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Central Intelligence Agency

Washington, D.C. 20505

27 AUG 1983

The Honorable Barry M. Goldwater, Chairman
Select Committee on Intelligence
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

It is with considerable unhappiness that I raise to you the subject of Committee staff member Angelo Codevilla's critical article that appeared in the summer issue of WASHINGTON QUARTERLY, juxtaposed as it was to your own constructive appraisal of the oversight process.

Particularly distressing is the fact that Mr. Codevilla's distorted or at least incomplete presentation as reported will lead most readers to conclude that they are the views and conclusions of the Committee, when in fact as we both know many members and staff strongly disagree. That readers will attach great credibility and authoritativeness to his views is borne out by the fact that they were immediately reported in the press. Moreover, we can expect they will also find their way into the growing number of intelligence courses being given at colleges and universities. His indictment also will be read by our liaison services with unpredictable consequences. I am especially appalled at the article's reliance on events and assessments that are now a number of years behind us while, at the same time, failing to take account of changes and improvements that have been made in recent years in all the measures he addresses -- in no small way thanks to the suggestions and support of the SSCI itself.

While we have worked hard to foster the effective and responsible oversight begun by our respective predecessors and have achieved a relationship that clearly serves the

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American people well, irresponsible and nonauthoritative indictment in the name of the Committee can only undermine its good work and this Agency's relationship with the Committee.

Out of respect for your many contributions and those of your colleagues I can only deplore Mr. Codevilla's actions and the inevitably counterproductive effect it must have on our continued good relationship.

You may wish to discuss this matter with Senator Wallop. I expect to do the same.

With best personal regards.

Sincerely,

William J. Casey
Director of Central Intelligence

cc: The Honorable Daniel P. Moynihan,
Vice Chairman, Select Committee
on Intelligence

Angelo Codevilla is a professional staff member with the Senate Intelligence Committee. Previously, he was a foreign service officer and a fellow at the Hoover Institution, Stanford University. Dr. Codevilla has written widely on European politics and in the field of intelligence and military policy.

Angelo Codevilla

By focusing so exclusively on rules and standards of operations, the intelligence debate of the mid-1970s did not answer the fundamental question of what the United States expects of its intelligence services or what they are to accomplish in order to meet the challenges of the 1980s.

The Substance and the Rules

Since the early 1970s, this country's intelligence agencies have been asking, "What does the country expect of us?" That question had not arisen in the postwar period because the American political system had left the agencies to the total discretion of those appointed to lead them. In the early 1970s, factional conflict among those leaders spilled over into a national debate about what America's practitioners of intelligence ought to have foremost in mind. That debate continues.

Recently, Admiral Stansfield Turner, President Carter's Director of Central Intelligence, and his former special assistant, George Thibault, published an attempt both to answer that question and to indict the Reagan administration's handling of intelligence. The author's answer seems to be that the American people expect their intelligence agencies to be as innocuous as possible. They charge that the Reagan administration is undermining the agencies by loosening too many restrictions. The authors thus contend that for our civil liberties' sake, and for the sake of the agencies' own standing in the country, the agencies ought to concentrate on formulating for themselves the right kinds of rules and restrictions. However, one would not suspect from Turner and Thibault's article that the rules by which intelligence officers live ought to flow from the intelligence profession's substantive requirements.

Nevertheless, in intelligence as in other areas of government, the American people rightly want their employees to accomplish the functions for which they are paid. This author will argue that Stansfield Turner is

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wrong to assume that the key factor affecting the quality of intelligence is the quantity of intrusion into the lives of innocent people, that better intelligence means less civil liberty, and vice versa. This article will then address the real tasks which American intelligence must accomplish in peace and war, and the difficulties it now faces in doing so.

A revolution took place in American intelligence during the mid-1970s. That revolution was thorough: by the end of the Carter administration, only a minuscule percentage of the CIA's supergrade officials had held such rank in 1975. Those who became prominent in American intelligence during that period were generally not known either for achievement or technical insight in the special fields they took over. Some, e.g., the man who took over the counterintelligence staff at CIA, were known as non-believers in the very activity for which they became responsible. These men, however, were well attuned to the priorities of the administration they would serve, and to those of the factions which had recently won out in the intelligence community's long, intramural struggles: to lower America's profile abroad; to reduce the importance of clandestine activities at home and abroad; to assert the CIA's claim to primacy among providers of analytical products. They were also intent on making sure that the recent revolution in the field of intelligence would not be reversed.

As a result of all this, the leading men of President Carter's intelligence community, led by Admirals Stansfield Turner and Bobby Ray Inman, argued with great personal vigor for the enactment of legislative charters for the intelligence community. These charters would have codified and approved in law the changes in orientation which had occurred in the mid-1970s. Of course the proposed charters' chief feature was an absorbing concentration on rules and restrictions. It is essential to understand whence came this concentration on rules.

The debate of the mid-1970s had concentrated so exclusively on rules and restrictions because it had begun with public accusations that some intelligence officers had transgressed the bounds of propriety and legality. These accusations against the CIA's directorate of operations in general and particularly against counterintelligence specialists in the CIA and the FBI had come from other intelligence officers.

There had always been controversies among intelligence officers about what American intelligence should and should not be. The best outline of the views held by the CIA officials who had long fought to reduce the role of the clandestine services and of counterintelligence is an article, "Ethics and Intelligence" by E. Drexel Godfrey, in the January 1978 *Foreign Affairs*. William Colby's memoirs, as well as the published writings of lesser officials, e.g., Herbert Scoville, plus the reporting of books like Edward Epstein's *Legend* and Henry Hurt's *Shadrin*, flesh out that outline with examples of how profoundly this intramural attack affected the daily workings of the intelligence system.

In sum, clandestine and counterintelligence activities were charged with being immoral and developing in their practitioners devious thoughts and ways which would prove dangerous to American civil liberties. The allegations claimed that these activities present the rest of the world with an unfavorable picture of the United States and that they turn the intelligence community's thoughts and energies toward combat with the Soviets rather than toward accurate assessments of reality. Beginning in 1974, some intelligence officers who had been making such charges gave to their allies in Congress and the press items of information embarrassing to some of the leading men in the directorate of operations and in the counterintelligence services.

In 1975-1976 the select committees on intelligence led by Senator Church and Representative Pike laid out these embarrassing items, along with a coherent critique of American intelligence. Understandably, the intelligence officers whose critiques of their bureaucratic adversaries were now being espoused by congressional committees were hardly reluctant witnesses. Director Colby,

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for example, did not have to wave the famous poison dart gun in the air before the cameras. When he did, the stock of some at the CIA fell, and the stock of others rose. As late as 1978, a senior CIA official, John Hart, spoke on the CIA's behalf to the House Select Committee regarding the investigation of President Kennedy's assassination and, despite the committee's efforts to stop him, delivered a passionate indictment of a former colleague, once head of the Soviet division of the directorate of operations, for allegedly violating the rights of a Soviet defector whose bona fides was in doubt. In sum, a long-festering intramural battle was decided when one side went outside the walls and linked up with superior political forces which, for their own reasons, were willing to help.

The Church and Pike Committees had been organized as a result of years of effort by the American Civil Liberties Union and likeminded groups, e.g., the Institute for Policy Studies. These organizations supported able individuals like William Miller and Morton Halperin. These efforts were based on the contention that intelligence investigations are inherently dangerous to civil liberties. Thus, these efforts were aimed at restricting the scope of such investigations. The proximate goal was to force the agencies henceforth to apply the standards of criminal law to intelligence investigations. These individuals' work on intelligence was part of their broader campaigns for a re-direction of U.S. foreign policy toward reduced American self-assertions, greater friendliness with revolutionary forces in the Third World, and reduced hostility vis-à-vis the Soviet Union.

The reaction of many intelligence officers, active and retired, against the Church and Pike Committees was to uphold the intelligence profession's good name against what they perceived as the far left's almost unpatriotic attacks. They proceeded by arguing that American society must be willing to bear the burden of the agencies' intrusive existence if it is to live in a dangerous world. They therefore continued to work in public and in private against every restrictive rule that was proposed. In their single-minded effort to stand up for the notion that the intelligence agencies' role ought not to be reduced, they put themselves in the unenviable position of seeming to argue for the right of U.S. intelligence agencies to invade the privacy of innocent Americans. The American Civil Liberties Union, Morton Halperin's Center for National Security Studies, and the Institute for Policy Studies understandably did not protest having the intelligence officers' view of the world identified with breaches of Americans' civil liberties. Nor did they protest having their own preferences for American foreign policy identified with the protection of individuals' rights by implication.

The debate of the mid-1970s did not touch on the quality of American intelligence, on what ought to be accomplished in each of the intelligence community's functional areas, and on precisely how well each of these areas was functioning. The anti-intelligence lobby's fundamental message was that the United States was suffering from an excess of intelligence capability, that we had more intelligence than we needed. The agencies' defenders did not challenge the impression that though the American intelligence profession might have transgressed here and there, at least it had been doing its job. So, each for their own reasons, all sides of the debate agreed on the most important conclusions: by and large the quality of intelligence had been either acceptable or more than acceptable; that the quality of intelligence depends on the degree of intrusion into innocent lives; that the only questions about intelligence worth discussing concern what rules and restrictions shall be imposed on the agencies; and that the essential is what balance should be struck between good intelligence and civil liberties.

Hence, the debate which first accompanied the Church Committee's proposed charters for intelligence was over minutiae. The public position of the Association of Former Intelligence Officers (AFIO) was that there should be no charters and that the intelligence agencies should be allowed to do

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what they thought is necessary to accomplish their job. But the written critique of the charters which AFIO submitted to the Senate consisted exclusively of minute changes in the details of the proposed rules. By not expounding a full-fledged, intellectually appealing contrast to the set of arguments which underlay the charters, and by disputing the details of individual restrictions, AFIO and its supporters confirmed those arguments' legitimacy, and accepted the bulk of those restrictions. Moreover, by basing their arguments on the politically unappealing notions that good intelligence means intrusion into the lives of innocent people, and that the extent of that intrusion into civil liberties is strictly the concern of the intelligence agencies, they virtually guaranteed their opponents' popularity.

"The prevalent attitude in American counterintelligence today seems to be to sit and wait for indications and then check them out."

By 1978, however, events had led a wholly different set of people to shift the ground of the debate and to point out that, in intelligence as in anything else, the priority of rules over substance makes no sense. Here is a sample of those events.

In 1977 the country first learned that the Soviet Union's buildup of strategic weapons was rapidly achieving its objective: to provide the Soviet Union with the equipment to survive, fight, and win a nuclear war. It also learned that this equipment would be largely in place by about 1980, that the Soviets had been pursuing this capability since at least the mid-1960s, and that the United States' intelligence agencies had had enough data to sound the warning. Instead, however, the National Intelligence Estimates (NIEs) had been telling policymakers that the Soviet Union would not undertake efforts that, in fact, it had undertaken. In short, the estimators had missed a huge, ominous development unfolding before their very eyes.

In the fall of 1978 the country learned that, even as the shah of Iran was being toppled from his throne by a movement openly organized in Paris, Washington, Beirut, Tehran, as well as in Baku, U.S.S.R., the CIA was estimating that Iran was not in a revolutionary or even in a prerevolutionary situation and that the shah would be an important part of Iranian politics into the foreseeable future.

That year, the public also learned about a nasty quarrel within the CIA over the trustworthiness of a Soviet defector, Yuri Nosenko, who had come to the United States to assure the CIA that the Soviet Union had had no involvement with President Kennedy's assassin. According to public accounts, even though everyone agreed there was undeniable proof that key elements of Nosenko's story were lies, he had been officially believed for administrative reasons. Moreover, those intelligence officers who had resisted believing him had been demoted. Then the public learned from Reader's Digest that the FBI and the CIA had had a curious reversal on another key agent, code named Fedora, who had corroborated Nosenko's lies. First the CIA had officially deemed Fedora bad and the FBI deemed him good. Then, after a changing of the guard at the CIA, Fedora was deemed good, while at the FBI he had become bad. This hardly had the hallmark of competence. The public also learned that the CIA had asked an American citizen, Nicholas Shadrin, to play a dangerous double agent's game with the Soviet

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KGB, and that Shadrin had vanished without a trace while meeting the Soviets under supposedly competent CIA control.

Finally, as struggles for power in Africa, Asia, and even in nearby Nicaragua resulted in victory after victory for the Soviet Union, Americans began to ask, "Where is the CIA?" They learned that the CIA had never even suggested plans for thwarting these Soviet drives.

Thus from 1977 to 1980, as Senators considered passing the proposed restrictive charters, the arguments of both proponents and opponents began to sound hollow. Clearly, none of the shortcomings of American intelligence of which the nation was painfully learning was rooted either in too much or too little intrusion. Hence, though the debate about proper safeguards against intrusion remains interesting, since the late 1970s, there has been no excuse for confusing that debate with discussions of what the country needs by way of intelligence.

But what are those needs? What is the job to be done in the 1980s and in what areas should the professionals' habits be changed in order to ensure that the job is done? In what ways would the charters' proposed rules, or any other possible set of rules, affect the ability and motivation of intelligence operatives to do their jobs? What happens when one tries to remove chance and risk from an inherently risky profession?

COLLECTION

No one familiar with U.S. intelligence suggests that the United States receives anything like the kind of intelligence it needs. The public record of the few human sources the United States has enjoyed in the communist world strongly suggests that we do not recruit agents, so much as accept and use those who approach us. This should hardly be surprising given that the United States does not have a really clandestine service. All but a handful of our clandestine officers are under rather thin official cover, that is, they are known to be employees of the U.S. government. A high percentage do not speak the language of the country they work in. They can hardly approach someone who is required to report his contacts with Americans and unobtrusively suborn treason or conduct false flag recruitment. Since our agents live as official representatives of the United States, it is not surprising that most of their reports read like diplomatic dispatches. Of course, nothing prevents the United States from acquiring the service of people who can credibly pass themselves off as something other than Americans. But many professionals oppose this, claiming that such people would be unwieldy for the present personnel and promotion system to handle. Thus the professionals at the CIA resisted William Casey's early efforts to change the character of the clandestine service. The opposition to the nomination of Max Hugel to the post of director of operations was due to this. Nevertheless, Casey's early efforts were on the right track.

No one familiar with the subject doubts the sophistication of our means of technical collection. Yet no one would contend that these means were conceived as an interrelated system to collect a set of data. Each of the present systems is a technical extrapolation of previous systems, and exists in numbers dictated more by the budget than by any notion of operational need. The process by which these systems have been acquired has been irrational. We have not decided what information is required and then allocated resources among technologies, but the opposite—with one significant exception, arms control. For fifteen years, much of the impetus for buying technical intelligence devices has come from those who wished to monitor certain kinds of arms-control treaties with the Soviet Union. As a result, our current technical architecture is fit only for operation in peacetime and is focused to a large extent on the rather narrow parameters of past arms-control agreements. Of course, this could be changed. But that would require imposing upon the several agencies some sort of strategic vision and a consequent coherent set of requirements.

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Collection without good operational security can be worse than useless because it can provide channels for disinformation by hostile intelligence services. Today there is no reason to be complacent about the operational security of American intelligence. Although nowadays the bulk of collection is through technical means, technical operational security is barely in the conceptual stage. Indeed, some professionals are unwilling to conceive that technical means routinely might be subjected to the same kinds of checks for reliability that human agents must undergo before the information they generate is accepted.

This is not to suggest that the operational security of our human collection system is sound. Traditionally, challenging and testing the credibility of human sources has been the least popular and least career-enhancing job in the clandestine service, because whoever does it must question the good judgment of higher-ranking people. In the late 1960s and early 1970s internal criticism of the CIA's counterintelligence staff mounted, because that staff had questioned the bona fides of too many agents, and had become bureaucratically too powerful to suit the strong geographic divisions of the directorate of operations. Beginning in 1975, the staff was dismantled and replaced with non-specialists from the geographic divisions who are temporarily assigned to counterintelligence. Thus, those responsible for catching the collectors' embarrassing mistakes are themselves responsible to those very collectors for their careers. Clearly, operational security is a thankless job which, if it is to be done well, must be done by people who are not totally dependent on those whose work they check.

The division of responsibility in counterintelligence between the FBI and the CIA is understood perhaps least of all by the two agencies themselves. Of course, each knows perfectly what it thinks it should do, and even better what the other ought not to attempt in its field! Both cooperate more or less satisfactorily in pursuit of known cases. But neither has the responsibility, the data, or the inclination to conceive of the overall problem of counterintelligence. Consequently, not knowing the whole, their conception of their own parts is necessarily a hit-or-miss proposition. This is true for individual cases, but is quite undeniable as regards the comprehensive counterintelligence picture. Anyone who knows counterintelligence realizes that gaining awareness that a case might exist is the hardest part of any case. The prevalent attitude in American counterintelligence today seems to be to sit and wait for indications and then check them out. Awareness of possible cases sometimes comes through allegations or because the individual sees before him the disastrous effects of enemy intelligence. At present, that is how most of our cases begin. But there is a preferable way, counterintelligence analysis. Yet, counterintelligence analysis of serious, sophisticated or known intelligence threats is not possible on the basis of data as limited as the CIA and FBI separately possess. Surely we can expect a serious move by a hostile intelligence service to encompass elements both foreign and American, both human and technical. Yet the FBI does not routinely examine the take from the CIA and the National Security Agency for its counterintelligence implications, and vice versa. Without analysis of all intelligence data from a counterintelligence perspective, no agency can hope to do anything but stumble onto cases.

The overall picture built up by this sort of fragmented, reactive counterintelligence is also quite unsatisfactory. One is limited to listing cases. But one cannot begin to estimate the scope of a problem—say the transfer of technology or the potential for agent-of-influence operations in Sector X—until one takes the problem itself as a point of departure, and brings to bear upon it all the available data. In the case of technology transfer, we are just beginning to learn how dearly the United States has had to pay for a counterintelligence system whose structure precluded asking substantive questions and kept data in tight bureaucratic compartments.

If the press is to be believed, President

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Reagan and his National Security Council have noticed these shortcomings in the analysis of counterintelligence. It remains to be seen whether they will have the moral and intellectual wherewithal to translate their intuition and their legal authority into changed behavior on the part of a recalcitrant bureaucracy.

ANALYSIS

There is no denying the low quality of all too many NIEs, nor the serious effects which some of these have had upon the nation's security. The mere fact that, in the late 1970s, the public and the president, who had been reassured for fifteen years that the Soviets were not even trying to gain strategic superiority, woke up to find that the Soviets had in fact achieved it is a sufficient indictment of the NIEs. The American people pay billions for an intelligence community to avoid precisely this kind of surprise. More galling is the knowledge that the data for a correct assessment was not lacking and that in fact quite a few analysts in the Pentagon had pretty well figured out the nature and size of the forces the Soviets were building. But the process by which the NIEs are written smothered the correct analyses with the incorrect ones. The president and other responsible officials did not have the chance to exercise their responsible judgment on the evidence. They had no idea that a view other than the official one existed, much less a chance to decide which was correct.

How does one go about improving analysis? Better analysts would do a better job. That is not just a truism. All too often analysts in our intelligence agencies are promoted not for being good interpreters of the real world but rather for being good soldiers in the intelligence community's intramural battles. If they stoutly uphold the office view, they are often preferred to those who prefer reality. It is often better to be wrong for bureaucratically acceptable reasons than to be right about the facts and galling to one's superiors. Strict accountability and quality control would help. But who is to control the controllers? After all, the office view of things comes from precisely those longtime officials responsible for quality control. The insertion at high levels of numerous outsiders who are not congenial to the senior analysts would really help. But unless these outsiders were exceptionally honest, new office views would start forming around them.

There is another way of keeping analysts honest, and of ensuring that those responsible people who read intelligence estimates get to exercise their responsibility: allow both the CIA and the DIA to produce estimates on important subjects, each using all sources but neither coordinating with one another. The products would contain less of the bureaucratic prose which long coordinating sessions substitute for data. They would also be more closely argued than is now the case; they would have to be, because they would be written with the sure knowledge that they would have to confront counterarguments. Unfortunately, that is not now the case. Finally, they would be compelled not to try to fill with the putty of judgments the gaping holes we have in our knowledge.

The words competitive analysis have been widely accepted. But, in the view of professionals at the CIA, competitive analysis neatly describes the system by which NIEs have been produced for the past quarter century. Again, it remains to be seen whether the Reagan administration, having publicly accepted the concept will prove to have enough understanding of it and commitment to it to make it happen.

COVERT ACTION

The Church Committee, echoing many professionals, characterized covert action—that is, secret activities to influence the outcome of foreign situations—as exceptional means to be undertaken when all others had failed or no others could be employed. The Church Committee maintained that the United States had resorted to covert action too often. The debate within the government has been between those who want more

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covert actions and those who want fewer. I believe that history shows both sides have missed the point.

The point is to achieve the ends of foreign policy. Is ally X in trouble in Country A, and has the president decided that the aim of U.S. policy is to save his office? Is movement Y in Country Z so menacing that the president has made it U.S. policy to reduce its influence? Affirmative answers to such questions imply nothing about the means to be employed except one thing: when all is said and done, ally X should be in office and movement Y should no longer be in a position to do harm. These objectives could be achieved by various combinations of means, overt and covert. The particular combination matters much less than the result.

Today all too many people tend to ask about any given situation, "Is there anything that the CIA could do here?" In many cases, there is or could be. Nonetheless, that is the wrong question. Covert actions decided upon in answer to that question may be well-intentioned, but they will not be part of a coherent, success-oriented plan. Rather, one should ask, "What combination of actions by various agencies can actually bring about the desired objective?" If that overall plan calls for secret acts, then there is a place for them, if not, there is not. Today, covert action is touted as one more thing going for us, or something else to push the situation in the right direction. Such categorizations are not helpful. In the international area, there are no rewards for good intentions or for pushing in the right direction or for sending signals. Policy fails if it does not succeed. The press has recently carried allegations that the United States has a covert action going against Nicaragua. The *New York Times* quoted a U.S. official as admitting it but justifying it on the ground that it was not sufficiently large to topple the Nicaraguan regime. That official's understanding of policy, if the *Times* reported it correctly, is puerile. To conduct military or paramilitary operations against a regime by any means, overt or covert, without a plan for toppling it is against one of the most elementary norms of politics: never do your enemy a small hurt.

The problem of covert action is fundamentally that of the conception and execution of foreign policy. It is impossible either to rationally discuss or to successfully use any tool of foreign policy unless the ends of policy are spelled out specifically and a serious commitment is made to achieving them.

Clearly, the question of what the United States expects of its intelligence services has not been answered with intellectual authority by those who have had the political authority to do so. We have made the case here that in order for the United States to meet the challenges of the 1980s, American intelligence is going to have to perform quite differently from the way it has been performing. Bureaucracies being what they are, change is unlikely to take place without some powerful external stimulus—such as an act of Congress.

The intelligence agencies urgently need clear statements of what they are to accomplish. The executive orders and President Carter's proposed charters consisted of authorizations for investigations under highly specific circumstances. They did not begin to tell the agencies what kind of information they were to collect, what kinds of analysis they were to provide, what sort of security against hostile intelligence services and terrorists they were to ensure, and what sort of influence they should be prepared to exercise abroad. Perhaps a legislative statement of these missions could begin to answer the question, "What does the U.S. expect of its intelligence services?"