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THE DIRECTOR OF
CENTRAL INTELLIGENCE

20 May 1987

National Intelligence Council

NOTE FOR: ADCI

FROM: C/NIC

Bob

Attached is a revised version of the draft response to the NSC on the objectivity and integrity of the estimative process, expanded, refined, and aligned with the briefing I'm prepared to give at NFIB on May 29th. Copies have been distributed to the NIOs and SRP for their comments by COB this Thursday. Any comments you may have are solicited as well. If we were able to arrive at a draft with which you were satisfied by the end of the week, we could distribute it in advance of NFIB and use the briefing to summarize the paper and focus the discussion on its principal points.

W/R
[Signature]
Frank B. Horton III
Major General, USAF

Attachment:
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THE INTEGRITY AND OBJECTIVITY OF THE ESTIMATIVE PROCESS

1. As the President has stated, it is an important goal of the United States intelligence effort that the integrity and objectivity of the intelligence process be maintained, demanding critical differentiation between foreign intelligence and policy advocacy. This is a particularly important and sensitive goal as applied to the production of national estimates. It requires critical and constant attention. This is especially so since it must be considered side by side with another important goal, emphasized by the SSCI in a draft report last year, that the utility and relevance of the intelligence product be sustained, demanding cognizance of policy concerns in the production of foreign intelligence. This dual objective of assuring policy relevance while assuring against policy prescription makes two basic demands.

- First, while input to the estimative process is to be sought from the policy community, it should be as to the questions to be asked, and not as to the answers to be provided. And the policy community should not be the only source of these questions.

- Second, while the output of the estimative process should outline the general implications of the intelligence community's judgments for US interests, it should not cross the line to the advocacy of particular policy proposals. That must be deferred to the consumers in the policy community.

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It should be recognized that the search for perfection in the estimative process inevitably involves a process of tradeoffs between faithful observance of the full bureaucratic process and the intellectual vigor of the final product. As more people and more opinions become involved, many of the sharp edges can be lost; process is observed but the result can be pallid, the message to the policymaker unenlightening. The Community must strive to strike a balance between often conflicting goals of timeliness and proper consideration, between crispness of judgment and due regard for alternative views, between safe consensus and boldness of insight, between policy relevance and policy neutrality.

2. The production of national estimates can be broken down into three basic elements for purposes of focusing on the maintenance of the integrity and objectivity of the enterprise--personnel, process, and products. Such an approach facilitates highlighting areas where vulnerabilities might exist and safeguards might help--leading to an assessment of what we have done and what more might be done, especially noting where senior officers directly affect the process.

a. Personnel. The most critical component in ensuring the integrity and objectivity of the estimative process are the key individuals involved in it. Without individual integrity and objectivity at all levels, particularly at the top, no process will work; with it, nearly any process will be successful.

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- The National Intelligence Council is an ideal environment in which skilled and objective National Intelligence Officers can manage the production of estimates. It provides relative freedom from specific policy agenda and represents--through the different parent agencies from which NIOs come--some sense of the differing perspectives of the intelligence community as a whole.

- Also important are the Assistant NIOs, who are selected to complement the NIOs in terms of organizational and substantive background. Working with the NIOs and ANIOs are the drafters and agency representatives, both key to shaping the final product. Over time drafters are drawn from the many agencies of the community, and all the agencies are represented in the coordination of each estimate. All of these personnel--NIOs, ANIOs, drafters, and representatives--need to be of top quality with a good sense of their charter. Selection and orientation is thus critical, and is given close attention.

- There are balances that each of these players must strike. NIOs understand that they serve both as representatives of the DCI and as facilitators and guardians of the community process. ANIOs know that they serve as alter egos to their NIOs and as counterpoints to them. Drafters need to be able to utilize their agency background and at the same time rise above it and take on the community mantle. Representatives need to ably and responsibly represent their agencies, while being capable of setting aside parochialism in the interest of producing the best possible community product.

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-- And finally there are the intelligence principals, who need to be involved throughout the process, initially through their representatives and ultimately through their participation in the National Foreign Intelligence Board, to bring to bear their broader perspective and to help protect the intelligence process against undue policy pressures. A key to the success of this endeavor is the NIOs keeping the representatives informed, so that they in turn can keep their principals in the loop. This does not so much politicize the process as to protect against pressures for politicization.

b. The Request for the Estimate. Turning to the process itself, requests for Estimates can come from any executive office, but are most often generated externally by State, DoD, or NSC. The DCI also generates many Estimates, although the greatest number come from the individual NIOs. The NIOs often suggest that an Estimate be written where they have learned--from their contact with the policymakers--that such an estimate will be timely and relevant to the latter's needs, or where the NIOs perceive an issue looming that has not yet captured the policymakers' attention and that could have considerable impact on US interests.

-- The NIO is routinely in contact with other members of the intelligence and policy community in his area of expertise. He needs to be well aware of current US policy to anticipate both the intelligence needs that the policy might spark as well as the foreign policy repercussions of prospective US action. Those

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contacts are a constant and common source of ideas for new estimates--a boon for policy relevance and legitimate support to the policy process, but carrying with it the danger of skewing production to topics formulated only to support, and not to illuminate, policy.

- To guard against this, two processes help. First, many Estimates are generated outside the policy community, to indicate areas where policy attention is needed, to tell the policymaker what the intelligence community feels the policymaker needs to hear, not necessarily what he wants to hear. And second, each request for an Estimate is reviewed by the NIO and Chairman, NIC and must be approved by the DCI. Disapproval is infrequent and never because of incongeniality to the policy community, but may be necessary because of resources, priorities, or appropriateness--especially if it is felt to be of a limited interest or too narrow or parochial in its focus for a national level Estimate. NFIB principal review of the production plan assures that intelligence community managers can advise the DCI on topics for Estimates. The NIOs and NFIB representatives also maintain a continuing dialogue with each other, and the NIOs with the DCI to ensure that the production plan remains up to date and relevant.

c. Preparation of Coordination of TORs. Following approval by the DCI of the proposal for an Estimate, the NIO draws up a Concept Paper and Terms of Reference (TOR) drawing on suggestions from the intelligence community to

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define the scope and major themes of the Estimate. This provides yet another opportunity for community review of the need to add, revise, or drop an estimate.

- Usually the office requesting the Estimate will set forth the main questions which it hopes to see answered. The NIC views any intelligence questions posed as legitimate and will respond to them. Answering only those questions posed by the requestor, without considering the broader context, however, could give a misleading impression regarding policy implications. The NIO and his colleagues thus will not necessarily limit the scope of a proposed Estimate strictly to the questions and issues posed by the requestor. This independent, yet collegial, preparation of the TOR within the Intelligence Community is designed to prevent Estimates being driven by leading or narrowly focused questions from the policy side answers to which could present a misleadingly narrow view of the overall problem.

- The NIO frequently consults with the requestor to insure that he understands the specific interests and purposes of the questions posed, and to insure that the requestor's intelligence needs are met. The NIO formulates the TOR in complete independence of the requestor, however. The SSCI in a September 1986 draft study however specifically urged that NIO's remain in close contact with policymakers during the Estimative process to ensure that those issues relevant to policymakers are addressed.

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- A critical part of the TOR is the Key Questions. This section sets forth the few central questions--usually no more than a half dozen--which the NIO believes to represent the heart of the intelligence problem. By nature they are as broadly conceived and as searching as possible. These questions are drawn up to ensure the drafter will not become so bogged down in detail that he fails to reach the hard intelligence judgments that were sought in the TOR.

- The TOR also includes a retrospective look at the previous Estimate on the same subject. This process helps remind the Community of past discussions on the topic and provides opportunity for minority or alternative views to be tested against subsequent events.

- The NIO prepares the TOR with the VC/NIC and the C/NIC to insure reasonable breadth, comprehensiveness, and focus. Then the draft TOR is sent to the Senior Review Panel (SRP) for its independent comment on the appropriate breadth, conception and focus of the paper. The SRP is made up of retired senior diplomats, military officers, and scholars and reports directly to the DCI; it is part of his staff--not part of the NIC. Other independent DCI or NIO reviewing bodies may also have an opportunity in an advisory capacity to consider the issues of the Estimate.

- The NIO will make such changes as he believes are necessary based on SRP comments--which are not binding. The NIO is free to take issue with the SRP on one or another points, but SRP comments are usually constructive, valuable and are incorporated. The TOR is then sent to the DCI for approval with a cover memo indicating how SRP comments were or were not accommodated.

- The DCI may make any changes or suggestions in the TOR that he believes are necessary--usually by way of addition. Upon his approval the TOR is sent to the Intelligence Community principals preparatory to holding a community representatives meeting to coordinate the TOR.

- The Intelligence Community representatives meet with the NIO to review the TOR and to suggest changes for content, clarity, and comprehensiveness. After incorporation of these revisions, the revised TOR is sent out to Community representatives as the formal coordinated TOR for the Estimate.

- This process of in-house and Intelligence Community TOR review almost invariably adds to the scope, breadth and comprehensiveness of the paper. Rarely, if ever, are questions or issues dropped in the course of such review, except when deemed outside the purview of intelligence.

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d. The Drafting Process. The NIO will select a drafter for the Estimate from within the Community. The drafter thereafter then reports to the NIO on the Estimate and must be responsive to him to assure independence and objectivity--as well as efficiency. The drafters should be seeking ideas and inputs from throughout the community and from outside experts as well as he works to develop a response to the agreed TOR.

- The drafting process, however, is sometimes influenced by the drafter's parent organization biases. The drafter--whatever his parent organization--will usually submit his draft for review at least to his own immediate superior and possibly higher reviewing officials before the draft goes to the NIO. This is not always the case, and usually is prompted by a desire to improve the writing through peer review and present the best possible draft to the NIO.
- This reviewing process by the drafter's parent organization usually does contribute in terms of clarity, style and accuracy, but it also can affect the position taken by the drafter. In the real world, however, any drafter will be in part influenced by his own bureaucratic culture whether he undergoes his own in-house review or not.
- The NIO will review the draft closely and critically. He has license to make any changes whatsoever he feels are necessary in the interest of clarity, style, length, comprehensiveness, focus,

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sharpness of judgment, accuracy of judgment, and depth of judgment. Initial drafts submitted to the NIO often require extensive work to insure that they are terse and estimative in character; initial drafts frequently suffer from excessive length and unwillingness to reach hard judgments. The NIO's own changes made in the draft reflect a balance of his own best judgment and an awareness that he will have to coordinate the text through the Community.

- The NIO reviews the draft with the VC/NIC or C/NIC for further review and comment. The draft will then go to the SRP for independent review and comment. The NIO will accommodate as much of the SRP suggestions as he believes is appropriate. In most cases, SRP suggestions for change and improvement are incorporated.

- The revised draft is then sent to the DCI with a cover memo indicating how the SRP comments were accommodated. The DCI will often request sharpening of judgments, and explanation of expected dissenting views. This is an opportune and appropriate time for the DCI to make his input in the drafting process; it should not be taken to stifle the opportunity for the later expression of alternative views by the rest of the community. After the DCI's approval the paper is sent to NFIB representatives for review and staffing.

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-- At no point during the drafting process does the NIO or the drafter discuss the draft with the policy community, and the policy community should not have impact on the drafting process.

e. Draft Coordination. The role of the NIO at the coordination meeting is a crucial one. He is responsible to the DCI to produce the best possible estimate he can along the lines agreed upon in the TOR, and is responsible to the community to assure that significant alternative views have the opportunity to be adequately expressed.

-- The Estimate must reflect the best Community judgments but must also not be allowed to deteriorate down into the "lowest common denominator" consensus. It must reflect important alternative views while avoiding the pitfalls of becoming a Christmas tree of endless possibilities that destroy clarity of the judgment call.

-- The NIO cannot simply be an "honest broker" among contending parties; his role involves a greater degree of leadership--more akin to that of judge and manager who must ultimately arbitrate conflicts of view and serve as catalyst to ensure judgments are considered and far-reaching. The NIO must avoid foreclosure of debate or rejection of certain viewpoints by having recourse to statements such as "the DCI has special interest in this issue" which can serve to intimidate some representatives. Highly vocal representatives must not be allowed to carry the day by sheer forcefulness, but quiet representatives should be encouraged to be forceful in expressing the views of their respective organizations.

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-- Ultimately, the NIO's role is to force the Community to make hard judgments while allowing for reflection of significant divergency of opinion. It involves a great many judgment calls and is a more complex role than that of merely an impartial arbiter. At the same time holders of dissenting viewpoints have the obligation to present a coherent and significant alternative view that enriches the document--rather than simply seeking to use less bold adjectives.

-- At no point in this coordination process is the policy community involved; indeed, while requests have often been made, no member of the policy community is allowed to attend a coordination session.

f. Final DCI Review. The DCI reviews the Estimate following community working level coordination prior to sending it to NFIB principals.

-- The DCI can and sometimes does seek substantive improvement in the text, especially where the coordination process has served to excessively water down judgments, or where Key Judgments have been worked to the point that they diverge from the text. This role is a sensitive point in the process because he is now making judgments on the quality and appropriateness of a text already blessed by the community working level representatives.

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- While this late DCI intervention can generate charges of politicization, there is a mechanism to adjudicate any concerns that arise. In routine cases, such as moving statements from text to key judgments, such proposed changes can be brokered informally prior to NFIB between the NIO and community representatives. More substantive issues should be and normally are raised at NFIB with principals, however, to provide a proper airing and to minimize any question of politicization that might otherwise arise.

f. Final Review in Community Agencies. Following distribution to NFIB principals, most agencies will submit the Estimate to further in-house review. Certain problems can arise in the course of this process.

- Some Community working level representatives may not fully represent their agency and their principal at coordination meetings--because of unresolved differences within the agency, inability to get the view of the agency's principal, or lack of empowerment. As a result, a commitment by a working level representative at the pre-NFIB coordination meetings may not be supported by the NFIB principal, sometimes over lesser issues. On the other hand, it also indicates that the principals are prepared to engage themselves in the process of judgment and not leave it all to staff.

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- Intelligence organizations attached to Departments with policymaking responsibility face other complications. Their working level intelligence representatives sometimes commit their NFIB principal to an intelligence judgment in the estimate that is seen as unwelcome by the policy side of the department. This places a special responsibility on the heads of INR, DIA, and the Service intelligence organizations to insulate the intelligence process from any undue policy influence.

- For whatever reason, we find that even after completion of working level coordination, and pre-NFIB distribution, some representatives report back to the NIO that new changes are being sought by their Agencies. This part of the process, like final DCI review, is vulnerable to charges of politicization. As in the case of any late DCI changes, there is a process for adjudication--pre-NFIB brokering for routine adjustments, and deferral to NFIB hearing for those of greater significance.

h. NFIB. The National Foreign Intelligence Board represents the final forum for adjudication. The principals are free to propose changes in the work of the Community representatives. It falls to the DCI to adjudicate disagreements at NFIB, to accept footnotes or alternative language, or to remand the Estimate for further work in selected areas. Finally, it is the DCI who approves the document. The NFIB process is the best deterrent and ultimately the best defense against any high-level pressures to shape intelligence to policy preferences.

i. After NFIB, the process continues with a faithful reflection of the NFIB recommendations and the DCI decisions in producing the estimate, and the appropriate dissemination of the product to those with a need to know, to include the timely provision of the key judgments to the top levels of the policy community. Then there is a feedback process that brings us full circle. That feedback includes, for example, discussions between NIOs and key members of the policy community regarding apparent disconnects between the judgments of past estimates and the policies that were eventually developed, and discussions among the NIOs and the rest of the intelligence community leading to retrospective analyses as to accuracy of the judgments of past estimates.

j. The Problem of Evidence. It is obviously desirable that differing viewpoints be backed by evidence wherever possible. Lack of evidence and uncertainty needs to be clearly identified in the text whenever judgments are made that are based more on informed insight than hard facts. Appendices can serve to buttress arguments for certain positions taken in the text--at least at the draft stage--but probably not in the published text. But questions of evidence also cannot be allowed automatically to bar a judgment simply because evidence is lacking. A position on an issue can be sometimes sustained even in the absence of much evidence when intelligence is skimpy, ambiguous, or non-existent. This is especially true in areas involving clandestine or covert activity by another party. In short, while it is risky for a drafter to assert a position against existing evidence or in the absence of any supporting evidence, the drafter and the community likewise must not be so mesmerized by absence of indicators, or by

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a misplaced faith in the likely spectrum of knowable intelligence available to them on a certain topic that it leads to automatic rejection of considered judgments based on some intuitive feel for behavior patterns of the players involved. Thus, on the evidentiary problem the community is called to walk a fine line between establishing a legal brief and accepting a position based on circumstantial evidence and intuition in the absence of any certain knowledge.

k. The Dilemma of Senior Level Review. As noted earlier, review of draft Estimates by the NFIB principals and their suggested changes can provoke charges of politicization of the intelligence process. These individuals, and their subordinate senior managers, in particular are closer to the policy process than are the intelligence analysts who draft the Estimates and they bring a different outlook to the intelligence process. Differing senses of international realities can mistakenly be identified as a politically partisan view. The benefit of senior level review of Estimates is that it often brings to bear a broader conceptual view of the nature of the international order and the character of international conflict. These views inevitably influence the assessment of the likelihood of certain events. It is important for all parties involved to distinguish between a legitimate critique of a narrow, ill-formed or naive conception of politics or the international order, and the advocacy of preferred political views on how to deal with the nature of the international conflict. In short, the higher the level of generalization about how certain situations will evolve, the more one's own unspoken philosophical sense of how the world works is involved. Searching senior official critiques of community

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estimative views need not represent "politicization" of the process. And the senior reviewer must be careful that his critique is not in fact politically driven or broadly perceived by the community as such.

1. Products. Out of this process come four types of formal estimative products.

- National Intelligence Estimates and Special National Intelligence Estimates, or NIEs and SNIEs, go through all steps of the process just outlined. As they bear the NFIB imprimatur and DCI signature, they have the greatest weight. SNIEs differ from NIEs in that they go through some of the steps in parallel rather than in series, to expedite production of high priority requirements, but they still involve the key players, the NFIB is still the final forum for adjudication, and the DCI is still the final approval authority.

- Interagency Intelligence Memoranda and Interagency Intelligence Assessments, or IIMs and IIAs, differ from NIEs and SNIEs in that they are less estimative in nature and do not necessarily go through NFIB or bear the DCI's signature, but all agencies (in the case of IIAs at least all those with a substantive interest) still have the opportunity to coordinate, and agency representatives still have the opportunity to bring their principal's point of view to bear in the coordination process. Like the SNIEs, the IIAs go

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through some of their steps in parallel. Where the issues emerge as important enough, or the controversy surrounding them becomes great enough, IIMs in particular can be and sometimes are elevated to NFIB for consideration as an additional safeguard.

- It should be noted that there are other products which the NIOs work with the community to produce, which are not formal estimates and do not go through the formal coordination process. These are warning products, generated by discussions at specially convened meetings between NIOs and community representatives, and then produced by the NIOs on a particular issue, or collated by the NIO for Warning from all the NIOs for a global review. The former are done on an as needed basis; the latter are done monthly, for the DCI and further distribution. These warning products will reflect community inputs, and make note of alternative views, but will still be clearly identified as other than formally coordinated community products.

- Further, the NIO, as senior staff advisor to the DCI in his area of expertise, fulfills a number of roles in which he does not represent the Community. In these roles, especially in producing written memos done as think pieces for the DCI or wider distribution to stimulate discussion, it is imperative that he make explicit the fact that his views are his own, and he is not speaking on behalf of the Community, even though his views will have been formed in the context of his interaction with that community. When applicable and known, alternative views may be reflected in these memos as well.

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3. In summary, the estimative process does have some vulnerabilities in terms of maintaining its objectivity and integrity, but it also contains many safeguards. These safeguards, consistently applied by all the players in the process, from drafters and agency representatives through NIOs and the NFIB principals, can maintain the objectivity and integrity we seek. To summarize these safeguards, they are:

- o Careful personnel selection and orientation for each of the key roles notes above.
- o Policy participation properly circumscribed to providing inputs regarding topics to be addressed and questions to asked, but not regarding answers to be provided.
- o The use of broad Key Questions in the Terms of Reference to guide and evaluate the drafting process.
- o Many levels and sources of input and review throughout the intelligence community, including by more independent bodies such as the SRP.
- o Thorough community coordination at key steps along the way, especially of the Terms of Reference and the drafts of estimates.

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- o Encouragement of the development of alternative outcomes to reflect uncertainty, and alternative views to reflect significant disagreements throughout the process.

- o The continued active involvement of intelligence community principals working through their representatives early on, and ultimately through their participation at NFIB.

- o Self-evaluation of completed estimates and feedback to preparation of new ones as the cycle continues.

Continued careful implementation of these safeguards should assure that objectivity and integrity are served well.

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