

1

WHAT IS INTELLIGENCE?

What is **intelligence**? Why is its definition an issue? Virtually every book written on the subject of intelligence begins with a discussion of what *intelligence* means, or at least how the author intends to use the term. This editorial fact reveals much about the field of intelligence. If this were a text on any other government function—defense, housing, transportation, diplomacy, agriculture—there would be little or no confusion about, or need to explain, what was being discussed.

Intelligence is different from other government functions for at least two reasons. First, much of what goes on is secret. Intelligence exists because governments seek to hide some information from other governments, who, in turn, seek to discover hidden information by means that they wish to keep secret. All of this secrecy leads some authors to believe that there are certain issues about which they cannot write or may not have sufficient knowledge. Thus, they feel the need to describe the limits of their work. Although numerous aspects of intelligence are—and deserve to be—kept secret, this is not an impediment to describing basic roles, processes, functions, and issues.

Second, this same secrecy can be a source of concern to citizens, especially in a democratic country such as the United States. The U.S. intelligence community is a relatively recent government phenomenon. Since its creation in 1947, the intelligence community has been the subject of much ambivalence. Some Americans are uncomfortable with the concept that intelligence is a secret entity within an ostensibly open government based on checks and balances. Moreover, the intelligence community engages in activities—spying, eavesdropping, covert action—that some people regard as antithetical to what they believe the United States should be as a nation and as a model for other nations. Some citizens have difficulty reconciling American ideals and goals with the realities of intelligence.

To many people, intelligence seems little different from information, except that it is probably secret. However, distinguishing between the two is important. Information is anything that can be known, regardless of how it is discovered. Intelligence refers to information that meets the stated or understood needs of policy makers and has been collected, processed, and focused to meet those needs. Intelligence is a subset of the broader category of information. Intelligence and the entire process by which it is identified, obtained, and analyzed responds to the needs of policy makers. All intelligence is information; not all information is intelligence.

WHY HAVE INTELLIGENCE AGENCIES?

The major theme of this book is that intelligence exists solely to support policy makers in myriad ways. Any other activity is either wasteful or illegal. The book's focus is firmly on the relationship between intelligence, in all of its aspects, and policy making. The policy maker is not a passive recipient of intelligence but actively influences all aspects of intelligence. (This concept of the policy maker–intelligence relationship would also be true for business as well as government. The focus in this book is on governments.)

Intelligence agencies exist for at least four major reasons: to avoid strategic surprise; to provide long-term expertise; to support the policy process; and to maintain the secrecy of information, needs, and methods.

To Avoid Strategic Surprise. The foremost goal of any intelligence community must be to keep track of threats, forces, events, and developments that are capable of endangering the nation's existence. This goal may sound grandiose and far-fetched, but several times since the early twentieth century, nations have been subjected to direct military attacks for which they were, at best, inadequately prepared—Russia was surprised by Japan in 1904, both the Soviet Union (by Germany) and the United States (by Japan) in 1941, and Israel (by Egypt and Syria) in 1973. The terrorist attacks of September 11, 2001, on the United States and the Hamas attacks on Israel in 2023 are additional examples of this pattern, albeit carried out on a much more limited scale.

Strategic surprise should not be confused with tactical surprise, which is of a different magnitude and, as Professor Richard Betts of Columbia University pointed out in his article, "Analysis, War, and Decision: Why Intelligence Failures Are Inevitable," cannot be wholly avoided. To put the difference between the two types of surprise in perspective, suppose, for example, that Mr. Smith and Mr. Jones are business partners. Every Friday, while Mr. Smith is lunching with a client, Mr. Jones helps himself to money from the petty cash. One afternoon Mr. Smith comes back from lunch earlier than expected, catching Mr. Jones red-handed. "I'm surprised!" they exclaim simultaneously. Mr. Jones's surprise is tactical: He knew what he was doing but did not expect to get caught; Mr. Smith's surprise is strategic: He had no idea the embezzlement was happening.

Tactical surprise, when it happens, is not of sufficient magnitude and importance to threaten national existence, although it can be psychologically devastating. To some extent, the 9/11 attacks were tactical surprises. Repetitive tactical surprise, however, suggests some significant intelligence problems. (See box, "The Terrorist Attacks on September 11, 2001: Another Pearl Harbor?")

The advent of missiles with intercontinental ranges, armed with nuclear weapons, put an increased emphasis on intelligence to avoid surprise attack for the United States and the Soviet Union. Today, the use of cyberspace offers possibilities for devastating attacks that could be even more difficult to detect or to deter.

THE TERRORIST ATTACKS ON SEPTEMBER 11, 2001: ANOTHER PEARL HARBOR?

Many people immediately described the September 11, 2001, terrorist attacks on the World Trade Center in New York City and the Pentagon as a “new Pearl Harbor.” This is understandable on an emotional level, as both were surprise attacks. However, important differences exist.

First, Pearl Harbor was a strategic surprise. U.S. policy makers expected a move by Japan but not against the United States. The Soviet Union was seen as a possible target, but the greatest expectation and fear was a Japanese attack on European colonies in Southeast Asia that bypassed U.S. possessions, thus allowing Japan to continue to expand its empire without bringing the United States into the war.

The terrorist attacks were more of a tactical surprise. The enmity of Osama bin Laden and his willingness to attack U.S. targets had been amply demonstrated in earlier attacks on the East African embassies and on the USS *Cole*. Throughout the summer of 2001, U.S. intelligence officials had warned of the likelihood of another bin Laden attack. What was not known—or guessed—were the target and the means of attack.

Second, Japan and the Axis powers had the capability to defeat and destroy U.S. power and the U.S. way of life. The terrorists did not pose a threat on the same level.

To Provide Long-Term Expertise. Compared with the permanent bureaucracy, all senior policy makers are transients. The average time in office for a president of the United States is five years. Secretaries of state and defense serve for less time than that, and their senior subordinates—deputy, under, and assistant secretaries—often hold their positions for even shorter periods. Although these individuals often enter their respective offices with an extensive background in their fields, it is virtually impossible for them to be well versed in all of the matters with which they will be dealing. Inevitably, they will have to call on others whose knowledge and expertise on certain issues are greater. Much knowledge and expertise on national security issues reside in the intelligence community, where the analytical cadre is more stable than the political office holders. (This changed somewhat in the United States after 2001. See Chapter 6.) Stability tends to be greater in intelligence agencies, particularly in higher-level positions, than in foreign affairs and defense agencies. Also, intelligence agencies tend to have far fewer political appointees than do the State and Defense Departments. However, these two personnel differences (stability and nonpolitical) diminished somewhat after 2005. As will be discussed later, the senior position in U.S. intelligence, the director of national intelligence (DNI), had been extremely volatile, with four DNIs in the first five years (2005–2010). Lt. Gen. James Clapper (USAF, ret.), who was DNI from 2010 to 2017, offered greater continuity by remaining in the position longer than all of his predecessors combined. In the first Trump administration

(2017–2021), there were two DNIs and two acting DNIs within four years, another period of instability.

To Support the Policy Process. Policy makers have a constant need for tailored (meaning written for their specific needs), timely intelligence that will provide background, context, information, warning, and an assessment of risks, benefits, and likely outcomes. Policy makers also occasionally need alternative means to achieve specific policy ends. Both of these needs are met by the intelligence community.

In the ethos of U.S. intelligence, a strict dividing line exists between intelligence and policy. The two are seen as separate functions. The government is run by the policy makers. Intelligence has a support role and may not cross over into the advocacy of policy choices. Intelligence officers who are dealing with policy makers are expected to maintain professional objectivity and not push specific policies, choices, or outcomes. To do so is seen as threatening the objectivity of the analyses they present. If intelligence officers have a strong preference for a specific policy outcome, their intelligence analysis may display a similar bias. This is what is meant by **politicized intelligence**, one of the strongest expressions of opprobrium that can be leveled in the U.S. intelligence community. This is not to suggest that intelligence officers do not have preferences about policy choices. They do. However, they are trained not to allow these preferences to influence their intelligence analysis or advice. If intelligence officers were allowed to make policy recommendations, they would then have a strong urge to present intelligence that supported the policy they had first recommended. At that point, all objectivity would be lost.

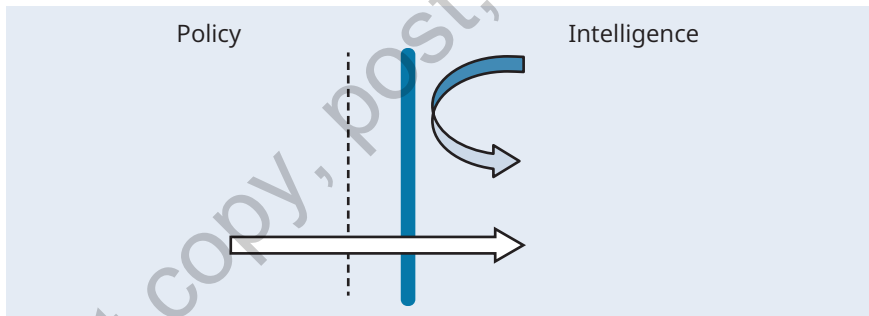
Three important caveats should be added to the distinction between policy and intelligence. First, the idea that intelligence is distinct from policy does not mean that intelligence officers do not care about the outcome and do not influence it. One must differentiate between attempting to influence (that is, inform) the process by providing intelligence, which is acceptable, and trying to manipulate intelligence so that policy makers make a certain choice, which is not acceptable. Second, senior policy makers can and do ask senior intelligence officials for their opinions, which are given. Third, this separation works in only one direction, that of intelligence advice to policy. Nothing prevents policy makers from rejecting intelligence out of hand or offering their own analytic inputs. When doing so, however, policy makers cannot present their alternative views as intelligence per se, in part because they lack the necessary objectivity. There are no hard-and-fast rules here, but there is an unwritten and generally agreed standard. This became an issue in 2002, when Under Secretary of Defense for Policy Douglas Feith created an office that, to many observers, including the Senate Armed Services Committee, appeared to offer alternative intelligence analyses even though it was ostensibly a policy office. Assuming that policy makers stay within their bounds, they will likely see their offering of alternative views as being different from imposing their views on the intelligence product per se. This would also politicize intelligence, which is an accusation policy makers as well as intelligence officials hope to avoid because it calls into question the soundness of their policy and the basis on which they have made decisions. The propriety

of a policy maker rejecting intelligence was central to the 2005 debate over the nomination of John Bolton to be U.S. ambassador to the United Nations. Critics charged that Bolton, as under secretary of state, had engaged in this type of action when intelligence did not provide the answers he preferred. (See Figure 1.1, “Policy Versus Intelligence: The Great Divide.”) In January 2021, Barry Zulauf, the analytic ombudsman in the Office of the DNI (ODNI), said that intelligence reporting in 2019 about the threat of foreign interference in the upcoming 2020 election had been politicized to downplay the threat posed by Russia, a charge that the then-acting DNI, Richard Grenell, denied.

An important aspect of intelligence support to policy is **opportunity analysis**, alerting policy makers to an opportunity to advance their agenda or their goals. This is different from threat or warning intelligence but can be of tremendous value to policy makers. (See Chapter 6.)

FIGURE 1.1 ■ Policy Versus Intelligence: The Great Divide

One way to envision the distinction between policy and intelligence is to see them as two spheres of government activity that are separated by a semipermeable membrane. The membrane is semipermeable because policy makers can and do cross over into the intelligence sphere, but intelligence officials cannot cross over into the policy sphere.



To Maintain the Secrecy of Information, Needs, and Methods. Secrecy does make intelligence unique. That others would keep important information from you, that you need certain types of information and wish to keep your needs secret, and that you have the means to obtain information that you also wish to keep secret are major reasons for having intelligence agencies.

WHAT IS INTELLIGENCE ABOUT?

The word *intelligence* largely refers to issues related to national security—that is, defense and foreign policy and certain aspects of homeland and internal security, which has been increasingly important since the terrorist attacks of 2001 and the

insurrection of January 6, 2021. In U.S. law (the Intelligence Reform and Terrorist Prevention Act, 2004) *all* intelligence is now defined as **national intelligence**, which has three subsets: foreign, domestic, and homeland security. This specification was written to overcome the past strict divide between foreign and domestic intelligence, which had come to be seen as an impediment to intelligence sharing, especially on issues like terrorism, which overlaps both areas. It is important to note that practitioners have had some difficulty distinguishing among homeland, internal, and domestic security.

The actions, policies, and capabilities of other nations and of important nonstate groups (international organizations, terrorist organizations, and so on) are primary areas of concern. But policy makers and intelligence officers cannot restrict themselves to thinking only about enemies—those powers that are known to be hostile or whose policy goals are in some way inimical. They must also keep track of powers that are neutrals, friends, or even allies who are rivals in certain contexts. For example, the European Union is made up largely of nations that are U.S. allies. However, the United States competes with many of them for global resources and markets, so in that sense they are rivals. This type of relationship with the United States is also true of Japan and South Korea. Furthermore, circumstances may arise in which a country would need to keep track of the actions and intentions of friends. For example, an ally might be pursuing a course that could involve it in conflict with a third party. Should this not be to a country's liking—or should it threaten to involve that country as well—it would be better to know early on what this ally was doing. Adolf Hitler, for example, might have been better served had he known in advance of Japan's plans to attack the U.S. fleet at Pearl Harbor in 1941. He had no interest in seeing the United States become an active combatant and might have argued against a direct attack by Japan (as opposed to a Japanese attack to the south against European colonies but avoiding U.S. territories). In the late twentieth and early twenty-first centuries it has become increasingly important for the United States to keep track of nonstate actors—terrorists, narco-traffickers, freelance proliferators, cyber hackers, and others.

Information is needed about these actors, their intentions, their likely actions, and their capabilities in a variety of areas, including economic, military, and societal. The United States built its intelligence organizations in recognition of the fact that some of the information it would like to have is either inaccessible or being actively denied. In other words, the information is secret as far as the United States is concerned, and those who have the information would like to keep it that way.

The pursuit of secret information is the mainstay of intelligence activity. At the same time, reflecting the political transformation brought about by the end of the Cold War, increasing amounts of once-secret information are now accessible, especially in states that were satellites of or allied with the Soviet Union. The ratio

of open to secret information has shifted dramatically. One former senior intelligence official estimated that, during the Cold War, 80 percent of the intelligence the U.S. needed was secret and 20 percent was open, but in the post–Cold War world, those ratios had reversed. These are broad rather than precise numbers, but they reflect the shift between the two types of intelligence. Still, foreign states and actors harbor secrets that the United States must pursue. And not all of this intelligence is in states that are hostile to the United States in the sense that they are enemies.

Most people tend to think of intelligence in terms of military information—troop movements, weapons capabilities, and plans for surprise attack. This is an important component of intelligence (in line with avoiding surprise attack, the first reason for having intelligence agencies), but it is not the only one. Many different kinds of intelligence (political, economic, social, environmental, health, and cultural) provide important inputs to analysts. Policy makers and intelligence officials must think beyond foreign intelligence. They must consider intelligence activities focused on threats to internal security, such as subversion, espionage, insurrection, and terrorism.

Other than the internal security threats, domestic intelligence—at least in the United States and kindred democracies—had been treated as a law enforcement issue, although this has become an issue of contention in the United States when it comes to terrorism and the treatment of potential terrorists. It has also become an issue in the aftermath of the January 6, 2021, insurrection, which is being treated as a law enforcement and a domestic and foreign intelligence issue.

However, this nexus between domestic intelligence and law enforcement differentiates the practice of intelligence in Western democracies from that in totalitarian or authoritarian states. The Union of Soviet Socialist Republics' State Security Committee (*Komitet Gosudarstvennoi Bezopasnosti*, or KGB), for example, served a crucial internal secret police function that the Central Intelligence Agency (CIA) does not. The same dual function is true of the Ministry of State Security in China. Thus, in many respects, these agencies were not comparable to the CIA.

What is intelligence *not* about? Intelligence is not about truth. (See *Further Readings*.) If something were known to be true—or false—states would not need intelligence agencies to collect the information or analyze it. Truth is such an absolute term that it sets a standard that intelligence rarely would be able to achieve. It is better—and more accurate—to think of intelligence as proximate reality. Intelligence agencies face issues or questions and do their best to arrive at a firm understanding of what is going on. They can rarely be assured that even their best and most considered analysis is true. Their goals are intelligence products that are reliable, unbiased, and honest (that is, free from politicization). These are all laudable goals, yet they are still different from truth. (See box, “*And ye shall know the truth . . .*”)

“AND YE SHALL KNOW THE TRUTH . . .”

After arriving at the old entrance of the Central Intelligence Agency headquarters, one will find the following inscription on the left-hand marble wall:

And ye shall know the truth, and the truth shall make you free.

John VIII–XXXII

It is a nice sentiment, but it overstates and misrepresents what is going on in that building or any other intelligence agency.

It is also important to understand that the target of intelligence is secrets and not mysteries. Secrets refers to intelligence that someone, somewhere knows—just not us. The goal is to gain access to that intelligence. Mysteries refers to things that cannot be explained and for which no reliable intelligence likely exists—such as who built Stonehenge.

Is intelligence integral to the policy process? The question may seem rhetorical in a book about intelligence, but it is important to consider. At one level, the answer is yes. Intelligence should and can provide warning about imminent strategic threats, although, as noted, several nations have been subjected to strategic surprise. Intelligence officials can also play a useful role as seasoned and experienced advisers. The information their agencies gather is also of value given that it might not be available if agencies did not undertake secret collection. Therein lies an irony: Intelligence agencies strive to be more than just collectors of secret information. They emphasize the value that their analysis adds to the secret information, although equally competent analysts can be found in policy agencies. The difference is in the nature of the work and the outcomes for which the two types of analysts are responsible—intelligence versus policy decisions.

At the same time, intelligence suffers from a number of potential weaknesses that tend to undercut its function in the eyes of policy makers. Not all of these weaknesses are present at all times, and sometimes none is present. They still represent potential pitfalls.

First, a certain amount of intelligence analysis may be no more sophisticated than current conventional wisdom on a given issue. Conventional wisdom is usually—and sometimes mistakenly—dismissed out of hand. But policy makers expect more than that, in part justifiably.

Second, analysis can become so dependent on data that it misses important intangibles. For example, a competent analysis of the likelihood that thirteen small and somewhat disunited colonies would be able to break away from British rule in the 1770s would have likely concluded that defeat was inevitable. After all, Britain was the largest industrial power; it could manufacture weapons—which

the colonies could not; it already had trained troops stationed in the colonies; colonial opinion was not united (nor was Britain's); and Britain could use the Native Americans as an added force, among other reasons. A straightforward political-military analysis would have missed several factors—the depth of British divisiveness, the possibility of help from royalist France—that turned out to be of tremendous importance.

Third, **mirror imaging**, or assuming that other states or individuals will act just the way a particular country or person does, can undermine analysis. The basis of this problem is fairly understandable. Every day people make innumerable judgments—when driving, walking on a crowded street, or interacting with others at home and at the office—about how other people will react and behave. They assume that their behavior and reactions are based on the golden rule. These judgments stem from societal norms and rules, etiquette, and experience. Analysts too easily extend this commonplace thinking to intelligence issues. However, in intelligence it becomes a trap. For example, no U.S. policy maker in 1941 could conceive of Japan's starting a war with the United States overtly (instead of continuing its advance while bypassing U.S. territories), given the great disparity in the economic strength of the two nations. In Tokyo, however, that same disparate strength argued compellingly for the necessity of starting war sooner rather than later. The other problem with mirror imaging is that it assumes a certain level of shared rationality. It leaves no room for the irrational actor, an individual or nation whose rationality is based on something different or unfamiliar—for example, suicidal terrorists viewed through the eyes of Western culture.

Fourth, and perhaps most important, policy makers are free to reject or to ignore the intelligence they are offered. They may suffer penalties down the road if their policy has bad outcomes, but policy makers cannot be forced to take heed of intelligence. Thus, they can dispense with intelligence at will, and intelligence officers cannot press their way (or their products) back into the process in such cases.

This host of weaknesses may seem to overpower the positive aspects of intelligence. It certainly suggests and underscores the fragility of intelligence within the policy process. How, then, can it be determined whether intelligence matters? The best way, at least retrospectively, is to ask, Would policy makers have made different choices with or without a given piece of intelligence? If the answer is yes, or even maybe, then the intelligence mattered. The answer to this question can still be elusive because much intelligence may not be related to a specific event or decision. Richard Kerr, a former deputy director of central intelligence, reviewed fifty years of CIA analysis across a range of issues and concluded that, despite highs and lows of performance, intelligence overall helped reduce policy makers' uncertainty and provided them with understanding and with warning on a fairly consistent basis. This reduction of uncertainty should be seen as a valuable service even if one admits that intelligence will not always be correct. (See box, "*Intelligence: A Working Concept.*")

INTELLIGENCE: A WORKING CONCEPT

Intelligence is the process by which specific types of information important to national security are requested, collected, analyzed, and provided to policy makers; the products of that process; the safeguarding of these processes and this information by counterintelligence activities; and the carrying out of operations as requested by lawful authorities.

We return to the question: What is intelligence? Alan Breakspear, a veteran Canadian intelligence officer, defines intelligence as a capability to forecast changes—either positive or negative—in time to do something about them. We often tend to think about intelligence-related events in the negative. Breakspear’s addition of “positive” is important and is akin to “opportunity analysis.” (See Chapter 6.)

In this book, we will think about intelligence in several ways, sometimes simultaneously:

- Intelligence as process: Intelligence can be thought of as the means by which certain types of information are required and requested, collected, analyzed, and disseminated, and as the way in which certain types of covert action are conceived and conducted.
- Intelligence as product: Intelligence can be thought of as the product of these processes—that is, as the analyses and intelligence operations themselves.
- Intelligence as organization: Intelligence can be thought of as the units that carry out its various functions.

KEY TERMS

intelligence
mirror imaging
national intelligence

opportunity analysis
politicized intelligence

FURTHER READINGS

Each of these readings grapples with the definition of intelligence, either by function or by role, in a different way. Some deal with intelligence on its own terms; others attempt to relate it to the larger policy process.

Betts, Richard. “Analysis, War, and Decision: Why Intelligence Failures Are Inevitable.” *World Politics*, Vol. 31 (October 1978). Reprinted in *Power, Strategy, and Security*. Ed. Klaus Knorr. Princeton, N.J.: Princeton University Press, 1983.

Breakspear, Alan. "Intelligence: The Unseen Instrument of Governance." In *Governance and Security as a Unitary Concept*, edited by Tom Rippon, and Graham Kemp. Victoria, British Columbia: Agio, 2012.

Hamilton, Lee. "The Role of Intelligence in the Foreign Policy Process." In *Essays on Strategy and Diplomacy*. Claremont, Calif.: Claremont College, Keck Center for International Strategic Studies, 1987.

Herman, Michael. *Intelligence Power in Peace and War*. New York: Cambridge University Press, 1996.

Heymann, Hans. "Intelligence/Policy Relationships." In *Intelligence: Policy and Process*, edited by Alfred C. Maurer, Marion D. Tunstall, and James M. Keagle. Boulder, Colo.: Westview Press, 1985.

Hilsman, Roger. *Strategic Intelligence and National Decisions*. Glencoe, Ill.: Free Press, 1958.

Kent, Sherman. *Strategic Intelligence for American Foreign Policy*. Princeton, N.J.: Princeton University Press, 1949.

Kerr, Richard J. "The Track Record: CIA Analysis from 1950 to 2000." In *Analyzing Intelligence*, edited by Roger Z. George, and James B. Bruce. Washington, D.C.: Georgetown University Press, 2008.

Laqueur, Walter. *A World of Secrets: The Uses and Limits of Intelligence*. New York: Basic Books, 1985.

Lowenthal, Mark M. "Intelligence is NOT About 'Telling Truth to Power.'" *International Journal of Intelligence and Counterintelligence* 34 (winter 2021–2022): 795–798.

Oleson, Peter C., ed. *AFIO's Guide to the Study of Intelligence*. Falls Church, Va: Association of Former Intelligence Officers (AFIO), 2016.

Scott, Len, and Peter Jackson. "The Study of Intelligence in Theory and Practice." *Intelligence and National Security* 19 (summer 2004): 139–169.

Shulsky, Abram N., and Gary J. Schmitt. *Silent Warfare: Understanding the World of Intelligence*. 2nd rev. ed. Washington, D.C.: Brassey's, 1993.

Shulsky, Abram N., and Jennifer Sims. *What Is Intelligence?* Washington, D.C.: Consortium for the Study of Intelligence, 1992.

Troy, Thomas F. "The 'Correct' Definition of Intelligence." *International Journal of Intelligence and Counterintelligence* 5 (winter 1991–1992): 433–454.

Warner, Michael. "Wanted: A Definition of Intelligence." *Studies in Intelligence* 46 (2002): 15–23.

Do not copy, post, or distribute

2

THE DEVELOPMENT OF U.S. INTELLIGENCE

Each nation practices intelligence in ways that are specific—if not peculiar—to that nation alone. This is true even among countries that have a common heritage and share a great deal of their intelligence, such as Australia, Canada, New Zealand, the United Kingdom, and the United States—the group known as the **Five Eyes**. A better understanding of how and why the United States practices intelligence is important because the U.S. intelligence system remains the largest and most influential in the world—as model, rival, or target. (The practices of several foreign intelligence services are discussed in Chapter 15.) Therefore, this chapter discusses the major themes and historical events that shaped the development of U.S. intelligence and helped determine how it continues to function.

The phrase “intelligence community” is used throughout the book as well as in most other discussions of U.S. intelligence. The word *community* is particularly apt in describing U.S. intelligence. The community is made up of agencies and offices whose work is often related and sometimes combined, but they serve different needs or different policy makers and work under various lines of authority and control. The intelligence community grew out of a set of evolving demands and without a master plan. It is highly functional and yet sometimes dysfunctional. One director of central intelligence (DCI), Richard Helms (1966–1973), testified before Congress that, despite all of the criticisms of the structure and functioning of the intelligence community, if one were to create it from scratch, much the same community would likely emerge. Helms’s focus was not on the structure of the community but on the services it provides, which are multiple, varied, and supervised by a number of individuals. This approach to intelligence is unique to the United States, although others have copied facets of it. The 2004 legislation that created a director of national intelligence (DNI; see Chapter 3) made changes in the superstructure of the intelligence community but not to the essential functions of the various agencies.

MAJOR THEMES

A number of major themes contributed to the development of the U.S. intelligence system.

Liberty and Security. Throughout the history of the United States under the Constitution there has been a constant debate and sometimes tension between two equally desired outcomes: liberty and security. These goals are not in opposition

but, at certain times, one value has had to give way to the other. In the John Adams administration (1797–1801), Congress passed legislation, the Alien and Sedition Acts, designed to limit criticism of the government in speech or the press. During the Civil War, Abraham Lincoln (1861–1865) suspended habeas corpus (the requirement to be charged with a crime after arrest) several times (as did Jefferson Davis in the Confederacy). During World War I, Woodrow Wilson (1913–1921) used the Espionage Act to arrest those opposed to certain wartime policies. In the period after that war, Attorney General A. Mitchell Palmer conducted raids and arrests against American left-wing radicals. At the onset of U.S. entry into World War II, Japanese citizens (Nisei) were forced into internment camps. During the early part of the Cold War, Sen. Joseph McCarthy, R-WI, held numerous hearings to root out suspected Communist infiltrators in the government, often with little evidence. During the Vietnam War, Presidents Lyndon B. Johnson (1963–1969) and Richard M. Nixon (1969–1974) used the Federal Bureau of Investigation (FBI) and the Central Intelligence Agency (CIA) to investigate antiwar and civil rights protesters. Finally, during the campaign against terrorists there have been concerns about National Security Agency (NSA) programs and their breadth and degree of intrusiveness within the United States.

The Novelty of U.S. Intelligence. Of the major powers of the twentieth and twenty-first centuries, the United States has the briefest history of significant intelligence beyond wartime emergencies. The great Chinese military philosopher, Sun Tzu, wrote about the importance of intelligence in the fifth century BCE. British intelligence dates from the reign of Elizabeth I (1558–1603), French intelligence from the tenure of Cardinal Richelieu (1624–1642), and Russian intelligence from the reign of Ivan the Terrible (1533–1584). Even given that the United States did not come into being until 1776, its intelligence experience is brief. The first glimmer of a **national intelligence** enterprise did not appear until 1940. Although permanent and specific naval and military intelligence units date from the late nineteenth century, a broader U.S. national intelligence capability began to arise, in a limited sense, only with the creation of the Coordinator of Information (COI) in 1941, the predecessor of the World War II-era Office of Strategic Services (OSS).

What explains this 165-year absence of organized U.S. intelligence? For most of its history, the United States did not have strong foreign policy interests beyond its immediate borders. The success of the 1823 Monroe Doctrine (which stated that the United States would resist any European attempt to colonize in the Western Hemisphere)—abetted by the acquiescence and tacit support of Britain, the most powerful of the European states—solved the basic security interests of the United States and its broader foreign policy interests. The need for better intelligence became apparent only after the United States achieved the status of a world power and became involved in wide-ranging international issues at the end of the nineteenth century.

Furthermore, the United States faced no threat to its security from its neighbors, from powers outside the Western Hemisphere, or—with the exception of the Civil War (1861–1865)—from large-scale internal dissent that was inimical to its form

of government. This benign environment, so unlike that faced by all European states, undercut any perceived need for national intelligence.

Until the Cold War with the Soviet Union commenced in 1945, the United States severely limited expenditures on defense and related activities during peacetime. Intelligence, already underappreciated, fell into this category. Historians have noted, however, that intelligence absorbed a remarkable and anomalous 12 percent of the federal budget under President George Washington. This was the high-water mark of intelligence spending in the federal budget, a percentage that was never approached again. The intelligence request for fiscal year 2024 amounts to \$101.7 billion, which is 1.5 percent of the total U.S. budget request. These data suggest that although there has been a great increase in intelligence spending in terms of dollars since the 9/11 terrorist attacks, intelligence has not increased substantially as a national priority since 2001, remaining fairly stable as a percentage of the overall federal budget. In other words, intelligence spending has increased as has the rest of the federal budget, but intelligence has not consumed a greater share of the federal budget, which is a more important indicator than dollar spending levels.

Intelligence was a novelty in the 1940s. At that time, policy makers in both the executive branch and Congress viewed intelligence as a newcomer to national security. Even within the Army and the Navy, intelligence developed relatively late and was far from robust until well into the twentieth century. As a result, intelligence did not have long-established patrons in the government, but it did have many rivals with competing departments, particularly the Army, the Navy, and the FBI, none of which was willing to share its sources of information. Furthermore, intelligence did not have well-established traditions or modes of operation and thus was forced to create these during two periods of extreme pressure: World War II and the Cold War.

A Threat-Based Foreign Policy. With the promulgation of the Monroe Doctrine, the United States assumed a vested interest in the international status quo. This interest became more pronounced after the Spanish-American War in 1898. With the acquisition of a small colonial empire, the United States achieved a satisfactory international position—largely self-sufficient and largely unthreatened. However, the twentieth century saw the repeated rise of powers whose foreign policies were direct threats to the status quo: Kaiserine Germany in World War I, the Axis in World War II, and then the Soviet Union during the Cold War.

Responding to these threats became the mainstay of U.S. national security policy. The threats also gave focus to much of the operational side of U.S. intelligence, from its initial experience in the OSS during World War II to broader covert actions in the Cold War. Intelligence operations were one way in which the United States countered these threats.

The terrorism threat in the late twentieth and early twenty-first centuries fits the same pattern of an opponent who rejects the international status quo and has emerged as an issue for U.S. national security. However, now the enemy was not a nation-state—even when terrorists have the support of nation-states or appear to be quasi-states, as did

the Islamic State (ISIS) for a period—which makes it more difficult to deal with the problem. The refusal to accept the status quo could be more central to terrorists than it was to nation-states such as Nazi Germany and the Soviet Union, for whom the international status quo was also anathema. Such countries can, when necessary or convenient, forgo those policies, temporarily accept the status quo, and continue to function. Terrorists, however, cannot accept the status quo without giving up their *raison d'être*.

There has been much debate about whether China represents a similar status quo threat. China seeks—and has received—recognition as a great power, based primarily on its renewed economic strength. China also seeks a more hegemonic role in East Asia and the western Pacific, which poses a challenge to the United States. Does this portend a more pointed and perhaps dangerous competition with the United States?

Being the guarantor of the status quo imposes costs—economic and military—that are usually seen as being offset by the benefits of the status quo. Donald Trump's administrations appear unwilling to bear those costs. The 2019 *Worldwide Threat Assessment* issued by DNI Dan Coats (2017–2019) suggested that this “America first” stance had caused a reassessment of relations and roles by U.S. allies and partners.

The Influence of the Cold War. Historians of intelligence often debate whether the United States would have had a large-scale intelligence capability had there been no Cold War. The view here is that the answer is yes. The 1941 Japanese attack on Pearl Harbor, not the Cold War, prompted the initial formation of the U.S. intelligence community.

Even so, the prosecution of the Cold War became the major defining factor in the development of most basic forms and practices of the U.S. intelligence community. Until the collapse of the Soviet Union in 1991, the Cold War was the predominant national security issue, taking half of the intelligence budget, according to former DCI Robert M. Gates (1991–1993). Moreover, the fact that the Soviet Union and its allies were essentially closed targets had a major effect on U.S. intelligence, forcing it to resort to a variety of largely remote technical systems to collect needed information from a distance.

The Global Scope of Intelligence Interests. The Cold War quickly shifted from a struggle for predominance in postwar Europe to a global struggle in which virtually any nation or region could be a pawn between the two sides, especially as decolonization created many new independent states. Although some areas always remained more important than others, none could be written off entirely. Thus, U.S. intelligence began to collect and analyze information about, and station intelligence personnel in, every region.

A Wittingly Redundant Analytical Structure. Intelligence can be divided into four broad activities: collection, analysis, covert action, and counterintelligence. The United States developed unique entities to handle the various types of collection (imagery, signals, espionage) and covert action; counterintelligence is a function that is found in virtually every intelligence agency. But, for analysis, U.S. policy makers purposely created

over time three agencies whose functions appear to overlap: the CIA's Directorate of Analysis (until 2015, the Directorate of Intelligence, or DI), the State Department's Bureau of Intelligence and Research (INR), and the Defense Intelligence Agency (DIA). Each of these agencies is considered an all-source analytical agency; that is, their analysts have access to the full range of collected intelligence, and they work on many of the same issues, although with differing degrees of emphasis, reflecting the interests of their primary policy customers.

Two major reasons explain this redundancy, and they are fundamental to how the United States conducts analysis. First, different consumers of intelligence—policy makers—have different intelligence needs. Even when the president, the secretary of state, the secretary of defense, and the chair of the Joint Chiefs of Staff are working on the same issue, each has different operational responsibilities and concerns. The United States developed analytical centers to serve each policy maker's specific and unique needs. Also, each policy agency wanted to be assured of a stream of intelligence analysis dedicated to its needs.

Second, the United States developed the concept of **competitive analysis**, which is based on the belief that by having analysts in several agencies with different backgrounds and perspectives work on the same issue, parochial views more likely will be countered—if not weeded out—and more reliable proximate reality is more likely to be achieved. Competitive analysis should, in theory, be an antidote to **groupthink** and forced consensus, although this is not always the case in practice. For example, during the prewar assessment of Iraq's weapons of mass destruction (WMD) programs, divisions formed among agencies about the nature of some intelligence (such as the possible role of aluminum tubes in a nuclear program) and whether the totality of the intelligence indicated parts of a nuclear program or a more coherent program. But these differences did not appreciably alter the predominant view with respect to the overall potential Iraqi nuclear capability.

As one would expect, competitive analysis entails a certain cost for the intelligence community because it requires having many analysts in several agencies all working on similar issues. During the 1990s, as intelligence budgets contracted severely under the pressure of the post–Cold War peace dividend and because of a lack of political support in either the executive branch or Congress, much of the capability to conduct competitive analysis was lost. There simply were not enough analysts. According to DCI George J. Tenet (1997–2004), the entire intelligence community lost some 23,000 positions during the 1990s, affecting all activities. One result was a tendency to do less competitive analysis and, instead, to allow agencies to focus on certain issues exclusively, which resulted in a sort of analytical triage.

Consumer-Producer Relations. The distinct line that is drawn between policy and intelligence leads to questions about how intelligence producers and consumers should relate to each other. The issue is the degree of proximity that is desirable.

Two schools of thought have been evident in this debate in the United States. The distance school argued that the intelligence establishment should keep itself separate

from the policy makers to avoid the risk of providing intelligence that lacks objectivity and favors or opposes one policy choice over others. Adherents of the distance school also feared that policy makers could interfere with intelligence so as to receive analysis that supported or opposed specific policies. This group believed that too close a relationship increased the risk of politicized intelligence.

The proximate group argued that too great a distance raised the risk that the intelligence community would be less aware of policy makers' needs and therefore produce less useful intelligence. This group maintained that proper training and internal reviews could avoid politicization of intelligence.

By the late 1950s to early 1960s, the proximate school became the preferred model for U.S. intelligence. But the debate was significant in that it underscored the early and persistent fears about intelligence becoming politicized.

In the late 1990s, there were two subtle shifts in the policy-intelligence relationship. The first was a greatly increased emphasis on support to military operations, which some observers believed gave too much priority to this sector—at a time when threats to national security had seemingly decreased—at the expense of other intelligence consumers. The second was the view among some analysts that they were being torn between operational customers and analytical customers.

The apotheosis of the proximate relationship may have come under President George W. Bush (2001–2009) who, after taking office, requested that he receive an intelligence briefing six days a week. DCI Tenet and Porter J. Goss (2004–2006), the last DCI and first director of the CIA (DCIA), attended these daily briefings—as did the first two DNIs, Ambassador John Negroponte (2005–2007) and retired vice admiral Mike McConnell (2007–2009), which was unprecedented. This greatly increased degree of proximity at the most senior level led some observers to question its possible effects on the DCI's ability to remain objective about the intelligence being offered. President Bush insisted on DCI/DNI attendance because he wanted to be certain that they understood his major intelligence and policy concerns. President Barack Obama (2009–2017) received a President's Daily Brief (PDB), not necessarily presented to him by the DNI but there was a postbrief meeting that the DNI or his deputy attended. Under President Trump, the DNI and the DCIA sometimes both attended the briefings, although these were held less frequently. The DNI and the DCIA typically both attended the PDB session for President Joe Biden (2021–2025), which suggests that a regular president-DNI meeting has become a standard part of the policy-intelligence relationship.

The Relationship Between Analysis and Collection and Covert Action. Parallel to the debate about producer-consumer relations, factions have waged a similar debate about the proper relationship between intelligence analysis, on the one hand, and intelligence collection and covert action, on the other.

The issue has centered largely on the structure of the CIA, which includes both analytical and operational components: the Directorate of Analysis (DA) and the Directorate of Operations (DO). (A similar structure exists in DIA with both analysts

and a clandestine service, now called the Defense Clandestine Service, or DCS, but DIA has not usually been the focus of these concerns.) The DO is responsible for both espionage and covert action. Again, distance and proximate schools of thought took form. The distance school argued that analysis and the two operational functions are largely distinct and that housing them together could be risky for the security of human sources and methods and for analysis. Distance adherents raised concerns about the ability of the DI (as it then was) to provide objective analysis when the DO is concurrently running a major covert action. Will covert operators exert pressure, either overt or subliminal, to have analysis support the covert action or its relative degree of ongoing success? As an example of such a conflict of interest, such stresses existed between some analytical components of the intelligence community and supporters of the counterrevolutionaries (contras) who were fighting the Sandinista government in Nicaragua in the 1980s. Some analysts questioned whether the contras would ever be victorious, which was seen as unsupportive by some advocates of the contras' cause.

The proximate school argued that separating the two functions deprives both analysis and operations of the benefits of a close relationship. Analysts gain a better appreciation of operational goals and realities, which can be factored into their work, as well as a better sense of the value of sources developed in espionage. Operators gain a better appreciation of the analyses they receive, which can be factored into their own planning.

Although critics of the current structure have repeatedly suggested separating analytical and operational components, the proximate school has prevailed. In the mid-1990s, the then-DI and DO entered a partnership that brought together their front offices and various regional offices. This did not entirely improve their working relationship. One of the by-products of the 2002 Iraq WMD national intelligence estimate (NIE) was an effort to give analysts greater insight into DO sources. This was largely a reaction to the agent named CURVEBALL, an Iraqi human source under German control whose reporting on Iraqi biological weapons proved to be fabricated, unbeknownst to some analysts, who unwittingly continued to use this reporting as part of their supporting intelligence even after the reporting had been recalled. In 2015, DCIA John Brennan (2013–2017) announced a major reorganization of the CIA into a series of regional and topical mission centers that would combine analytic and operational staffs and functions. These mission centers, each headed by an assistant director, have become the loci of all CIA activities, with the DA and DO essentially becoming logistic supports for the mission centers. Thus, the proximate model is still the preferred one, although some observers have raised concerns about the mission center structure homogenizing the unique cultures and attributes of the DA and the DO.

The Debate Over Covert Action. As discussed in Chapter 1, the use of covert action by the United States has always generated some uneasiness among those concerned about its propriety or acceptability as a facet of U.S. policy—secret intervention, perhaps violently, in the affairs of another state. In addition, some policy makers, members of Congress, and citizens debated the propriety of paramilitary operations—the training

and equipping of large foreign irregular military units, such as the contras in Nicaragua or the Mujahideen in Afghanistan. Other than assassination, paramilitary operations have been among the most controversial aspects of covert action, and they have an uneven record. The vigor of the debate for and against paramilitary operations has varied widely over time. Little discussion occurred before the abortive Bay of Pigs invasion (1961), and afterward there was little discussion until the 1970s, when the Vietnam War fostered a collapse of the U.S. bipartisan Cold War consensus that had supported an array of measures to counter Soviet expansion. At the same time, a series of revelations about intelligence community misdeeds fostered more skepticism if not opposition to intelligence operations. The debate revived once again during the contras' paramilitary campaign against Nicaragua's government in the mid-1980s. In the aftermath of the terrorist attacks in the United States in 2001, however, broad agreement reemerged on a full range of covert actions—as opposed to a later debate on interrogation techniques and renditions, meaning nonjudicial apprehension of terrorists overseas.

Two more recent aspects of this continuing debate over covert action are the use of armed UAVs (unmanned aerial vehicles, or drones) to attack terrorists overseas—including targeting U.S. citizens, which has raised questions about propriety and legality—and whether the use of cyberspace as a preemptive or precursor weapon is a military action or a covert action. (These issues are discussed in more detail in Chapters 8 and 12.)

The Continuity of Intelligence Policy. Throughout most of the Cold War, no difference existed between Democratic and Republican intelligence policies. The Cold War consensus on the need for a continuing policy of containment vis-à-vis the Soviet Union transcended politics until the Vietnam War, when a difference emerged between the two parties that was in many respects more rhetorical than real. For example, both Jimmy Carter (1977–1981) and Ronald Reagan (1981–1989) made intelligence policy an issue in their campaigns for the presidency. Carter, in 1976, lumped together revelations about the CIA and other intelligence agencies' misconduct with Watergate and the Vietnam War; Reagan, in 1980, spoke of restoring the CIA, along with the rest of U.S. national security. Although the ways in which the two presidents supported and used intelligence differed greatly, it would be wrong to suggest that one was anti-intelligence and the other pro-intelligence.

A similar broad continuity of intelligence policy initially emerged over the issue of terrorism. As a candidate, Obama pledged to make a number of changes in U.S. policy toward terrorism and terrorists. Although he took steps to signal a changed direction, such as ordering the eventual closure of the prison at Guantánamo Bay, Cuba, this proved to be difficult to do. The terrorist detention center remained open as of 2025. The Obama administration also ordered UAV attacks on terrorist targets four times as often as did the George W. Bush administration and continued to authorize programs to gather data from telephones and computer communications. Interestingly, the Obama administration's 2011 counterterrorism strategy noted the continuity between the Bush

and Obama administrations in this area. There has been more continuity than change overall, especially as the terrorist threat went from larger attacks to more individual ones. Similarly, the *Worldwide Threat Assessment* presented annually by the DNI did not change very much from DNI James Clapper to his Trump-appointed successor, Dan Coats, until Trump forbade further presentations of the assessment to Congress as it questioned some of the premises of his policies toward North Korea and Iran. The Biden administration signaled a return to policy-intelligence relations that had existed prior to Trump's first term, which had fostered a politicized and often antagonistic relationship.

Heavy Reliance on Technology. Since the creation of the modern intelligence community in the 1940s, the United States has relied heavily on technology as the mainstay of its collection capabilities. A technological response to a problem is not unique to intelligence. It also describes how the United States has waged war, beginning as early as the Civil War in the 1860s. Furthermore, the closed nature of the major intelligence target in the twentieth century—the Soviet Union—required remote technical means to collect information.

The reliance on technology is significant beyond the collection capabilities it engenders because it has had a major effect on the structure of the intelligence community and how it has functioned. Some people maintain that the reliance on technology resulted in an insufficient use of human intelligence collection (espionage). No empirical data are available supporting this view, but this perception has persisted since at least the 1970s. The main argument, which tends to arise when intelligence is perceived as having performed less than optimally, is that human intelligence can collect certain types of information (intentions and plans) that technical collection cannot, although this intelligence can sometimes be obtained via signals intelligence. Little disagreement is heard about the strengths and weaknesses of the various types of collection, but such an assessment does not necessarily support the view that espionage always suffers as compared with technical collection. The persistence of the debate reflects an underlying concern about intelligence collection that has never been adequately addressed—that is, the proper balance (if such balance can be had) between technical and human collection. This debate arose again in the aftermath of the terrorist attacks in 2001. (See Chapter 12 for a discussion of the types of intelligence collection required by the war on terrorists.)

Secrecy Versus Openness. The openness that is an inherent part of a representative democratic government clashes with the secrecy required by intelligence operations. No democratic government with a significant intelligence community has spent more time debating and worrying about this conflict than the United States. How open can intelligence be and still be effective? At what point does secrecy pose a threat to democratic values? The issue cannot be settled with finality, but the United States has made an ongoing series of compromises between its values—as a government and as an international leader—and the requirements for some level of intelligence activity as it has continued to explore the boundaries of this issue. In the debates over the use

of UAVs and the NSA collection programs, there were frequent calls for more “transparency,” which is simply another way of framing this same debate. In October 2015, DNI Clapper released principles for transparency, which he noted were important not only to give more insight into what intelligence does but also to build greater domestic political support for intelligence based on this greater insight.

The Role of Oversight. For the first twenty-eight years of its existence, the intelligence community operated with a minimal amount of oversight from Congress. One reason was the Cold War consensus. Another was a willingness on the part of Congress to abdicate rigorous oversight. Secrecy was also a factor, which appeared to impose procedural difficulties in handling sensitive issues between the two branches. After 1975, congressional oversight changed suddenly and dramatically, increasing to the point where Congress became a full participant in the intelligence process and a major consumer of intelligence. Since 2002, Congress has also become more of an independent intelligence consumer in its own right, in several cases requesting NIEs on specific topics. Within the larger oversight issue is a second issue: Do the intelligence committees serve well as surrogates for the rest of the Congress, or should this responsibility be shared more broadly?

Managing the Community. The size of U.S. intelligence is a strength, in that it allows for greater breadth and depth across a range of intelligence activities and issues. But the size also poses a challenge when it comes to coordinating the various agencies toward specific goals. From 1947 to 2004, the directors of central intelligence had this responsibility, but they tended to function more as “first among equals” rather than as empowered heads of the community. The DCIs also tended to focus more on their CIA responsibilities, which was the source of most of their bureaucratic clout. The DNI now has this community role, minus the CIA function. A major issue, whether under the DCIs or DNIs, is the fact that all of the intelligence components, with the exception of the CIA, belong to a cabinet department, diminishing the DNI’s ability to give them orders. A succession of staffs have been created to support the DCIs and now the DNIs in their community role, but the effectiveness of these staffs is tied directly to the effectiveness of the DNI. DNI Clapper made “intelligence integration” his major area of emphasis when it came to community management, which can best be described as ongoing efforts to foster unity of purpose and of effort. DNI Coats continued to emphasize intelligence integration in his 2018 mission statement and his 2019 *National Intelligence Strategy*. Both of them understood that the DNI can provide leadership but not necessarily command U.S. intelligence agencies.

MAJOR HISTORICAL DEVELOPMENTS

In addition to the themes that have run through much of the history of the intelligence community, several specific events played pivotal roles in the shaping and functioning of U.S. intelligence after 1941.

The Creation of COI and OSS (1941–1942). Until 1941, the United States did not have anything approaching a national intelligence establishment. The Army and the Navy both had intelligence sections on their staffs and the FBI had domestic intelligence responsibilities. The important precedents were the COI (Coordinator of Information, 1941) and the OSS (Office of Strategic Services, 1942), both created by President Franklin D. Roosevelt (1933–1945). The COI and then the OSS were headed by William Donovan, who had advocated their creation after two wartime trips to Britain before the United States entered World War II. Donovan was impressed by the more central British government organization and believed that the United States needed to emulate it. Roosevelt gave Donovan much of what he wanted but in such a way as to limit Donovan's authority, especially in his relationship to the military, making OSS part of the newly created Joint Chiefs of Staff in 1942 rather than making it an independent entity.

In addition to being the first steps toward creating a national intelligence capability, the COI and OSS were important for three other reasons. First, both organizations were heavily influenced by British intelligence practices, particularly their emphasis on what is now called covert action—guerrillas, operations with resistance groups behind enemy lines, sabotage, and so on. For Britain this wartime emphasis on operations was the natural result of being one of the few ways the country could strike back at Nazi Germany in Europe until the Allied invasions of Italy and France. These covert actions, which had minimal effect on the outcome of the war, became the main historical legacy of the OSS.

Second, although OSS operations played only a small role in the Allied victory in World War II, they served as a training ground—both technically and in terms of esprit—for many people who helped establish the postwar intelligence community, particularly the CIA. However, as former DCI Richard Helms, himself an OSS veteran, points out in his memoirs, most of the OSS veterans had experience in espionage and counterintelligence and not in covert action.

Third, the OSS had a difficult relationship with the U.S. military. The military leadership was suspicious of an intelligence organization operating beyond its control and perhaps competing with organic military intelligence components (that is, military intelligence units subordinated to commanders). The Joint Chiefs of Staff therefore insisted that the OSS become part of its structure, refusing to accept the idea of an independent civilian intelligence organization. Therefore, Donovan and the OSS were made part of the Joint Chiefs structure. Tension between the military and non-military intelligence components has continued, with varying degrees of severity or cooperation. It was evident in 2004, when the Department of Defense (DOD), and its supporters in Congress, successfully resisted efforts to expand the authority of the new DNI to intelligence agencies within DOD. (See Chapter 3 for details.)

Pearl Harbor (1941). Japan's surprise attack in 1941 was a classic intelligence failure. The United States overlooked a variety of indicators; U.S. processes and procedures were deeply flawed, with important pieces of intelligence not being shared across agencies or departments; and mirror imaging blinded U.S. policy makers to the reality of policy decisions in Tokyo. The attack on Pearl Harbor was most important as the

guiding purpose of the intelligence community that was established after World War II. The fundamental mission was to prevent a recurrence of a strategic surprise of this magnitude, especially in an age of nuclear-armed missiles.

MAGIC and ULTRA (1941–1945). One of the Allies' major advantages in World War II was their superior signals intelligence, that is, their ability to intercept and decode Axis communications. MAGIC refers to U.S. intercepts of Japanese communications; ULTRA refers to British, and later British-U.S., interceptions of German communications. This wartime experience demonstrated the tremendous importance of this type of intelligence, the most important intelligence during the war. Also, it helped solidify U.S.-British intelligence cooperation, which continued long after the war. Moreover, in the United States the military, not the OSS, controlled MAGIC and ULTRA. This underscored the friction between the military and the OSS. The military today continues to direct signals intelligence, in NSA. NSA is a DOD agency and is considered a combat support agency, a legal status that gives DOD primacy over intelligence support at certain times. Both the secretary of defense and the DNI have responsibility for NSA.

The National Security Act (1947). The National Security Act gave a legal basis to the intelligence community, as well as to the position of director of central intelligence, and created a CIA under the director. The act signaled the new importance of intelligence in the nascent Cold War and also made the intelligence function permanent and also civilian, and was a significant change from the previous U.S. practice of reducing the national security apparatus in peacetime. Implicitly, the act made the existence and functioning of the intelligence community a part of the Cold War consensus.

Several aspects of the act are worth noting. Although the DCI could be a military officer, the CIA was not placed under military control, nor could a military DCI have command over troops. The CIA was not to have any domestic role or police powers, either. The legislation does not mention any of the activities that came to be most commonly associated with the CIA—espionage, covert action, even analysis. Its stated job, and President Harry S. Truman's (1945–1953) main concern at the time, was to coordinate the intelligence being produced by various agencies. Vague language in the legislation hinted at and authorized the clandestine activities.

Finally, the act created an overall structure that included a secretary of defense and the National Security Council (NSC); this structure was remarkably stable for fifty-seven years. Although minor adjustments of roles and functions were made during this period, the 2004 intelligence legislation (see Chapter 3 for a fuller discussion of this act) and the establishment of a director of national intelligence brought about the first major revision of the structure created in the 1947 act.

Korea (1950). The unexpected invasion of South Korea by North Korea, which triggered the Korean War, had two major effects on U.S. intelligence. First, the failure to foresee the invasion led DCI Walter Bedell Smith (1950–1953) to make some dramatic changes, including increased emphasis on national intelligence estimates. Second, the

Korean War made the Cold War global. Having previously been confined to a struggle for dominance in Europe, the Cold War spread to Asia and, implicitly, to the rest of the world. This broadened the scope and responsibilities of intelligence.

The Coup in Iran (1953). In 1953, the United States staged a series of popular demonstrations in Iran that overthrew the nationalist government of Premier Mohammad Mossadegh and restored the rule of the shah, who was friendlier to Western interests. The success and ease of this operation made covert action an increasingly attractive tool for U.S. policy makers, especially during the tenure of DCI Allen Dulles (1953–1961) during Dwight D. Eisenhower’s administration (1953–1961).

The Guatemala Coup (1954). In 1954, the United States overthrew the leftist government of Guatemalan president Jacobo Arbenz Guzmán because of concern that this government might prove sympathetic to the Soviet Union. The United States provided a clandestine opposition radio station and air support for rebel officers. The Guatemala coup proved that the success in Iran was not unique, thus further elevating the appeal of this type of action for U.S. policy makers.

The Missile Gap (1959–1961). In the late 1950s, concern arose that the apparent Soviet lead in the “race for space,” prompted by the launch of the Sputnik satellite in 1957, also indicated a Soviet lead in missile-based strategic weaponry. The main proponents of this argument were Democratic aspirants for the 1960 presidential nomination, including Sens. John F. Kennedy of Massachusetts and Stuart Symington of Missouri. The Eisenhower administration knew, by virtue of the U.S. reconnaissance program, that the accusations about a Soviet lead in strategic missiles were untrue, but the administration did not respond to the charges in an effort to safeguard the sources of the intelligence, especially the fact that U-2 flights were violating Soviet airspace. When Kennedy (1961–1963) took office, his administration determined that the charges were indeed untrue, but the new secretary of defense, Robert S. McNamara (1961–1968), came to believe that intelligence—particularly from the Air Force—had inflated the Soviet threat to safeguard the defense budget. This was an early example of intelligence becoming a political issue, raised primarily by the party out of power.

The way in which the missile gap is customarily portrayed in intelligence history is incorrect. According to legend, the intelligence community, perhaps for base and selfish motives, overestimated the number of Soviet strategic missiles. But the legend is untrue. First, intelligence agencies were divided as to the size of the Soviet strategic force, with the Air Force advocating higher numbers that later proved to be untrue. Second, the public overestimate came largely from political critics of the Eisenhower administration, not the intelligence agencies themselves. Not only did these critics overestimate the number of strategic-range Soviet missiles, but the intelligence community also underestimated the number of medium- and intermediate-range missiles that the Soviets were building to cover their main theater of concern, Europe. McNamara’s distrust of what he perceived as self-serving Air Force parochialism led him to create the DIA.

This use of intelligence for political purposes also underscored the problem of secrecy, in that President Eisenhower did not believe he was able to reveal the true state of the strategic missile balance, which he knew. He did not want to be asked how he knew, which might have led to a discussion of the U-2 program, in which manned aircraft equipped with cameras penetrated deep into Soviet territory in violation of international law. U-2 flights over the Soviet Union continued until May 1960, when Francis Gary Powers, on contract with the CIA, was shot down over Sverdlovsk. Powers survived and was put on trial. Eisenhower was initially reluctant to admit responsibility for the overflights, although he eventually did, placing the blame on the Soviet Union for its bellicosity and secrecy. (The Soviet Union tracked the U-2 flights and also knew the true state of the strategic balance, as the size of U.S. forces was not classified.)

The Bay of Pigs (1961). The Eisenhower administration planned an operation in which Cuban exiles trained by the CIA would invade Cuba and force leader Fidel Castro from power. The operation was not launched until Kennedy had assumed the presidency, and he took steps to limit the operation and thus apparent U.S. involvement to preserve the fiction that the Bay of Pigs invasion was a Cubans-only exercise. The abysmal failure of the invasion showed the limits of large-scale paramilitary operations in terms of their effectiveness and of the United States' ability to mask its role in them. It was a severe setback for the Kennedy administration and for the CIA, several of whose top leaders—including DCI Dulles—were retired as a result, as were all of the members of the Joint Chiefs of Staff when their terms expired.

The Cuban Missile Crisis (1962). Although now widely interpreted as a success, the confrontation with the Soviet Union over its planned deployment of medium- and intermediate-range missiles in Cuba was initially a failure in terms of intelligence analysis. All analysts, with the notable exception of DCI John McCone (1961–1965), had argued that Soviet premier Nikita Khrushchev would not be so bold or rash as to place missiles in Cuba. Analysts also assumed that no Soviet tactical nuclear missiles were in Cuba and that local Soviet commanders did not have authority to use nuclear weapons without first asking Moscow—both of which turned out to be false, although this was not known until 1992. The missile crisis was a success in that U.S. intelligence discovered the missile sites before they were completed, giving President Kennedy sufficient time to deal with the situation without resorting to force. U.S. intelligence was also able to give Kennedy firm assessments of Soviet strategic and conventional force capabilities—in part because of a well-placed spy, Soviet Col. Oleg Penkovsky, which bolstered Kennedy's ability to make difficult decisions. It was an excellent example of different types of intelligence collection working together to support one another and to provide tips to other potential collection opportunities. The intelligence community's performance in this instance went a long way toward rehabilitating its reputation after the failure of the Bay of Pigs.

The Vietnam War (1964–1975). The war in Vietnam had three important effects on U.S. intelligence. First, during the war concerns grew that frustrated policy makers

were politicizing intelligence to be supportive of policy. The Tet offensive in 1968 is a case in point. U.S. intelligence picked up Viet Cong preparations for a large-scale offensive in South Vietnam. President Johnson had two unpalatable choices. He could prepare the public for the event, but then face being asked how this large-scale enemy attack was possible if the United States was winning the war. Or he could attempt to ride out the attack, confident that it would be defeated. Johnson took the second choice. The Viet Cong were defeated militarily in Tet after some bitter and costly fighting, but the attack and the scale of military operations that the United States undertook to defeat them turned a successful intelligence warning and a military victory into a major political defeat. Many people wrongly assumed that the attack was a surprise.

Second, often-heated debates on the progress of the war took place between military and nonmilitary intelligence analysts. This was seen most sharply in the order of battle debate, which centered on how many enemy units were in the field. Military leaders believed that intelligence analysis (primarily from the CIA) was not accurately reporting the progress being made on the battlefield. The argument on the enemy order of battle centered on CIA analysis that showed more enemy units than the military believed to be operating. Or, to put it conversely, if the United States was making the progress being reported by the military, how could the enemy have so many units in the field? The CIA order of battle estimates were assessed to have been high after Tet, but the debate showed how intelligence was being used, primarily by the military, to portray progress in the war. Third, the more long-lasting and most important result of the war was to undercut severely the Cold War consensus under which intelligence operated.

The ABM Treaty and SALT I Accord (1972). The Nixon administration negotiated limits on antiballistic missiles (ABMs) and strategic nuclear delivery systems (the land-based and submarine-based missile launchers and aircraft, not the weapons on them) with the Soviet Union. These initial strategic arms control agreements—the ABM treaty and the strategic arms limitation talks (SALT I) accord—explicitly recognized and legitimized the use of **national technical means**, or NTM (that is, a variety of satellites and other technical collectors), by both parties to collect needed intelligence, and they prohibited overt interference with NTM. Furthermore, these agreements created the new issue of **verification**—the ability to ascertain whether treaty obligations were being met. (**Monitoring**, or keeping track of Soviet activities, had been under way since the inception of the intelligence community, even before arms control. Verification consists of policy judgments or evaluations based on monitoring.) U.S. intelligence was central to these activities, with new accusations by arms control advocates and opponents that intelligence was being politicized. Those concerned that the Soviets were cheating held that cheating was either being undetected or ignored. Arms control advocates argued that the Soviets were not cheating or, if they were, the cheating was minimal and therefore inconsequential, regardless of the terms of the agreements, and they maintained that some cheating was preferable to unchecked strategic competition. Either way, the intelligence community found itself to be a fundamental part of the debate.

Intelligence Investigations (1975–1976). In the wake of revelations late in 1974 that the CIA had violated its charter by spying on U.S. citizens, a series of investigations examined the entire intelligence community. A panel chaired by Vice President Nelson A. Rockefeller concluded that violations of law had occurred. Investigations by House and Senate special committees went deeper, discovering a much wider range of abuses.

Coming so soon after the Watergate scandal (which involved political sabotage and criminal cover-ups and culminated in the resignation of President Nixon in 1974) and the loss of the Vietnam War, these intelligence hearings further undermined the public's faith in government institutions, in particular the intelligence community, which had been largely sacrosanct. Since these investigations, intelligence has never regained the latitude it once enjoyed and has had to learn to operate with much more openness and scrutiny. Also, Congress faced the fact of its own lax oversight. Both the Senate and the House created permanent intelligence oversight committees, which have taken on much more vigorous oversight of intelligence and, as mentioned earlier in the chapter, are now major taskers of intelligence themselves.

Iran (1979). In 1979, Ayatollah Ruhollah Khomeini's revolution forced the shah of Iran from his throne and into exile. U.S. intelligence, in part because of policy decisions made by several administrations that severely limited collection in Iran, was largely blind to the growing likelihood of this turn of events. Successive administrations had restricted U.S. contacts with opposition groups lest the shah would be offended. In addition to these limits placed on collection, some intelligence analysts failed to grasp the severity of the threat to the shah once public demonstrations began. The intelligence community took much of the blame for the result despite the restrictions within which it had been working. Some people even saw the shah's fall as the inevitable result of the 1953 coup that had restored him to power.

One ramification of the shah's fall was the closure of two intelligence collection sites in northern Iran that the United States used to monitor Soviet missile tests, thus impairing the ability to monitor the SALT I agreement and the SALT II agreement then under negotiation.

Iran-Contra (1985–1987). Reagan administration NSC staff used proceeds from missile sales to Iran (which not only contradicted the administration's own policy of not dealing with terrorists but also violated the law) to sustain the contras in Nicaragua fighting against the pro-Soviet Sandinista government—despite congressional restrictions on such aid. The Iran-contra affair provoked a constitutional crisis and congressional investigations. The affair highlighted a series of problems, including the limits of oversight in both the executive branch and Congress, the ability of executive officials to ignore Congress's intent, and the disaster that can result when two distinct and disparate covert actions become intertwined. The affair also undid much of President Reagan's efforts to rebuild and restore intelligence capabilities.

The Fall of the Soviet Union (1989–1991). Beginning with the collapse of the Soviet satellite empire in 1989 and culminating in the dissolution of the Soviet Union itself

in 1991, the United States witnessed the triumph of its long-held policy of containment, first postulated by U.S. diplomat George Kennan in 1946–1947 as a way to deal with the Soviet menace. The collapse was so swift and so stunning that few can be said to have anticipated it.

Critics of the intelligence community argued that the inability to see the Soviet collapse coming was the ultimate intelligence failure, given the centrality of the Soviet Union as an intelligence community issue. Some people even felt that this failure justified radically reducing and altering the intelligence community. Defenders of U.S. intelligence argued that the community had made known much of the inner rot that led to the Soviet collapse.

In the aftermath of the Cold War, several major studies looked at how U.S. intelligence was organized and how it functioned, with a view to possible changes, although very few major changes resulted until after the 2001 terrorist attacks and the Iraq WMD estimate.

This debate has not ended. Significant questions remain not only about U.S. intelligence capabilities but also about intelligence in general and what can reasonably be expected from it. (See Chapter 11 for a detailed discussion.)

The Ames (1994) and Hanssen Spy Cases (2001). The arrest and conviction of Aldrich Ames, a CIA employee, on charges of spying for the Soviet Union and for post-Soviet Russia for almost ten years shook U.S. intelligence. Espionage scandals had broken before. For example, in the “year of the spy” (1985), several cases came to light—the Walker family sold Navy communications data to the Soviet Union, Ronald Pelton compromised NSA programs to the Soviet Union, Larry Wu-tai Chin turned out to be a sleeper agent put in place in the CIA by China, and Jonathan Pollard provided sensitive intelligence to Israel.

Ames’s unsuspected treachery was, in many respects, more searing. Despite the end of the Cold War, Russian espionage against the United States had continued. Ames’s career revealed significant shortcomings in CIA personnel practices (he was a marginal officer with a well-known alcohol problem), in CIA counterespionage and counterintelligence, and in CIA-FBI liaison to deal with these issues. The spy scandal also revealed deficiencies in how the executive branch shared information bearing on intelligence matters with Congress.

The arrest in 2001 of FBI agent Robert Hanssen on charges of espionage underscored some of the concerns that first arose in the Ames case and added new ones. Hanssen and Ames apparently began their espionage activities at approximately the same time, but Hanssen went undetected for much longer. It was initially thought that Hanssen’s expertise in counterintelligence gave him advantages in escaping detection, but subsequent investigations revealed a great deal of laxness at the FBI that was crucial to Hanssen’s activities. Hanssen, like Ames, spied for both the Soviet Union and post-Soviet Russia. Hanssen’s espionage also meant that the damage assessment done after Ames was arrested would have to be revised, as both men had access to some of the same information. Finally, the Hanssen case was a severe black eye for the FBI, which had been so critical of the CIA’s failure to detect Ames. FBI investigators had focused

on a CIA officer, Brian Kelley, insisting incorrectly until very late in the investigation that Kelley was the spy.

In addition to the internal problems that both scandals revealed, the two cases served notice that espionage among the great powers continued despite the end of the Cold War. Some people found this offensive, in terms of either Russian or U.S. activity. Others accepted it as an unsurprising and normal state of affairs.

The Terrorist Attacks and the War on Terrorists (2001–). The terrorist attacks in the United States in September 2001 were important for several reasons. First, although al Qaeda leader Osama bin Laden's enmity and capabilities were known, the nature of these specific attacks had not been anticipated. Some critics called for the resignation of DCI Tenet, but President George W. Bush supported him. Congress, meanwhile, began a broad investigation into the performance of the intelligence community. Second, in the immediate aftermath of the attacks, widespread political support emerged for a range of intelligence actions to combat terrorists, including calls to lift the ban on assassinations and to increase the use of human intelligence. The first major legislative response to the attacks, the USA PATRIOT Act of 2001, allowed greater latitude in some domestic intelligence and law enforcement collection and took steps to improve coordination between these two areas. In 2004, in the aftermath of a second investigation (and also prompted by the failure to find WMD in Iraq that intelligence had assessed were there), legislation was passed to revamp the command structure of the intelligence community. (See Chapter 3 for details.) Third, in the first phase of combat operations against terrorists, dramatic new developments took place in intelligence collection capabilities, particularly the use of UAVs and more real-time intelligence support for U.S. combat forces. (See Chapter 5 for details.) The war on terrorists also resulted in an expansion of some CIA and NSA authorities. CIA captured suspected terrorists overseas and then **rendered** (delivered) them to a third country for incarceration and interrogation. This activity became controversial as some observers questioned the basis on which people were rendered and the conditions to which they were subjected in these third nations, especially during interrogations. The use of certain techniques became political issues during the 2008 presidential election although, as noted earlier, President Obama's overall policy toward terrorists was not dramatically different from that of President Bush. Under authority of the USA PATRIOT Act, NSA greatly expanded its collection of telephone and internet data, in most cases the metadata (location of calls, time) but not the contents. This program was leaked in 2013 and also became controversial as critics held that NSA had exceeded its legislative authority and failed to keep Congress informed. (See later in this chapter.)

By 2004, two intensive investigations of U.S. intelligence performance prior to the 2001 terrorist attacks had taken place. Although both resulting reports noted a number of flaws, neither was able to point up the intelligence that could have led to a precise understanding of al Qaeda's plans. The tactical intelligence for such a conclusion (as opposed to strategic intelligence suggesting the nature and depth of al Qaeda's hostility) did not exist.

As the terrorist threat seemed to change in 2009 from large-scale attacks to smaller, individual attempts, new concerns arose about the intelligence community's ability to prevent these threats. Some of these were domestic in origin and appeared to call more on domestic police capabilities than national intelligence capabilities. The May 2011 operation that resulted in the death of bin Laden helped restore confidence in U.S. intelligence. The operation was also a good example of the use of multiple types of intelligence collection (human, signals, imagery), painstaking analysis over many years, and intelligence sharing both within the intelligence community and with the military.

By 2013, the decade-plus war against terrorists had also begun to cause new strains. As noted earlier (and discussed in more detail in Chapter 8), the continued use of UAVs was subject to increased debate for two reasons: the concern that those being targeted were of lesser importance and that the ongoing campaign was turning people against the United States; and the more controversial use of UAVs to target and kill U.S. citizens working with terrorists. The revelation of NSA programs to mine communications data raised concerns among some observers about the balance between security and liberty and also the degree of oversight being conducted on such programs. Over a decade of concentration on counterterrorism and counterinsurgency had some larger effects on the analytic community, especially for the CIA, which some people felt had become too tactical and too militarized. (See Chapter 6.)

Finally, the rise of ISIS (also known as ISIL or Daesh) further complicated the terrorism war as ISIS had pretensions to being a state, controlling large amounts of territory and people. It demonstrated, in a series of attacks in November 2015 and March 2016, that it had wide geographic reach as a terrorist organization. However, a U.S.-backed offensive helped roll back ISIS, greatly reducing the territory that ISIS controlled. This led to new concerns, however, including the return of ISIS fighters to their homelands in Europe and elsewhere, where they might conduct terrorist activities.

Intelligence on Iraq (2003–2008). The George W. Bush administration was convinced, as was most of the international community, that Iraqi leader Saddam Hussein harbored WMD, despite his agreement at the end of the 1991 Persian Gulf War to dispose of them and to submit to international inspections. (The fall 2002 debate at the United Nations was over the best way to determine whether Iraq held these weapons and how best to get rid of them—not over whether or not Iraq had them.) However, more than two years after the onset of the military conflict, the WMD had not been found. As a result, the two main issues that arose were how the intelligence could come to such an important conclusion that proved to be erroneous and how the intelligence was used by policy makers. Coupled with the conclusions drawn from the two investigations of the 2001 terrorist attacks, intelligence performance in Iraq led to irresistible calls to restructure the intelligence community. The Senate Intelligence Committee found that groupthink was a major problem in the Iraq analysis, along with a failure to examine previously held premises. At the same time, the committee found no evidence that the intelligence had been politicized. The WMD Commission (formally the

Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction), established by President George W. Bush, came to the same conclusion regarding politicization but was critical about how the intelligence community handled both collection and analysis on Iraq WMD and on other issues.

In addition to intelligence that may have provided a *casus belli* (justification for the acts of war), subsequent intelligence on Iraq continued to be controversial. As Iraq descended into a bloody insurgency, former intelligence officials pointed out prewar estimates that suggested such a possible outcome. In 2007, at the request of Congress, the intelligence community produced an estimate on the likely course of events in Iraq and possible indicators of success or failure. The **key judgments** of this estimate were published in unclassified form, adding additional fuel to the political debate over Iraq.

As terrible as the 2001 terrorist attacks were, the initial Iraq WMD estimate points to much more fundamental questions for U.S. intelligence. The analytical failure in Iraq was a burden for U.S. intelligence for many years to come. Subsequent analyses also seemed to point to increased politicization of intelligence, not by those who wrote it but by those in the executive branch and in Congress seeking to gain political advantage by using unclassified versions of intelligence.

The Iraq analytical controversy continued to serve as a touchstone for future intelligence analyses. In 2007, DNI McConnell released unclassified key judgments of an NIE on Iran's nuclear weapons program, which reversed its earlier (2005) findings and concluded that the weapons aspects of the program had stopped in 2003. This immediately became controversial not only because of the judgments themselves but also as some observers wondered whether this reflected either "lessons learned" from Iraq or some means of compensating for earlier errant estimates, a curious view that betrayed significant misunderstandings of the estimative process. In 2013, the debate over whether to attack Syria for chemical weapons (CW) use again raised issues about the accuracy of current WMD intelligence, given the past problem in Iraq.

Intelligence Reorganization (2004–2005). Three factors contributed to the 2004 passage of legislation reorganizing the intelligence community: (1) reaction to the 2001 terrorist attack; (2) the subsequent 2004 report of the National Commission on Terrorist Attacks Upon the United States, more popularly known as the 9/11 Commission; and (3) the absence of Iraq WMD, despite intelligence community estimates that indicated otherwise. Congress replaced the DCI with a DNI who would oversee and coordinate intelligence but who would be separated from a base in any intelligence agency. This was the first major restructuring of U.S. intelligence since the 1947 act. (See Chapter 3 for details.) In March 2005, the WMD Commission issued its report, recommending additional changes in intelligence structure and in the management of analysis and collection.

In 2006, CIA director Porter Goss resigned. By 2007, the first DNI, former ambassador John Negroponte, had stepped down to return to the State Department after less than two years in the DNI position. Retired vice admiral Mike McConnell replaced

Negroponte. McConnell resigned at the end of the George W. Bush administration and was replaced by retired admiral Dennis Blair, the third DNI in less than four years. Blair stepped down in 2010, after a little more than a year in the job. His successor, retired general James Clapper, thus became the fourth DNI in just over five years. Several senior jobs on the DNI's staff proved difficult to fill. Many observers took such staffing problems as evidence that the new structure was not working as smoothly as proponents had hoped. Clapper's six and a half years as DNI offered some stability, but some of the fundamental questions about the nature of the DNI position and its relative authority remain.

The incoming Trump administration, in 2017, appeared to prefer not to appoint a DNI and to return these authorities to the DCIA. However, it was pointed out that this would require legislation, and so a new DNI was named, former senator and ambassador to Germany Dan Coats. Coats was fired after two years and was succeeded by two acting DNIs and then a confirmed successor over the next eighteen months, another period of instability.

The Manning and Snowden Leaks. In January 2010, then-Pvt. Bradley Manning downloaded some 700,000 documents from classified systems, which he shared with WikiLeaks, a website devoted to publishing classified information. In June 2013, newspapers in the United States and Britain began to publish details leaked to them by Edward Snowden, a contract employee working for NSA, of NSA programs to collect metadata from the internet and telephone lines in the United States and worldwide. Snowden also leaked a great deal of other highly classified intelligence that had nothing to do with those programs. The two leaks were different in content: Manning's material consisted, in part, of many diplomatic cables; Snowden's material concerned ongoing intelligence collection programs. The Snowden leaks are, arguably, the worst leaks in U.S. history in terms of both content and effects. Both leaks engendered controversies. Among these have been the following: how individuals could get access to so much material and remove them from secure areas; the adequacy of U.S. laws to deal with leakers and/or spies; the future of the emphasis in U.S. intelligence on sharing as much intelligence internally as possible; the effects of the leaks on U.S. diplomatic relations and intelligence capabilities; and, in the case of the NSA leaks, whether NSA had overstepped its authorities and the adequacy of both executive and legislative oversight. Manning was found guilty under the Espionage Act and sentenced to thirty-five years in prison. In January 2017, President Obama commuted Manning's sentence to seven years; Manning was released in May 2017. Snowden had been granted temporary asylum in Russia. In 2020, Snowden announced that he had applied for Russian citizenship. In January 2014, in a speech addressing the NSA programs that had been revealed, President Obama largely defended these programs, stating that they had been managed lawfully and had not purposely abused their authorities.

There has been a veritable deluge of leaks in the years since Manning and Snowden, raising serious questions about intelligence community security. There has also been an increase in prosecutions for leaks. The Obama administration prosecuted ten people

for leaking, which is the most by any administration. Some of these leaks inevitably involved journalists, which in turn raises questions about freedom of the press.

Russian Hacking and the 2016 Election. Press reports in 2016 indicated concern about possible efforts by Russia to influence the pending U.S. presidential election. In January 2017, the intelligence community briefed President-elect Trump and released an assessment coordinated by the CIA, FBI, and NSA that found that Russian president Vladimir Putin had ordered “an influence campaign” designed to support Trump over Hillary Clinton. The report made no assessment as to the effect of this Russian campaign.

Trump initially disputed the report, seeing it as questioning the legitimacy of his election. However, the issue did not go away and, in fact, became more complex as allegations surfaced about possible collusion between members of the Trump campaign and Russian officials. The Justice Department appointed former FBI director Robert Mueller as special counsel to investigate. Mueller’s investigation quickly became the subject of extremely rancorous partisan debate in Congress, especially in the House Intelligence Committee. Mueller’s report found extensive contacts between Trump campaign officials and Russia but no sufficient basis to find collusion between the campaign and Russia. The Mueller Report affirmed “sweeping and systematic” Russian interference in the election. In 2019, Attorney General William Barr authorized an investigation of how the intelligence community assessed allegations of a connection between the 2016 Trump campaign and Russia, presumably looking for political bias in the analysis. Some observers questioned the propriety of a special prosecutor investigating intelligence analysis, which suggested the possibility of criminal indictments. The 2023 report by Special Prosecutor John Durham faulted FBI and Justice Department investigations of the 2016 Trump campaign but did not find the political bias that Trump insisted had occurred. The Senate Intelligence Committee undertook a three-year bipartisan investigation of these same issues. The five-volume report defended the analytic integrity of the January 2017 intelligence community report. The Senate report also found extensive contacts between Trump campaign officials and Russia, which “enabled” the Russian “assault on the integrity” of the 2016 election. However, the report did not charge collusion.

The issue of interference by Russia and others revived with the 2020 election. The analytic ombudsman of the ODNI accused Trump intelligence appointees of politicizing intelligence reporting on this issue. (See Chapter 6.) In April 2021, Biden’s administration released information showing that senior Trump campaign officials, including manager Paul Manafort, had passed information to Russia to abet Trump’s election efforts.

Trump also began his first term having made disparaging remarks about U.S. intelligence agencies, marking what has been the most difficult transition of a new administration with the intelligence community. This rift became even more noticeable after Trump’s July 2018 Helsinki meeting with Putin, in which Trump publicly accepted Putin’s denials of interference rather than intelligence community assessments.

Trump tried to clarify his remarks after a political firestorm erupted, but this did not undo the damage. Instead, his equivocation kept the issue alive. In November 2018, Trump publicly dismissed findings by the CIA of the culpability of Saudi crown prince Mohammed bin Salman in the murder of U.S.-based Saudi journalist Jamal Khashoggi in the Saudi consulate in Istanbul, which U.S. intelligence confirmed in 2021.

One other issue related to the 2016 election and Russia was the question of what the Obama administration did or did not do in light of the intelligence that it had. Obama administration officials stated that Obama was reluctant to take more forceful overt action as he did not want to be seen as possibly intervening in the election in favor of Clinton. The Senate investigation criticized the Obama administration's lack of action.

A March 2021 intelligence community assessment stated that Russia, in particular, took steps to support the reelection of President Trump, while Iran sought to undercut him. The assessment also stated that the actual voting was not affected in any way.

Domestic Extremism. In the aftermath of the January 6, 2021, insurrection at the U.S. Capitol, DNI Avril Haines (2021–2025) announced that U.S. intelligence would investigate U.S. domestic extremism. This was within her charter as DNI, as she oversaw domestic and homeland intelligence as well as foreign intelligence. However, given that the participants in these activities are predominantly U.S. citizens, there are limits on which intelligence agencies can take part and which cannot—such as CIA and NSA. Haines also said the inquiry would look into possible foreign connections to this extremism, which would allow other agencies to participate, as long as the legal “lanes in the road” are observed.

The Russo-Ukraine War (2022–). With the growing threat of a Russian invasion of Ukraine, the Biden administration made aggressive use of intelligence both to alert North Atlantic Treaty Organization (NATO) allies of the likelihood of invasion and to attempt to convince Putin to call off the attack. Although there is nothing unusual about using intelligence to support policy—this is, after all, its purpose—many observers remarked on how much secret intelligence was apparently being shared and how effective this was, at least with NATO. Some characterized this as **intelligence diplomacy**. DCIA William Burns (2021–2025) called it “**strategic declassification.**” (See *Further Readings*.) The accuracy of the shared intelligence helped achieve a quick consensus within NATO and the European Union (EU) to take steps to support Ukraine.

The Legal Framework of Intelligence. U.S. intelligence operates within a legal framework that has evolved over time. Here are some of the key laws and orders:

- **The Constitution of the United States of America.** The Constitution sets forth the roles and responsibilities of the three branches of government. The key aspects in terms of intelligence are Congress's power to create departments and agencies, its power of the purse, and the basis for congressional oversight; the president's role as commander-in-chief and their obligation to defend the nation; and the judiciary's role in determining the constitutionality of laws and

orders. In addition, the Bill of Rights (Amendments I–X) establishes citizens' rights that have to be taken into account in intelligence activities, including freedom of speech and the press (First Amendment); no search and seizure of personal possessions without a specific warrant showing cause (Fourth Amendment); no deprivation of life or liberty without due process of law (Fifth Amendment); and no cruel or unusual punishments (Eighth Amendment).

- **The Espionage Act, 1917.** Enacted to safeguard U.S. military operations and the operation of the draft during World War I, this act has become the main basis for prosecuting leaks of classified material.
- **The National Security Act, 1947.** This act created the modern U.S. national security apparatus—the National Security Council (NSC); a secretary of defense and the Joint Chiefs of Staff; a director of central intelligence (DCI) under the NSC, responsible for foreign intelligence; and the CIA under the DCI. It also set forth, in vague terms, a CIA charter that included no police or subpoena power but the ability to “perform such other functions” as directed.
- **S. Res. 400, 1976.** This resolution set forth the charter of the Senate Select Committee on Intelligence.
- **Foreign Intelligence Surveillance Act, 1978.** This act created procedures to conduct physical or electronic surveillance for foreign intelligence purposes, typically requiring a warrant, although there are special and limited conditions for warrantless surveillance. It also created the Foreign Intelligence Surveillance Court (FISC) to oversee this process.
- **Intelligence Oversight Act, 1980.** This act made congressional oversight of intelligence explicit. This act requires that Congress be kept “fully and currently informed” about intelligence activities, including “any significant anticipated activity.”
- **Classified Intelligence Procedures Act, 1980.** This act limits the ability of defendants in criminal cases who are in possession of classified information to use that as a means of circumventing prosecution, sometimes called “graymail,” by allowing judges to hear the material without divulging it to the jury.
- **Intelligence Identities Protection Act, 1982.** This act makes it a federal crime for those with access to classified information or those who systematically seek to identify and expose covert agents to intentionally reveal the identity of a U.S. intelligence agent.
- **USA PATRIOT Act, 2001.** In reaction to the 9/11 attacks, Congress enacted a series of laws to enhance the ability of intelligence to counter terrorism, including enhanced surveillance of both citizens and noncitizens, so-called

“roving wiretaps,” improved intelligence sharing, and so on. The act was extended and revised several times.

- **Intelligence Reform and Terrorism Prevention Act (IRTPA), 2004.** The first major revision of U.S. intelligence structure since the 1947 act, this act created a director of national intelligence as the head of U.S. intelligence, overseeing “national intelligence,” which means foreign, domestic, and homeland intelligence. The DNI is separate from any intelligence agency. The head of the CIA is redesignated the director of the CIA (DCIA).
- **USA FREEDOM Act, 2015.** This act revised some of the collection programs created under the USA PATRIOT Act, ending the bulk collection program (Sec. 215). It also provides for the publication (with redactions, if necessary) of significant FISC decisions.
- **Executive Order 12333, 1981; amended 2004 and 2008—United States Intelligence Activities.** First promulgated by President Reagan, Executive Order 12333 sets out the roles and responsibilities of U.S. intelligence writ large and by specific agencies, as well as rules for the conduct of intelligence activities so as to protect civil liberties.
- **Executive Order 13526, 2009—Classified National Security Information.** This is the current executive order regarding the classification, safeguarding, and declassification of national security information.
- **Intelligence Community Directives (ICDs).** The DNI issues directives establishing policies for the intelligence community. These can be found at <https://www.dni.gov/index.php/what-we-do/ic-related-menus/ic-related-links/intelligence-community-directives>. These include the following:
 - ICD 107: Civil Liberties, Privacy, and Transparency
 - ICD 112: Congressional Notification
 - ICD 116: Intelligence Planning, Programming, Budgeting, and Evaluation System
 - ICD 120: IC Whistleblower Protection
 - ICD 203: Analytic Standards
 - ICD 204: National Intelligence Priorities Framework
 - ICD 304: Human Intelligence
 - ICD 403: Foreign Disclosure and Release of Classified National Intelligence
 - ICD 700: Protection of National Intelligence
 - ICD 701: Unauthorized Disclosures of Classified National Security Information
 - ICD 703: Protection of Classified National Intelligence, Including SCI

KEY TERMS

competitive analysis

Five Eyes

groupthink

intelligence diplomacy

key judgments

monitoring

national intelligence

national technical means

rendered

strategic declassification

verification

FURTHER READINGS

Most histories of U.S. intelligence tend to be CIA-centric, and these suggested readings are no exception. Nonetheless, they still offer some of the best discussions of the themes and events reviewed in this chapter.

Allison, Graham. *Destined for War: Can America and China Escape Thucydides's Trap?* Boston, Mass.: Houghton Mifflin Harcourt, 2017.

Ambrose, Stephen E., and with Richard H. Immerman. *Ike's Spies: Eisenhower and the Espionage Establishment*. Garden City, N.Y.: Doubleday, 1981.

Best, Richard A, Jr. "Intelligence and U.S. National Security Policy." *International Journal of Intelligence and Counterintelligence* 28 (fall 2015): 449–467.

Brugioni, Dino A. *Eyeball to Eyeball: The Inside Story of the Cuban Missile Crisis*, edited by Robert F. McCort. New York: Random House, 1990.

———. *Eyes in the Sky: Eisenhower, the CIA and Cold War Aerial Espionage*. Annapolis, Md.: Naval Institute Press, 2010.

Burns, William J. "Spycraft and Statecraft: Transforming the CIA for an Age of Competition." *Foreign Affairs*, January 30, 2024. [available at <https://www.foreignaffairs.com/united-states/cia-spycraft-and-statecraft-william-burns>]

Colby, William E., and Peter Forbath. *Honorable Men: My Life in the CIA*. New York: Simon and Schuster, 1978.

Draper, Theodore. *A Very Thin Line: The Iran-Contra Affair*. New York: Hill and Wang, 1991.

Garthoff, Douglas J. *Directors of Central Intelligence as Leaders of the U.S. Intelligence Community 1946–2005*. Washington, D.C.: CIA: Center for the Study of Intelligence, 2005.

Gates, Robert M. *From the Shadows*. New York: Simon and Schuster, 1996.

Helms, Richard M. *A Look Over My Shoulder: A Life in the Central Intelligence Agency*. New York: Random House, 2003.

Herman, Michael, J. Kenneth McDonald, and Vojtech Mastny. *Did Intelligence Matter in the Cold War?* Oslo: Norwegian Institute for Defence Studies, 2006.

Hersh, Seymour. "Huge CIA Operations Reported in U.S. Against Anti-War Forces, Other Dissidents in Nixon Years." *New York Times* (December 22, 1974): 1.

Houston, Lawrence R. "The CIA's Legislative Base." *International Journal of Intelligence and Counterintelligence* 5 (winter 1991–1992): 411–415.

Jameson, W. George. "Intelligence and the Law: Introduction to the Legal and Policy Framework Governing Intelligence Community Counterterrorism Efforts." In *The Law of Counterterrorism*, edited by Lynne K. Zusman. Washington, D.C.: American Bar Association Publishing, 2011.

Jeffreys-Jones, Rhodri. *The CIA and American Democracy*. New Haven, Conn.: Yale University Press, 1989.

Lowenthal, Mark M. *Vigilance Is Not Enough: A History of U.S. Intelligence*. New Haven, Conn.: Yale University Press, 2025.

———. *U.S. Intelligence: Evolution and Anatomy*. 2d ed. Westport, Conn.: Praeger, 1992.

Montague, Ludwell Lee. *General Walter Bedell Smith as Director of Central Intelligence: October 1950–February 1953*. University Park: Pennsylvania State University Press, 1992.

Moynihan, Daniel Patrick. *Secrecy: The American Experience*. New Haven, Conn.: Yale University Press, 1998.

Persico, Joseph. *Casey: From the OSS to the CIA*. New York: Viking, 1990.

Pillar, Paul. *Intelligence and U.S. Foreign Policy: Iraq, 9/11 and Misguided Reform*. New York: Columbia University Press, 2011.

Powers, Thomas. *The Man Who Kept the Secrets: Richard Helms and the CIA*. New York: Knopf, 1979.

Prados, John. *Lost Crusader: The Secret Wars of CIA Director William Colby*. New York: Oxford University Press, 2003.

Ranelagh, John. *The Rise and Decline of the CIA*. New York: Touchstone, 1987.

Rhodes, Jill D., ed. *National Security Law: Fifty Years of Transformation*. Washington, D.C.: ABA Publishing, 2012.

Tenet, George. *At the Center of the Storm: My Years at the CIA*. New York: HarperCollins, 2007.

Troy, Thomas F. *Donovan and the CIA: A History of the Establishment of the Central Intelligence Agency*. Frederick, Md.: University Publications of America, 1981.

Turner, Michael. "A Distinctive U.S. Intelligence Identity." *International Journal of Intelligence and Counterintelligence* 17 (summer 2004): 42–61.

U.S. Department of Justice. *Report on the Investigation Into Russian Interference in the 2016 Presidential Election*. 3 vols. Special Counsel Robert S. Mueller III. March 2019. [Also known as the Mueller Report.]

U.S. National Intelligence Council. *Foreign Threats to the 2020 US Federal Elections*. Washington, D.C., March 10, 2021. Available at <https://www.dni.gov/files/ODNI/documents/assessments/ICA-declass-16MAR21.pdf>.

U.S. Office of the Director of National Intelligence. *Background to "Assessing Russian Activities and Intentions in Recent US Elections": The Analytic Process and Cyber Incident Attribution and Assessing Russian Activities and Intentions in Recent US Elections*. Washington, DC: January, 2017.

U.S. Senate Select Committee on Intelligence. "Russian Active Measures Campaigns and Interference with the 2016 U.S." *Election Vols. I–V*. 116th Cong., 2d sess., 2010. (Report volumes are I. Russian Efforts Against Election Infrastructure; II. Russia's Use of Social

Media; III. U.S. Government Response to Russian Activities; IV. Review of the Intelligence Community Assessment; and V. Counterintelligence Threats and Vulnerabilities.]

U.S. Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities [Church Committee]. *Final Report. Book IV: Supplementary Detailed Staff Reports on Foreign and Military Intelligence*. 94th Cong., 2d sess., 1976. [Also known as the Karalekas Report, after its author, Anne Karalekas.]

Warner, Michael. "The Rise of the U.S. Intelligence System, 1917–1977." In *The Oxford Handbook of National Security Intelligence*, edited by Loch Johnson. Oxford, U.K.: Oxford University Press, 2010.

Wohlstetter, Roberta. *Pearl Harbor: Warning and Decision*. Stanford, Calif.: Stanford University Press, 1962.

Wyden, Peter. *Bay of Pigs: The Untold Story*. New York: Simon and Schuster, 1979.

Do not copy, post, or distribute