crucial aspect of Cold War psychology between the U.S. and the Soviets, characterizing the threat-based approach to national security ever since the end of WWII (Treverton *Reshaping* 70-75; Herman; Lowenthal *Secrets* 13; Matthias 3-5).

Operating largely under their own accord, without demonstrative legislative oversight until a series of controversies in the early '70s, the community was able to undertake expansive covert action, espionage, and counterintelligence operations. However, by the mid-70s there was heightened scrutiny on the IC and the greater foreign policy apparatus, which after a wave of exposures changed the relationship between the public and its intelligence services. There was a series of bills and executive orders clarifying restrictions on intelligence, and more significantly, the first ever permanent House and Senate Intelligence Committees created following the controversy. Reagan did not take the "moral reform" much further, nor did his tenure offer a significant movement away from past patterns of IC structure and operation. He did so partly through his massive defense spending strategy to end the Cold War (Warner and McDonald 30).

Numerous scholars have cited a failure to adapt what they call "Cold War solutions" (Pillar "Intelligent Design") to post-Cold War problems, failing to recognize the "Perils of Globalization" (Aldrich; Zegart "Empirical"). The implications of the IC left intact at the Cold War's finish on the post-Cold War environment are discussed more in-depth in Chapter Three.

Solidifying the Features Laid out in 1947

The Dulles Report In contributing to significant changes early in the IC's lifespan, the Dulles Report² demonstrated a notable trend that appears to varying degrees throughout this study. Reports with more political sponsorship or incentives for enactment, public interest in the IC from a failure or prominent investigation, coinciding with other studies, or a president desiring change, became real opportunities to enact reform (Warner and McDonald V; 41-43; Johnson "Shocks"; Zegart "Domestic"). Allen Dulles' work was sponsored by the National Security Council, coincided with accusations of poor intelligence during the Korean War, and was created just before the ascendance of the first DCI (Walter Bedell Smith) to "use the DCI's latent authority to lead the intelligence establishment," all in addition to Presidents Truman and Eisenhower taking an interest in intelligence (Warner and McDonald 12-13). Furthermore, the commission's writers later held prominent positions in IC leadership. William Jackson was deputy DCI under Smith, and Allen Dulles was Smith's deputy director of operations, before he too served as DCI during crucial years in the formation of the modern IC (1953-61). Finally, the report followed another notable evaluation of the community a year earlier, the Eberstadt Commission (First Hoover Report).

Eberstadt had not called for a fundamental reorganization, but was critical of the emigration of talented intelligence personnel after WWII, and the quality of training programs and interdepartmental practices. He also found a lack of strong cooperation, citing a need for centralization (Best "Proposals 4; Warner and McDonald 7). The Dulles report took these

² The full title of the report is Allen W. Dulles, William H. Jackson, and Mathias F. Correa, Report to the National Security Council on the Central Intelligence Agency and National Organization of Intelligence (Garthoff 17)

accusations a step further, and under the tenure of Smith and then Allen Dulles, the IC began to look more and more like the structure we know today.

The report was highly critical of the CIA's capabilities: it was just another layer or difficulty in intelligence production, with too many duplicate functions of other agencies (Warner and McDonald 9-11). Additionally, departmental intelligence weaknesses, personified by a lack of professionalism and expertise in the armed services and FBI (similar to Eberstadt), and a lack of CIA capability to coordinate them better, were key report critiques. This was addressed under Smith, where the formerly "disparate agencies" first began to mirror the "community" we know today, with increasing DCI/CIA supervision and coordination of the community. These measures were carried out largely through DCI-IAC³ collaboration (Warner and McDonald 11-13; Garthoff 17-21). Warner and McDonald note that during the Smith and Dulles years the CIA was transformed into a more internally stable organization with a greater foothold over the IC (iii).

The DCI and the CIA gained operational control as well, with heightened power over expanding clandestine operations (which Dulles was a fan of), at the expense of DOS and JCS capability (Warner and McDonald iii). The committee made a significant definitional clarification reinforcing this feature; intelligence included both operations and analysis, leaving the CIA to coordinate (and carry out) both (Warner and McDonald 11).

New Analytical Offices, CIA and other All-Source Functions CIA analytical capability had been previously demonstrated through its national intelligence products, but Walter Smith refined them and put new structures in place. The Office of Current intelligence (OCI) was

³ IAC is discussed in Chapter One, in the "Pre-National Security Act" Section

created in 1951 to “produce intelligence on fast-moving events,” serving almost like an intelligence AP service (Goodman 14). It gained control over the precursor to the President’s Daily Brief (PDB), admired by Kennedy, and is now arguably the IC’s most important product (15). There was also reordering of the longer-term National Intelligence Estimates, whose prior quality the Dulles report critiqued (Warner and McDonald 9-11; Best “Proposals” 7-8). Under DCI Smith, the Office of National Estimates (ONE) was created to better assimilate the community’s products and provide its own analysis to the president and community, with a Board of National Estimates serving as its “upper tier” (Best “Proposals” 7; Goodman 16).

Garthoff called ONE the DCI’s new source for “*substantive*” as opposed to mandated leadership over the national product (Garthoff 43). These creations may have complicated the balance between providing the CIA/DCI’s “correlation” (Garthoff 22) of the entire community’s analysis (in part giving purpose to analytical services in other departments besides “stove piping” their work to department heads) and merely producing their own analysis — a potential source of both politicization and challenges to the DCI’s full management capability. The Dulles Report cited the increased demands an expanding Soviet Union and changing threat environment placed on the IC as needs for better-coordinated national intelligence (Warner and McDonald 10). The CIA appeared to use their own analytical capabilities for the national product more and more over time (Garthoff 19).

In addition to the new CIA offices, all-source analytical agencies were created across departments. In 1961 Secretary of Defense Robert McNamara created the Defense Intelligence Agency (DIA) to “consolidate and to coordinate the production of intelligence analysis by each of the military services and to serve as the principal source of intelligence support to the Secretary and his staff, as well as to the Joint Chiefs of Staff and the unified commands.” In

1957, the State Departments research elements were consolidated into the Bureau of Intelligence and Research (INR) (“Appendix A”). Smith had formed the CIA's Directorate of Intelligence (DI) in 1952 to “manage that agency's increasingly diverse set of analytic missions,” supplementing the aforementioned ONE, BNE, and OCI (Tidd). These all-source agencies compounded upon the just-mentioned challenges in DCI “correlation” capability, as well as enhancing individual agencies access to multidisciplinary analysis (and whereby decreasing their needs from other departments).

Efforts for Centralization President Dwight D. Eisenhower (1953-1961), under both DCI Dulles and succeeding DCI John McCone, consolidated structures to promote interagency coordination and executive evaluation ⁴(Garthoff 33-36; 41-48). Eisenhower created the President’s Board of Consultants on Foreign Intelligence Activities (PBCFIA), which served as an executive source for evaluation and monitoring of the community’s work, as well as an avenue for influence from president to DCI (Garthoff 33). Similar structures have existed since, lying in the president’s office, as direct support functions to the DCI, or elements of the National Security Council. This organization became the President’s Foreign Intelligence Advisory Board (PFIAB) in 1961. It has been reincarnated under different names with minor personnel tweaks depending upon individual DCIs and presidents (Best “Proposals” 11-12; Garthoff).

In addition to Eisenhower’s “outside intelligence consultants” (Garthoff 42), Eisenhower also explicitly declared requirements for increased DCI community management under National Security Council Intelligence Directive (NSCID)-1, providing a more stringent sentiment than that of the Act of 1947(Garthoff 35). His organizational tool for implementation was a

⁴ Dulles at times wavered in his efforts to institute centralization, needing a push from Eisenhower, while McCone was more of a “centralizer,” instituting these types of efforts on his own.

combination of the former IAC and the USCIB under a new U.S. Intelligence Board (USIB), directly serving the National Security Council. This board would vet the final NIEs (Goodman 18). This new institutional framework left stronger required cooperation between the DCI and the heads of other agencies than the former IAC arrangement. The board jointly presided over numerous committees coordinating intelligence issues. Douglas Garthoff called it an almost “co-leadership” (36) between the DCI and Secretary of Defense over the community (33-37). For the first time, this USIB had combined both collection and other coordination functions under central management when it abolished the USCIB.

Finally, under DCI McCone efforts were instituted for mandated community resource management. McCone began reviewing DOD budgets in 1963, citing a presidential memorandum from Kennedy for increased central control following the Bay of Pigs catastrophe (Garthoff 43). He first brought USIB’s implementation staff into his own office, and then created the National Intelligence Program Management Evaluation Staff, with its head as a “deputy to the DCI”. This later became the IC staff in 1972 (Garthoff 71). Like the just-discussed instrument for analysis, the DCI now had an institutional tool for management and coordination of the entire community through resource control (Garthoff 43-44). Interestingly, under DCI Colby, budgetary management over tactical military operations intelligence was separated, characterizing the battles between DOD and DCI that still take place (Garthoff 95-98).

Dulles’ Role in Expanded Covert Action In addition to these efforts for increased central control, perhaps even more significant was Dulles’ affinity for covert action, providing a tool in the president’s Cold War strategy. Thomas Powers described Dulles tenure as a ruthless effort to undermine the Soviets at all cost, “It is doubtful any other intelligence service has ever plunged more deeply into the political affairs of sovereign neighbors, punished enemies more vigorously,

paid friends more lavishly, financed secret armies on a bigger scale, [or] given national leaders a greater range of secret political and military weapons than the CIA as it was invented during the Dulles years” (56-57). Without debating the merit of these tactics, Dulles’ tenure early in the life of the CIA set the stage for the prominence of covert action and clandestine operations throughout the Cold War.

Expanded Collection and Covert Action

Intelligence proposals and studies after the Dulles Report marked a shift from the efficiency issues that had dominated earlier ones toward recommendations that “sought aggressively to enhance U.S. Covert action” (Best “Proposals”). At the same time, the Intelligence budget more or less ballooned under this new context, where “cost issues rarely surfaced” (Lowenthal “Secrets 70), and the CIA was able to “exploit the agency’s vague mandate to significantly enhance the agency’s size, budget, and missions, particularly in the area of covert activity” (Stuart 300)⁵.

The expanded capability and increased budgets did not shift the course of tactics for waging the Cold War. William Nolte highlights the effects this context produced for the community:

In the second half of the twentieth century, American intelligence became—perhaps more than at any time in history—an establishment relying on secret intelligence. Many of these secrets were acquired through use of technical sources and methods that notably could be considered unique to the secret intelligence community but also were known solely by the United States Government (“Ongoing” 11)

To institutionalize these capabilities, the first permanent covert action agency was created and housed within the CIA: the Office of Special Projects (OSP) in order to “counter the vicious activities of the USSR”. OSP eventually evolved into the CIA’s Directorate of Operations (DO),

⁵ According to former DCI Robert Gates, the Soviet Union took up at least half of the intelligence budget until its collapse (Lowenthal *Secrets* 13).

later called the National Clandestine Service, today's national authority on clandestine operations (Goodman 8; Tidd). Perceived success in unseating Mohammed Mossadegh in Iran and Jacob Arbenz in 1953 encouraged Eisenhower for more covert action operations in Latin America, Southeast Asia, Africa, and Europe, and future attempts like the Bay of Pigs or Iran-Contra demonstrated their continued value (Tidd; Goodman 6). It is important to remember the link between executive and CIA in this context, as presidents are ultimately the ones who order its use.

In retrospect, it may be possible to argue that growth in Covert Action has had some negative ramifications for U.S. foreign policy or at the very least set a precedent for similar actions by other governments. This debate will be highlighted more extensively in Chapter Five. However, as noted in the introduction to this chapter, the Cold War provided an environment of unprecedented fear. Public interest largely supported harsh anti-Soviet rhetoric, and historical context again proved crucial to the IC's evolution (Powers 224; Johnson 201; Montgomery; Herman).

New Structures The expanded budget and TECHINT needs influenced the creation of a series of new structures for collection purposes. According to Odom, "during the '50s and '60s substantial organizational attention was devoted to soliciting intelligence collection requirements of the whole government, tasking out them, and meeting them," and new structures could do just that (53-54). The National Security Agency was created in 1952 because of the need for a single entity to be responsible for the signals intelligence mission ("Appendix A"). The National Reconnaissance office (NRO) was created in 1960 (not made public until 1992) to handle the newfound shift to satellites, even with military opposition to its creation. Satellites had become necessary due to soviet capabilities to shoot down planes (Odom 53; Tidd). By the 1970's,

satellites were collecting both signals and imagery intelligence (Tidd). In 1961, the National Photographic Interpretation Center was created to assist in sifting through and analyzing the massive amounts of images now available to the IC, which served critical during the Cuban Missile crisis, the public's firsthand introduction to the formerly secret world of intelligence (Goodman 21; Powers IX).

The satellite and spy plane debates demonstrated two features debated since: First, there were civilian-military battles between the CIA and air force; CIA pushed for the use of U-2s while air force desired the use of their own spy planes. Similar turf wars were waged over the satellites. Furthermore, the wars were directly CIA to DOD, as these agencies would not be competing with diplomats or HUMINT for intelligence in these areas crucial to deciphering soviet strategy (Treverton *Reshaping* 72-78). The NRO was created partly to solve these issues. Additionally, these early needs for TECHINT showed signs of a future IC debate, the role of outsourcing. The CIA paid 22 million to Lockheed for its version of the U-2 (74).

The growth in collection fit three trends of intelligence reform that will be discussed throughout: one, a tendency for successfully achieved reforms to address collection rather than reorganization or analytical approaches (Olcott 2), two, the eventual evolution of these agencies into structures which retained a large military influence, and three, the emphasis on data-driven rather than individual-driven intelligence (Johnson *Secret Agencies* 200-201)

Domestic Intelligence Lastly, the FBI had expanded their domestic operations, the trend started prior to WWII under J. Edgar Hoover. "In the 1960s and early 1970s, the FBI acquired greater institutional autonomy over its COINTELPRO (domestic counterintelligence program) operations directed against the Ku Klux Klan, civil rights groups, and antiwar activists" (Stuart

300); at the same time, the CIA carried out some domestic operations as demonstrated by numerous operations exposed at home (more on that later).

A Turning Point in Reform History: Public and Congressional Scrutiny

Piggybacking off this analysis of domestic intelligence, a key turning point in IC reform history would come in the mid-70s: the creation of the “modern intelligence oversight system,” resulting from investigations of IC practices at home and abroad (Lowenthal *Secrets* 211). These shifts precluded a wave of public criticism of the federal government. David Hunter wrote in 1978, from 1965-75, “a negative attitude of intelligence [was] unquestionably the dominant one,” (and notes that it may have benefited the community as a whole) (“Evolution of Intelligence Literature”). Within this timeframe, the historic Schlesinger Report offered multiple outlines for community improvement in a prominent study. The details of the Schlesinger report are discussed in detail due to their continued relevance today, and the story of the IC oversight is equally as detailed because it marked a major turning point in reform history.

The Schlesinger Report James Schlesinger authored a report whose recommendations have been cited repeatedly since. Richard Nixon ordered an examination of the community due to his frustrations with perceived IC pessimism, secrecy, and the accused failure to predict the coup in Cambodia. In 1971, James Schlesinger led a survey of the intelligence community as the Assistant Director of the White House Office of Management of the Budget⁶ (Warner and McDonald 22). This report was the first major study to suggest a Director of National Intelligence (Warner and McDonald iii), and resulted in substantial measurable changes:

⁶ Afterward, he served briefly as DCI before becoming Secretary of Defense, again demonstrating the value of sponsorship.

Creation of a staff [aforementioned IC staff] to help the DCI manage community affairs, the appointment of an assistant secretary of defense for intelligence [which took various forms and had varying levels of influence moving forward], and the merger of the armed forces cryptologic organizations into a central security service under NSA. Every DCI since has been expected to oversee intel community budgets, to establish intel requirements and priorities and to ensure the qualities of his projects [essentially a move towards codifying these already-existing expectations] (Warner and McDonald v)

The report centered on the lack of “commensurable improvement” in the analytic product to coincide with the massive expanses of the intelligence budget and bureaucracy (Warner and McDonald 21). Hastedt described it as the “linkage between increasing cost, burgeoning technology, information overload, and unsatisfactory analytic product that lies at the heart of the Schlesinger Report’s analysis of the state of the US,” a linkage arguably still criticized today (“Schlesinger” 427). Additionally, DCI Schlesinger prompted the creation of the CIA’s Center for the Study of Intelligence to “think through the functions of intelligence and bring the best intellects available to bear on intelligence problems,” offering lessons learned and stimulating debate on intelligence⁷. I will suggest similar efforts moving forward in Chapter Six.

Full implementation of Schlesinger’s Report was limited, (Hastedt “Schlesinger 424), in part due to Nixon’s resignation that mirrored wave of domestic controversies in this era (Warner and McDonald 22). When Schlesinger’s report was released, domestic outcry and increased foreign policy scrutiny was already evident over the surge of troops in Vietnam. The Watergate Scandal would take this lack of trust a step further. Even with the accused CIA involvement in the scandal however, the ramifications still fell largely on Richard Nixon; the act resulted in only a “modest effort to probe CIA involvement in Watergate⁸” (Johnson “Shocks 5). However, “the confluence” of these domestic controversies with allegations of CIA operations on home turf

⁷ Every Study produced by the Center has a primer in its introductory pages explaining the Center’s creation and goal, multiple were referenced in this thesis, Warner and McDonalds “Studies” is one example.

⁸ As demonstrated by Loch Johnson’s measures of the direct implications of intelligence shocks throughout IC history (“Shocks” 5).

would change the nature of IC scrutiny tremendously (Stuart 303). There appeared to be an opportunity for reform, it was up to the executive, IC leadership and Congress to determine to what extent it would be taken advantage of.

Media “Chaos” on Intelligence Seymour Hersh’s *New York Times* article in 1974 set off a firestorm of IC criticism and evaluation. It exposed a domestic operation codenamed CHAOS that consolidated past CIA domestic initiatives under Richard Nixon, with the aim of discovering the national security threat of the “new left.” It attempted to link student groups, anti-war activists and the civil rights movement to communist subversion. Hersh’s headlines took up five columns of the *New York Times* front page, demonstrating the article’s significance (Hardy 1; Theoharris 184-185).

The “floodgates” were open. A *Times* series, writings by authors like Hersh and John Marks, and a wave of government-led investigations led to unprecedented revelations of IC activities: the aforementioned domestic spying and electronic surveillance, drug testing on American citizens, and even mail tampering. In response, there was the executive-ordered Rockefeller Committee headed by Vice President Nelson Rockefeller, a House Committee chaired by Representative Otis Pike, and a Senate investigative committee chaired by Senator Frank Church. Each report took the level of exposure and comfort with which they discussed intelligence structure and activities a step further. All of this occurred in the wake of three lesser-known reports that avoided the investigative approach and instead dealt with IC practice and structure. These reports coincided with executive efforts and internal IC discussion of the best path forward for the pending (or inevitable) executive and legislative response to the scrutiny. They included the Murphy Commission, Taylor Report and Oligive Report (Best “Proposals 19-

21; Warner and McDonald 25-27; Hardy 2-7⁹). The Church Report, the most influential of the bunch, presented recommendations as a “confluence of these other studies (Warner and McDonald 29).

Among the investigative studies, the Church Committee had the biggest impact. It took less of an “adversarial” approach than the other investigations and was able to garner both bipartisan agreement and executive support for a public release (Warner and McDonald 29-30). Its central aims were arguably revelatory, serving as a government response to the media and public investigations, openly discussing operation codenames and organizations unlike any report before (Hardy 2-4). Warner and McDonald called the study “the most public appraisal of any nation’s intelligence service (29) The committee supported charter legislation codifying the community’s features to the public and even debated a full release of the intelligence budget (which would not take place) (Best 23-24; 26-27). Additionally, the report painted an extensive narrative of covert action, clandestine activities like counterintelligence and espionage, and domestic collection, all the while maintaining that its use at times remained necessary in the context of “extraordinary threats” (Warner and McDonald 29).

In Timothy Hardy’s insider account of the mid-70s, two potential motivations for the Church committee’s relative unanimity and public unveiling of IC actions are discussed : first, “retellings had their purpose,” helping to maintain an impetus for reform, (2) secondly, “convincing the public of the merit of its [IC] actions could not be achieved by the agency itself” (4). A truly informed public debate on such issues is challenging, and as this paper shows, is

⁹ Timothy Hardy’s background put him right in the midst of these events, he served as an investigator (Rockefeller Commission), a staff assistant to the decision-making process while working in white house, and an implementer while serving on its intelligence oversight board (1). As a result, avoiding his conjectures that seem more like opinion here

largely rooted in the past, so issues likely had to be presented to garner public support or interest for change (3).

Legislative Response and New IC Relations with the Public Arguably the most significant response to these controversies was the creation of permanent Senate and House intelligence committees. In Loch Johnson's study of intelligence "shocks" (i.e. crises inviting public scrutiny of the IC) "Washington officials [had] embraced several key initiatives related to intelligence accountability during the time span from 1975 to 2012, though relatively few before 1975" (6). While these forces will not be shown as completely revolutionary, they offered a previously unheard of level of accountability for the community to Congress, (Hardy calls it the possibility of increased access to checks and balances that characterize the rest of the structure {3}). In addition, they offered means for authorization and appropriation over intelligence budgets, and at times, to help push the executive for change.

Of possibly equal significance as the House and Senate permanent committees was the new relationship between the public and the IC. They now had an unprecedented amount of information on the IC's structure and operations, even the IC's organizational charts were fully classified beforehand (Hardy 2-3). Hardy notes that these structures might even be new to a career intelligence officer who had never had the view from the top (3). Today, we may take for granted that the community's structure and functions (albeit without whatever agencies we are not aware of) is a Google search away in this new "age of information" (Treverton *Reshaping*)

In addition to its central focus of investigative/public awareness, it also offered a wave of recommendations, culminating the wave of reports suggestions and working in lieu of the context of Schlesinger's study: increased DCI authority, addressing analysis' quality, placing

DIA in Secretary of Defense's civilian office, and improving state's overt political and economic info gathering, among others. The limited implementation of the legislative proposals came with three executive orders under Presidents Ford, Carter and Reagan (Warner and McDonald 29-30; Best 23-24; 26-27). The report made a suggestion I will later endorse, giving the General Accounting Office (GAO), audit authority at the whim of the Congressional Committees (Best 23).

Three acts characterized the "moral reform" response: the Hughes – Ryan report in 1974, the Foreign Intelligence Surveillance Act (FISA) in 1978 and the Oversight Act of 1980. The Hughes-Ryan report was issued prior to the reports of 1975, but dealt with increased congressional scrutiny of covert action, requiring for the first time that the CIA and president report to the proper congressional committees any proposed covert action ("Appendix A"). Under Carter, congress passed the Foreign Intelligence Surveillance Act(FISA) of 1978, "providing for a special court order procedure to authorize electronic surveillance for intelligence purposes, activities that had previously been conducted based upon a claim of constitutional authority of the president" ("Appendix A"). Significantly, it did not eliminate the possibility of its use, instead putting responsibilities in the Attorney general and a series of district judges for approval of individual domestic actions for "national intelligence"(Hardy 9; FISA sec 101-107) The Intelligence Oversight Act of 1980 streamlined and codified the Hughes-Ryan report within the context of new permanent committees. Ground rules were established for reporting intelligence activities, in return for the requirements solely being applied to the House and Senate committees ("Appendix A").

Changing Analysis In the midst of the controversies and their fallout, a major shift in the CIA's approach to analysis and the use of National Intelligence Estimates took place in the '70s.

Previously, according to Melvin Goodman, who worked within the ONE, analysis centers had been divided among political, estimative, economic and historical lines up until 1973 (Goodman 18-23) But there was a shift toward multidiscipline issue or regionally-based centers with the creation of the National Intelligence Council (Goodman states under Schlesinger in 73 {19}). The NIC directed a team of National Intelligence Officers, which became the leading authority's in drafting their respective NIEs , organized under regional and issue-based lines. The long-term implications of this turning point are elaborated on more in the current context in chapters four and five.

Executive Response to the Controversy Executive Order 11905, issued under president Gerald Ford, laid the groundwork for the features solidified under series of executive orders. In Hardy's firsthand account, he described an informal agreement — the only reorganization effects of these efforts would deal with the management structures rather than reorganizing below (Hardy 10-11).

President Ford's E.O. 11095 reorganized the central management and executive oversight structures supporting the DCI and linking him to the president and NSC. Perhaps most significantly, in creating the new structures and abolishing some of the old, it moved the authority and statute of the main coordination/managerial organization (USIB) from statutory codification under the NSC into the authority of future DCIs (which would leave for wavering attempts and interest in such efforts moving forward depending upon individuals)¹⁰. Under the new executive order, the full NSC was to conduct a semi-annual review of intelligence, and a Committee on Foreign intelligence was created with the DCI, Deputy National Security Advisor,

¹⁰ Douglas Garthoff notes that "Now, the president simply said the DCI could form whatever board he felt he needed for advice on community matters ranging from estimates to resource or policy issues" (116).

and Deputy Secretary of Defense as its members. The CFI was supposed to manage National Foreign Intelligence Program, with the recently created IC staff (Formerly Program Management Staff) as its support office (Garthoff 115-116). The CFI left out former USIB elements like State without as much resources in the community, reinforcing the trend I highlighted in the National Security Act and Cold War (Hardy 12). It also complicated the collection function, the former USIB (see “Solidifying”) collection committees were largely placed within the IC staff, a controversial maneuver (Garthoff 116). In addition, new Intelligence Oversight board (IOB), was created as a form of executive monitoring of IC actions morality, again in lieu of the “outside evaluator” model (116; Hardy 12-13). Notably, a board for “substance” issues still existed, the NFIB, but was now a part of CIA’s office. A White House press release called this “the first major reorganization of the Intelligence Community since 1947” (117).

While these maneuvers could be seen as a big step towards solidifying the centralization functions outlined by Schlesinger, especially given the increase in DCI capability through their new offices, I think these organizations fit the mold of others already cited in the first section (more on this in Chapter Five). Furthermore, the future DCI responsibility over shaping these organizations limited their lasting appeal.

While both Executive Order 12036 (President Carter) and Executive Order 12333 (President Reagan) nominally increased DCI management authority, implementation would prove a challenge as we have repeatedly seen already. DCI Admiral Stanfield Turner believed that resource management, collection, and analysis categorized the IC’s key components, and sought a “vice president” in each one, which gained approval under Carter (Garthoff 137-138). But in desiring more centralization, he actually may have reduced his capabilities with these deputies, and his approach did not last. A consistent problem, how to manage the collection

functions provided to be a part of its undoing, with crossing in boundaries between the collection tasking and resource management leaders (137-143 Garthoff).

Ronald Reagan's Presidency

According to Richard Best Jr., President Reagan's 1981 Executive Order 12333 instituted efforts to codify further DCI authority and increase his NFIP control, and has remained "governing executive branch mandate concerning the managerial structure of the community" (Best 27-28; 27). However, Warner and McDonald found that in general, Reagan's order generally weakened the centralization efforts of the orders before his (31), and Theoharris piggy-backs on this assertion (223). Following the repeat executive efforts, the DCI still lacked clear statutory authority, reinforcing the importance of individual DCI-executive relations (Best 29). By the end, all of these orders had maintained a restriction on assassination and discussed changing natures of oversight for implementing covert action, although Reagan moved the discussion from one of "restrictions" to authorization (Best "Proposals" 28).

According to Warner and McDonald, the Reagan era was a gap for intelligence reform, with no major studies or proposals. There was a massive expansion of defense spending as a part of Reagan's Cold War final strategy, and so that previous emphasis on the "linkages" and resource efficiency was diminished (Warner and McDonald 31-33). Additionally, in lieu of this expanded spending, a Republican Party approach had accused Democrats of impairing IC efficiency and underestimating Soviet Military Strength, giving him a motivation for this IC expansion as well. The platform promised increase collection and improved counterintelligence, and Theoharris said Reagan wanted to "unleash" the agencies ("Appendix A"; *Absolute Security* 223).

Four other features of Reagan's presidency warrant mention. Firstly, Reagan's continued affinity for covert action was illustrated by the controversial Iran-Contra Affair in 1986 as well as CIA activities in Central America (Odom 2), demonstrating a contrast with heightened limitations in the 70s. Secondly, Theoharris demonstrated Reagan's term as some of the early steps toward "reaffirmation of the national security state" following the moral controversies, as he found ways to supercede imposed domestic restrictions and increase CIA and FBI operations at home again. One tactic was the continued vague mandates both from E.O. 12333 and the DOJ responses (223-229). Loch Johnson described ambivalent use of the new structures for legislative oversight "Beyond an intelligence accountability, research on legislative oversight across the policy board revealed a decline in oversight activities on Capitol Hill during the early 1980s, and the episodic nature of its practice since then" ("Shocks"). Finally, the CIA established a Counterterrorism Center in 1986, placed within the CIA's DO, and it was from the outset the most integrated unit of its kind (Garthoff 243). Whether it was intended as a tool to oppose feared Soviet expansion or a legitimate recognition of the threat of terrorism, it is an important counter to the IC's perceived failure to recognize that threat.

Additionally, the Goldwater-Nichols Act in 1986 marked a historic moment for the DOD. The reorganization, centered on unification of the community, had implications on intelligence in two ways that will be highlighted in the coming chapters. For one, the increased policy influence of the combatant commanders would rear its head in the 90s through their evolution into joint intelligence centers, with intelligence's use in warfare abroad. In addition, the joint tours model has been cited sense as an option for the community, and calls for similar unification efforts since abound. Combined with the military prominence demonstrated under Reagan, these

features appeared as likely preconditions to continued prevalence of military intelligence in resources and IC direction.

Overall, I believe this chapter has demonstrated value to Lowenthal's assertion that the Cold War largely defined the community's practice and methodologies. From collection to covert action to defense's growing influence, numerous features evolved almost naturally as they waged the war. The controversies in the mid-70s have proved a historic moment in public-IC and legislative-IC relations, even if they did not fundamentally change the community. The importance of Reagan's shifts in IC priorities will be visible in the next chapter on the relatively stagnant 90s.

Chapter Three: The 90s and the 9/11 Catastrophe: A Failure to Adapt?

“The performance intelligence agencies was far from perfect, but in a time of shrinking budgets and policymaker disinterest, they made significant changes to cope with terrorism” (Rovner and Long “How Intelligent”).

“Ours are the only services that are truly global or need to be” Former DCI, Director NSA and Deputy DNI Michael Hayden

The IC is sometimes accused of a failure to adapt to the post-Cold War world, only adding to the critiques of the structure as one that was flawed from the start (Zegart “flawed”; Gutjahr) Russell Travers, former National Counterterrorism Center (NCTC) Deputy Director¹¹ demonstrates that this failure is a greater problem characterizing the entire foreign policy structure. The national security apparatus is yet to emerge from “geopolitical confusion” after the dismantling of the Soviet Union; “While trite, it is true that we don’t yet have our George Kennan article for globalization” (Travers xiii).

Coinciding with these challenges were sharp budget cuts of the IC and lowered recruitment (Aldrich; Gutjahr 34-39), leaving the community with responsibility for internal change in an environment constricting their capability to do so. As will be highlighted at the end of this section, however, there were still a few noteworthy reforms, largely DCI led. In this chapter, I am not arguing that change did not take place, and I would find greater internal adaptations than critiques surmise. However, the point I hope to demonstrate is that IC reorganization and reform did not match the severity or drastic nature of changes taking place in

¹¹ NCTC was a product of the IRTPA, recommended by the JIC and 9/11 Commission

global affairs. As just noted, Reagan had not offered a major reorganization of the community either, but his administration was still operating in the Cold War frame.

Globalization, and resultant growth in transnational threats, proved central to the failure to adapt critiques. The resulting “information age” has defined a new relationship between the public and the IC, sharp increases in worldwide access to and the types of sources for information: the currency of intelligence, a changing nature of warfare, and increased capabilities for international cooperation and competition on intelligence (Nolte; Aldrich). Failure to adapt critiques are perhaps the harshest on the community’s ability to deal with Islamic terrorism, whose forces committed a wave of attacks around the globe in the ‘90s (and had done so under Reagan as well). According to Richard Aldrich, however, countering these new threats required tactics that would sit uneasily with “a climate of increased national and international regulation.” Conducting “lethal operations” proves an extreme example (141). Whether these criticisms are valid or not, the structure and functions in place on September 11, 2001 have since been highly scrutinized. This led to the only IC reorganization capable of rivaling the National Security Act in prominence and impact: the Intelligence Reform and Terrorism Prevention Act (IRTPA).

The “Peace Dividend”

Considering the interdependence between policy and the IC harped upon throughout the study, the IC’s structure, methodologies, and culture were a microcosm of the new direction for the entire foreign policy apparatus. This direction was characterized more by an ambivalent, issue-based short-term approach rather than a grand strategy, Gutjahr notes that in 1998, half of the crises that occurred were in what the CIA had constituted “low-priority areas” (39).

Richard Best notes that “some statutory changes were made in the mid-1990s, but their results were not far reaching”(“Proposals” summary), and Douglass Stuart notes that “when the

decade of the 1990s came to a close, the most striking characteristic of the national security bureaucracy was its similarity to the Cold War system”(306). Globalization and the wildly shifting international hierarchy left in its wake “staggering new international needs,” but the IC and policymakers struggled to discern and prioritize threats and strategies to address them (Odom 191).

DCI Richard Kerr, in a speech at Harvard in 1992, summarized the IC limitations brought on by ambivalent foreign policy: “[During the Cold War,] we had consensus,” “We argued how best to solve the problem, how to deal with the problem, but very seldom did we face the argument of ‘this is a phony threat.’” But in the Post-Cold War world, lacking a force capable of “jeopardizing this country’s very existence,” the IC and its consumers were left to pick and choose their own priorities and evaluate the biggest risks (Gutjahr 37; 38). This left the IC with evermore responsibility to institute reform internally, an arduous challenge when one considers inherent bureaucratic limitations and patterns defining the IC’s history (Immerman 159-160; Hastedt “Civic Education”).

The lack of large-scale change during the 90s can be explained by a few factors besides the aforementioned lack of national strategy. Firstly, some critics were questioning the necessity of intelligence in a post-Cold War world, especially with accusations of an IC failure to predict the Soviet demise (Warner and McDonald 33). As debates were taking place on the future of intelligence, the defense budget was also falling. After Reagan’s expansionary spending in his first term, defense expenditures had undergone a gradual reduction since 1986, with a “Base Force” recommendation of 25 percent cuts across the board. The IC budget in 1996 was 40 percent less than its peak during the Cold War. This coincided with the “Peace Dividend”: a refocus toward issues at home, and a general disinterest among U.S. citizens in crises abroad

(Gutjahr 35). Attention on the IC came most through controversies over domestic spying, the role of the CIA's Directorate of Operations, the leaders on Clandestine Acts, and the Aldrich Ames treason case, but the public was not really debating IC structure or direction (Treverton *Reshaping* 63-64).

Furthermore, "large agencies such as the CIA, DOD and the NSC had managed to resist fundamental changes to structure," as they were all "relatively well positioned to defend their turf at the end of the Cold War" (Stuart 304-306). The opportunistic nature of intelligence reform showed itself, there was no "'burning platform' forcing the mass and elite publics to demand such change," coinciding with the aforementioned "Peace Dividend" (Stuart 306). Finally, Jay Kramer highlighted the DCI's inability to effectively "set national priorities and shift these," whereby critiquing national intelligence — in large part due to the fact that he essentially worked three jobs, with a norm of lax management forming as a response. Managing the CIA at times took a precedent for DCIs (Kramer 461-462; Best "Statutory Authority" 1; "Proposals").

Militarization and Battlefield Intel.

Even with the "Peace Dividend" and challenges in garnering reform, there were still key cultural and methodological shifts in the community during this era. New diverse global challenges coincided with an expansion in the amount of intelligence consumers, but supporting the military remained particularly important (Tidd; Goodman 299). Warfare was changing, and demanding more support from intelligence in new ways.

The military shifts manifested in two areas. Firstly, the Gulf War illustrated the value of tactical intelligence support on the battlefield, and helped spur the "Revolution in Military Affairs (RMA)." New intelligence capabilities were creating a military structure emphasizing "joint operations" at the theater level, with evolving globally linked security networks, precision

weapons and micro processing support (Warner and McDonald 33). The recently minted combatant combaters now had joint intelligence centers at their disposal, shifting some intelligence functions formerly disposed to assisting Washington policymakers to a new priority, operational or theater-level intelligence (Warner and McDonald 33). Treverton called this the expansion of “info-warriors,” changing 21st century warfare that will require little from soldiers on the ground (not so much in the Iraq and Afghanistan cases). It was a shift from the Cold War’s military intelligence mission at a “national” level, opposing the Soviet Union, to the growth in battlefield or “tactical” support for info-warriors worldwide (Treverton *Reshaping* 63-64).

The second trend in military intelligence coincided with the greater foreign policy ambivalence: the lack of a uniform military strategy may have contributed to more ad-hoc, near-term approaches to the growing military intelligence functions (which also meant being prepared, especially technologically, for a wide array of threats rather than a specific strategy, a more costly and less efficient approach) (Travers XIV-XV; Rovner and Long “Perils”). Russell Travers took the implications of these trends one step further: a continual emphasis on technical collection, focused on reporting and counting, with the community operating more and more at the “data rather than knowledge end of spectrum” (Travers XIV-XV).

DOD’s requirements for technical intelligence assets also placed more demands on organizations like NSA and NRO, putting them higher on the defense infrastructures hierarchy in the community (Kramer 461). These trends culminated in the creation of the early form of the NGA in 1996: the National Imagery and Mapping Agency, solidifying the RMA and capability to bridge the battlefield, command centers and Washington. A prominent intelligence study in 1996, the Aspin-Brown commission, questioned if these new intelligence needs for the Pentagon

should be truly proving to be the “highest priorities for intelligence,” as President Clinton declared (Warner and McDonald 35).

IC Evolutions outside the Military

There were some notable cultural and methodological shifts besides those of the military as well. Although Reagan had reversed the trend briefly, since the controversy in the mid-70s IC personnel had been leaving, which was exacerbated by the “Peace Dividend.” In addition, it is easy to see how a career defined by one issue can be in flux after the Cold War ended. The flight away from the IC left a gap between the entry level and upper management professionals that still characterizes the community today, especially in the context of a hiring surge post-9/11. There can be battles between the old guard, more likely to be in a managerial position, with established turf and procedures, used to things operating one way, and the “55% of IC analysts with less than six years of experience as of 2007”(Immerman 165-166; Nolte 211-12).

Similarly, the community did not adapt in a cultural or linguistic sense to fit the challenges it would face. Especially concerning Islam and Arabic, something I think the community still reels from. The community requires extensive spending on contracting for language issues today (Gutjahr 131; Odom XIX). Lastly, by contrast with the great shifts in military and collection tech, the community did not adapt its own technology at home for practices like information sharing, analysis, or data management as rapidly as one might have expected, in part due to the growing budgetary constraints, especially visible with dated systems in the FBI (Gutjahr 118-126). There was not the “technological revolution” that would have proved valuable or even necessary during this era (Gutjahr 39). Both of these features are prominent aspects in today’s community improvement efforts.

During the 90s, government contracting evolved into a crucial feature of the community.. Prominent roles for contracting as an element of the bureaucracy began under Reagan's privatization, with the large expense in military spending, and became a common pattern under Clinton as the budgets for work inherent to government employees was cut (Shorrock 72-115). According to an unclassified presentation from Terri Everet, DNI senior procurement executive, "spending on government contracting had ballooned to 70 percent of the national intelligence budget by 2007" (Shorrock 18). Tim Shorrock, an investigative journalist¹², called this trend the formation of an intelligence-industrial complex with for-profit companies dominating the IC (12). Since 9/11, intermingling between private and government functions has reached a level where top-secret activities like interrogating terrorists can be carried out by private contractors (3-6; 12-18). The implications of this trend warrant an extensive study of its own, but in this one, it truly limits my capability for suggesting reform with so much of the community operating in the dark.

In addition to these cultural and methodological shifts, A few examples of attempts for structural changes in this era hold weight: first, DCI Robert Gates streamlined the former IC staff, an advisement and management office, as the new Community Management Staff in 1992, which gradually grew in size and influence afterward (CMS) (Garthoff 203-207; 298). Gates also did some collection reorganization, including creating the Central Imagery Office, later consolidated under NIMA, the public revealing of the NRO in 1992, as well as ending its organization by Army, CIA and Air force divisions, and his designation of the CIA's Deputy for

¹² I certainly understand the biases this bring, and try to avoid using his evaluation of contractors' merit. But the points he displays on trends in contracting are poignant, and not easy to find among the types of sources I used throughout the paper.

Directorate of Operations as the lead authority on HUMINT. He even created an “open source intelligence office” (Garthoff 207-212).

While these efforts had ambivalent implementation prospects, as characterized by Odom’s call for collection managers organized by INT in 2003, they may have opened important doors for civilian-military cooperation in collection through organizationally mandated lines (Garthoff 217: Odom *Fixing Intelligence*). But at the same time, Douglas Garthoff illustrates that this era’s DCI’s Gates, Woolsey and Deutch all “stressed community-wide approaches” while battling to keep its role protected by the white house and DOD in the face of budget declines (Garthoff 296-297). In addition, Woolsey and Clinton had a poor working relationship that did not last long.

Furthermore, under DCI John Deutch, “The first structured employee rotational program across the community, the Intelligence Community Assignment Program (ICAP) was approved” (Garthoff 239). These types of measures would be called for under IRTPA as well, and I will suggest more of these after in chapter six.

Implications of 1990s reforms

Ultimately, this era did not redefine the community. However, the shifts in militarization, demographics, contracting and the creation of the NGA still marked significant moments in IC reform; the community’s changes after 9/11 have had to fit within these frames for IC methods and operation. Internally, yes, there was a lack of a massive restructuring. Nevertheless, community staff and leadership arguably still recognized the evolving context, and attempted to adjust.

A series of studies, including the Boren-McCurdy Act, the Aspin-Brown Commission, and the Intelligence Community in the 21st century study all offered pathways for the community to fit in the changing environment, and suggestions that have proved prescient in today's reforms. In terms of immediate impact, these studies helped demonstrate the need for intelligence in the changing global environment, at a time when there were critiques calling for the community's demise. They also decipher what threats proved most dangerous among the new challenges (Warner and McDonald 32-36; Best "Proposals" 29-37)¹³. Sure, the IC did not fit structure to context. However, there were also challenges in doing so: already identified limitations in the foreign policy environment, and patterns demonstrated by the "windows" discussion (see "Limited Structural Reform" Chapter Five) that limit large-scale change.

Critiques that this era was characterized by a failure to acknowledge terrorism are perhaps overblown. Betts notes "terrorism was at the center of the discussion ("Two Faces" 592). With the wave of attacks such as those on the World Trade Center and the USS Cole, it is not to say that these efforts were successful. However, a lack of recognition of the threat is doubtful. Garthoff notes that even with the arduous bureaucratic and "cultural" limitations in successfully administering other issue centers during this era (like the Nonproliferation Center), the CTC proved itself most integrated.

The community leadership was left battling the DOJ and inspector generals for "increasing involvement of foreign intelligence with law enforcement, mainly to enhance counterintelligence and security but also to cooperate against the new threats of information warfare and homeland defense against terrorism attacks" (Garthoff 297). Counterterror efforts

¹³ "The FY1997 Act established four new Senate-confirmed positions having responsibilities that extend across all intelligence agencies. Since enactment, the Senate has received nominations for only two individuals to these positions (both were duly confirmed and sworn in) but both left office in 2003" Best "Proposals" 37.

were instituted across the IC – Richard Clarke lead a group of IC members continually pushing policymakers on the danger of Al-Qaeda; Samuel Berger and President Clinton took a highly dangerous and unadvisable trip to Pakistan to try and ask for Pakistani assistance; and multiple briefs and products were produced citing the potential for an Osama attack, culminated by the PDB “Osama Set to Strike the U.S.” on August 6, 2001 (Posner 23-26; Gutjahr 72).

Additionally, by contrast there were inherent challenges unique to counterintelligence on terrorists, an administration change partly resulting in “Osama Fatigue,” and a lack of feasible, or at least uncontroversial choices for eliminating Bin Laden before the attacks (Posner 3-7; 23-26; Byman 838-841; Aldrich).

The jury is still out on the failure, we do not know the full extent of the events, especially concerning the White House role. However, Melanie Gutjahr called it a “predictable surprise.” The attacks were a shock, yes, but Osama’s malicious intent was known. Pieces of information had been gathered and were scattered among the IC, it was the exact nature of the attack the IC missed (Gutjahr 61-64). As the next section will show, the failure can be portrayed under the context of IC missteps, structural limitations and cultural norms just as much as a failure to recognize the threat of Osama Bin Laden. We have to keep in mind the possibility, with all of the failures in this study, that it was inevitable or due to circumstances outside of IC control. The specifics of these missteps are what the 9/11 commission and IRTPA set out to address.

This era of ambivalence may be best viewed as a prime example of two frequently demonstrated features of IC reform throughout this study. Firstly, it highlighted the interdependence between policymaking and current events, i.e. the IC’s operating context, and the shape reforms take. The relative lack of foreign-policy strategy or cohesiveness was mirrored by a dearth of widespread changes. Secondly, it demonstrated the challenge bureaucratic

limitations and organizational expectations bring to reform when there are no major outside pressures to change. There was nothing like the impetus for reform in 1947, 2004, or even in the mid-70s.

Chapter Four: The Modern Era of Reform, 9/11 and the IRTPA

“American people had forgiven us for getting some things wrong, but they wanted to see some visible changes” Michael Hayden, former DCI and NSA Director (*World Affairs*).

After the tragedy at 9/11, a response from the IC seemed inevitable. The attacks were a trauma unlike any in recent memory with nearly 3,000 Americans dead (Goodman 197). Justified or not, there was immense public scrutiny of intelligence’s role in the tragedy. Former DCI Stansfield Turner noted, “It should be obvious to the public that the system created in 1951 was not serving us adequately” (*Burn After Reading 2*).

The attacks devastated the American psyche, and the public was whipped up into a prolonged panic that demanded answers and a visible response to the failures (Drumheller 16). The reporting after the failure, as well as the widely read 9/11 commission, contributed to one narrative of the failure centered on the IC’s responsibility for the attacks (Hastedt “Civic Education” 77). The 9/11 commission’s recommendations then formed a basis for the sweeping and widely supported reforms under the Intelligence Reform and Terrorism Prevention Act (IRTPA) (Theoharris 4-5). 9/11 came to signify a lack of IC information sharing, poor imagination from analysts, ambivalence toward the prescient warnings on Bin Laden, flaws in the FBI’s intelligence capabilities, and broad communitywide structural limitations. Gregory Treverton and C. Bryan Gabbard note in their book for RAND Corporation, that public discussion of intelligence underwent a first-time shift: their focus was not spy operations as usual, but instead a new level of scrutiny for intelligence analysis (iii). The wave of criticism on 9/11 and resultant IRTPA characterized some of the debates consistently cited in this study.

IRTPA finally addressed with fervor the history of calls for centralization, ending the “dual-hatting” of the DCI. It established a Director of National Intelligence, as well as a supporting office to help with national intelligence products and planning and programming for the entire community (albeit with some key limitations). The capability of this new structure is not easy to assess; even evaluating the failures of 9/11 and Iraqi WMDs can be arduous, as secrecy shrouds our capability to look extensively at such recent history. But signs point toward a community who took a hard look internally, and with some roadblocks, is making a concerted effort to adapt to the new global intelligence environment (these successes and failures will be briefly addressed on specific issue areas in Chapter Five).

No matter one’s viewpoint on the value of the public outcry after the attacks, what is clear is that Americans pulled away from the “complacency about national security that they had enjoyed during the dozen years after the Cold War” (Betts “Two Faces” 585). Public hysteria continued, with incorrect predictions on Iraqi WMD’s cited as a justification for the Iraq War, letters sent with anthrax that killed five Americans, and the failed attempt of the shoe-bomber Richard Reid. The public’s crisis mode and the 9/11 commission report contributed to the eventual signing of the IRTPA. The wave of reforms started with a newfound shift in American foreign policymaking, an emphasis on the domestic security function.

Institutionalizing Domestic Intelligence

The reforms marked the movement towards ending a historic distinction between foreign and domestic intelligence, placing them both within the “national” realm (Harknett and Stever 701-702) (Athan Theoharris would note that this distinction has been overblown, with continued FBI and CIA domestic intelligence actions even after investigations in the 70s) (Theoharris 243-256). The Homeland Security Act marked the nation’s first integrated homeland security

function (Harknett and Stever 701), along with an intelligence office. DHS' creation followed the PATRIOT Act a year earlier; the first legislative response to the attacks in October 2001, which lifted legal restrictions on intelligence practice with regards to the persecution of terrorists. The PATRIOT Act passed with generally strong domestic support, a surprising contrast with the controversy over the act today (Theoharris 3).

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act was signed in an attempt to bring down the "wall" between law enforcement and intelligence (Best "Leadership" 305). Numerous restrictions that had previously been circumvented for such crimes as drug trafficking and organized crime were now under the same legal exceptions for counterterrorism. Examples include wiretapping or federal surveillance under the "full range of terrorism-related crimes," allowing federal monitoring of terrorists and delayed notification search warrants, and increasing the severity of penalties on those who commit terrorism or are connected to potential perpetrators (DOJ "PATRIOT Act Highlights"). These methods were blurring the previous statutory distinctions between law enforcement restrictions and an intelligence approach at home. As was addressed to an even greater degree under the 9/11 commission and IRTPA, the act saw "arcane" statutory barriers hindering intelligence sharing among the agencies as well (Best "Leadership" 311). Controversially, Theoharris describes the principles of "providing material support to terrorists," and weakened restrictions on issuing "National Security Letters" as the means investigations used to justify elaboration of suspected terrorists, and unfortunately their investigations were at times completely misguided (Theoharris 248-260).

The Department of Homeland Security's creation was not an intelligence reform in the sense of most of the changes identified in this paper, as the Department of Homeland Security

was created primarily as a consumer of intelligence (Gutjahr xvii-xix). However, it revolutionized the “new post-9/11 context for the intelligence community,” forcing “existing government agencies at all levels of the federal system to rethink their mission” (Harknett and Stever 701). Two prime examples of this occurred within the DOD and FBI: The U.S. Northern Command (NORTHCOM) was created, and the FBI had to move away from their tendencies to “deemphasize foreign threats” and “minimize interaction with agencies devoted to mitigated foreign threats.” Both groups appeared pressured to integrate and work along standard intelligence lines (Harknett and Stever 701).

When one considers the chaos among the American public and the lack of precedence for a catastrophe like 9/11 (only the fallout over Pearl Harbor stands for comparison), it is easy to see why the PATRIOT Act was deemed necessary at the time. The questions today have emerged on the continued necessity of these domestic capabilities, and their merit in measurable improvements in counterterrorism capability both at home abroad. Some of the Department of Homeland Security’s challenges in solidifying its place in Washington have compounded these issues. While the case against these endeavors was just noted based on Theoharris’ work, we also cannot truly measure success from the outside. There have been numerous cases of stopping potential attacks (Negroponte and Wittenstein 382). The trend continued, as the Protect America Act of 2007 was signed, which modified the Foreign Intelligence Surveillance Act, (DOJ “myths”), mirroring debates today on NSA legality.

Joint Inquiry Committee and the 9/11 Commission Report

The first major step towards intelligence reorganization after the PATRIOT Act came with the “Joint Inquiry into Intelligence Community Activities before and after the Terrorist Attacks of September 11, 2001,” chaired by Senator Bob Graham (D-FL) and Representative

Peter Goss (R-FL). It was an unprecedented joint action between two permanent congressional committees (Gutjahr 68). The Joint Inquiry Commission's lasting implications were not demonstrated by immediate legislative initiatives, however (Best "Leadership" 307). That was saved for the fallout after the 9/11 commission published a year later, contributing to the passing of IRTPA. But the JIC began the discussion and shared many viewpoints with the 9/11 commission, opening the door for public interest and probing into the failure's sources.

Athan Theoharris illustrated the 9/11 commission taking the JIC's work one step further, "Because this committee was denied access to relevant intelligence agency and White House records, as well as the opportunity to interview senior Bush administration officials, Congress in November 2002 authorized a second investigation by a ten-member body, the independent National Commission on Terrorist Attacks upon the United States, popularly known as the Kean Commission" (5). The 9/11 commission report was read unlike any intelligence study ever before, becoming the key source on the failure (Gutjahr 73-74). It was an instant bestseller, even placing as a finalist for a national book award (Posner 3). Coinciding with presidential election season, Warner and McDonald called the attention a "glare of publicity" that "helped [the commission] gain access to senior officials and sensitive documentation" (Warner and McDonald 3). However, as will be shown following the outline of the commission's recommendations, there are both pros and cons to this public attention and the relative consensus with which the recommendations were put forth.

As noted in this section's introduction, the JIC, the 9/11 commission and public coverage led to a series of common conceptions about the IC features and missteps leading to failure (with the benefit of hindsight). Information sharing has arguably defined the community's post-9/11 condemnation: there was a failure "to focus on" and "share" relevant information, demonstrating

the challenges in agencies “stove piping” national intelligence within their own departments. “Significant pieces of information were overlooked, and “Some were not recognized as potentially significant at the time and therefore not disseminated” (Theoharris 4). The information sharing critique specifically addressed ten “missed opportunities,” dealing with Khalid al-Mihdar and Nawaf al-Hamzi, two key players in the attacks. They were not CIA watch-listed after attending a terrorist meeting in Kuala Lumpur and later gained visa access to the United States. The future attackers would attend a flight school in Arizona to little alarm. There were a series of should-be triggers and information sharing opportunities between the CIA and FBI missed in between their entry and the attacks, as well as other notable al-Qaeda member mobilizations garnering little response(Gutjahr 75). Posner notes that the FBI was the largest recipient of blame for the failures in the reports (Posner 30).

The failure was quoted as greater than a failure to share information however. There was a failure “in imagination, policy, capabilities, [and] management” (Harknett and Stever 702; 9/11 Commission Report 356). Jay Kramer identified six additional IC limitations that the 9/11 commission cited as causes for the failure (which in some cases may have been making a logical reach between narrative and recommendation, as will be discussed in the coming pages):

- 1) The structural barriers prevented joint intelligence operations
- 2) The diffuse structure combined with the “structural dichotomy” between domestic and foreign intelligence left a “ lack of common standards and practices between the foreign and domestic intelligence agencies”
- 3) The divided management of national intelligence capabilities, especially with regards to DCI capability to influence technical resources

- 4) No one within the intelligence community was able to effectively set national priorities and shift the necessary resources to achieve them, lacking budgetary control, capability to hire and fire senior managers, and power to set informational and personnel infrastructure standards, as well as provide effective all-source intelligence
- 5) The DCIs three jobs were too much for one person, leading to lax management practices
- 6) “A lack of transparency in the intelligence communities rules and regulations,” with complexities making the public incapable of holding the community accountable (Kramer 461-462)

9/11 Commission Recommendations

Following this analysis of the failure’s roots came the section calling for a series of recommendations for the community, later culminating in the IRTPA, often similar to the ones Kramer identified. This section paled in length in comparison to the much longer and more detailed description of the events. Richard Posner noted a logical fallacy in conjoining the recommendations and the history, calling it the same mistake as combining policy and intelligence (6). Richard Falkenrath found a lack of connection between the “diagnosis” cited in the narrative of the events, and the “cure” of the recommendations. Reinforcing this, only “3 recommendations differed in large degree” from the 28 put forward by the Bush administration (170-190, as quoted in Hastedt 78-79). Logical fallacy or not, the critiques Kramer identified were all addressed under IRTPA, at least nominally.

Interestingly, after Posner's reading and analysis of the commission, he also offered eight suggestions for how the failure could have been avoided, none of which dealt with intelligence; they were centered on improved law enforcement functions, better communication, better practices from the aviation organizations, and improved airport screening, among others (25-30). Although I would not take it to this same extreme, there is something to be said for the importance of basic law enforcement practice, and the types of efforts the DHS was created for, as an alternative to implementing exhaustive structural IC changes.

The central feature of both studies' sets of recommendations dealt with a major community restructuring: the creation of the National Intelligence Director. This was the main response to the reports most "pervasive" theme: "the lack of unity" (Harknett and Stever 701). The capabilities of this director in implementing its authority will be highlighted extensively in the IRTPA section. But this new position, at least nominally, offered a fix to the management and coordination issues just discussed.

In addition, both reports offered up a myriad of other recommendations for IC improvement. The joint inquiry used the Goldwater Nichols experience as a model; it called for "joint education, joint career specialties, and more "joint tours" in other agencies that would be designated as career-enhancing" (Best "Proposals" 38). The JIC and the 9/11 Commission also called for the creation of a National Counterterrorism Center, which IRTPA achieved (Best "Proposals" 38-39). Furthermore, the DNI was recommended to be given three deputies, a foreign intelligence deputy serving as the head of DCI, a deputy for defense intelligence, the recently created Undersecretary of Defense for Intelligence (UDSI), and a homeland intelligence deputy ("Proposals" 39).

Perhaps dangerously, Posner accused the commission of failing to recognize the imminent threat from bioterror (35). Similarly, the writers of the Iraqi WMD report and permanent members of the Senate Committee questioned the Cyber Response:

“Senators Lieberman and Collins urged Congress not to wait for a Cyber 9/11 before acting asserting that the danger of a cyber-attack against the United States is “clear, present and growing.” In support of their call for action, they cited a bipartisan letter written by former national security officials which observed “we carry the burden of knowing that 9/11 might have been averted with the intelligence that existed at the time. We do not want to be in the same position again when a cyber-9/11 hit (Hastedt “Civic Education” 88).

With regards to the FBI that was so harshly criticized, the JIC asked Congress to consider whether the FBI should even still be held responsible for the domestic intelligence function. Albeit with some CIA crossover, and coordination challenges brought on by the “culture of secrecy” (Theoharris 8), the FBI had been the “go to” on domestic counterintelligence and espionage before 9/11 (Odom 168). The 9/11 commission backed away from the JIC’s conjecture, insisting the DNI would be a force capable of managing the FBI into improvement. The 9/11 commission’s suggestions won out (Theoharris 5)

There are some controversial elements of the JIC, 9/11 commission and resultant IRTPA, that could prove it as much a response to a public outcry as a genuine effort for improvement: the melting pot of its unique political context, the need to assign blame in part from the families of the victims, and the semi-consensus leading to the commission’s recommendations passing with relative ease. This dynamic manifests in a debate over the report and IRTPA’s intention: was reorganization really done with the intent to improve the community, or were there other factors promoting these solutions as a way to close the book on the issue?

The 9/11 commission had a surprising delay in getting up to speed. As noted earlier with regards to the JIC, there were challenges in accessing the administration for information, and it

was not released until the heat of the presidential debate (Posner 3). Glenn Hastedt noted that by the time of the report's release, the "Window had largely closed" ("Schlesinger" 423). "The active support of the families of the 9/11 victims for the Commission's recommendations resonated powerfully," and both Senator Kerry and future President Bush declared their support for the recommendations early in their campaigns (Best "DCI to DNI" 311). The Bipartisanship of the report should not be conflated with nonpartisanship, Richard Posner makes the argument that neither party would benefit from placing blame on the previous administrations (Clinton and Bush) (6-8). All of these factors bring questions about the true intentions of the commission and reform principles, and their benefit to IC's future operation. President Bush had actually issued four of the recommendations as well on executive order before IRTPA's release: the DNI, the NCTC, a Privacy and Civil Liberties Board, and Information Sharing Efforts, so what made the IRTPA necessary? (Garthoff 282)

I do think there was some value to the recommendations proposed, as will be demonstrated by some commendable features of the IRTPA. However, the same "herd mentality" critiqued of the failure at 9/11 and with Iraqi WMD's may have been applied to the recommendations as well (Posner 8). Glenn Hastedt identified a largely under-examined "Civic Education Narrative," whereby the commission's work should be "looked at from a standpoint besides solving a policy problem or laying blame for an intelligence failure" but instead a "valuable instrument for public education" (85-86). I agree, and find that an analysis of the act in this light, rather than purely from a merit standpoint, offers a valuable understanding of the process, as well as the challenges in measuring change on issues so vaguely understood by the public.

In the midst of these reports, two other notable events took place. Firstly, Donald Rumsfeld created the Under Deputy Secretary of Intelligence (UDSI) in 2003, to deal with challenges in implementing and evaluating the IC budget in comparison to the Secretary's numerous other tasks. As noted throughout, this budget took up nearly 80 percent of IC spending (Lowenthal *Secrets* 33; Warner and McDonald 37). This effort culminated years of debate on making a DOD position analogous to the DCI, of which there was no consensus, and which an Assistant Deputy Secretary of Defense for Intelligence (ASD) (I) had faced challenges in implementing outlined authority (Warner and McDonald 36-37; Garthoff 187).

Secondly, the study on the Iraqi WMD failure, the Robb-Silberman Commission, began its work as the 9/11 commission report was finishing, but it was not released until well after IRTPA. Unfortunately, its recommendations and efforts were not given the same attention in the consideration of the community restructuring (Posner 3-9). Ironically, even as the WMD failure continued the pressure on the IC for similar evolutions, it presented the opposite type of failure as 9/11; too much centralization, connecting the dots too well, or information sharing of questionable sources, versus the lack of these features preceding 9/11 (Betts "Two Faces" 597). However, like 9/11, "poor leadership and management" proved central, as did the quality of analysis (Garthoff 297). These conversations reaffirm the value of the people in office and the ambiguity of IRTPA's motivations

IRTPA: Changing the Reform Debate

The IRTPA offered the first fundamental restructuring of the community since the National Security Act, solidifying some of the features called for in past IC studies and changes recommended in the wake of 9/11. Richard Harknett and James Stever illustrated the act's central goal: "This act aspired to replace a sprawling agency-oriented intelligence apparatus with

an integrated, networked intelligence community” (700). IRTPA instituted numerous changes previously called for by the 9/11 commission, including FBI enhancement, changes to information sharing practices, and shifting national intelligence production. Its focal point was reorganization — the act created a DNI, a supporting Office of the DNI (ODNI), and the National Counterterrorism Center (NCTC). The controversies in the purpose of its implementation were addressed in the previous section. Just like the National Security Act, there was an element of vagueness to the IRTPA that left it up to succeeding leadership to solidify its recommendations.

The principle feature of the IRTPA created the Director of National Intelligence. This shift addressed constant calls for increased DCI authority throughout history, and culminated the series of studies since the Schlesinger Report calling to separate the DCI from the CIA (Best “DCI” 312). In doing so, it also ended the “dual-hatting” of DCI authority, finally differentiating between the DCI’s three jobs of national manager, coordinator of national intelligence, and directing the CIA (Best “Statutory Authority” 1). Resource management, program planning and evaluation, national intelligence products and the office at his disposal were his tools, but these elements were also all notable goals of organizations like the CMS and CFI past, the DCI’s organizations for management and centralization.

The DNI has authority over the National Intelligence Program (NIP), tasking the collection requirements, budgeting, personnel features, and evaluation and monitoring of all agencies dealing in national intelligence. The NIP includes at least the CIA, NSA, NGA, NRO, the FBI’s Office of Intelligence, and the Department of Homeland Security’s IA&IP Directorate, and any other agencies dealing in national intelligence, unless agreed upon by the DNI and department head (“A Complex Structure”). The act incorporated the Community Management

Staff into the office of the DNI as well, along with the DNI forming a Joint Intelligence Council with the Secretaries of State, Treasury, Energy, Defense and Homeland Security in lieu of former incarnations like the NFIB (Collins 4; 9). In one of the act's compromises, or vague features, it did not separate NSA, NGA, and NRO from the DOD. These agencies contained both NIP and MIP elements, whereby providing some limitations on DNI acquisition authority for these agencies, and characterizing the continual challenges in authority over the collection stove pipes (Best "DCI" 8).

The theme of challenges in civilian authority over military agencies pops up again with this act. The first DNI, John Negroponte, and former special assistant to the Deputy Secretary of State, Edward Wittenstein, describe the DNI's continued limitations well: "legislation granted the DNI ambiguous budgetary and personnel authorities with respect to the other intelligence community agencies, overlapping operational authorities with the Central Intelligence Agency, and uncertain control over terrorism analysis via the National Counterterrorism Center" (382). All of this coincided with a new definition for national intelligence, which notably included domestic functions and mirrored past definitions' vague approach:

It pertains, as determined consistent with any guidance issued by the President, to more than one United States Government agency; and(B) that involves—(i) threats to the United States, its people, property, or interests;(ii) the development, proliferation, or use of weapons of mass destruction; or(iii) any other matter bearing on United States national or homeland security.' ("IRTPA" Ref Book Sec 1012)

To help in coordinating this new concept of national intelligence, the DNI was given an expansive support office: the "Office of the Director of National Intelligence, (ODNI) to coordinate better the now 17 agencies, approximately 200,000 personnel, and about \$75 billion in annual expenditures that comprise the sprawling U.S. intelligence community" (Negroponte and Wittenstein 381). The ODNI had two concurring requirements: serving as the principal

daily advisor on national intelligence and the principal advisor on near and long-term reform direction (Harknett and Stever 703). The act codified a principal deputy DNI, with DNI authority to apportion no more than three other deputies for support (Collins 4-5). As we had seen since EO 11905, the DNI had capabilities to restructure the shape of his support offices, only now they were not linked to the CIA through double hatting.

These changes meant that the office was coordinating and producing the national intelligence product, replacing the CIA's prior capacity in this regard. In addition, the DNI was to be capable of creating new National Intelligence Centers, based on perceived need. These centers placed within the existing National Intelligence Council, which was now a part of the ODNI. The DNI had the capability to direct interpersonal movement or outside hires to staff these centers (Senate Select Committee 4-10). As noted, the (NCTC) was created, and the legislation called for a National Counter Proliferation Center (NCPC) to be created within 18 months, placing them as crucial issues of the time (Senate Select Committee "Summary" 3-4; 8-9). Furthermore, the flexibility in the new deputy structure and capability for national intelligence centers appears to coincide with a common call in the act: a community capable of adaptation to not just terrorism but also any 21st century threat (Harknett and Stever 703-704). The NCTC director had their own advisory capability with the president on counterterrorism operations, a root of the ambiguous authority Negroponte discussed earlier (Collins 8).

Other 9/11 commission recommendations were visible in the changes set forth by the Act. IRTPA sought more joint operations and GNC-like cross-promotion incentives —requiring the DNI “to develop personnel policies and programs to enhance the capacity for joint operation and facilitate staffing of community management functions” (Collins 3). The constant accusations of failure to share information were addressed: the act mandated a new Information

Sharing Environment (ISE) to facilitate the sharing of terrorism information among all appropriate Federal, State, local, tribal and private sector entities, through the use of policy guidelines and technologies (Collins 5-6). Studies about IC effectiveness after the act have dealt extensively with the value and implementation of the ISE. Another prominent critique, FBI intelligence and greater domestic IC functions were addressed as well. The Bill required that the FBI director:

Continue efforts to improve FBI intelligence capabilities; and develop and maintain within the FBI a national intelligence workforce of agents, analysts, linguists, and surveillance specialists. Requires new agent training in national intelligence matters. In addition, it requires the FBI Director to establish an FBI budget structure to include budgeting for intelligence, counterterrorism, and counterintelligence. Requires the FBI Director to report to Congress on the implementation of the above requirements and related activities. In addition, the act redesignates the FBI's Office of Intelligence as the Directorate of Intelligence and establishes as its head the Executive Assistant Director for Intelligence of the FBI. Gives the Directorate responsibility for supervising the FBI's national intelligence activities and managing the intelligence program and budget (CRS IRTPA Summary sec 203, 205, 206).

Similarly, the desire to address the domestic intelligence function had resulted in reevaluation of the Department of Homeland Security's intelligence office, the DHS Office of Intelligence and Analysis (I & A), whose efforts were further refined with the IRTPA. Some critics, like Arthur Hulnick, assert that neither the I & A or the FBI improvements have resulted in great change at home (623). The changing nature of Domestic Intelligence continues to prove an important element of future IC reform discussions, both in terms of morality and capability for success.

Overall, the IRTPA's principal feature, and the opening of the Act, the creation of the DNI, marks its most significant contribution. I would argue that the act does not present the major restructuring it appears to from the outside, as the DCI's authorities had been nominally expanded in similar fashion with legislation over the course of its history, and the shift toward

issue-based national analysis centers had been underway as well. The discussion in the 9/11 commission section, of the politicized process and logical fallacies in the recommendations, reinforces this feature, and demonstrates one cause for the rather vague propositions put in place.

However, the critical feature separating this position, and its new support office, was its independence from the CIA. Making coordination its primary role could be an opportunity to slow former bureaucratic turf limitations, but at the same time, the DNI's task is still a daunting one for a single individual. Also significant were its even closer ties to the executive and legislative authorities, with arguably a heightened danger for politicization of crucial analysis present. The control over military capabilities remains a significant one, as do personal relationships and the rest of the community's faith in a central office.

Moving forward, the DNI's control over the analytic product and capability for program management certainly has the potential to become another bureaucratic layer in the great expanse that is the U.S. intelligence community (Pillar "Unintelligent Design" 43). However, the Act addressed necessary issues in homeland security functions and domestic intelligence, which had lagged behind, even if not to the degree the 9/11 narrative suggested. Measurable results in these efforts may come to prove even more important than we now know, as terrorism remains a dominant issue, and controversy over the legality of domestic practices continues to provide challenges in the background.

The unfortunate reality is that all of these efforts can always be limited by a policymaking structure that does not value its community, no matter the improvement. Additionally, poor policies making the IC's task unmanageable can offer a challenging operating context. However, moving forward, given the right leadership and outside evaluation, the IRTPA at least offers the potential for measurable improvement. The importance of individual leaders on

IC achievement has been noted throughout this study, and the IRTPA does not alter the course. Its best contribution may not be the structural change, but the increased attention and scrutiny capable of leading to a productive internal response from the community.

Chapter Five: Features of Reform History and Today's Debate

“Tonight, we give thanks to the countless intelligence and counterterrorism professionals who’ve worked tirelessly to achieve this outcome. The American people do not see their work, nor know their names. But tonight, they feel the satisfaction of their work and the result of their pursuit of justice” President Obama following Osama Bin Laden’s Assassination (Byman)

“Intelligence has become such a cottage industry that the debate is confused, and good ideas are routinely interspersed with those that are ill conceived” Russ Travers in Melanie Gutjahr’s *Intelligence Archipelago* (xi).

The Extensive history of the past three chapters has substantial implications on today’s intelligence reform debate. I have identified a series of features of intelligence reform history that have characterized the community’s evolution, noting trends in intelligence reform and their resultant features in place today. These patterns emerged from either analysis of the historiography in chapters One to Four, from scholars’ analysis of long-term implications of key reform events, or from a combination of the two. In addition, on relevant or highly scrutinized issues, the implications of IRTPA and/or the state of affairs since its passing will be discussed. These trends offer both an analysis of the current debate and a set of limitations for my reform suggestions in chapter six (the limitations are especially discussed in the “limited structural reform” section).

The two most in depth sections in this chapter coincide with the two most critical features of IC reform I cite in my suggestions. These two are interconnected and further illustrated by other trends I highlight. First, the general lack of a fundamental structural reorganization was prevalent throughout reforms history, discounting the very aims I originally sought to achieve with this study (more on that in chapter six). Secondly, the continued calls for centralization,

probably the most discussed feature of reform proposals, have actually not revolutionized the management and coordination capabilities of the central office, albeit with some improvements.

These two trends have reinforced the importance of context (i.e the state of global affairs, the people in charge, and the public and political environments) to both structural reforms that were actually achieved, and the community's evolutions that took place apart from the stagnant structure. Additionally, these two patterns have improved the strength of my arguments for feasible reform by providing necessary boundaries. I have moved away from a large-scale reorganization discussion, or more calls for centralization, and towards goals that are actually achievable and/or necessary to improve the IC's day-to-day operations.

As noted in the Methodologies section, necessity of reform lies partly in ones beliefs on intelligence failure, as these failures are what demonstrate a need for change. I generally am of the thought that perfect expectations will only dampen the IC's capability for a strong product, as will be especially illustrated in the "Increased Collection" section. Scholars' opinions will also be incorporated on the merit of the trends I illustrate, with some referenced again as a basis for my reforms in Chapter Six. The conclusion this section leads to is that the discussion of "reform" needs to change its nature all together, recognizing the challenges and limitations inherent to the IC and its history this chapter illustrates. The importance of the cultural section that concludes Chapter Five is notable, as this is the area where I think the most achievable possibilities lie for improvement. Additionally, the first steps toward many of my suggestions are already in place.

Limited Structural Reform

After reviewing the extensive history of debates on intelligence reform, one might expect structural change to have been a constant. That was not evident in my study. Dr. Glenn Hastedt, in an analysis of John T.S. Keeler's "Opening the Window for Reform," notes that "overcoming the many political and institutional obstacles that stand in the way of reforms that entail a major redirection or restructuring of policies, resources and institutions requires special circumstances. When those conditions are present we can speak of the existence of a window for reform"¹⁴ ("Schlesinger" 423). The conditions preceding a "window" for a structural overhaul proved to be rare. In Loch K Johnson's article on intelligence "shocks," reforms require "revelations of failure by or corrupt practices and illegal acts of intelligence services," and are correlated with the "amount of journalism generated by those scandals" ("Shocks").

Given these challenges, some scholars believe that the IC's basic structure still largely mirrors that of 1947 may be validated (at least from our public viewpoint), Hastedt calls "incremental and piecemeal change" the "norm" ("Schlesinger" 423; Gutjahr xxvi-xix; Odom 3; Olcott "Inertia"). IRTPA sought a drastic change, and its new organizational chart is sharply distinct, but its similarities to past efforts for DCI authorities will be illustrated in the following section on "Centralization". This lack of change has major implications in that it discounts the feasibility of an entire segment of the literature on intelligence reform, the works calling for fundamental changes in IC structure, noting that reform has doctored "symptoms and not illnesses" (Odom 1).

¹⁴ Two features are the most likely preconditions for "windows" Hastedt identifies: partisan politics and the onset of a crisis ("Schlesinger 423"). Additionally, there exist two other potential sources, a problem in need of a solution, and the people themselves in power ("Schlesinger" 423-424).

Historical context was especially significant to the limited achievements in structural reform. In Chapter One, I illustrated key reasons for the National Security Act's provisions: preventing another Pearl Harbor, fears of growing Soviet capability, and Truman's willingness to use his authority. In Chapter Two, I illustrated how the environment under Presidents Truman and Eisenhower and DCIs Smith, Dulles, and McCone, as well as the changing threat-based approach, allowed for the IC to solidify the vague mandates outlined in the National Security Act, but without a major impetus for structural reorganization. The closest the community came was the "window" for change following the mid-70s "shocks" (with extensive journalistic attention) and Schlesinger's study, but the numerous factors required for reorganization did not converge strongly enough for lasting structural implementation to match the changes in oversight and the public-IC dynamic.

After 9/11, the surprisingly uniform calls for a DNI were implemented. A DNI had been called for by multiple studies since Schlesinger outlined the concept as a potential framework. As noted in Chapter Four, this step may have intended to appease a frustrated public, and provide the "civic education" on intelligence practice Hastedt described (77; 85-87 "Civic Education") just as much as achieve change¹⁵. However, IRTPA's two focal points, a DNI and new homeland security structure (and therefore operating context for other agencies), still demonstrated a stronger structural response than the other "shocks" in IC reform history, possibly correlating with the prominence of the 9/11 commission report and the public "hysteria" (Johnson "Shocks" 5; Drumheller 16).

¹⁵ Bush's four executive orders creating structures and function similar to IRTPA before its passing reinforce this notion.

After sifting through the literature and the community's history, numerous reasons can be cited for the relative lack of structural change (especially by contrast with how often it has been called for), some of which are applicable to limiting reform as a whole. Some of the most recurrent challenges: political motivations as a seemingly necessary pretext to successful reforms¹⁶, requirements for collaboration between executive and legislative bodies with wildly varying interests in these issues (Warner and McDonald 43), electoral incentives that generally prove “discouraging” to reform efforts (Zegart “Domestic”) inconsistent public interest in the community, the importance of individual policymaker-IC dynamics, and challenges in overcoming bureaucratic/organizational norms and turf-wars. William Nolte describes the “We-Be’s” of intelligence {210-211}, an old guard used to things operating one way not wanting to change). And we cannot forget the limitations in full public understanding of the community imposed by secrecy (Kramer 462), potentially dangerous “adjustment periods — short- term dangers while the community adapts, (Travers xxiii-xxiv) or just generally having to combat the phrase “for the sake of national security” with regards to entrenched patterns. Given these limitations, a major structural reorganization would be arduous, and I will later argue (as will some scholars) that avoiding a major restructuring may actually be what is best.

These issues are correlated with the role of oversight, which will be highlighted in more depth later. However, what this section demonstrates is that opportunities for major reform are brief, and if dealing with structural reform, require a whole series of converging factors at once. As also described, however, neither of these solutions really are what is necessary moving forward. While they can help shape the communities operation, I do not believe structures’ “hierarchies,” “boxes,” and “lines” tell the full story of IC operation (Treverton and Gabbard 48; Pillar “Unintelligent Design”).

The key point to take from this structural discussion is that the potential for structural change is in fact limited. Additionally, the limitations, “Shocks” and “Windows” I identified can characterize the greater challenges in instituting any reform to some degree.

Repeated Efforts for Centralization and Improved Management

The emphasis on improving IC leaders’ managerial authority was a constant in this study. It demonstrated itself through efforts for heightened control over resources, programming, or community direction and priorities. While DCI authority and ties to the NSC and president have been a major recipient of these efforts, Warner and McDonald also demonstrate a centralization pattern in the Office of the Secretary of Defense over its respective intelligence functions (V), and the context of the IC’s evolution have seemed to favor defense as well. Challenges in this “co-leadership” (Garthoff 33-37) have defined the centralization discussion. Balancing their authorities is highlighted more in the “Civilian-Military” and “Increased Collection” sections of this chapter.

IRTPA, in its new chart, appears to offer an opportunity for greater central management and authority on paper. Nevertheless, implementation remains the challenge as always (Zelikow 3-4; Best “From DCI to DNI”). At the same time, its capabilities in personnel and resource management, national intelligence production, and community coordination had already been called for under the DCI and CIA before, as discussed more in depth in Chapter Four. They may just offer another layer of bureaucratic bloat (Pillar “Unintelligent Design” 43-49).

Even the community’s creation under the National Security Act debated the proper role for a “coordinating” central agency, as shown in Chapter One (see the debate on “centralizers” versus “departmentalizers”). Although this study did not survey the entirety of intelligence legislation, reform studies, and proposals, discussions of improving DCI/DNI managerial

authority took place across essentially all of the major proposals studied: the Dulles Report, the Schlesinger Report, the Aspin-Brown Commission, the 9/11 Commission and the Robb-Silmerman Iraqi WMD study. The National Security Act and IRTPA —the two successful efforts to create centralized “coordinating” and “correlating” agencies —did so in response to perceived failures to “connect the dots” during Pearl Harbor and 9/11. These two served as prime examples for calls for the trend of increased management following failures (Garthoff 211). After the mid-‘70s moral spotlight on the IC, the approach was similar (apart from the reforms dealing with surveillance and covert action): the E.O.s dealt extensively with DCI authority and management issues, with a seeming high point for central authority following Gerald Ford’s Executive Order 11905 (See “Executive Response” Chapter Two). Implementation would waver under Reagan, but resurfaced with “community-wide” approaches under DCI’s Gates, Woolsey and Dutch (Garthoff 297).

These trends in centralization were partly demonstrated (at least nominally) by the continual reorganization of agencies assisting the DCI in their resource management and coordination capabilities. The original “minimalist model” for the IC’s coordination committee/board (Stuart 309) consisted of the small IAC, with the DCI, Secretary of Defense and National Security Adviser (“Pre-National Security Act Intelligence”). Finding the right place for collection management, and its ever-growing number of committees and budget, proved a consistent challenge, first addressed by combining the former USCIB under the USIB (see the “Solidifying Structures” Section Chapter Two) to handle the collection function. The IC staff and later the CMS proved the resource management tool and continually grew, even with the challenges in collection management. The DCI “enjoyed more robust community staff support

than ever before” by 2004, a preview of the immense resources at the DNI’s disposal (Garthoff 298).

Additionally, for most of this history there existed executive “outside consultants” on IC matters. Today’s incarnation is the Intelligence Oversight Board (IOB), currently housed in the President’s Intelligence Advisory Board (PIAB) , which attempts IC oversight and evaluation without duplicating the territory of other similar functions (“PIAB: About”). The former NFIB elements (See “CFI” in the “Executive Response Section” of Chapter Two) are similarly represented by the Joint Intelligence Community Council, something that I find to serve as a valuable meeting place for a wide array of community leaders. With the growth in DOJ oversight, Congressional Committees, and massive expansion in the community’s size and corresponding committees for IC functions, these central organizations task proves ever harder. However, there are also more links between the top and the rest of the IC.

Certainly, details are missing from this summary account, as well as the individual histories of management and coordination agencies throughout my study. I found the limited literature on these orgs is at times contradictory, perhaps due to secrecy. What is visible is that similar agencies consistently represented a “triumvirate” of structures with three distinct purposes, one for resource management, one for coordination, and one for program management/directional planning, with “outside consultants” monitoring in the background. A key moment in this history occurred during the wave of Executive Orders in the 70s, whereby more DCI control of the shape of these structures was given. Today the DNI appears similarly independent in his capability to reorganize his office.

These features have placed individual DCI-president relations at the forefront of the centralization discussion, visible throughout this history, and operating in the context of an often “fuzzy” role for the NSC (Garthoff; Hardy 10-12). In lieu of the large-scale structural reform discussion, the “mandated” aims of the “triumvirate” orgs have not changed drastically since legitimization under DCI’s Smith, Dulles and McCone (See Chapter Two “Solidifying” Section). Moving forward, any attempts to increase managerial authority that take the approach of creating new management functions are likely to prove more of the same, and will continue to depend upon the respective DNI and president. I think any more structures would do more harm than good.

Ultimately, competitive intelligence still proves a central feature of U.S. intelligence (Lowenthal *Secrets* 13-15), and I would argue that this benefits the community’s large number of customers. The competitive intelligence is especially visible in two other areas, the “Expanded Collection” and “Civilian-Military” challenges sections of this chapter. Even with the competitive context, a cross-country comparison helps illustrate how centralized the U.S. structure actually remains.

A central intelligence organization, tied to the executive leadership, analytically serving as a “central spine” that “hold[s] the system together,” along with the DCI and later the National Intelligence Officers (NIO), has distinguished the U.S. system from others since its creation (Johnson 127). Its role in directing and carrying out intelligence operations also distinguishes it from other systems (although the DNI is now removed from CIA) (Warner and McDonald 5), and the U.S. sheer size makes a fully “centralized” structure a complex endeavor (Warner and McDonald 9). Additionally, the U.S. faces distinct challenges from its position in global affairs adding to the size and complexity of management or planning. Richard Betts writes, “A

superpower will always have more than one major potential threat to its interests, and it will seldom have clear grounds for concentrating single mindedly on one” (“Two Faces” 591).

As already noted in this section, centralization can be described as a “quick-fix” that appeases the outside but finds difficulty in implementing measurable results, possibly demonstrating misunderstanding of IC functions. The short-term adjustment concept again proves dangerous here, frustrations would likely be high if yet another “central reorganization” were to occur. In addition, as Hardy noted in the mid-70s, there has been an emphasis on executive accountability or oversight that assumes they are beneficial features. However, there can also be problems in too much centralization caused by overly close IC-executive ties, with examples that have shown themselves in history (Iran-Contra, misuse of Iraqi WMD intelligence) (Hardy 11). Ultimately, I believe that for the benefit of the community, the discussion of centralization’s peak should remain in its past.

Increased Collection

As discussed in Chapter two, throughout the Cold War, intelligence collection capabilities grew tremendously. Early on, without oversight and with general budgetary freedom, technical and human collection efforts proved crucial elements of deciphering Soviet strategy. The trend did not stop with 90s RMA, which linked the command centers and the intelligence services and expanded warfighters operational needs, all in the frame of the growing influence of the post-GNC combatant commands (see “Militarization” in Chapter Three). Increased capability at home appeared following the Domestic changes discussed in Chapter Four, and Edward Snowden illustrated the value of NSA’s SIGINT to that endeavor.

Collection’s expansion has numerous implications on other issue areas I discuss. These include balancing the influence of data versus analysis (more in “Changing Analysis” section),

the moral challenges that go along with collecting at home, (more in “Domestic Intel”) and even abroad, (German’s response to revelations about our spying on their services was not pretty), and the abundance of info that now has to be sorted through by analysts during their day-to-day work (here and in “Cultural Shifts”).

Adding to the aforementioned management challenges, growing collection capabilities have also augmented the community’s size and types of customers, required more technological support from both IC agencies and contractors (and as demonstrated, with ambivalent lines of management throughout), and potentially proved a source of expanded DOD authority because of the numerous resources they hold in the collection functions. The issues increased collection lead to can be largely discussed for their implications on other IC features, but for this section, the story of the IC’s growing size and the changing nature of information warrant a mention.

Even as reports and studies have commented on “poor analysis” or inability to “connect the dots” among the intelligence failures and “shocks”, there has been a tendency to respond by collecting more and more. The aforementioned contexts for collections’ evolution as a natural instrument of U.S. foreign policy, combined with criticism of IC analysts missing potential warning signs or “dots”, contributes to the continual expansion (Olcott 1-4) Church described the tendency to address analysts fears of failure or missing a warning sign through requests for “more information than could ever be used” and attempts to “cover all bets,” and there has been a tendency to try and collect everything for everyone (Olcott 1; Betts “Two Faces” 591-597).

The burgeoning collection influencing IC size is a central focus of Schlesinger’s “linkages” identified in chapter two. The question really boils down to if the massive growth in collection capability, budget, and greater intelligence functions are mirrored by better results,

which is challenging to assess given secrecy and the lack of a measure for evaluation identified in the methodologies chapter (Marrin “Evaluating”). In one criticism, Church called this ever-growing structure the “rogue elephant” (Garthoff 100). I argue that the challenges expanded collection brings outweigh the value of gathering every dot, but I may lack awareness of lives certain dots have saved. Efficiency and greater streamlining might benefit the quality of the product.

Additionally, with a completely changed nature of information nowadays, the importance of secrecy to collection efforts and the use of more “complex” collection sources is under examination as well. A tremendous amount of information that would have required intelligence during the Cold War is now available to the public. Similarly, the avenues of public understanding of IC operations, history¹⁷, and present-day functions are exponentially greater (Nolte 211-216). Intelligence’s globalization offers avenues for information gathering through our allies. Within IRTPA, there were suggestions for heightened priorities on human and open-source collection and better avenues for overcoming past limitations in secrecy through information sharing.

Trying to create a more balanced and useful collection effort might prove challenging. How do you overcome bureaucratic norms and influence? How do you revolutionize numerous agencies approaches to gathering? How do you improve the planning and feedback segments of the intelligence cycle, so crucial to analysts’ priorities? A lack of planning input from policymakers can contribute to the tendency to over collect, and then poor feedback reinforces

¹⁷ Michael Hayden’s declassification of the “family jewels” in 2007 was a watershed moment, although some efforts have been made since to rescind published documents later deemed incriminating (Goodman 295-299)

this need (Travers XVI-XVII). These leave numerous challenges to for discussion in chapter six, which are in some ways addressed by the IC today.

Challenges in Civilian-Military Coordination

The DOD and the CIA were in resource competition in multiple instances throughout this study. The accounts of their turf-wars and ambiguous boundaries are extensive, from the battles over U-2s and Satellites (See Chapter Two “Expanded Collection”), to the previously highlighted management challenges over the TECHINT functions, to the burgeoning use of intelligence as an element of the RMA. Nevertheless, the nature of these battles are explainable by one simple fact: the military has always remained in control of somewhere near 80 percent of the IC’s resources (Lowenthal *Secrets* 33). We can surmise that influence often follows the money in Washington (Immerman 165).

As the community continually gained new elements for defense and technical capabilities, DOD largely incorporated them (along with new structures like NRO, NSA, NGA(NIMA). Even with DCI efforts for supervision over collection or operational functions, the DOD chief still ultimately gained substantial authority over a good proportion of IC capability (Garthoff 3-4). Additionally, the boundaries in programming and budgeting between the NFIP (demonstrated DNI source of programmatic and budgetary control in Chapter Four), the collection agencies, battlefield or theater-level military support, the CIA, and the greater DOD programmatic intelligence functions are not clear (Odom 29-31). The DOD programs offer are a prime example of the “compartmentalization” problem, keeping IC programs secret for the sake of their survival, but producing a world where somebody who spent their entire career managing the NFIP could lack basic understanding of the MIP programs (Odom x; 49). Moreover, the DIA

remains an influential all source analysis agency, and so Defense does not require reliance on an agency like CIA for finished products.

The militarization debate can be seated within the greater criticisms of the entire foreign policy apparatus today, of one too controlled by military influences. Tim Weiner writes in his book, *Legacy of Ashes: The History of the CIA*, that the CIA has been demoted in recent years to a ‘second-echelon field office for the Pentagon’ (xvi), and Loch K. Johnson and Rhodri Jeffreys-Jones support this assertion in their review (“Tim Weiner’s ‘Legacy of Ashes’”) Willard Matthias’ central thesis is that in terms of policy influence, the DOD’s intelligence structures have gained an overwhelming influence, and throughout the later part of the Cold War drowned out more reasonable civilian voices in the CIA (*Strategic Blunders*). While the military influence may bear an unfair share of the brunt of foreign policy criticism today, these claims are supported at times by analysis in this study, and the substantial role of military organizations in the IC is hard to ignore.

These problems are further illustrated by the State Department’s relatively limited influence on the IC. On the technical side, state is primarily consumer, while their main products come through INR and are often more long-term. While I find INR to provide some of the most fruitful efforts for the community, its primary influence still appears to be through the Secretary of State and the diplomats it serves. Their role in the decision-making process *vis a vis* military structures is not the focus of a paper dealing with intelligence, but also appears reduced, if not dependent upon cabinet relations.

There are two critical features of these challenges in civilian-military cooperation to the reform discussion. First is the entrenched nature of the DOD prominence in IC resources and operations, and second is the accused greater influence of intelligence on U.S. Foreign Policy.

While the DNI offers a potential medium for improvement on the first issue, its limitations have already been discussed extensively. These challenges do not have a “quick-fix”, and it may not be necessary, as the DNI still has direct access to the president and executive to offer opposing views to more militaristic approaches. Changing the nature of the entire foreign policy structure is outside this paper’s capability. Successful increases in civilian-military efforts will take time, just as DOD reform itself has (Garthoff 299).

Covert Action Remains

As noted in Chapter Two, covert action became a major tool for waging the Cold War, and although there was controversy over its use in the Mid-70s, it remained a tool in Reagan’s pocket. According to Scott and Hughes, “numerous forms of Covert Action, including assassination and coup plotting, have called into account not just the legitimacy of Cold War intelligence practices but also the legitimacy of western and especially American foreign policy,”(665). The question that really has to be asked is if these tactics won the Cold War (Powers asks on page 57 of *Intelligence Wars*), or instead unnecessarily reinforced mutual fears (Herman). These questions of political philosophy and secrecy lie outside the limitations of this study, but my viewpoint is that in today’s world they may prove to have greater costs, which require a more calculated cost-benefit analysis of its use. Although assassination was the action most uniformly outlawed under the ‘70s response, targeted killings today blur these lines. Additionally, covert action is still a component of the CIA’s National Clandestine Service, formerly the DO. Moving forward, covert action fits between two other notable features, challenges in counterintelligence and counterterrorism, and DOJ/ executive oversight at home.

On a similar note, IRTPA has argued for an expanded role for Human Intelligence since, a critique of counterterror. While this may be valuable, it cannot happen overnight. Goodman finds this is actually a pattern of historic calls for reform (340-343).

Changing Nature of Analysis

Two primary images of analysis' changing nature hold weight for the debate today. The first deals with analysis' practice, moving toward more systemized and rigorous approaches to intelligence. The second movement was towards centralized analysis for the IC's major civilian customers. The issue based intelligence movement and growing centralization of the PDB characterize this trend.

The systematic approaches evolved over the second half of the Cold War and were influenced by expanding collection. Johnson describes an early image of the ONE: Sherman Kent and his pipe, dissecting the issues with his team, and everyone later regrouping and putting a product together. Nevertheless, over the course of the Cold War, "Data became the hard currency" of intelligence, rather than individual predispositions. Loch Johnson was a fan of this trend, it culminated in "better use of the synergism that comes from all-source analysis; the walls between the ints are slowly coming down," with "increased contact between producers and consumers" (Johnson Secret Agencies 201-203). However, Lowenthal also describes "a discernible anti-intellectual strain persist[ing] in U.S. intelligence, perhaps noting too much of a focus on the day-to-day or technological aspects ("18 Theses" 37). With the increased complexities of data, the needs for analysts to sort through it, and the rapidly evolving issues, today these trends have culminated in a "tyranny of the immediate" where rapid responses dominate. Additionally, analysts' jobs mean something very different than they once did. With

the newfound sources of raw data and technological complexity, there is an imperfect analysis “pyramid” from raw to finished products. There are more analysts sorting through the just collected raw data, i.e. processing, and less at each phase up, with the pyramid occasionally usurped by instant connections between raw intelligence and consumers (Treverton and Gabbard xiii; 1-3; 13).

Today, Immerman argues, the IC is doing more than we realize to systemize its analytical product and techniques. This is not just through TECHINT sources but through benchmarks for sourcing, more uniform critical thinking and analytical approaches, better measurements of analytic certainty, and increased evaluation of analysis’ process under an “analytic transformation”(163-180). I will later argue these features have the potential for a profound effect on the community.

As noted frequently in this paper, Garthoff demonstrated the potential for the DCI to consolidate his hold over the PDB and NIEs throughout history. Goodman was highly critical of this trend, which the creation of the NIC and the team of NIOs was essential to. He cited a reduction in estimative and historical intelligence (inherently academic and research elements here as well) in favor of the issue-based focus that weakened the quality of the multidisciplinary experts past (Goodman 7; 15-22). However, the issue centers also offer two advantages, adaptability and clear homes for access to information and analysis on prescient issues. The DNI’s production of the PDB and NIEs may offer more avenues for politicization through fitting it to the president’s desires, and too much of the DNI’s day may deal with producing the PDB. However, closer access is certainly better than no access, and as Hastedt notes, not all politicization is inherently negative (“Politics and Intelligence”). It may even be more necessary in this era of constantly shifting global affairs (Treverton *Reshaping* 9). Ultimately, I will not

argue for a restructuring of the analytical apparatus, as there are clear benefits to both sides, but instead for ways to improve analytical quality, many of which fitting in with the “analytic transformation” Immerman cites.

Morality Challenges versus Improved Security: Domestic Counterintelligence and Counterterror

Although the individual successes and failures of counterterror and counterintelligence were not elaborated on extensively, the implications of these two areas are visible through a frequently discussed subject: moral reforms and vague domestic limitations. Ironically, some efforts at centralization or structural change, like those in the mid-70s, have come following moral issues, with Gutjahr noting that reform has “largely come by correcting perceived abuses of power” (xviii). The domestic problem has always been a “hotly contested issue” (Odom 9).

Originally, the vague mandate over CIA and FBI domestic intelligence boundaries (as described in the “The Signing of the National Security Act” in Chapter One) left them capability for rather extensive domestic anti-communist practice. The controversies in the mid-70s contributed to greater DOJ oversight and organizational responsibility over IC practices, (through respective Inspector Generals) but as shown during the Reagan era, implementation wavered. Since the attacks in 2001, we are in a new era defined by the PATRIOT Act and repeated amendments to FISA that continually have given leeway for domestic surveillance. In addition, while crises and national security needs are consistently the justification for such measures, Douglass Stuart notes that the current era “is the first time in American history that domestic crisis has no foreseeable end date” (311). This is taking place in the midst of all agencies new domestic operating context with the creation of the DHS.

Ultimately, the question is really a balance of effectiveness versus necessity, which can be hard to fully measure from the outside. These operations remain the IC's most compartmentalized and with good reason. However, counterintelligence abilities were exposed multiple times, such as the catastrophic Aldrich Ames and Robert Hanssen cases (Johnson "Shocks" 5). The 9/11 controversy left a scathing critique of the FBI's and CIA's capabilities and respective information sharing. Although Negroponte noted multiple domestic successes since in chapter five, and what the real possibility for success is given the unique challenges that come with infiltrating and collecting on terrorist organizations is unclear (Byman 838-841). Moving forward, the one segment that I do think offers achievable improvement is links between law-enforcement and the IC (Nolte 213-214). I will not argue for a revolutionized domestic intelligence structure.

Changing Nature of Congressional Oversight

The changing nature of oversight is best characterized by one era of this study, the '70s. The creation of the Permanent House and Senate Intelligence Committees marked a fundamental shift, at least on paper, in legislative checks and balances over the inherently executive IC, as well as public awareness on the community. Two other forms of oversight were addressed in this era as well, executive structures outside the IC watching over the community such as the IOB (discussed in the "Centralization" section), and the DOJ oversight of domestic practice (an element of morality). Prior to the mid-70s, the IC was essentially operating with free reign, as illustrated by the great expansion of covert action and budgetary expansion.

While the creation of the committees changed the oversight dynamic, scholars generally did not show a lot of support for its capabilities for enacting reforms. Their strongest authority seems to be budgetary, however limited by the broad nature and compartmentalization of certain

IC elements. The committees appeared to use their authority rather ambivalently in the first decade after enactment, although efforts may have been stronger during the 1990s with the conversations over the community's future (see "Ronald Reagan's Presidency" and "Implications of the 90s reforms"). Even the 9/11 commission called oversight "dysfunctional," without major improvement since IRTPA ("Zegart" 1)

Amy Zegart chronicles weakness in the permanent committees: the aforementioned need for electoral incentives, challenges in secrecy, weak or ambivalent budgetary authority (as well as IC organizations' ability to go to Appropriations or Armed Services committees for functions with ambiguous categorization) and a lack of IC understanding among numerous legislators ("Domestic"). Although Loch Johnson notes that since 1975, the amount of legislative initiatives responding to prominent intelligence failures or crises has increased, he still finds the severity of the shock's legislative response largely dependent upon the level of media interest and publication ("Shocks" 1-6). This demonstrates an important role for the media in covering intelligence issues if oversight will be garnered, something that has also wavered with the "always small segment of the public that evinces any interest in intelligence" and the tendencies for journalism to be investigative, fitting in more with "moral" issues (Lowenthal "Reasonable" 303). Johnson and Jeffreys-Jones reinforce the importance of these notions: "as a group, their [journalists] coverage of intelligence activities has probably done more to prevent, or at least uncover, CIA abuses of power than has Congress – despite its subpoena powers – or any other organization ("Legacy of Ashes").

Moving forward, congressional oversight proves itself one of the few tools possible to push for reform from the "outside". Efforts to improve oversight capability, albeit limited with institutional and political challenges, will be highlighted in chapter Six.

Cultural Shifts

Concerning improving analytic quality, Dr. Rob Johnston notes, “Ultimately, it is up to individuals. We can help the process, but this is where it ultimately ends” (43). Furthermore, “culture defines an organizations identity to itself and others,” through shaping operations, determining the people who are hired, enculturating them, and determining its standards and reward, which in turn shape the products and “social capital” of an organization (Johnston 115). These descriptors of culture help illustrate the value of the tremendous cultural changes the IC has experienced. As this section will show, both the individuals and their environment have undergone a transformation.

Moving forward, I find this area to be one with significant achievable and incremental reforms. The changed nature of an analysts’ job today can illustrate some of the other features this chapter identified, such as increased tech, the importance of operational level analysis, the massive collection expanses, calls for better civilian-military cooperation, and many others, all serving as a contrast to the static structure. Paul Pillar adds an interesting point, “Community managers... Like ambitious managers anywhere, they make their careers not by sitting on the status quo but by championing new initiatives and strategic redirections” (“Unintelligent Design”).

Personnel wise, four features warrant note. Goodman describes military personnel as taking up nearly 85 percent of the workforce (300). This figure seems a little high, but even so, offers a description of the shape intelligence analysis has taken with its continued prominence on the battlefield and value to the war on terror. Secondly, there have been challenges, cited in both the ‘90s chapter and the Reagan era, in flights of personnel, and demographic shifts following.

There may be a misbalance between the recent influx of IC analysts, potentially younger and with globalization more ingrained into their mindsets (and less experiences, although some time has passed since the post-9/11 surge that likely helps in this regard), and the “we-be’s” discussed in the limited structural reform section. Moving forward, this has important implications on secrecy, with those used to operating in older mindsets finding more challenges with the increased emphasis on information sharing (Nolte). Thirdly, the technological shifts and multiplied consumers have left a cadre of employees with an ever-widening set of approaches, mindsets, skillsets, day-to-day job requirements, and viewpoints on the world, with a balance between continued bureaucratic limitations and newfound emphasis on networks to bridge the highly varied employees. Finally, the community still appears to be struggling with its cross-cultural element. As noted in the “90s” Section, the IC still has to contract out extensively for linguistic duties, and there are challenges in hiring people with the necessary cultural backgrounds to grasp the issues the nation faces today. This is a bit surprising given our immensely diverse population (there are obvious fears about cultural connections to people of these countries, but I think our views of first generation Americans could use some adjustment).

Again, analysts today are present at all levels of intelligence production, even if they are occasionally usurped in the connection between raw data and consumers. Richard Immerman’s “analytic transformation” describes a surprisingly rapid internal evolution taking shape as the community tries to adapt to its present context. For the sake of this cultural discussion, I will briefly present the types of maneuvers he discusses, and in Chapter Six, I will outline their specifics as I recommend their continuation. Immerman is particularly fond of former Deputy Director of National Intelligence for Analysis (DDNI/A) Thomas Finger, also head of the NIC (the position was dual-hatted). He was a former director of INR, and leader of this analytic

transformation (2005-2008). The trends he instituted are significant, and in my eyes, prove to be commendable aims for the community in the near future.

Fingar planted the seeds for greater “jointness”. He mandated analytic training classes for new analysts, which has helped with more uniform standards on products and analysis that contribute to a greater community benefit. Secondly, Fingar instituted multiple efforts to increase informal links between employees, through efforts like IC social networks and databases to find relevant peers on necessary issues. Finally, he improved and found some alternatives to Information Sharing Environment discussed in the “IRTPA” Section, which has faced challenges in implementation (168-180). All of these deal with the “networks” (Treverton and Gabbard 48) and final product, two features that I think can serve equally as crucial to the community’s success as the structures that produce them.

To end the cultural discussion, the continued privatization offers a newfound adaptation to global issues that has come to define the community. Shorrock illustrated the sheer magnitude of contracting programs in the ‘90s section. Today, the most secret of the programs, like the CACI waterboarding he discussed, may remain more advantageous in private environments because of less clear avenues for monitoring than somewhere like CIA. Additionally, privatization offers an advantage of specificity through contracts and potentially expanded technological capabilities. However, one has to wonder about contracting’s influence on the very individuals and environment discussed. Some employees may be tempted to take their expertise and past training inside the IC private for a more lucrative career.

Chapter Six: Reform Suggestions and the “Path Forward”

“In the degree that a state’s image of the external world is false, actually and philosophically false, no technicians, however proficient, can make the policy that is based on it sound” Louis Halle (Scott and Hughes 653)

When I first undertook this study, I must admit my original intentions and approach were a bit naïve. I did not have the same concept of intelligence reform, the very feature that defines this study. I could not fully grasp its limitations, accept the potential short-term dangers, realize the challenges limiting structural reform, or understand just how much secrecy alters the conversation. While I knew that history, politics and the IC’s global affairs context would have a key influence on the nature of reform, I did not realize the full severity at which it would actually shape today’s community. To me, reforming the intelligence community meant a fundamental reorganization, and in my opinion, one that was necessary.

I had grandiose aims, starting first with eliminating the military influence I harped upon in the “Civilian-Military Coordination” and “Centralization” sections (a problem much greater than just intelligence). I wanted a profound role for the state department in the community, not only improving analysis’ quality through my revered INR¹⁸ but also increased global understanding that bettered policy as a whole. I valued a community where long-term analysis could dominate, with more academic and multidisciplinary approaches. I imagined the Sherman Kents of the world sitting back and making bold projections on the future, predictions then read widely with a profound influence on long-term policy. I saw the IC as a tool to fix the very broken policies I perceive in today’s foreign affairs world. Additionally, I sought a community

¹⁸ Both Robert Jervis and Richard Immerman commend INR for their work contrasting with the NIE on Iraqi WMD. Both of them noted INR’s capability to accurately present the low level of certainty on WMD guesses, a significant (*Why Intelligence Fails*; “Analytic Transformation” 167)

where analysis dominates (without recognizing the many facets of analysis), and where we can stop spying so much.

Some of these aims are commendable, and steps toward them are possible, as I will demonstrate. Given the extreme value that a greater civilian, political and economic understanding worldwide would provide to changing international affairs issues, and our ever-weakening soft power, I think the foreign policy structure could benefit greatly (Stuart 306-310). However, these reforms are equally as much about addressing policy-makers faith in the IC, and the greater foreign policy apparatus as a whole, from which the IC manifests, and are likely unachievable. Additionally, intelligence revolution like this is an arduous task, and in some ways not worth the effort in the current context.

The community is still adapting to the reforms after 9/11. Revolutionizing the community in this model could lead to more employee frustration, flights of analysts elsewhere, and frustrated military analysts. With the numerous global crises we are experiencing now, and the technological needs that are more necessary than I appreciated with my initial conceptions of an improved community, the short-term costs would not be worth potential for future rewards. Additionally, my initial conception ignores some of the internal improvements made in recent years I briefly discussed in the cultural section. Furthermore, it discounts some of the reasons we have such a current-focused intelligence structure in the rapidly evolving global environment, and the necessity of some military intelligence support given the current approach to terrorism. Considering these factors, which almost validate the evolutions the community has taken in the U.S. context, my suggestions will be limited.

In terms of methodologies, the increased scrutiny of IC morality and the changing nature of information and secrecy have complicated the IC's set of choices. These challenges are multiplied by newfound domestic needs and ambiguous transnational threats. I offer some basic suggestions for future tactics without offering a major revolution. Culturally and analytically, the trends noted in Immerman's "analytic transformation" should continue.

Culture will prove to be the key aspect of these reforms, arguably under-discussed in the literature (Cardillo). I find a lot of value in improving the analysts' environment, an approach taken partially from Dr. Rob Johnston's book *Analytic Culture in the Intelligence Community*. They operate with a lot of independence, responsibility, and psychological pressures, and if we are going to critique their product and conclusions, then they should be given the best chance possible to succeed. I seek an environment for individual analysts to be capable of producing their best work, and collectively for necessary integration and trust in the modern era. Again, this is based primarily on feasible, incremental reforms, some of which the community has already undertaken (Immerman; Pillar "Unintelligent Design" 43).

Limited Changes: Oversight and Structural Reforms

The aforementioned factors required for a structural overhaul likely are not converging fast enough. As noted in the IRTPA discussion, a real structural overhaul might not have been an honest intention in 2004 either. Although the public conversations of civil liberties are more prominent now, interest still does not seem overwhelmingly high. It is not a strongly politicized issue. Additionally, the current leadership has not done much to change the course set by the previous administration for IC reform. Intelligence practices appear crucial to future battles with

ISIS and the like, cyber challenges, and even potential health disasters, and so mobilizing change on them in this environment may be a challenge (Nolte 213).

The one organizational change I do offer comes from Gregory Treverton. The first deals with the DDNI/A office that Immerman praised. DDNI/A should be established as a “focal point” for measuring the “right balances” for analysts. They should set a precedent and put out “literature,” discussing proper balances for issues like collection versus analysis, in-house versus contracting, and current versus long-term analysis (xiii). One methodological side-note, there should be more integration between the long-term products as a source of background or context for the shorter-term products. Secondly, there should be a “focal point” to “connect R & D and the tool-building Community (government and industry) to intelligence analysts”, offering better chance for private and IC linkages, more chances to improve analysts’ relation with and use of technology and technological experts, and evaluation of intelligence practice as a whole (xiii).

Oversight should remain a vetted and internal process. There is a reason for secrecy on many of the more compartmentalized functions. Organizations have demonstrated a pattern to avoid drastic limitations on the IC, doing so “for the sake of national security,” along with discussed executive oversight weaknesses. The increased compartmentalization discussed in the “Cultural Shifts” Section appears to result from a perceived necessity to avoid the outcry and increased moral spotlight on the IC (Rolington 149-156). I would suggest heightened roles for the internal functions, like lessons learned centers (more on this to come), in evaluating the necessity of practices deemed immoral. Treverton discusses an exhaustive internal study of the effectiveness and value of historic spy operations, something I highly endorse, especially given the lack of full understanding of it from the “need-to-know” limitations (*Reshaping* xviii). Similarly, the torture issue is especially controversial, and deserves extra scrutiny. One

suggestion that might prove fruitful, and again should remain in a highly secret context, would be giving the Government Accountability Office full review capability over the IC. The office had “199 staffers cleared at the top-secret level,” and Gen James Clapper, today’s DNI, stated they “held their feet to the fire” at the Pentagon”(Sanchez).

In terms of improving congressional oversight, I do not see it growing immensely within the current framework until the issues become more politicized. Steps taken like more permanent terms for Senate members to provide them necessary clearances and the dual-hatting of some members on Armed Services, Appropriations and Foreign Affairs committees were good first steps, and I would argue they should continue. However, recommending congressional oversight is as much about recommending more public interest in my eyes, as demonstrated by the role of journalism in Johnson’s “Shocks”.

Methodological Changes

On the surface, the refocus towards HUMINT sounds like a successful measure to counter the rise of terrorism. However, as illustrated, there are inherent challenges in infiltrating these organizations. Byman notes that successful HUMINT for counterterror instead requires successful interrogation (while not advocating for torture, he believes peaceful means have been equally successful), and intercepting terrorist documents during operations (843-847). Espionage will remain challenging, and other less conventional forms of HUMINT should continue to be a priority.

There is a modern covert action campaign taking place versus the terrorists as well, countering terrorists’ demonstrated strength in mobilizing support. Alfred Rolington calls it using “virtuous rhetoric” as a counter to their anti-western, violent messages spreading

vociferously. In general, with the multipolar and transnational world, intelligence has taken more offensive and preventative approaches, in the context of the “fake threat” discussion in the ‘90s section (Rolington 155). Our range of potential HUMINT and covert approaches and successes, in my eyes, are limited by weaknesses in cultural awareness and regional experience that plague our greater foreign policy apparatus. Covert Action should remain relatively low in more hostile environments like Iran, China, and North Korea, due to potential backlash and already-existing accusations of Western manipulation. The Arab Spring case has left more uncertainty following regime changes expected to assist the U.S, demonstrating the dangers in trying to influence such change in hotspots today. However, covert action remains an important tool in policymakers pocket, one that is not nearly as independent to the CIA as it is painted on the outside, that warrants use in limited scenarios.

HUMINT has changed, and alternatives to espionage have and likely should continue to grow in prominence. Byman discusses the extremely valuable foreign-liaison relationships that have helped in countering terrorists worldwide, offering services we are not capable of pulling off outside our own borders, such as freezing finances (849-852). I find these to be extremely important moving forward, and a potential argument for the improvement and increased use of diplomatic efforts. Similarly, I think that diplomats need to become a much more prioritized source for collection, helping to overcome some of the cultural challenges that have plagued the IC. Better cultural efforts might improve chances at infiltrating opposition or using covert action.

Arguing against drone strikes is not an intelligence reform, but the critiques of a militaristic IC with “worst-case analysis” (Matthias) justifications seem especially valid on these issues. The targeted killings of terrorists and torture practices have raised controversy, but in the

end may have saved lives as well, and moving forward I have to admit I am not sure where to stand yet. These models are now contagious, with other countries joining in on the tactics. Much as we may have set a norm for covert action and potential assassinations, or even coups in some countries, so too did we help set a norm for their future use. One has to wonder about the future ramifications should anyone threaten us with them.

The domestic intelligence function has been a notably difficult issue, multifaceted for its moral implications and the criticism of its merits and success. However, I also think the FBI's status in connection to law-enforcement could be viewed as an advantage. William Nolte argues that law-enforcement, public health, food safety, and emergency services, all "operate largely beyond the national security information network." One of the easiest ways to improve security at home would be improving the connection between these elements and treating some like "contractors", with clearances and direct working connections (211-217). I am not arguing for an intelligence analysis office throughout every local jurisdiction, but instead increased efforts to use them as sources, to better alert them on potential threats, and to train them on how to monitor for the threats we fear at home. It might even allow a reduction in the mass-collection at home approach. The FBI should have better access on these issues than anyone else, and the DHS provides access to services like transportation that need incorporation. The DHS' "fusion centers" are a recent effort in a similar vein deserving praise.

I find locations like the Center for the Study of Intelligence to be instrumental moving forward. In addition to the cultural shifts I discussed in chapter five, and will elaborate more on in the coming section, which attempt to systemize evaluation of products, there also needs to be longer-term institutional homes for "lessons learned" centers. DOD already has one. Studies similar in nature to this one, or the necessary espionage study I argued for, would prove valuable

as longer-term successes of specific cognitive methods and approaches could be discussed. Like noted in the methodologies section, we cannot solely rely on history's lessons, but having good up to date recent data is especially significant. When pushing for reform, more both more achievable capable of longer-term impacts when it comes from within, the community needs a basis for new ideas besides the perceptions of individual community managers. A good "repository" (Johnston 112-114) offers the chance for better practice and priorities in the future. More on this concerning analysis in the cultural suggestions.

Secrecy warrants a long reexamination, with more of a happy medium between both sides of the debate. Gabbard and Treverton desire an IC serving as a "convener" or "mediator" across government, academia, and technological experts on issues (1-3). While perhaps not going to this extreme, I think it raises a necessary point and concept for future IC, and practices need to be put in place where security barriers are both permeable by outside experts and systematic and secure where they can continue to be brought in and out, assisting with IC adaptability and issue expertise. I think that the top-secret versus secret distinctions offer sound tools for cross-agency mobility and information sharing, and that perhaps, one universal office and approach could serve to determine clearances throughout the IC. In addition, concerning current fixation with complex information, with the sourcing capabilities and more openness I will discuss in the culture section, a less stringent approach might be valuable as well. Too often news services appear quicker to gain knowledge on issues than the IC, and the community needs to be able to get information to places quicker. Improving the counterintel capabilities could also improve employees comfort levels with increased secrecy. The IRTPA discussion of open-source's necessity was valuable as well.

Cultural Changes

We are not dealing with broken structure, methods or aims for the IC. Cultural reforms offer the biggest example of incremental change leading to measurable and quick results. I argue these reforms are the most feasible, with the least short-term backlash, and with a surprising amount of success already demonstrated. As noted throughout the evaluations section, given the changing multifaceted global environment, where transnational threats are the norm, the analyst proves essential to today's IC. Providing the best working culture and capability to them would pay dividends.

In terms of personnel, I offer two sets of suggestions, the first dealing with incentivizing working for the IC and across it. Firstly, there should be uniform personnel and grading system across agencies (Travers xxiii), so that more cross-agency promotion is expected and employees are not stuck in one frame of mind. Additionally, outside background and expertise on relevant issues and valuable skills should be more equated to IC experiences, to incentivize more backgrounds that are varied. Think tankers, academics, cultural Experts, technology genius, and contractors should be more inclined to work within the community so as to keep the workforce's quality is as strong as possible, and I think analytical potential and cultural or foreign affairs knowledge are especially important. Third, concerning the cultural discussion, the stringent fears of peoples' foreign connections and unique backgrounds are understandable to a degree. However, incorporating more of not just linguists, but also people with cultural backgrounds to contextualize the rhetoric and cultural elements that we lack in forming perceptions of opponents are critical. We have to wonder if we hurt more from the lack of understanding than we do from potential counterterror threats, and I think the clearance givers should be able to do their due diligence better on these folks so we do not fear them entirely.

As already noted, DDNI/A Thomas Fingar mandated analytic training classes for new analysts, which has helped with more uniform standards on products and analysis, offering community-wide benefits. Analysis 101, the initial conception, required every new employee to attend, offering them the chance to make a network of contacts in other agencies. In addition, it standardized the terms, processes, and methodologies of analysts, so that even if individual agencies adapt, they all start with a stronger framework than the past. This requires less on-the-job learning and offers a counter to institutional biases. Although bureaucratic challenges lead to a transfer into the DIA, into the Joint Military Intelligence College, I believe this course must remain a key training ground for employees moving forward (Immerman 167-170).

In addition to maintain the training requirements, I would offer mandatory retraining and offer multiple levels of classes in the future, which should be possible to institute with proper leadership. The processes and evaluations of the courses will benefit the real-world approaches and vice-versa, which when paired with the aforementioned DDNI/A center could help improve analytic practice as a whole. Even if individual agencies later challenge the methodologies or teachings of the class, the joint experience and new mindsets would still benefit individual employees.

Secondly, as mentioned in “Cultural Shifts”, Fingar instituted more joint efforts through linkages among IC members. A-space, an IC classified social network, built on two previous initiatives, IntelPedia, an IC Wikipedia with top-secret, secret and unclassified levels, and “Communities of Interest”(COIs), web environments where employees at all ranges of the process can come together and share on certain issues they share (Immerman 175-176). A-Space was created TS/Secret Compartmentalized Information required (176), which means that ideas of importance are being shared and that they are only being processed by those the government has

deemed the most safe. These informal links, taking the “analysis 101” theme one-step further, are important first steps toward a recommendation of Johnson’s I highly support: “Analysts in IC should be able to identify any other expert whose domain specialty was needed”. I would argue it could occur in ways that do not endanger those whose identities are most valuable, and names, locations or even workplace do not have to be revealed for the most secret (113). Within today’s more internet-focused society, these links offer legitimate measures for professional collaboration, with alternate perspectives and sharing of useful information in a safe and useful fashion. Keeping them cyber-secure is of utmost importance.

Fingar’s “analytic transformation” put in multifaceted efforts to increase sourcing and honest assessment of certainty on analytic products. It required endnotes for any disseminated products, which listed not only a “way to retrieve the information but to evaluate it” (Immerman 170). Further, “a source summary statement that encapsulates ‘the key sources of information used in the product, addressing such strengths and limitations of available information, notable inconsistencies in reporting, important information gaps, or other factors that the producing organization deems relevant’ were necessary” (170), only furthering the integrity of products. When mission or source-specific issues are sharing-averse, there is a waiver process also. There is a coinciding requirement for evaluation of past products, both through the DNI and within organizations, and these sourcing methods along with the taught benchmarks in analysis 101 offer unprecedented means for internal study and improving analytical methods moving forward. Performance metrics, baseline data, and research capability were notably lacking in the past as Johnston demonstrated in 2005 (108-109).

These are major steps that I hope to see continually institutionalized as time goes on, with aforementioned evaluation measures continuing. They also fit the mold of the “repositories”

(Johnson 112-114) and self-analysis centers I identify, with much greater capability to assess the quality of past work and project future standards for them. Additionally, the courses offer a method to actually give analysts these skills early on, and another testing ground for analytical approaches. Systemizing analysis may prove valuable, and individual agencies are already doing more internal evaluation based on such practices (Immerman 174-178)

Finally, in addition to these measures for improving analysis, and the aforementioned desire to make the analysts' job a more lucrative one, the psychology and stress-levels of employees needs to take a precedent. Their work depends on sound critical thinking, and so their cognitive capabilities should be at their peak (Johnston 113). The two key features that I think can help this are trust, and reducing overload. Analysts' bombardment with information likely does not allow them to produce their best work, and without baselines like Fingar has taken steps to implement, quantity of products often served as the measure, but new approaches might offer feedback that reinforces positive attitudes (Johnson 109-112). In terms of trust, harboring connections between different IC organizations' employees and even within organizations is the best step, and the informal links mentioned offer a good starting point. The policymaker dynamic compounds on these stresses, and one solution Pillar suggested is a mandated class for senior policymakers on the IC (Pillar *Intelligence and U.S. Foreign Policy* "Real Reform"). Another approach, perhaps similar joint tours with a brief IC policy person swap (obviously in low-level classification issues) on people working on the same problem.

Conclusion

The most important thing to take from this paper is that the IC's operating context has defined its history. Besides IRTPA, no major structural reorganization has occurred, and as we saw, there are questions if IRTPA actually changed functions and hierarchies to the degree presented on paper. However, the community has taken tremendous steps, often internally and through IC leadership, to adapt to the limitations that impede their work every day. I would argue that the IC has demonstrated itself an essential part of U.S. foreign policy since its emergence as a true community. Moving forward, the IC will prove critical to today's foreign policy approaches, where intelligence wars, rapidly evolving information, ambiguous transnational threats and a dominant place for technology suit the IC's work.

As repeatedly noted in this paper, intelligence does not produce policy. We are operating in the inescapable shadow of 9/11, the Iraqi WMD crisis and the resultant Iraq War, and the IC took a public beating for both. However, policy failures and inherent challenges in surprise remain equally important to all of these catastrophes, and defining the IC's merit and successes without removing that lens can be dangerous. Moving forward, the most potential for improving the IC might be improving public and policymakers understanding of and expectations for the work of analysts. This could make their jobs easier, improve connections with policymakers, and heighten the levels of intelligent, public debate on intelligence reform, crucial to any sound reform coming from the outside. As always noted, improving our foreign policy would greatly improve the IC's chances at success, and I see today's ambivalent, war-heavy and consistently shifting strategy only making analysts' jobs harder.

Today's community is not perfect. I clash with the over-militarization of intelligence; I find that there are still bureaucratic elements that limit the IC's potential, and that oversight,

executive relations and challenges in secrecy and policymakers expectations offer a grim context for a major overhaul. However, I also hope to have demonstrated the dangers and challenges that have always impeded such an overhaul, and the capability of the IC to adapt and improve on their own, as especially demonstrated since the attacks. Should my incremental steps be taken, especially culturally and with regards to analysis, I think the prospects for a continually safe country are tremendous. Intelligence's role will prove instrumental to such an effort, but will ultimately require our faith as a public, and the trust of its consumers.

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