

Intelligent Intelligence Reform

By Colonel Daniel Smith, USA (Ret.) | November 26, 2004

While the media focuses attention on congressional turf battles associated with intelligence reform, the President is taking steps—largely under the public’s radar screen—to create his own hidden “army” of covert spies.

Before getting into what the White House is doing, it’s necessary to examine what Congress is doing and not doing about intelligence reform as a result of collapse of the House-Senate conference attempting to bridge differences between the bills passed by each chamber.

Ostensibly, the core problem is the line of tasking authority for three “national” agencies currently within the Defense Department: the National Security Agency (communications and electronic intercepting and analysis), the National Reconnaissance Office (designs, builds, and operates signals and imagery satellites), and the National Geospatial-Intelligence Agency (formerly the National Imagery and Mapping Agency). Because of advanced communications electronics, these “combat support” organizations are able to transmit to tactical commanders (division and below) near-real time information (e.g., images and locational data on friendly and enemy forces, terrain, or groups of fleeing refugees) that could influence decisions and outcomes.

The real barriers, however, lie elsewhere. The principal impasse concerns turf in both the executive and legislative branches. In the former, under the Senate plan, the three “national” combat support agencies would fall under the new National Intelligence Director for budget formulation and execution and for determining work priorities in responding to the intelligence collection requirements of intelligence users from the president down to tactical commanders. Shifting these three agencies from the Defense Department is not a new idea; the “Scowcroft” commission recommended in November 2001 moving them under the CIA director in his capacity as Director of Central Intelligence.

In the legislative branch, the two armed services committees would lose oversight of these agencies and their budgets—which consume about half of the

total intelligence community funds—to the intelligence committees. That this is the main obstacle seems confirmed by suggestions from House negotiators that their Senate colleagues add the Senate Armed Services Committee chairperson to the Senate’s conferees—pressing that the chairperson would oppose losing oversight. Moreover, if media reports are accurate, beyond this turf battle is a short-term public relations hurdle: the House leadership wants to have a clear majority of Republicans vote for the reform bill so they can claim credit for intelligence community reform—even though the bill would pass now because enough Democrats would join with Republicans to secure a positive outcome.

While this unseemly wrangling about political power makes headlines, the White House has set in motion by presidential fiat other, more questionable changes to existing intelligence structures. For example, President Bush has directed a study that will propose ways to increase the Defense Department’s role in covert operations, a realm that heretofore was the domain of the CIA’s Directorate of Operations. The study, due in February, is exploring the feasibility of turning over control of paramilitary operations to the 50,000 strong United States Special Operations Command (USSOCOM) based in Florida. (Again, this was recommended by the 9-11 commission.) Given USSOCOM’s much larger size, the obvious concern is that a president would be tempted to initiate many more covert operations—and as commander-in-chief, do so without informing the relevant committees of Congress as the CIA director must do now. Conceivably, this would give the executive branch a “private army” for pursuing its policy of preventive war.

Also in February, the CIA and Federal Bureau of Investigation must inform the White House about steps they have taken to improve their performance in the “war on terror.” The impetus for these reports

Foreign Policy In Focus (FPiF)



lies in the poor human intelligence performance—both collection and analysis—of the agencies prior to September 11, 2001. In the CIA's case, reducing or eliminating paramilitary operations would shift the agency's center of activity.

The other, unremarked factor in the mix is the Pentagon's transformation effort, especially its view of future threats—all based on intelligence—and its corresponding responses. Moving further from the Cold War-era concentration on traditional war plans to counter the Warsaw Pact, military planners are developing responses to what they call "irregular" (e.g., Afghanistan and Iraq), "catastrophic" (nuclear, chemical, biological weapon use), and "disruptive" (unanticipated advances in manipulating cyberspace) scenarios. If this is to be more than a public relations effort, it will require great attention from Pentagon civilians, attention they can ill-afford to waste on a turf struggle.

The White House, which was never enamored of the September 11 commission or its recommendations, may simply ignore Congress and press its own "remedies" through presidential directives. That would relegate "intelligence reform" to the same category that wars assign "military intelligence": an oxymoron.

Dan Smith <dan@fncf.org> is a military affairs analyst for Foreign Policy In Focus (online at www.fpif.org), a retired U.S. army colonel and a senior fellow on Military Affairs at the Friends Committee on National Legislation.

FOR MORE INFORMATION:

9-11 Commission Report
<http://www.9-11commission.gov>

H.R. 10 (9/11 Recommendations Implementation Act) and S. 2845 (National Intelligence Reform Act of 2004): A Comparative Analysis
Congressional Research Service (Updated October 21, 2004)
<http://www.fas.org/irp/crs/RL32635.pdf>

FOR MORE ANALYSIS FROM FOREIGN POLICY IN FOCUS:

Being "Over There:" Location, Location, Location
By Colonel Daniel Smith, USA (Ret.) (November 11, 2004)
<http://www.fpif.org/papers/0411location.html>

Indecision on Iraq?
By Colonel Daniel Smith, USA (Ret.) (October 18, 2004)
<http://www.fpif.org/commentary/2004/0410indecision.html>

When "Scores" Count
By Colonel Daniel Smith, USA (Ret.) (October 6, 2004)
<http://www.fpif.org/commentary/2004/0410scores.html>

Ripples From the Schlesinger Report
By Colonel Daniel Smith, USA (Ret.) (August 30, 2004)
<http://www.fpif.org/commentary/2004/0408schlesinger.html>

Posing the Right Question
By Colonel Daniel Smith, USA (Ret.) (July 30, 2004)
<http://www.fpif.org/commentary/2004/0407question.html>

How Long a War?
By Colonel Daniel Smith, USA (Ret.) (May 13, 2004)
<http://www.fpif.org/commentary/2004/0405byrdwar.html>

Why So Many Were So Wrong for So Long
By Col. Daniel Smith, USA (Ret.) (February 5, 2004)
<http://www.fpif.org/commentary/2004/0402wrong.html>

Published by Foreign Policy In Focus (FPiF), a joint project of the Interhemispheric Resource Center (IRC, online at www.irc-online.org) and the Institute for Policy Studies (IPS, online at www.ips-dc.org). ©2004. All rights reserved.

Foreign Policy In Focus

"A Think Tank Without Walls"

Recommended citation:

Col. Daniel Smith (Ret.), "Intelligent Intelligence Reform," (Silver City, NM & Washington, DC: Foreign Policy In Focus, November 26, 2004).

Web location:

<http://www.fpif.org/commentary/2004/0411intel.html>

Production Information:

Writer: Col. Daniel Smith (Ret.)

Editor: John Gershman, IRC

Layout: Tonya Cannariato, IRC

p. 2

www.fpif.org

A Think Tank Without Walls

