The Brown Commission and the Future of Intelligence

On 1 March 1996, the Commission on the Roles and Capabilities of the United States Intelligence Community (the Brown Commission) issued its report to the President and to Congress. On 26 March, Studies in Intelligence board members Brian Latell, Robert Herd, John Wiant, and Bill Nolte met at the Commission’s offices in the New Executive Office Building with Ann Z. Caracristi, a member of the Commission; Staff Director L. Britt Snider; and staff members Douglas Horner, Brendan Melley, Kevin Scheid, and William Kvetkas. What follows is an edited transcript of the discussion with them, reviewed in advance by the participants.

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The report quotes one witness before the Commission as saying “if an intelligence analyst is not in some danger of being politicized, he is probably in some danger of not doing his job.” The Commission agreed and concluded that the greater danger is becoming irrelevant to the process of government. What recommendations do you have for providing a safety net for the analyst accused of becoming politicized?

Caracristi: “Politicized” is an unfortunate word. We used it because that is the word used to describe the concerns people have. The Commission was concerned, particularly in regard to National Intelligence Estimates but in other kinds of reporting as well, that reports were not being taken seriously by people in the policy world—at State and the National Security Council, for example. That they were reading other material and finding it more relevant. What we are saying is that analysts should gather information, analyze it as honestly as they can, and be sure they cover the areas of concern to their consumers.

We are not saying you should politicize intelligence if that means making up facts to please the customer or to fit the customer’s policy needs. We are saying that you should be very much attuned to the customer’s concerns and try to gather and present information addressing those concerns in the balanced way that the CIA Directorate of Intelligence has been trying to emphasize in its analytic ground rules. You then let the chips fall where they may.

Snider: Your question asks what is the safety net for an analyst accused of becoming politicized? I am not sure there is one or even if there can be one. We found enough checks and balances in the system to make it unlikely that one person’s political viewpoint can sway an analytic piece. Too many people get involved in the process for that to happen. That is not to say it can never happen.

What is important is the understanding on the part of people at the top and on the part of people outside the system that these things can happen, that intelligence can be used for political purposes, and that the analyst has little or no control of how intelligence is used or even misused. But we all know the analyst can also then be accused of allowing that misuse.

Caracristi: If you ensure the integrity of the analysis, there should be no problem for anyone within the
Community's chain of command supporting their analysts.

What examples, if any, of politicized intelligence were brought before the Commission?

Snider: I do not recall any specific examples coming before the Commission. To the contrary, the emphasis coming from consumers was not on politicization of analysis but that they were getting analysis that was off the mark, that did not reach them in a timely fashion, or was not what they needed. We kept hearing those kinds of comments from the policy agencies. That left much more of an impression on the Commission than did complaints of politicization.

Caracristi: Relevance was clearly a larger issue than political distortion.

That is a theme that runs through not only the Commission's work but also IC21 and in the Council on Foreign Relations study. Do any of these studies address the issue of how we restructure intelligence to bring about a resolution of this issue?

Horner: The Commission did endorse the concept of a National Assessment Center (NAC), where outside thinking can more easily be taken advantage of.

Scheid: One thing that really stood out in testimony were those examples of policymakers who came in and seemed to have greater confidence in the intelligence process because they could say "I have intelligence analysts on my staff whom I see every day." Their descriptions of the quality and relevance of the support they received really stood out from those who said "I do not read it, I do not know where it comes from."

That's the institutional question. Most of our analytic work is done in places like Langley or DIAC, but the preponderance of policy consumers are downtown. So we have that distance to deal with.

Caracristi: We tried to make the point that forward deployment of personnel is important, but organization is not the only way to solve these problems. Much of it has to do with establishing criteria to ensure that we have high-caliber analysts who are respected within the Community and ensuring that participation takes place from the outside world, wherever we need to find the most knowledgeable people.
capable of addressing important problems. A lot of change has taken place in this direction in recent years. I am not sure the outside world recognizes that, and I am not even sure our report reflects that strongly enough.

Could you talk more about the NAC? It sounds remarkably like what Senator Boren proposed some years ago, and we came close to moving the National Intelligence Council (NIC) downtown.

Caracristi: In truth, we probably did not develop the parameters for the NAC in the detail we might have. Some members of the Commission would have totally separated any assessment activities from the NIC, leaving them under the DCI, but not as part of the NIC. Others felt that such a transition should be approached carefully, because the NIC as it stands now represents a strong center for this approach—joining estimates and assessments. The NIC has also made headway in bringing in outsiders, bringing in people for short tours, or even bringing them in for advice and counsel on specific issues.

We think the NIC should do more of that, and we think it should be separated sufficiently so we can accommodate those people who are reluctant to go through the tortures of working in the Community, in the form of the polygraph and the lifetime commitment to prepublication review. We are sorry the NIC did not move to F Street, and we are saying let’s really do it this time.

What kind of reaction have you received to the assessment center proposal?

Snider: Very little thus far. But, as you note, it does resemble Senator Boren’s proposal, as well as the model proposed by former NIC Chairman Joe Nye. The Commission’s proposal would broaden the charter of the NIC so its assessments, or whatever you want to call them, would evolve into documents that could in certain instances be based primarily on open-source information on topics of national interest. Officials of one foreign government we visited used this as their model, seeing their job as producing whatever assessments their leaders needed. If it turned out that they could do this using unclassified sources and produce an unclassified product, that is what they would do.

Caracristi: We have continuing concerns about whether open-source information is being used effectively. The challenge is to produce information that is needed by customers, with less concern about giving them something that simply takes advantage of the classified information available.

Snider: A number of witnesses gave us instances where, in their view, the Intelligence Community missed significant information available in open sources because of being focused far too much on intelligence sources. One thing we realized was that government agencies, and here I am talking about consumer agencies, do not have a systematic way of dealing with open-source information. The procedures they have all are ad hoc, and, in fact, the only way they get open-source information assimilated is if the Intelligence Community does it and incorporates it into its product. In the end, though, open source often gets short shrift in the view of many consumers. We actually had witnesses propose the creation of a separate, new agency to satisfy the unclassified information needs of government agencies. At this time, however, there is no real interest in setting up new government agencies.

We talk about finished intelligence, but in this climate “finished information” may be the more appropriate term, and quite possibly that comes about when a consumer has his or her attention caught by a National Estimate and then calls a friend at a brokerage or at the Kennedy School for confirmation.

Scheid: That is very true. We need first to get command of what is available in open sources, even though we know that information is not going to satisfy the consumers’ needs.

Does the policymaker even know what the Intelligence Community has to offer?

Caracristi: It varies from person to person. Some policymakers are great readers, and they are out there looking for all the information they can get. But some just sit and wait for something to pass through the inbox. It is hard to deal with that range of styles, unless you have a strong intelligence presence at the senior policymaker level. If the senior policymaker is committed to this, it tends to spread down through the organization.

Kvetkas: One former senior policymaker we talked to said the best
advice she ever got when she took the job was to find the secure phone and figure out who the analysts were at the other end she should contact if she had questions.

Do we offer an adequate introduction to the policy customer as to what we do?

Scheid: Based on my previous experience, many customers are adrift. They do not know who to call or what to ask for. The Community has tried to deal with this through consumers’ guides and so on, but I am not sure the customers have time to go through something like that. This is one of the advantages of having forward liaison who can determine what is on the agenda for the next staff meeting and prepare for that.

Snider: You see much better producer-consumer models in other governments. Here in the United States, we tend to see these relationships as “those guys up the river” at CIA and “our guys” downtown in the policy community. In other governments, consumers tend more to see the intelligence producer as “our guys,” on whom policymakers place a heavy reliance. There just does not appear to be a lot of the producer-consumer resentment we encounter here. A lot of this may have to do with our political appointee process; in other governments, similar jobs are held by career civil servants. Whatever the cause, we should not conclude that we cannot manage to work this more effectively.

One important conclusion the Commission reached is that we need to devote additional resources to building up the part of the process where “rubber meets the road.” We could take a few percentage points from collection and processing in the budget, apply those resources to the other end, and really make a difference in making the connection with the consumer. The Community is doing good things in getting closer to the user, developing means for electronic dissemination, and so on, but we were all surprised that the process was no further along.

Scheid: And fixing the problem would require very little money. Getting back to open-source issues, there are really two models to think about. The first is for the Community to collect everything it has and give it to the policymaker, who then says, “Well, I have got this NSA report. Let’s see what The New York Times has to say.” The other model is to exploit the open sources first, and then NSA goes in search of the missing nugget not available in those sources. The Commission’s recommendation on the NAC is a nice compromise, where the Community would continue to collect, but you also have an infusion of outsiders at the same time. At some point, there may be a determination that open source is sufficient and that NSA does not have to continue to collect a particular stream of information.

Some people expected to see more references to information warfare, a hot topic these days.

Caracristi: Which is probably the reason you did not read much about it in our report. It is such a hot topic, and there are so many people involved with it, with so many separate studies going on, it did not seem that we had time to take a major look at it.

Snider: We did look into it at the staff level and discovered that the intelligence portion of it, on the offensive side, was too sensitive for us to get deeply into it in a public report. On the defensive side, it is much more than an intelligence problem. It is a government problem which exceeded the Commission’s charter. We had people tell us that, even on the offensive side, there was need for greater intelligence cooperation, but it was a difficult issue to talk about in a public report. In the end, we found we could not deal with it very well.

We were hoping for a recommendation.

Caracristi: “Do the right thing” is our recommendation.

In public comments on the report, a few issues have received the bulk of attention: the additional DDCI, defense HUMINT, making the budget open. If you had been writing the editorials, which issues would you have emphasized?

Caracristi: I am not sure I would have emphasized this area if I were writing for the general public, but I honestly believe that some of the budgetary recommendations may in the long run have the greatest impact, because they would give the DCI capacity he now does not have. That is, the ability to look at apples over here and compare them with oranges over there, and calculate more effectively how the money is being spent. It is still true, I think, that we cannot be certain how some allocations are spread, because they are described differently in different organizations.
Snider: You have put your finger on one of the reasons the press commentary has been pretty bad—because the important issues are not necessarily the ones that capture the public’s imagination. Had we recommended that the CIA be disbanded, we would have gotten a lot of press stories. We knew when the report was being written that we were not going to get a lot of coverage, but you end up having to make that choice. Either you are going to get press attention or you are going to be helpful and come up with ideas to improve things. Beyond the budget, there is the whole question of rightsizing the Community, and many other serious issues.

Are we downsizing or are we just reducing the total of staff employees and replacing them with contractors? Are we investing in new technology or are we simply investing in contractors? Some people are probably skeptical about that.

Caracristi: I do not know why. If that is the way you can get the kind of people you need, what is wrong with that?

Horner: It also gives managers the flexibility to determine that in the next quarter or the next year they will need a different skill mix and make contract renewal decisions accordingly. It is much harder to attain that flexibility with permanent staff.

Kvetkas: There are tradeoffs here, but the main thrust is to move personnel costs into new investment, not to trade staff personnel for contractor personnel. The real concern is that, despite everything the agencies have done, the percentage of budget going into personnel costs keeps going up.

What is the right size? Could it easily be 10 percent less?

Caracristi: We looked at various options, but decided it would be misleading for us to make such a projection. It has to be decided by a responsible department head, focusing on what the real needs are and where cuts can be made.

So there was no general conclusion that there exists a substantial excess of personnel?

Caracristi: Oh, yes. We have substantial testimony to that effect.

Snider: Testimony from the agencies themselves.

Caracristi: Their problem is that existing laws and procedures do not make it easy to get to the right size.

Scheid: The question of what is the "right size" in personnel is really a subset of "how much intelligence do we need?" The Commission did struggle with that, but ultimately it decided that this is not a problem that lends itself to some easy calculus of measuring intelligence by the yard or amount of intelligence per dollar.

Snider: We struggled for months on this one, but in the end the Commissioners did not feel comfortable recommending a budget cut of some particular size. They also sensed that there were programs that were underfunded, while in other instances it seemed we had excessive capability applied to specific targets. We were not in position to make definitive program assessments, but there were a number of issues we thought the congressional committees should look at.

Scheid: Leaving aside program assessment, our review of the budget did result in a serious indictment of the budget process itself. There is no overall review of all SIGINT programs, or all imagery programs, to rationalize them against what it is they are trying to do. They grow up on an ad hoc basis, with pots of money for which there appears to be little rhyme or reason.

Kvetkas: Many of the tools required to do a better job with this are included in the report. First, the development of budgets by "int" (intelligence discipline) rather than by agency. Then, the dual DDCI slot, where the primus inter pares is the deputy for the Community, giving that individual the strength to look at the budgets across the board. We have tools to follow execution and to do the things the Community staff needs to meet the objectives the report sets out. At this point, the real question is whether the DCI and the DCI’s staff will step up these difficult responsibilities.

Can these tools be used if the budget remains largely within the framework of the Defense budget?

Caracristi: That is a phony issue. It is like making a major question of whether you bank at Riggs or some other bank. The real problem is to
determine what we need in the way of intelligence and manage our resources to maximize our ability to accomplish those needs. Now, most of the capabilities that you need to support Defense at the higher levels are the same capabilities you need to support other departments. Having come from NSA, I may come with a distorted view of life, but we satisfied heavily military requirements. I do not believe we did so by shortchanging the nonmilitary requirements. And it was not by shortchanging the nonmilitary requirements. And if it had not been for some of those military requirements, many of our most successful technical achievements, including those which benefit the nonmilitary consumer, would probably never have been made. I think the Community can profit from the urgency that has driven military requirements, but it requires strong leadership to ensure that these capabilities are used to support whatever the President’s stated needs are.

Scheid: The Commission tried hard to create a hybrid, in which we would try to achieve the efficiencies of a “department of intelligence” but without taking major functions out of the Department of Defense where they serve important customers closely. This leaves you with a hybrid DCI who “sort of has control” over some defense agencies and much greater control over CIA. The Commission has encouraged the development of a stronger DCI position, with more of a say over military intelligence. We are trying to get to the efficiencies of a “department of intelligence” without performing major surgery.

Horner: The Commission considered divorcing the national intelligence budget from the Defense budget and having it stand on its own, even in Congressional debate. But it concluded that would not be a good idea.

Caracristi: In fact, we concluded the intelligence budget likely would go down in those circumstances.

What are the arguments for declassifying the total intelligence budget?

Caracristi: I personally consider this another phony issue, but there is so much emotion about it. In the end, we put in that diagram that has now been extensively analyzed. There are those who still feel that there is somebody out there in the “adversary” world, who is going to look at the total numbers and see a jump at some point and draw conclusions from that.

Snider: Basically, we concluded that it made sense and was useful to tell the American people that a certain amount of money is spent for this governmental function, as compared to other amounts spent for other functions. Some argue that this will make the budget a target for budget cutting. It already is a target for budget cutting, and for about the last four or five years you have had reduction proposals made on the floor, without the number being made public, with members having to offer amendments to cut the budget by 5 percent or 10 percent, but not allowed to say of what total.

It is too bad we cannot capture in the transcript the fatigue both of you are expressing visually with this whole subject.

Snider: Some people thought we could go further than just the top line, but this was a compromise. We talked about doing it by department, by cabinet department—that is, not by intelligence agency. What does the Defense Department spend? Or the Justice Department? Or the CIA?

Caracristi: What we wanted to get across was that the amount the CIA spends is very small.

Scheid: Which brings us to that chart. At a recent American Bar Association breakfast, Richard Helms asked Harold Brown, “What about that crazy table? What were you thinking?” And Secretary Brown’s answer was that this was just a snapshot in time. No one is suggesting the disclosure of a level of detail that would allow an adversary to chart developments over time.

The present resource situation is tight. The future may see even deeper cuts. What the Commission wanted to do is provide a roadmap for a process that would allow the Community to use its resources to meet needs, fill gaps, and otherwise deal with what could be a very tight resource environment.

What about congressional oversight? Or about Congress as a customer, two different issues?

Caracristi: We probably could have done more to point out that Congress has become one of the most avid consumers of intelligence.

Snider: This is such a difficult issue. We could have done a second report the size of the first one. But we did look at it at the staff level.

Caracristi: The point is this: Is Congress being well served as a consumer
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and with minimal casualties. He came to me and asked, “What about all those things we were being told by the Intelligence Community? Did the President know something we did not?” It really bothered him.

If we were to go back to our agencies and suggest we need a Congressional Daily Brief to go with The President’s Daily Brief, we could all be looking for work.

Snider: It is so much more complicated when you are dealing with a body like the Congress. There is one President; the entire executive branch reports to him. Congress is just different.

What about the Directorate of Operations (DO) at CIA?

Snider: A lot of people suggested re-creating it apart from CIA, as a separate entity. Some thought just a new identity would be important to get past some of the problems of the past. The Commission concluded that was too gimmicky. If it is a needed function, you say so, clean up the problems, and move on.

There was great concern within the Commission about the current “partnership” between the DO and the Directorate of Intelligence. Does excessive proximity of analysis to collection threaten the independence of the analysis? In the end, the Commission felt whatever benefits might accrue from splitting the DO from CIA would not guarantee enough gain to justify the disruption.

Did you discuss whether it should be a worldwide service or a hard-target service?

Snider: There are recommendations in the report on this, and the Commission came down on the side of doing both. Not that the level of efforts would need to be the same in every country. You may not need to do recruitments in every country, but you probably need a fairly widespread network of stations to maintain liaison relationships. A number of witnesses expressed the view that the DO, over time, had lost a sense of its purpose, which is to gather information. Several former DCIs expressed the view that chiefs of station, who at one time would have been plugged into the events in their host country, were spending too much time on clandestine efforts and tradecraft of various sorts. We tried to convey a sense of that in the report.

Becoming a more specialized—specialized on hard targets—clandestine service would force, among other things, a change in the concept of chief of station, in that some embassies would be lacking intelligence participation on the country team.

Snider: As we have said, you need to do both—work the hard targets and provide fairly broad coverage.

Scheid: From the larger perspective the Commission took, HUMINT, as compared to some of the other categories, is small, specialized, and inexpensive. So all this controversy, global reach versus greater
concentration, sometimes gets out of focus from the resourceside. We can have a large controversy over shutting down a dozen or more stations in the Third World and still not be discussing more than 25 or 30 people. We have single stations that are larger than that total. So, this is not a big resource driver, and the Commission did not want to get forced into an artificial choice.

**What kind of reaction have you received to the report? What are the prospects for its implementation?**

**Snider:** We are waiting to see. The committees reacted well to the report, but appear to want to go further. In the Community, we are waiting for the DCI to come forward with his own proposals, and the administration’s proposal. We are expecting early markup of the bills in committees in both the House and Senate, so I think things are going to happen quickly. Congress wants to get whatever it does completed this summer, before the August recess. So we should know fairly quickly. Whether the various approaches can be reconciled remains to be seen. I think we have received good reactions to how the Commission laid out the problems; we have to wait to see whether those involved accept our solutions.

**Can you elaborate on chapter 10 of the report, military intelligence? It is a remarkable, comprehensive look at a difficult subject. What more would you have done had you had more time?**

**Snider:** We would have said more about analysis and production. We ended up punting the ball back to the Secretary. All this basically comes down to a resource issue. How much military intelligence do you need? I do not think there was any disagreement about the legitimacy of the functions performed by the various defense intelligence agencies, but there remains a question about how large those agencies need to be and whether overlapping is a problem. These questions could have absorbed a lot of staff effort, so we ended up not getting into detail.

We felt the need to deal with some larger issues, such as the need for a Director of Military Intelligence. The Commission ultimately decided it did not make sense to go this way, once you look at the statutory responsibilities of all the people who have some responsibility for intelligence in the Department of Defense. They all seemed to have legitimate roles to play, and trying to specify one, short of the Secretary, as the head honcho, was not going to help. It would probably make matters worse. There was difference of opinion within the Commission on whether the J-2 should respond to this problem by building a “mini-DIA” within the joint staff. The two entities need to feed off each other, which means their functions need to be delineated carefully. This was a tough one to weave through, to have a recommendation that made sense and that would work if carried through to implementation.

**What about the Defense HUMINT Service?**

**Snider:** I was astounded by the unanimity of opinion on this one. Virtually everyone we talked to on this—former DCIs, former Secretaries of Defense, even people within DHS—told us that it made no sense for DHS to continue in the business of the clandestine recruitment of human assets. Everyone agreed that military HUMINT should retain a capability to support military operations, whether it takes the form of inserting people clandestinely before an operation or conducting HUMINT during military operations. That should remain with DoD. But not the routine recruitment of foreign military personnel in peacetime. DoD has had a hard time making the system work; the take has not been impressive. But the Commission really saw it as inappropriate activity for military officers. Isn’t this why we set up the CIA?
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Even though we discussed some radical proposals, it was very clear that the Commissioners became convinced through the course of the process that the current system in fact works reasonably well and that major surgery was not the solution.

Snider: That is right. Within Justice, there is a very good model for this, involving FBI and the DEA. In fact, we modeled our statutory recommendation on what Justice has done. The question is how hard the bureaucracies fight it.

Any last thoughts?

Snider: At the first meeting of the Commission, Les Aspin went around the table asking for views. And I remember everyone saying we need to be bold, we need to be open to radical change, and things like that. But as the process continued, it had a sobering effect. The Commissioners were impressed that the leaders of the Community were sophisticated and dedicated people. For some of the Commissioners who came from some distance from the process, this realization had real impact.

Even though we discussed some radical proposals, it was very clear that the Commissioners became convinced through the course of the process that the current system in fact works reasonably well and that major surgery was not the solution. The focus really came to be identifying specific problems and developing proposed solutions.

This was an engaged group of people. In January and February of this year, when we were writing the report, we actually had 16 of the 17 Commissioners involved in those sessions, which is almost unheard of for a body of this kind. And they all had comments, they all got deeply involved in the process and in the issues. As I said, almost unheard of.

Thank you all for your time. And congratulations on an important project.