

Espionage and the War on Terrorism: Investigating U.S. Efforts

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IN THE MONTHS SINCE THE 11 September 2001 attacks in New York and Washington D.C., a great deal of discussion has occurred concerning the possibility of an intelligence failure. Many have argued that the inability of the U.S. authorities to intercept the terrorists who attacked the World Trade Center and the Pentagon was a failure of the Central Intelligence Agency (CIA) and the Federal Bureau of Investigation (FBI) intelligence systems. Some specialists and academics have, over the past two years, argued that the failure was directly the result of the Central Intelligence Agency's lack of Human Intelligence (HUMINT) capabilities. HUMINT is now a key element in the effort to protect the U.S. homeland and counter terrorist attacks on U.S. interests around the globe.

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Central to the question of whether or not the intelligence community, particularly the CIA and FBI, was culpable in not providing sufficient warning is the issue of information availability. Was information that could have defined the perpetrators and time of the attack available? Were the CIA and FBI negligent in not sharing with each other important data which could have precluded an attack? These questions relate directly to the capabilities and bureaucratic infrastructures of the intelligence community.

THE ORGANIZATION OF THE U.S. INTELLIGENCE COMMUNITY

Within the intelligence community there are a number of methods used to collect information. The most common in today's high tech environment include signal intelligence (SIGINT), image intelligence (IMINT), measurement and signature intelli-

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gence (MASINT), open-source intelligence (OSINT), and human intelligence (HUMINT). Of these, SIGINT provides the majority of raw intelligence data and is primarily the responsibility of the National Security Agency (NSA). This involves the collection, processing, and reporting of information derived from signal intercepts.

The oldest form of intelligence gathering is HUMINT. Information comes from human sources, and the public often associates this type of intelligence gathering with clandestine activities. In reality, most HUMINT is gathered through overt means, such

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as diplomats and military attaches. The majority of this information is collected through the efforts of the CIA and Defense Intelligence Agency (DIA). Over the past thirty-six years HUMINT, as a primary method of in-

telligence gathering, has undergone some profound changes. Most of these have been associated with the changing leadership of the CIA, the public perceptions of intelligence abuse, and more recently, major changes in global relationships tied to the end of the Cold War and the growing issue of international terrorism and regional conflict. Much of the blame for intelligence shortfalls associated with the 9/11 attacks has been placed on the CIA. This may be an unfair assumption.

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The CIA was established as part of the National Security Act of 1947. This act made the CIA responsible for the intelligence gathering related to national security. Most specialists interpret this as relating to foreign intelligence. Although this type of intelligence appears to be associated with information gathered outside of the United States, there have also been instances where the Executive Branch has interpreted this authority to include foreign influences on domestic groups, which entailed data gathering within U.S. territory.

As the legislation was being written, a number of debates occurred in Congress concerning the CIA's overall mission and discussing whether it included obtaining intelligence both abroad and within the United States. This discussion continued during the ensuing years. It was instrumental in the evolution of the CIA's role and mission, and would be a major issue in the mid 1970s with the Church Committee, a U.S. Senate committee investigating the perceived excesses of the CIA in the shadowy world of clandestine activities.

Many have argued that the CIA is primarily a strategic intelligence service. This means that they are most effective when involved in answering intelligence questions

that require a view of the “big picture” and are long range.¹ On the other hand, the CIA’s role in tactical intelligence has often been criticized, particularly by the military services, which are dependent on obtaining information that is narrow, concrete, and bound by specificity.² Ultimately in 1995 the Department of Defense did, in fact, consolidate their HUMINT resources into a single entity, the Defense HUMINT Service (DHS). This, however, did not clarify the CIA’s role in HUMINT. The National Security Act of 1947 assigned the responsibility of Director of Central Intelligence (DCI) to the Head of the CIA. This authority was potentially far-reaching throughout the intelligence community. The DCI was given considerable budget authority over the entire community and was potentially a very influential tool to wield when ensuring a common effort for information gathering and analysis. Traditionally, however, this power has either not been used or only in a limited way. In fact, the head of the CIA has often demurred from accepting the overall responsibility associated with the envisioned DCI position.

The disconnect associated with the CIA’s disinterest in taking the intelligence community lead has had a large impact on the evolution of U.S. intelligence capabilities. Much of this can be attributed to the historical views of the American public, mass media, and Congress when it comes to intelligence, particularly that associated with spying and clandestine activities. Between 1962 and 1970, during the Vietnam conflict and the height of the Cold War, clandestine operations played a key role in the CIA’s program. The budget for clandestine operations averaged fifty-two percent of the annual CIA budget and fifty-five percent of the full-time employees.³

William Colby, CIA Director from 1972 to 1975, began to shift the emphasis from clandestine service covert operations to a technologically obtained information. This was driven by the increasing concerns about the quality of information obtained from HUMINT and budget management difficulties, associated with the high cost of HUMINT. Despite this shift in emphasis, the clandestine service was still thirty-seven percent of the total CIA budget in 1975.⁴

The 1970s were difficult years for U.S. intelligence and particularly the CIA. As the U.S. involvement in the Vietnam conflict was winding down, there was concern within Congress over the actions taken by the CIA. There were issues associated with the secret war in Laos, the Phoenix Program, the Army “spying” on U.S. citizens, the “destabilization” efforts in Chile, and the CIA’s domestic intelligence authority. These all culminated in a congressional investigation, often referred to as the Church Committee, after Frank Church, the senator from Idaho and a sharp critic of these intelligence practices. Some have argued that this was an essential evaluation of the U.S. intelligence services and that it clarified their respective roles. Others, including subsequent CIA directors, suggested that this committee was instrumental in decreasing the

effectiveness of the U.S. intelligence capabilities. The Committee's position was that Congress, which held the financial and legislative powers, had constitutional authority to regulate the conduct of U.S. foreign intelligence activities. Although the Church Committee report had no legal authority, it did provide a public accounting of questionable CIA activities around the world.

After the Church Committee report was issued, the CIA, led by Admiral Stansfield Turner (1977-1981), continued the shift in emphasis begun by Colby. The agency was no longer enamored with clandestine operations. Science and technology became far more prevalent in the effort to gather information and clandestine activities decreased as many positions were left vacant. Turner argued that these positions were no longer needed due to the quality and availability of technology.

This change from HUMINT oriented activities to a more technological approach through SIGINT fueled the criticism immediately following 9/11. A number of commentators, pundits, and national security specialists argued that there had been a degradation of CIA human intelligence capabilities over the past few years. John C. Gannon, Chairman of the National Intelligence Council, in remarks made at the Hoover Institution Conference on 16 November 1998, admitted that there had been a decline in HUMINT, but was clear that efforts were in place to rebuild this important clandestine capability. At the same meeting, George Schultz, Secretary of State under Ronald Reagan, supported these views and also commented on the moral difficulties of dealing with "people who are not admirable."⁵

Schultz's comments about having to deal with unsavory characters in the world of covert HUMINT reflect an attitude resulting from an incident that came to the public's attention in the mid-1990s. An agent recruited in Guatemala was implicated in the deaths of Americans.⁶ The then-director of CIA, John Deutch, developed new guidelines that required approval for recruiting agents with unsavory backgrounds. This, of course, led to another controversy. Some saw this as a new policy, which restricted the quantity and quality of recruited agents. Others argued that this policy was not really restrictive, but ensured quality control. The evidence since 1995 suggests that there has been some influence on recruiting. This is most likely associated with the fact that there is a perception among some CIA officers that their evaluations and promotions are affected, since historically these elements were based on the numbers of agents recruited. Since 9/11, this policy has been significantly loosened.

LIMITATIONS AND ADVANTAGES OF HUMAN INTELLIGENCE

Over the past few years HUMINT has, therefore, been at the center of a number of issues related to the CIA's efforts to obtain and analyze effective intelligence. It is essen-

tial to evaluate how effective HUMINT is in today's environment where threats come from international terrorism and regional conflicts. There are a number of reasons why HUMINT is valuable as a means of obtaining information. It can provide an idea of the political, military, and economic processes of both states and non-states, particularly those, which are clandestine or closed. It is hoped that an agent can obtain reasonably accurate assessments of a leader's intentions and potential actions, and potentially gain access to sensitive plans and documents.

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On the other hand, there are severe limitations of HUMINT in the effort against terrorism. The central issue hindering the effective use of HUMINT against terrorist groups is the difficulty of penetrating the cell structure. Modern terrorist organizations tend to organize around discrete cells which, given their tightly woven, compartmentalized nature, are extremely difficult to infiltrate.

In addition, this compartmentalization decreases the likelihood of obtaining tactical intelligence that can provide a whole picture of a potential attack. The only way to effectively counter this cell structure is to recruit a number of cells, hopefully providing sufficient information to develop a reasonably viable view of the plan. This, of course, is extremely difficult and requires a great deal of resources in man-hours and funds, as well as creating a far more dangerous scenario for case officers. Another less desirable way to attempt to disrupt the cell structure is to try and disperse the cells, making it difficult for terrorists to communicate and coordinate efforts in columns, thereby confusing the planning and execution. This hopefully decreases the organization's capabilities to mount major attacks. While this is somewhat easier than trying to penetrate the cells, it is not as effective. The cell structure also makes it extremely difficult to develop a clear and concise determination of the credibility of information that is obtained. In the case of tactical intelligence, it is necessary to quickly obtain information and get it to the appropriate authorities as soon as possible. This provides the opportunity for a terrorist group to feed misinformation to case officers, making the credibility of the source questionable and causing the responding officials to react to the information before it can be effectively vetted.

These weaknesses of using HUMINT to effectively counter terrorist activities are directly related to the decisions of intelligence leaders to consider alternative sources. In the late 1970s, CIA director William Colby began to place more emphasis on technological collection as a means to decrease the importance of "disinformation."⁷ However, technology does not provide all of the tactical intelligence data needed for the war

on terrorism. SIGINT was very effective in the Cold War scenario, but is hampered in the new world of international terrorism. The ability to observe the operations of cells greatly reduced the effectiveness of satellite imagery. Communications intercepts were effective only as long as the terrorist groups were unaware that their signals were being intercepted. Once this method was compromised, the terrorists developed other means of communicating. Modern technology can be used by both counter and anti-terrorist groups as well as the terrorists themselves. Terrorist organizations have become far more sophisticated and are often capable of acquiring technology that is as effective as that used by the counter-terrorism groups. In addition, international terrorists are adept at mitigating the technology used against them by changing their procedures or movements.

HUMINT therefore remains an important element of intelligence gathering. It is essential that intelligence services maintain a physical presence in the regions that tend to provide access or safe-havens to terrorist organizations. In addition, third party services are an important source of information, although they must be evaluated carefully due to inherent biases associated with these types of sources. Iraq is a good example of the importance of physical presence as well as the problems associated with third party intelligence.

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Between 1991 and 2003, the United States had no primary presence in Iraq that could verify or clarify the activities of Saddam Hussein or terrorist groups. Even the British were unable to provide information. The only major source of information came from the United Nations' inspection teams that were evaluating compliance of the weapons of mass destruction (WMD) requirement resulting from the first Persian Gulf War. This resource was lost with the ejection of the UN inspection teams from Iraq. This left third parties, which included political exiles, disenfranchised Iraqis, and scientists who tended to provide biased views based on self-interest, as the principal sources of information. There was, of course, no real verification, and therefore the information was often exaggerated. This led to a number of assumptions that were part of the basis for the decision to attack Iraq and have come to plague the Bush administration since the end of the Spring 2003 offensive.

A few of the more striking assumptions included the idea that Saddam's forces would at least present some formidable resistance, thereby developing a longer timetable for the war. Another assumption was that the final result of the war would be an Iraqi surrender and the laying down of arms. This, of course, did not occur and most of the Iraqi security forces and Revolutionary Guard simply left the battlefield taking their weapons with them. The third, and one of the most dangerous assumptions, was that post-war Iraq would provide a reasonably secure area where the allies could readily rebuild infrastructure and government systems. This, of course, proved to be a major

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flaw in the planning as the evolution of a guerilla war became the day-to-day activity in many parts of Iraq. These assumptions were predominately the result of poor HUMINT prior to March 2003. Depending on third party sources, the United States military and CIA were hindered in developing plans based on multiple scenarios and therefore became engulfed in confrontation without a good exit strategy.

CONCLUSION

The war on terrorism is a new kind of conflict for the United States. 11 September 2001 brought the United States into the world of international terrorism as the homeland was attacked. The traditional ways of gathering information and analyzing the data to respond to threats became far less effective. Although HUMINT has numerous shortfalls, it still remains one of the most valuable ways of dealing with terrorist organizations. The United States must overcome its inherent dislike for clandestine operations and provide sufficient funding and authority to actively pursue more effective and reliable means of HUMINT collection. The world of international terrorism does not project a black and white image. The counter-terrorism efforts require viewing the responses in shades of gray, where intelligence resources must work together to piece the puzzle of potential attacks together to best respond and hopefully thwart, or at least mitigate, the efforts of terrorist groups.⁸ 

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NOTES

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3. Carroll *op. cit.*
4. U.S. Congress, House of Representatives, Permanent Select Committee on Intelligence. "IC21: Intelligence Community in the 21st Century." (Washington: U.S. Government Printing Office, 1996).
5. "Biological and Chemical Weapons (BCW)," *Hoover Institution Conference*, Question and Answer Session, 16 November 1998.
6. David Corn. "Did We Handcuff the CIA?" *Slate*, 18 September 2001 <<http://slate.msn.com/id/115748>>.
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8. The following texts were helpful in the production of this essay: Austin Bay, "In the Absence of HUMINT," *The Washington Times*, 1 August 2003; Clifford Beal, "Chronic Underfunding of U.S. HUMINT Plays Role in Intelligence Failures," *Jane's Defense Weekly*, 11 September 2001; Patrick. Chisholm, "Bring Back Human Intelligence," *Christian Science Monitor Online*, 27 June 2002; Chris Dishman, "Looking to Future, CIA Should Focus on Human Intelligence," *Christian Science Monitor*, 6 August 1997; Jono Fischbach, "With A Little Bit of Heart and Soul Analyzing the Role of HUMINT In the Post Cold War Era," Paper presented at the Woodrow Wilson School Policy Conference 401a (6 January 1997); David J. Galland "HUMINT Intelligence is Critical to Counter Terrorism," *Pravda* (15 December 2001; John

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