

CHAPTER 19

THE APPROPRIATE ROLE OF INTELLIGENCE IN THE MAKING OF NATIONAL SECURITY POLICY¹

Anthony R. Williams

The purpose of intelligence analysis is to elevate the quality of discussion in this town.

Sherman Kent

What is the appropriate role of intelligence² in the making of national security policy? Most members of the national security community bring to their roles a preconceived and mostly subconscious view on this issue, which view seems so obvious to its holders, that they rarely see reason to raise the question. Even within the U.S. Intelligence Community,³ where the subject is more frequently discussed, it is usually approached as part of an academic discussion, and only rarely as part of the planning and execution of normal support to the national security policy process.⁴ In effect, all the players in the process hold opinions on this issue, but those opinions function in the background, much as the operating software for a personal computer runs invisible to the user unless it malfunctions.

Generally speaking members of the national security community will fall loosely into one of two groups as regards their attitude toward the appropriate role of intelligence in the policy process. These can best be described as the “unconstrained support to policy” view and the “policy neutral” view. While few will hold either attitude without qualification, it is instructive to imagine these attitudes as opposite poles on a spectrum, along which national security players will tend to coalesce. This difference is more than of academic interest, because it dictates how the players use intelligence and the intelligence apparatus in the development, communication and execution of national security policy.

The 1947 National Security Act can be cited in support of the “unconstrained view,” in that it specifically charges the Directorate of Central Intelligence (DCI) (and by extension the Central Intelligence Agency [CIA] as his executive agent) to act as the principle advisor to the President on intelligence matters relating to the national security.⁵ And most would agree that the *State of the Union Address* is very much a matter of national security. Furthermore, the 1947 Act also charges the DCI with the responsibility “for providing national intelligence—

- to the President;
- to the heads of the departments and agencies of the executive branch;
- to the Chairman of the Joint Chiefs of Staff and senior military commanders; and,
- where appropriate, to the Senate and House of Representatives and the committees thereof.”

But because the 1947 National Security Act leaves so many things undefined, it allows for the widest interpretation and in that context can be cited to buttress any position on this spectrum of attitudes. For example:

- What form or forms exactly is the DCI’s advice and “national intelligence” to take? Does it include only formal reports, either verbally or in writing? Or does it include the review of Presidential and

Secretarial speeches, statements, etc.? Does it include only passive review of those instruments or active involvement in their creation?

- Who is to initiate advice? Is it at the initiative of the DCI, or only at the invitation of the President, the National Security Advisor or other members of the National Security Council (NSC), executive departments, agencies, and military commands?
- Is there a difference between advice given by the principle advisor and “national intelligence?”

How one answers these questions determines where one falls with regard to the appropriate role of intelligence in the policy process.

Although most of these questions have never been formerly answered through Executive Order, legislation, or judicial interpretation, the government has managed to function more or less well over the past 60 years, as if it had answers to them in hand. These questions customarily are resolved on a dynamic basis through a variety of procedures established and modified by each presidential administration, by each Congress, and through the political process. Generally speaking, as each administration establishes its procedures for dealing with the overall issue of intelligence advice to the policymaking process, the players accept those procedures without challenge. Even in cases where both sides hold differing views as to the answer to one or more of the above questions, the players will frequently find a way to “peacefully coexist” on a given issue.⁶ Where they do clash, they customarily do so through the political process, which, regardless of specific outcome, always allows successors the opportunity to challenge again with potentially different outcomes.

The recent furor surrounding the *casus belli* for the Iraqi War provides us a case in point. Both the president’s critics and supporters have addressed the veracity of the evidence presented by the president and Cabinet secretaries justifying the initiation of hostilities against Saddam’s government in Iraq, and the appropriateness of the president’s reference in the *State of the Union Address* to the British report on Iraqi efforts to obtain uranium from Africa.

In virtually every case, however, both supporters and critics have operated from a preconceived and unstated view of the appropriate role of intelligence in the policy process. For example, the *Statement* by the DCI accepting responsibility for the questionable “intelligence” included in President Bush’s 2003 *State of the Union* speech, and a critical article by a former senior CIA officer titled “Intelligence Shouldn’t Exist Just To Serve Policy,” present starkly contrasting views on the role of intelligence in policymaking.⁷ Yet neither actually addresses that issue directly.

The DCI’s *Statement* makes clear that he believes the responsibility of the DCI (and his executive arm, the CIA) goes beyond providing intelligence in a policy neutral format, and includes making sure to the extent possible that the president does not make a mistake in developing or communicating policy, whether the president is relying directly or indirectly on intelligence. A derivative of this position is that “intelligence” plays an important informational role in all aspects of policymaking, both formal and informal. Thus, we arrive at the essence of the “unconstrained view of the role of intelligence in policymaking.”

The McGovern article, by its very title, makes the case that intelligence analysis should be policy neutral. While the author does not explicitly make that statement, and his polemical tone helps to obscure the bottom line in the piece, the clear implications of the article are that intelligence analysis should be neutral as regards policy. Note, for example, the parenthetical reference to the way the author believes intelligence assessments were done in his day, “without fear or favor.”⁸ It would appear, however, that McGovern also holds the view that “intelligence” should play an informational role in policymaking without

regard to the formal or informal nature of that policymaking. Therefore, one could infer that McGovern is not concerned to constrain “when” intelligence is used, but only how it is used. That is important since “when” intelligence is used often determines “how” it is to be used.

By the terms of the “unconstrained” view, because the CIA and much of the Intelligence Community had serious reservations regarding the substance of the British reports on Iraq’s nuclear program, the DCI had a responsibility to make certain that the president was advised by the CIA to remove reference to those British reports from the *State of the Union Address*. And from the nature of the response to the DCI’s *Statement*, it is obvious that a wide range of policymakers, legislators, academics, and journalists agree that the DCI has this responsibility.⁹

Interestingly, both sides of the “unconstrained vs. policy neutral” debate also generally hold a wider definition of what constitutes the national security policy process than is commonly appreciated. Note, for example, that the “policy” document under discussion was a political speech by the president, albeit a very important speech. And in October 2002, the DCI intervened in another presidential speech of much less moment than the *State of the Union Address*, for which intervention he has been praised by critics and supporters alike.¹⁰ Clearly there seems to be widespread agreement throughout the national security community that any presidential statement (and by extension that of his closest advisors and cabinet members) is part of the policy process that the Intelligence Community is obligated to support. This view at its broadest holds that it is incumbent on the DCI to take strenuous measures to assure the veracity of all policy statements, both public and private, as they may deal with matters on which the Intelligence Community has some information.

One can conclude from White House statements noting that the CIA reviewed the president’s address,¹¹ that the current administration accepts the “unconstrained” view of intelligence support to policy. Furthermore, based on statements by National Security Advisor Condoleeza Rice and efforts by members of the NSC and White House staffs to coordinate various parts of the president’s State of the Union Address, and presumably his October 2002 speech, it is clear that this administration views the DCI’s intelligence advisory role to include active involvement in both the development and communication of national security policy. Dr. Rice stated on 11 July 2003 that the wording used in President Bush’s speech had been reviewed and changed by the CIA, and that some “specifics about amount and place” had been changed, and that after the changes “the CIA cleared the speech in its entirety.”¹² According to press reporting, detailed discussions were held between a nuclear proliferation expert at the NSC and a proliferation expert at the CIA over the content of the speech relating to the putative Iraqi nuclear program.¹³

If we conclude that the DCI and “intelligence” are to play an active role in developing and communicating national security policy, at whose initiative are they to play this role? To wit, on 11 July Ms. Rice said that “if the CIA, the director of central intelligence (sic), had said, ‘Take this out of the speech,’ it would have been gone, without question.”¹⁴ Furthermore, Senator Pat Roberts, Chairman of the Senate Select Committee on Intelligence stated “it was incumbent on the director of intelligence to correct the record and bring it to the immediate attention of the president.”¹⁵ And an unnamed Democratic member of the SSCI was quoted by the *Washington Post* as saying that DCI Tenet was repeatedly asked in closed hearings on 16 July why the CIA had “permitted” the unfounded Iraqi uranium allegation in the address.¹⁶ Clearly, there would seem to be wide agreement that the initiative lies, at least in part, with the DCI, and is not solely dependent on the initiative of the president or his cabinet members and advisors. This leads inevitably, however, to a significant blurring of the policy-support and policymaking roles. One is hard pressed to see how the DCI can exercise any real initiative in “correcting” or “amending” a presidential policy statement, and not himself become an active player in making policy.

As noted above, the countervailing view of the role of intelligence in the policy process, holds that to the extent possible, the DCI should ensure that the Intelligence Community strives to provide intelligence advice to the president and his advisors in a policy neutral format. While very few would argue that this goal can be attained 100 percent of the time, many see it as a necessary constraining force. The primary argument for this is that anything less undermines the credibility of the Intelligence Community, and particularly the Office of the DCI and the CIA. In general, there appears to be an acceptance of the fact that departmental intelligence agencies¹⁷ are intended to support policymakers within their respective departments or military services, and thus their product will be in many cases “policy supportive.” There is, however, a strong expectation on the part of many in the national security community that the national agencies should avoid even the appearance of policy bias in their products.

A good example of a policy neutral approach to intelligence can be found in the famous “missile gap” case in the run-up to the 1960 presidential election. Despite the fact that the Kennedy Campaign had used much of the material provided to the press by the Gaither Committee to substantiate its charge that the Union of Soviet Socialist Republics (USSR) held a commanding lead over the United States in the deployment of intercontinental ballistic missiles, President Eisenhower refused to allow CIA intelligence on the subject to be released. It has been argued that this decision was a factor in the loss of the election by Richard Nixon, since the available national intelligence made clear that there was no missile gap, and there was not likely to be one for the foreseeable future. In this case, President Eisenhower chose not to allow intelligence to become embroiled publicly in the political process. One can argue the merits of Eisenhower’s decision, but it is taken by many analysts in CIA and the other national agencies as the proper way to handle national intelligence.

This view has a long tradition within the CIA,¹⁸ and it has often been criticized by members of the national security community as a bar to effective CIA intelligence support to policymakers. For example, as part of the continuing educational effort for analysts at CIA, the Sherman Kent School for Intelligence Analysis at the CIA University has published a series of occasional papers addressing among other subjects the proper relationship between the analyst and the policymaker. The author of these papers is at some pains to assure analysts that lowering the wall between intelligence analysis and the policymaking process will not damage intelligence credibility (if proper tradecraft is used) and will make intelligence more relevant to the policymaker.¹⁹

Criticisms of the “policy neutral” view have a long tradition among policymakers. Current Deputy Secretary of Defense Paul Wolfowitz was selected as a member of the so-called Team B, “which challenged the expertise, methods, and judgments of Intelligence Community analysts working on Soviet strategic military objectives (specifically, National Intelligence Estimate (NIE) 11-3-8 for 1977).²⁰ The underlying issue in this case was the perceived failure of the NIE to directly address the implications for Soviet intentions of the USSR’s ongoing strategic buildup. The members of Team B started from a decidedly policy-supportive position, in that it was their contention that if the subject NIE had addressed the intentions issue “properly,” then U.S. policymakers would have been encouraged to take a stronger stand vis-à-vis the USSR in our mutual relations. While serving as the Dean of the Paul H. Nitze School of Advanced International Studies, Ambassador Wolfowitz was appointed to the Commission on the Roles and Capabilities of the U.S. Intelligence Community. Throughout this period he continued to argue for a more “policy actionable” approach to national intelligence.²¹ According to press reports, Ambassador Wolfowitz, as Deputy Secretary of Defense in the current administration, has been associated with a large group of policymakers who have argued strenuously that the Intelligence Community, and specifically the CIA, has not produced intelligence on current policy issues that has been helpful in the development, articulation and execution of policy.²²

From the policy neutral perspective, the primary concern, as noted above, is that the close involvement of intelligence in the making, communication, and execution of specific national security policies will undermine the credibility of the intelligence itself, and the intelligence organizations involved. Often, critics attack the intelligence organization, such as the CIA, as “shilling” for a policymaker if the intelligence product is seen as too supportive, or is used openly in the political process.²³ In this case the intelligence agency itself, or the DCI, becomes sucked up in the maelstrom of political conflict over the policy under debate. ²⁴ This position argues that such “policy-supportive” intelligence, to quote Senator John Kerry, D-MA, does “. . . nothing to make this country safer and will simply further erode the confidence of the American public and our allies around the world.”²⁵

There is another hurdle over which the intelligence provider must leap in this process. That is the need to support the execution of policy. All intelligence is not meant simply to inform the “making of policy.” Rather, once policy decisions are made and the Executive undertakes the implementation of those decisions, intelligence must be available to support that implementation at each step. Furthermore, intelligence is necessary as part of the policy execution feedback loop, so that the ongoing policy can be modulated toward ultimate success. This intelligence reporting and analysis, however, frequently becomes part of the political struggle over policies that do not have wide non-partisan support. Often, one side will see intelligence reporting that appears to cast a favorable light on the policy results as being slanted to favor the policy itself. And, of course, there is rarely a desire on the part of policymakers to receive intelligence that suggests that the policy execution cycle is not living up to the expectations of those who designed the policy in the first place.

The ultimate caution to the intelligence provider, and to the policymaker who uses that intelligence, may well be Aristotle’s axiom, “moderation in all things.” If the intelligence player or product is too supportive of policy, or appears to be too supportive, then both will be subject to criticism and a loss of credibility. If, on the other hand, intelligence is too “neutral” and too high a wall is kept between intelligence and policy, then the intelligence will be subject to criticism that it is not useful and ultimately a loss of relevance. Complicating this picture for the intelligence player is that critics will also often make the case that they want “objective” analysis, that can be used by all the participants in the policy debate.²⁶ When that is translated into reality, however, it most often means that the critic’s side in the debate is not faring as well as the critic believes it should because the intelligence input favors the other side. Finally, as noted above, even the legislation creating the current intelligence structure does more to complicate than to answer the question as to the appropriate role of intelligence in the policy process.

In the end, there is probably no definitive answer to the question of the appropriate role of intelligence in the making of national security policy. Each administration must address that question for itself. As a starting point it would be useful for the key players in each administration to review their individual and institutional expectations of the Intelligence Community early on. And these players should continue to calibrate their expectations as the administration develops policies, engages in the political conflicts surrounding the implementation of those policies, and responds to the unexpected crises which are inevitable. A focused effort to remain aware of the synergistic nature of the policy-intelligence relationship on the part of policymakers would go a long way toward minimizing the potential damage to the U.S. Intelligence Community that can arise from the latter’s efforts to support the policymaker at all phases of the policy process.

Notes - Chapter 19

1 The CIA Publications Review Board has reviewed the manuscript for this article to assist the author in eliminating classified information and poses no security objection to its publication. This review, however, should not be construed as an official release of information, confirmation of its accuracy, or an endorsement of the author's views.

2 I use the word "intelligence" here to describe two entities: (1) Intelligence in its generic sense of information that has been collected, processed, exploited, and analyzed, and which contains information from both clandestine and open sources; and (2) The U.S. intelligence apparatus which collects and converts the aforementioned information into intelligence product. Also, throughout this chapter I will use the term "national security community" in its most generic sense, to include not only elected, appointed, and career officials currently serving in the government, but also those legislators, press commentators, academics, and journalists who specialize in the study of national security policy. These latter individuals are often former government officers, and many will return to government upon the vagaries of the next round of elections. In addition, those journalists and academics who never serve in government still play a significant role in the formulation and execution of policy by virtue of their influence on public opinion.

3 The Intelligence Community is composed of four "national" intelligence agencies—CIA, NSA, NIMA & NRO—and 10 "departmental" agencies—DIA, State/INR, the military service intelligence agencies, Coast Guard intelligence, and the intelligence offices in the Departments of Justice, Treasury, and Energy.

4 See for example, Jack Davis, "Improving CIA Analytic Performance: Analysts and the Policymaking Process," *Kent Center Occasional Papers*, Vol. 1, No. 2, September 2002; and Jack Davis, "Tensions in Analyst-Policymaker Relations," *Kent Center Occasional Papers*, Vol. 2, No. 2, January 2003.

5 The 1947 National Security Act, Secemder 101-105 [50 USC], as amended is the fundamental founding legislation for the modern U.S. Intelligence Community. See for example Sec 101 [50 USC 402] "Title I-Coordination for National Security: National Security Council." See also Sec 103 [50 USC 403-3] "Title I—Coordination for National Security: Responsibilities of the Director of Central Intelligence."

6 For example, "During the prolonged tug-of-war between the branches of government over Iran-Contra, the Reagan White House held fast to its position that the Constitution permitted the President to defer covert action notification to the Congress indefinitely if he felt circumstances so warranted. Congress did not concur with this assertion but was in no position to do anything about it. In the end, the executive and legislative branches agreed to disagree on the matter." See Marvin, C. Ott, "Partisanship and the Decline of Intelligence Oversight," *International Journal of Intelligence and Counterintelligence*, Vol. 16, No. 1, Spring 2003, p. 79.

7 See, "Statement By George J. Tenet, Director of Central Intelligence," 11 July 2003, http://www.odci/cia/public_affairs/press_release/2003/pr07112003.html; and Ray McGovern, "Intelligence Shouldn't Exist Just To Serve Policy," *Miami Herald*, 5 August 2003.

8 Ibid., McGovern, "It does not speak well for a director (sic) of Central Intelligence to shy away from serving up the intelligence communitys (sic) best estimate anyway ("without fear or favor," the way we used to operate)."

9 See, for example, SSCI Chairman Senator Pat Roberts criticism of Tenet for "sloppy handling" of the questionable intelligence on Niger, cited in John Diamond, "CIA director Nudged Toward The Plank," *USA Today*, 14 July 2003; or questions such as "why did CIA permit the allegation in the address" cited in Walter Pincus, "Tenet Says He Didn't Know About Claim," *Washington Post*, 17 July 2003.

10 Ibid., Diamond.

11 See, for example, Tom Raum, "Bush: CIA Approved State of Union Speech," AP 07/11/03 22:58 EDT.

12 David Sanger and James Risen, "CIA Chief Takes Blame in Assertion on Iraqi Uranium," *The New York Times*, 12 July 2003.

13 Ibid.

14 Ibid.

15 Raum, "Bush: CIA Approved State of Union Speech."

16 Walter Pincus, "Tenet Says He Didn't Know About Claims," *The Washington Post*, 17 July 2003.

17 See footnote 3 above.

18 The “policy neutral mission” view is most closely associated with Sherman Kent, the first Deputy Director and Vice Chairman (and subsequently Director and Chairman) of the CIA’s Office of National Estimates and the Board of National Estimates, both created in 1950 by then DCI, General Walter B. Smith.

19 See for example, Davis, “Improving CIA Analytic Performance: Analysts and the Policymaking Process,” and “Tensions in Analyst-Policymaker Relations.”

20 See Jack Davis, “Paul Wolfowitz on Intelligence Policy-Relations,” *Studies In Intelligence*, Vol. 39, No. 5, 1996, pp. 36-37. Ironically, Ambassador Wolfowitz’s stated position on this issue was based on his concept that CIA intelligence was not objective because it did not offer alternative hypotheses to explain the observable facts, and therefore such CIA analysis was too policy supportive.

21 Ibid.

22 See, for example, Warren P. Strobel and Jonathan Landay, “Pentagon, CIA In Bitter Dispute On Iraq,” *Philadelphia Inquirer*, 28 October 2002; Seymour Hersh, “Selective Intelligence,” *The New Yorker*, 12 May 2003; and Julian Borger, “The Spies Who Pushed for War,” *The Guardian*, 17 July 2003. These are simply examples of numerous press reports on this issue over the past year.

23 See, for example, McGovern, *ibid.*; Richard Cohen, “Sword-Passing,” *Washington Post*, 24 July 2003, p. 21; and Jay Taylor, “When Intelligence Reports Become Political Tools . . .,” *Washington Post*, 29 June 2003, p. B02.

24 See the comment by former Senator Bob Kerry, who noted that the administration had decided “OK, we’ll make George Tenet walk the plank.”

25 Raum, “Bush: CIA Approved State of Union Speech.”

26 See footnote 23 above.

