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**Foreign Affairs, Diplomacy, and Intelligence  
William G. Miller**

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## Foreign Affairs, Diplomacy, And Intelligence

William G. Miller

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*William Miller seems to qualify as an experienced citizen of the world. His career in the Foreign Service brought him from early experience as a political officer in Iran to service as a presidential emissary under President Carter in a 1979 mission that contributed to the release of the first group of Iranian hostages. Along the way, he rose from a staff position in the Senate to staff director of the Senate Special Committee on National Emergencies and Delegated Emergency Powers, and then to equivalent positions on two Senate select committees investigating the US government's intelligence activities. The first, the Church committee, created the second, the Senate Select Committee on Intelligence, in May 1976, and in doing so brought about a new era of intelligence oversight and a rigorous system of accounting for all intelligence activities. Miller's perhaps unique meld of experience in sensitive areas gives him a slant new to this forum: a view of the diplomatic influences, and the public consequences, of intelligence gathering and use.*

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**Miller.** I suppose the best place to begin, as a way of moving from the personal to the substantive, is "how I got there." I think it will show in part and in microcosm how our government got into the clash between the branches over intelligence, and it may also illuminate the means the branches of government found to struggle through the difficulty and emerge with something that, to some degree, works to govern intelligence activities.

I came to the intelligence question from a background of interest and involvement in foreign affairs. I had gone into the Foreign Service, and had served in very interesting and significant posts: Iran during a crucial formative period, the early 1960s, and the office of the Secretary of State in an even more difficult time, that of Vietnam in the mid-1960s. When I left the Foreign Service in 1967 and came to the Senate, policy questions that were of concern to me were also, most would agree, the key issues of the time: Vietnam and

strategic questions. Our entire government was torn up by those questions. It was not only the wisdom of doing what we were doing that was at issue. The cloud of doubts this country had entered into was partly based on a lack of understanding of what, in fact, was happening. One aspect of our politics, our paranoid style of politics — which extends to foreign affairs and national security — is based on encouraging doubt and uncertainty, at least to gain power, but it is not a very admirable way to come to sound decisions on national policy. In this period of war and doubt, the country was disturbed, Congress was at odds. The government was torn up because there was deep uncertainty about the facts — I'm using the term "facts," of course, as a buzzword; we could easily get into philosophical or theological questions about "facts." In any case there were a lot of opinions, a great deal of rhetoric, and there was certainly a lot of theology, but there was very little agreement about the "facts" or the "truth" of

what was at issue.

On a number of the issues I had a lot to do with — the ABM, what was going on in Vietnam and what to do about it, the posture of our strategic forces, policy with regard to NATO (not to mention other parts of the world, like Iran) — there were great cleavages between key people in our national leadership. Those cleavages were founded on uncertain knowledge, and through my direct experience in government as a staff person at key paper choke points, I knew there was a lot of useful knowledge that was not getting to the people who were making decisions. This was a distressing revelation to someone entering government service: that decisions are made, not on knowledge but on instincts, or biases or mindsets, or whatever you want to call them; and that a rigorous, rational process is the exception rather than the rule. Even on the most fundamental questions, affecting the very fabric of the country, we — at least I — saw that there were great gaps in knowledge, and wanted to know why that was so.

In the late 1960s and early 1970s a lot of thoughtful legislators — senators, at least, for I knew the Senate better than the House — were very concerned about this too. Take the ABM as an example. They wanted to really know whether the various weapon systems, defensive or offensive, that were being proposed were going to work, against what, and at what cost. Those were fairly straightforward, reasonable questions, but the answers were not forthcoming, except in highly selective ways designed to support one point of view or another. This is not an unusual phenomenon in political struggle, but it was terribly disturbing in questions where the fate of the nation seemed to be at stake.

In the course of the struggle over the ABM issue material was withheld by the executive from senators who were opposed to the ABM, and material was supplied to those who supported it. And, as you know, there was a revolt within the bureaucracy — in the defense and scientific establishment — over the wisdom of choosing that particular ABM system — the Sealevel/Safeguard: whether it was good or bad, whether it would be effective or ineffective compared to other devices. These kinds of argument are normal in a large, complicated government like ours. There are enormous diversities of opinion. Even if a line is being pitched in a particular way, you'll find, if you poke hard enough, other points of view.

But the higher the classification — the more sensitive the material — the more sluggish that process of discovering the landscape of points of view is, and the United States in the late 1960s had a number of very

highly sensitive issues at stake. The ABM issue was not essentially about the efficacy of a particular weapon system. It really concerned a much larger policy question: whether it was possible to enter into arms limitation talks. And it was a legislative question: whether we and the Soviets had reached a technological plateau, and whether the ratcheting effects of one system being countered by another had in fact reached the parity stage. Those were the key questions; and only hard technical information could answer the question whether there was parity or not, which was crucial.

As you know, at the time there was a secondary issue, contributory to the main one: whether the ABM would work, whether the ABM system as proposed would do the job claimed. On that question a substantial part of the scientific community jumped ship. They could not stomach being asked to say it would work when they believed, and advised, that it would not work in the ways that were being publicly claimed.

For the first time the scientific-technological community went to Congress and said, "Look, it's a bill of goods. It isn't what they say. There are other opportunities here. What they're proposing can't be done. The costs are enormous." Some of the president's key science advisers who were politically motivated added, "You are destroying the possibilities for arms limitation."

**Oettinger.** I know some of the people involved in this on the scientific side. It's worth noting that some of that dispute, at least, centered on a branch of technology that is still, as you've heard in some of the earlier discussions, among the more occult: computer operations and software capabilities to deal with very rapidly moving events. That remains to this day sufficiently quasi-scientific, quasi-art, to leave considerable room for ambiguity, even under the best of circumstances. That complicated the matter a bit.

**Miller.** Right. The example you cite brings to mind the process by which the issues were advanced. The scientific community, including all the previous presidential science advisors and a good proportion of the Defense Science Board (which had bolted from the executive branch), went to the legislative branch and set up tutorial sessions. They singled out the leaders of the Senate group that was interested in the question — both sides at first and then, when it was clear it was a knock-down, drag-out fight, they concentrated on those who were opposed to the ABM and tutored them in basic physics and then on the specific details of ABM com-

ponents.

I cite this as important because here were senators who had, as a legal and constitutional right, access to the relevant technical classified information. It was the first time the senators have invoked that right in a way that was challenged by the executive branch. The executive branch was terribly upset by this. They looked on the scientists as renegades — although in a technical sense the scientist-advisers were independent; they were not formally part of the executive branch of government. Although the legislators had a legal right to any information that was produced by the United States government, this was the first time they had ever asked for it.

This chain of events produced profound shock. It touched, in some cases, on some of the most important secrets the country has. In other aspects the information at issue destroyed the logic of particular policy arguments. There was more concern at the highest levels of government about the latter than the former. But it was a beginning and, as you know, the outcome of that particular period of our history was that the ABM weapon system was set aside. A general sentiment of consensus was expressed that it was worth going ahead with efforts with the Soviets on strategic arms limitation. And for the first time, perhaps, in the nation's history a sizeable proportion of the legislative branch was seriously interested in the details of defense matters. The beginnings of an interest in the details of intelligence and, of course, its relation to foreign affairs were manifest.

The ABM experience coalesced with the experience of finding out, in the Vietnam era, that reports had been doctored in some cases, and key estimates were wide of the mark. There were complaints about political pressures. Responses from legislators to the newly discovered resource of intelligence ran the gamut from excellent ones, where people said, "If I had known this, I would have done something else," to, "Because I knew this, I did something," and "I was misled." But intelligence became for the legislature of great value as an instrument of policy.

Watergate was a very shadowy area. Howard Baker used the phrases: "Something's rustling in there; I don't know what it is, but I hear it." He knew something was there, but he couldn't get at it. For traditional "security" reasons, the intelligence component of the Watergate affair was screened off, because of the "national interest." But a lot of legislators were very worried that the claim of national security could not be justified by what seemed to have happened. So the

Senate became aware of another framework problem: the "national security" claim. When is something national security, and when is it a political obfuscation? Watergate was shown to be clearly an example of the latter.

For 20 years there had been efforts to undertake an inquiry into the uses of intelligence. Between the early 1950s and 1975 well over a hundred resolutions had been introduced saying that the legislature should look into the intelligence world. Some of them were provoked by specific operations — the overthrow of Mossadegh, Guatemala in 1953 and 1954, the U-2 incident. Others were more systematic and procedural: "We've got this large and growing thing, it costs a lot of money; what is it?"

Finally, in 1974, Mike Mansfield, then majority leader of the Senate, and Charles M. Mathias of Maryland introduced a resolution to look into what kind of intelligence would be useful to the Foreign Relations Committee in carrying out its legislative duties — a very narrow focus. The impetus for that was Vietnam, the ABM, strategic questions, and the enormous value those two senators, and others who thought the same way, had obtained from intelligence analyses of one kind or another. They thought it was useful to the legislative branch, and that it should be made more available. Along came Sy Hersh and his revelation of the CIA "family jewels," the catalogue of CIA illegalities compiled by the CIA itself, and the picture became something else.

There was an escalation of rhetoric and a heightening of the issues. The CIA "family jewels" described in detail what CIA intelligence officers thought were illegal acts or improper acts committed by the CIA. They were gathered together first by Director Schlesinger and later by William Colby. Somehow Seymour Hersh got hold of them, and a number of the more prominent allegations were printed in the press. This led to a cry for top-to-bottom inquiry into the alleged "excesses" of intelligence.

So both the House and the Senate were launched on investigations as well as an inquiry. It was a two-headed approach, carried out by two houses with very different styles and temperaments. As you know, the House committee broke apart due to leaks. The Senate committee managed to hang together, and its efforts over two years led to a change in procedures, passage of a number of governing statutes for intelligence, and creation of an oversight system. But lying behind this whole sequence of events, really, was the desire by the legislature to have intelligence information as a tool to

use in its work. There was a belief, reinforced by the outcome of the inquiries and the hearings, that intelligence was useful to sound policy. And it's really that question I want to talk about.

**Oettinger.** It may be worth delineating more sharply. Let me make a statement and see whether you agree or disagree. On one hand there was a question of competence, related to the quality of information available for decision-making, which I guess is what you're going to focus on. But it seems to me that the excesses were more on the operational side, though perhaps they shaded over into the question of competence. Do you agree with that? If, as I gather, you are about to focus on the information side, could you, somewhere along the way, comment about the consequences of the continuing institutional linkage between covert actions and the information part of intelligence?

**Miller.** Let me begin there, because it really does describe the outcome of the investigations.

The investigation of intelligence activities in the Senate was divided into two parts. The public part examined the public allegations — assassinations being the most graphic of the publicly declaimed covert actions. There were public hearings, and a lot of energy and steam went into that. Our staff of 150 and about 65 lawyers was pursuing various paths of discovery to lay the facts bare and have public hearings on the allegations that seemed politically appropriate. Now, one of the things the committee decided at the outset was that nothing would be investigated or examined except by agreement with the executive branch. So every single inquiry, every "revelation," every disclosure was agreed on no matter how reluctantly by both the executive branch and the Senate. It was understood from the outset that this was a common undertaking, that we were dealing with a lacuna in constitutional governance, and that the problem could only be resolved by both branches, and in some cases by the judicial branch as well.

The agreements on how the inquiry would be conducted were jointly arrived at. Security procedures for the committees and clearance for the staff were jointly arrived at. Certainly disclosure of any classified information was decided upon by a negotiated agreement. There is no instance in the entire course of the inquiry of any independent action by either branch, and that's not often understood because of the heat of the questions that were at issue.

Assassination was a most interesting political issue

to a lot of people, including senators, because of the involvement of the Mafia in some of the cases. That's exciting, it shows a seamy side of international life; it's the stuff of many spy novels. But of course once you've examined one assassination case, you begin to understand the legislative problem, and that was true of a lot of the allegations that were investigated. So our investigative approach became generic. We were far more interested in kinds of activity, to make logical order out of what was being undertaken by the intelligence agencies, than in discovering who did what to whom. We believed that law enforcement was something for the Justice Department, that if we came across something that was identifiably criminal we would supply the information to the Justice Department and it could prosecute. What we were really interested in was making a typology of what we had before us.

The investigators, as a group, were broadly representative of the political spectrum from left to right. Some of them were also deeply acquainted with intelligence matters. Others were total novices and had no knowledge. Some were hardliners, other were consummate doves. The hardest task was to come out with a common understanding of what was done in the past and, more importantly, what needed to be done now.

The agencies, after a period of reluctance, decided that they would cooperate. Two successive White Houses — Nixon and Ford — decided that they too would cooperate, after initial reluctance. The most difficult task, of course, fell on people like Colby, who had to deal with two cultures — his own hermetically sealed world and the people who operated within it, and the open public world of public affairs and the legislature. I think the country owes him a tremendous debt for the difficult task he undertook. Many of his colleagues, unfortunately, looked on him as a traitor to his profession, betraying trust of a kind, and felt that he should not have cooperated in the ways he did. There were others, the majority of them in the agencies, who felt the opposite. His view at any rate was that he was obliged by the terms of the Constitution to cooperate, and he did.

That was also true of officers like Admiral Inman, who's just resigned — in my view one of the finest intelligence people I've ever come across. He was then in charge of naval intelligence, and he couldn't have been more helpful and forthcoming right from the outset. Indeed that was true of almost everyone in the agencies.

One of the interesting aspects for me was the difficulty of meshing one culture with another. There were

language problems and behavior problems. People whose lives had been spent in withholding information were now being asked to disclose it. It was very traumatic; and this was understood. People were put on the dock — before the public in some cases — who had had distinguished careers and had done the country noble service for 20 or 30 years and were now being called criminals. That too was traumatic. Some people were severely tried, or at least questioned very narrowly, who had only followed orders, and it was evident that they had never had to submit to questions of this kind. Their value systems, the very roots of their behavior, were being shaken, challenged and evaluated.

But out of all this came an understanding of what intelligence was — from the most highly technical collection of intelligence by the most exotic technological means to the most ancient and primitive means of classical espionage. For the first time there was an awareness of the struggle between rival intelligence services, outside one's own bureaucratic establishment (although the internal struggle often seems just as intense). Over a period of years those in both the legislative and executive branches with responsibility were being tutored in every aspect of intelligence for the first time in our government's history, were asking and being told and learning and categorizing what the American intelligence system was and what its purposes were. And for the first time the intelligence agencies were asking the same questions of themselves, and thinking about where they fitted in with the government that they were a part of, and being asked to serve.

So the process, long overdue, produced an understanding of what intelligence was. The process led to a national decision about what was of value and what was not. It established a legal framework for intelligence for the first time. The Constitution, of course, says nothing about intelligence. The only statutory authority for intelligence activities was the very vague phrases in the National Security Act. The National Security Act was a seat-of-the-pants hope for the future with no anticipation of what would follow.

The new legal framework was established as follows: intelligence is a joint responsibility, like every other aspect of public policy, of the legislative and executive branches. Whatever the United States does in this area is a joint responsibility in accord with regular processes, and consequently both branches must have full knowledge and full responsibility. The only statute that's been passed thus far requires the intelligence agencies to supply the oversight committees with all information fully and currently without excep-

tion. There are no exceptions in any category of intelligence matters.

Another statute was passed creating a permanent oversight committee. There is no "charter," although there have been literally hundreds of drafts. The charter effort was aimed, really, at formally legitimizing existing agencies and their present scope of activities. The politics of the past several years are such that it is neither possible or useful to pass one. The charter, for the time being, is being left to executive order and internal regulation, and to the oversight committees' review of those orders and regulations.

The process now in effect is that the record of every single intelligence activity is made available to the oversight committees, which then must vote funding for all the activities after reviewing them. One benefit of this process of legislative review has been that it has required the highest levels of the executive branch to review proposed intelligence activities with a degree of detail they had never done before. And there have been more evaluations of usefulness of certain kinds of activities across the board than had ever been the case before — technological collection, covert counter-intelligence and, of course, simple collection of information.

Now I want to turn to the real purpose of all this intelligence apparatus that employs many thousands of people, costs enormous amounts of money, and affects all our lives so directly. What is its usefulness?

I approach that evaluation from two perspectives. I had the good fortune, when I was in the Foreign Service, to be in a country where detailed intelligence information was useful and important for the consideration of relatively narrow diplomatic questions: Iran. I also served in the office of the Secretary of State, at the other end of the scale, where national leaders use intelligence to make global decisions. I've also been in the Senate, working with the Foreign Relations Committee and other policy committees, where policy decisions based on intelligence are also close to the heart of the matter.

There is a series of top-level genres of report which are crucial, but they tend to be less valuable than less heralded categories of estimates and daily intelligence reports. It's very instructive to look at the information that actually gets to the leadership — to look at it very carefully and see whether it is really useful.

Those of you who are familiar with estimates know that many of the important ones — for example, estimates concerning the Soviet Union — are produced by, and express the consensus of, the intelligence commu-

nity at large. Consensus is natural to the intelligence bureaucracy, but consensus may not be as accurate or useful as particular opinion. One of the problems of national estimates is that it is difficult to present sharpened opinion in them. The art form says that there is a conclusion, an evaluation — an estimate; the various points of view that contribute to it logically support that conclusion. That has been, and remains, the problem inherent in bringing to bear for the leadership other points of view that might be helpful.

One of the problems with any complicated bit of machinery — and certainly the intelligence world can be looked upon as a mechanism, or perhaps more appropriately a highly complicated organism — is that another organism has to understand its workings in order to make full use of them. We have had a series of national leaders who have come to their positions without any acquaintance with the intelligence resources at their command, and only after several years of mistakes and ignorance has the awareness emerged that mistakes might have been avoided if they had better information which was, in fact, available. Perhaps that is a phenomenon characteristic of a large superstate, a complicated society — but the resources that are there are not being made use of, except by those who are acquainted with the organism in the first place. Proper use of intelligence is a habit, an intellectual discipline; it does not come naturally. Intelligence can also be very misleading if its limitations are not understood. The uses of intelligence are ultimately one of the most sophisticated tools of leadership. A very real question, very relevant to any discussion of the quality of leadership, is how intelligently a leader can use the sophisticated material intelligence provides.

From my background in the State Department and Foreign Service, I think the most useful information I have come upon, and our number-one concern, is the nature of the politics of other nations: what they are doing, what their societies are about, what our relationships can be with societies in a process of rapid change. Of course, the most graphic examples of this are in the Middle East, but very significant examples can be cited in every part of the world. That's the kind of question intelligence answers very badly, because wisdom in these matters is not necessarily a matter of aggregating a lot of little facts. The true experts with the best information may be the people who've been on the scene for long periods of time and have developed a kind of sense of smell like trained dogs have, the hunches certain detectives have, or the sense that blind people have for direction or an object nearby. There are a lot of intangi-

bles that are not the result of intellectual processes that are more valuable than the usual process of systematic aggregation of discrete bits of information.

**Student.** About your comment that it takes several years to make the senior leadership aware of the resources that are available: I'm sure that someone has thought through the procedures necessary during the transition, or in the early months of the administration. Doesn't the director or deputy director go in and in essence tutor the newly appointed leadership in what resources are available? I mean, you would not expect Ed Meese or Jim Baker to be aware of all the resources available. I would expect that some kind of lesson plan would be used early on, to say, "This is what we can do for you."

**Miller.** Yes, but there's a big difference between hearing about what certainly has value and knowing how to use it. It's a big plus if the president has been a vice president and has been through it once, or has been a general or an ambassador and has some sense of the way the process works and doesn't work. Ask yourself what's required of a president coming into office. During the first hundred days he has the demands of the nation and the world on him. He has to make his impact in that first hundred days, he has to say thanks to the labor movement, he has five minutes to see so-and-so, 20 minutes to do such-and-such, and he has a five-minute briefing this afternoon. Bobby Inman will come in for one hour and tell him the intelligence story, and he's just had a state dinner the night before and he's got one coming up. What's his attention span? His eyes are tired because his glasses are off. I don't know. It took me a very long time to reach a limited awareness, and relatively I had all the time in the world.

**Oettinger.** There's a poignant remark in a story that appeared in the papers during the last couple of days. A senator, I forget which one, in regard to the Inman succession, said he hoped that the executive branch would appoint someone who knew something, because in all the years he had left Casey would never catch up. He was not talking about the president. He was talking about the central intelligence director. Now, there may have been a bit of ad hominem argument there, but it's a reflection of what you were saying.

**Miller.** I'm not denigrating any individual. I'm just stating there is value and leaders are better for that extra dimension of experience. The problem is to find ways

to make use of intelligence resources. They are far richer than has yet been made use of — an absolutely extraordinary resource of the human mind in all its complexity. The mind has an enormous amount of information and wisdom tucked away, but using is the art. We are clearly better at acquiring information than using it, that's almost a given. I suppose that's a natural consequence of a pyramid: all this information narrows as it comes up to the point of awareness in individuals and organizations. You can't use it all; you have to select.

**Student.** Do you feel the difficulty in using the material has to do with the selection process per se, or does it have more to do with instructing the new authorities who come to power in its use? Isn't there some process or mechanism by which the new team can get acquainted with what's there, what's available, perhaps more expeditiously than we've done in the past?

**Miller.** Well, in the parliamentary governments, like that of Great Britain, the "shadow government" idea is very sound: the notion that the government in power may not stay in power, and there's an obligation to the nation to be sure that the next group is on top of things. In the US we do that in the transition — that heady time after the exhausting, colossal electoral campaign, amid the fatigue that sets in, the preparations for inaugural dances, the parades down broad avenues and all the demands: "Put my man in X position and throw off Y guy because he's said nasty things about so-and-so over the years..." In contrast, the idea of a shadow government is very attractive. Of course we don't have that belief in the benefit of an informed loyal opposition.

We do have something of the kind in Congress, though. The committees are mostly structured majority/minority, but still, in theory, they have access to all information. The intelligence committee, at least originally, was structured on a bipartisan basis — everyone had the same access, the same staff; they were treated as equals, as peers, intelligence was not considered a partisan matter. In foreign affairs we could have benefited from a somewhat similar approach; we have not had a bipartisan foreign policy for a long time, though we make noise about it — and this is so even though there is a pattern that, several years into an administration, we find that one administration looks like its predecessor no matter what the rhetoric. For example, in the present administration there is still substantial support for NATO, the force structures look

roughly the same, the alliance structures come out about the same way. What's different is the rhetoric and the regional ways of expressing it.

That's an aspect of the craft of government where more thought ought to be exercised: encouraging something analogous to the British shadow government. We've had a number of other institutions like it, but they tend to be in the appointive sphere. The President's Foreign Intelligence Advisory Board is an example. It was sad, in my view, that the Carter administration scrapped it, because that was a body of men who were aware of those intangible things, who had served from one administration to another in some cases, and were a wellspring of expert knowledge.

A very good individual example is Bill Baker, the head of Bell Labs until his retirement this past year.\* He has been involved in the technological side of intelligence from the 1950s if not before, and he is a great national resource, because he had been through these problems. He could advise presidents of either party — and has; and he is still highly valued. The same is true of the roster of president's science advisors, men of extraordinary learning and competence who were kept fully informed and could advise on technical questions. The record shows that when they were asked, their advice led to more sound decisions than on occasions when they were not consulted.

So it seems to me this keeping a bipartisan group of leaders and experts currently informed is a pattern that might help. Congress, particularly the Senate, is a good place to have intelligence continuity, because so many of the issues are repeated year after year, and as long as people stay in office they of necessity acquire a sense of the uses of history. History is useful to government, bureaucratic memory is very helpful too; and that's why purges of the bureaucracy are terribly destructive to good policy. It's not the fault of the deputy assistant secretary that he's carrying out the policy of the president of the time, it is his duty. He also knows a lot about Egypt or Kampuchea which would be of value to the next president.

In the intelligence world I think it is now, perhaps for the first time, very important that there be a permanent long-term director. It should not be a political appointment, but rather a career appointment. There also

\*See William O. Baker, "The Convergence of C<sup>3</sup>I Techniques and Technology," in *Seminar on Command, Control, Communications and Intelligence, Guest Presentations, Spring 1981*, Program on Information Resources Policy, Center for Information Policy Research, Harvard University, Cambridge, MA, December 1981.



might be some value in having an intelligence top leadership that is free of political change, that is there because they know the world, or know vital intelligence processes and procedures. In order to obtain the best from the narrow world of intelligence, which must present facts in a way that is fully appreciative of the facts' pedigree, you need people who are relatively detached from policy. We ought to seek such people out — that ought to be a value. But we have not had apolitical continuity in the top echelons of any of our major national security departments. That's a loss, but I think more and more people are coming to understand that.

**Student.** Yes, but how do you guard against a J. Edgar Hoover? He had been there for so long, and he amassed so much power, that he essentially ran the presidency in some ways. He certainly had things on the Kennedys, for instance.

**Miller.** Senator Byrd's answer to that question, I think, is probably sound: the term of the director of the FBI is a fixed term, and the only way a director can be removed is if he commits a crime or some malfeasance. Webster, though he's a Republican, was appointed by Carter with apolitical competence in mind. Webster reflects one kind of solution. I don't know whether it's going to work. It depends on the attitude of successive administrations. But clearly there is support for the idea of having somebody in there for a sufficiently long time so that he gets good at it, but not so long that he falls into the kinds of things that Hoover fell into at the end of his career. You are quite right, Hoover was a very complex character. Many things he did were extraordinarily valuable, a lot of other things, particularly at the end of his tenure, were very questionable.

**Student.** You say a rich amount of information has been gathered and is not going to be put to good uses. What uses could it be put to that haven't yet been tried?

**Miller.** I was referring to the problem that our intelligence system is largely geared to serve the top. Nonetheless, the system is very useful to the bureaucracy itself; along the way the bureaucracy informs itself very well through the processes of interchange and transmission. But the value of intelligence analysts is like the material itself: unless they have access to the top, their influence is limited. There is a second question: is there a lot of information which could be useful to other groups other than the national political leader-

ship? — and the answer is yes. In the world of technology, for example, there are the files of old photographic satellite systems, and of course the satellites themselves, superseded by far more capable systems, that can still produce photographs of great value, say, to geological exploration or crop prediction. We ought to make better use of that kind of superseded technology and information for the nation and the world. Finding more ways to make such information useful is a problem the intelligence leadership and the oversight committees are grappling with very hard. There are legal problems, such as what are the rights involved in photographic information, in older satellite photographs, even taken from outer space? You overfly another nation's territory and take a picture of it — are you intruding on it? What are the copyrights? Do you give information to one oil company that wants to explore and not to another? How do you use no longer sensitive information in some equitable way that doesn't get tangled up in our legal system? That's an exciting challenge, and far more needs to be done. Right after the Church investigation there was a great impetus to work on making more no-longer-sensitive information available. Admiral Turner was very interested in pushing it. Inevitably, he was criticized by some within: "Get out of that business. That's not the business of the CIA. Some other agency ought to do it."

**Oettinger.** To pursue that for a moment: to what extent does intelligence information — whether CIA or Treasury or Commerce — flow beyond the government decisionmakers to a broader public? If the information came from country X, what does that imply? There must be equity issues — do you make it available to foreign companies? To US companies that are owned by foreign nationals? The minute you start taking this interesting intention of Turner's and getting down to practicalities, it starts getting complicated. The advantages seem clear: you have a better informed electorate, business community, middle echelons in the White House, the various elements of Congress, and so on. Also, how do you handle the flows in the other direction, upward to the president or to other decisionmakers? The CIA and the other intelligence agencies can't do everything. In many areas the private sector may be better informed — for example, on political questions, the guy who's lived a substantial period in country X as a businessman, a teacher, or whatever. How do you turn that flow around, given the Watergate nervousness about intelligence use of professors, cler-

gymen, newspapermen, et cetera? That's a set of problems that has been aired in the public record over and over again, but beyond that, who do you rely on? Have you thought about that?

**Miller.** Well, I'd like to make two points as a way of answering your question. One concerns the Freedom of Information Act, which is a way of getting information out. But I'll set that aside for the moment and talk about what I think is one of the major problems with intelligence: where the information comes from, and all the moral, ethical and legal questions that arise from that. I'm not raising this point in any sort of loaded way, placing a value on it one way or the other. Certainly many who were concerned about the morality of intelligence activities in the mid-1970s and before viewed intelligence as somehow tainted. The question of what is a legitimate intelligence activity, what is morally acceptable information, is a very difficult one to answer in legislative terms.

Take the Foreign Service, for example. Many Foreign Service officers are reluctant to have anything to do with the intelligence world, because they think it makes their life difficult. The life of diplomacy is different in most respects from that of intelligence officers, and this reflects itself in any number of ways: the sociology of embassies, for instance. It's almost a religious question — for some it *is* a religious question. I found that kind of issue terribly interesting from a constitutional and philosophical point of view. The fundamental nature of the intelligence problem was really what attracted me to becoming involved in the legislative inquiry at all. The problems are almost like Adam and Eve and the apple ... They are the apple. And we have to recognize that the apple has been eaten, and there is no way to return to the Garden of Eden before the fall.

**Oettinger.** "Gentlemen do not read each other's mail."

**Miller.** Well, at the time that was said, of course, they were reading each other's mail. And that the statement was made at all is curious, because the man who made the statement knew they were reading each other's mail. But that's another question. In any case, the ethics of particular intelligence activities are a daily concern for those in government. There are people in Congress and various other parts of the government who would not in any sense condone, approve, accept, or support the activities that produced the information

they happily use. They seem able to make satisfactory distinctions between one kind of acceptable activity and another, and dismiss whole activities as unacceptable. In the international sphere the Vienna conventions outline — in some cases, detail — the conduct of diplomatic missions. There are some phrases, marvels of delicate ambiguity, that talk about intelligence activities, which are very instructive. The international status quo, as agreed on at that time, says, "You can do it, but you can't do it — there are bounds, but we won't tell you what they are. You shouldn't do it, but you do it." It's a marvelous dance between reality and fantasy based on a worldly agreement not to press beyond understood norms.

**Student.** That's really my question — when does getting and putting together information become intelligence? Who knows what they're handing you, if somebody is dealing with information in its broadest sense? How many people's information really goes together to make intelligence? How and where is that decision really reached? Does that happen, for instance, in an agency? There must be many people who have given information they've garnered when they were traveling. Did they really have legitimate information? Maybe they never felt they were offering intelligence. And yet, by piecing together those pieces of information, it literally became intelligence.

**Miller.** That's exactly the dilemma I'm touching on. Even reading the newspaper has many of the same implications. I don't want to get metaphysical about this — yet in a way I do think there is a value in getting metaphysical about it. For it does get to the heart of the matter — to the heart of what we believe in.

**Oettinger.** Let me try a formulation that gets away from the metaphysical, and see if it captures the essence of the problem. In my view, the problem arises from the following. People like Ray Cline and others have said that, after all, the craft of intelligence is not really a hell of a lot different from scholarship. You tell me X. Now, I want to know whether I can believe you or not. In scholarship (setting aside the distortions that occur in academe, or industry, or anyplace else) one of the ways you can, at least in principle, assess the validity of something, is to go back to the source. That's the point of footnoting: if I don't believe this, I can go back to where it comes from. Good scholarship says the whole analysis is traceable back to its assumptions, to the raw data, and you can verify it for yourself. I

think one of the dilemmas of intelligence is that, at some point where the information is acquired — by traditional espionage, national means of verification, you name it — there comes a boundary where for some people the answer is, “Here it is,” while for others it’s, “I can’t tell you.” The heart of the matter is, how far is a skeptic permitted to swim upstream? You may say that misses the point, but at least I don’t think you’d call it metaphysical.

**Miller.** Well, I see it as a branch of philosophy! I’ve gone at the problem from the other extreme, to see how many structures I can encompass in the particular before the particulars destroy the structure. Constitutionally, as a government, as citizens, we have accepted, as a matter of law, the existence of intelligence. So every citizen has a stake in it. He can, of course, work to change that proposition, but he is living under it. So every citizen is a recipient of, or is affected in some direct way by intelligence, and it is seen as a value to the state. That’s an umbrella, a framework of legitimacy, that puts the responsibility on every citizen.

For individuals in the government, there’s a greater degree of responsibility. Those in government are obligated to protect this information. In certain cases it is a specific duty, particularly when various professional tasks are involved, such as collection methods. I think there’s a lot of information which is not regarded as intelligence but, if you’re in the intelligence world as an employee, simply because you’re in that world, information is intelligence. For example, in the State Department, diplomats abroad will learn about certain situations in ways that have nothing to do with espionage. They haven’t bribed anybody, they haven’t stolen it, they haven’t plotted to acquire it, they haven’t taken a picture of it, but they’ve perceived it; they may have gone to the Foreign Minister and said, “Mr. Foreign Minister, what do you think?” And he says, “This is what I think.” Intelligence activities may produce information that could also be obtained simply as a matter of everyday intercourse. But there’s often a confusion of the two means. One group, the diplomats, say, “We should only do it one way,” the other group says, “You have to do it both ways,” or, “It’s only valid if you have a hold on, or control, the source.” All these attitudes came out in the investigations of intelligence. At one extreme, some senators were talking about moral purity. At the other extreme, directors of intelligence sat there looking at the senators and said, “You know, I told you these things.” There were more shades of grey than black and white.

**Student.** You’re talking about the collection of information, and who gets it, and when it’s deemed to be valid — the veracity of the information. And you’re saying there are different methods by which the information is collected, and which is right and which is wrong. But I don’t know if that’s where the moral question lies. I think the moral question is: when should information be or not be intelligence, per se? When do you trespass a certain fine line from a moral absolute standpoint and invade privacy per se — whether it’s the privacy of another individual or the privacy of a country or of a competitor or what have you? I think that’s the moral dilemma of intelligence. I think you two are discussing more the methodological problems involved in intelligence-gathering and in selecting certain raw information to become intelligence.

**Miller.** That’s a good distinction.

**Student.** Would you expand on the comment that some Foreign Service officers have a real problem with intelligence and feel tainted? What mindset develops in the Foreign Service officer that he wants to keep arm’s length from it and feels tainted? Because he’s the guy who’s reporting through at least the State Department channels to the senior levels of the government. Deprived of intelligence information, he could find himself in trouble. The analysis coming back would be highly suspect. I’m not saying that it created problems in Iran, but it certainly could have — as could any situation when the Foreign Service officer takes a complete step away from what is a valuable source of judgment, information, wisdom.

**Miller.** When I first went into the Foreign Service, which was before these questions were being examined across the board, that step was an option for many people. Recruiters would go to campuses and say, “Do you want to join the CIA? Enter the Foreign Service? Go into business? Go into the academic world? Go into the ministry?” In universities, of course, all the patterns of behavior may be narrowly or broadly defined, at least in the abstract — it is good to do something; it is not good to do something else. And people who were going into the Foreign Service were saying (I’m not speaking for myself; I’m categorizing), “I’m going into the Foreign Service because there are certain things I want to do, and there are certain other things I’m really not interested in doing, that I would not be comfortable with, and I don’t like what is being done.” Those instincts, or feelings, whatever you want to call

them, persist.

**Oettinger.** You know, I'm not sure this is fruitful — and it's certainly not limited to the Foreign Service. I commend those of you who think otherwise to read Jim Watson's marvelous book, *The Double Helix*. It shows much the same kind of problem. I don't think there's any occupation, any profession, that is free of this question: what are the limits of what you feel you can comfortably or legitimately know by what kinds of means? Clearly Watson's means went beyond those of others, although I'm sure many people in the scientific community today operate exactly as Watson did. It seems to me that once you grant that different views will be held by different people on what are legitimate or not-so-legitimate means — once you grant that shift legally, in terms of the present framework of the covenant on permissible activities by the United States government, you have the problem staring you in the face. Internationally, national means of verification are explicitly recognized in the various treaties between the United States and the Soviet Union, so clearly a broad scope of things is regarded as reasonable. In trade secret law there are things an employee can legitimately bring out of one company into another. But some things are beyond the pale. There are businessmen who work a little bit to one side of the line, a little bit to the other. And I come back to my formulation, because regardless of one's feelings, personally or legally, as to where the line is, it is unlikely that the line as such will disappear and different folks will continue to find themselves on different sides of that line for moral, ethical or other reasons.

To go back to your point about information — not what's not collected that should be, but what is available but not used, wherever it might be — one of the important barriers to optimizing the use of intelligence is the question of how you make it available on terms that are viable, that don't violate the law or a trust, and that answer the recipient who asks: "How do I know this is good stuff?"

**Miller.** Well, excellent! — I intended to get into the philosophical morass as an illustration of the dilemmas the legislators face. The serious ones among them are really wrestling with these dilemmas. That question, "What is the line," certainly lies behind the Freedom of Information Act struggle. To return partway toward the swamp: the intelligence world, the purveyors, the people who bring information to those who will read it, those who make it useful — those who have the hardest

job, the priesthood — have a very heavy task, because they have to balance all those questions in their minds. It was much easier in the past because the morality of it all was simple: "I have it, here it is, don't worry about how I got it; it's all right, it's good stuff. The pedigree can be laid out if you really want it, but you really don't need to know, just trust me." Nowadays, though, the questions are far more complex. That's why Bobby Inman was so extraordinary. He held all these questions in his head at the same time and kept a remarkable sense of balance about them.

The Freedom of Information Act is a fascinating American document. It's an absolute delight to anyone who's interested in constitutional government, because here's this extraordinary piece of legislation that says, "Goddamn it, every citizen has a right to know, unless the government can prove that there's a good reason that he shouldn't know." That's the basic principle. And the government can't collect any information about an individual without giving it to that individual unless there's some very good reason. So the premise is that a citizen has the right to know what his government is doing. However, the Freedom of Information Act says that certain categories are exempt. A citizen does not have a right to classified information.

The struggle over the amendments to the Freedom of Information Act will really turn on whether the agencies should be compelled to look at requested material to see whether it is in fact properly classified. The law says that if it's classified, the government does not have to release it unless it has to do with a criminal act or a few other categories. The intelligence agencies say, "We have such a bureaucratic burden, it's a real effort to look through all this material, and there's always the danger of making mistakes — and besides, people like the Polish embassy ask us for information, and they're not citizens, they're just interested." A request by the Polish embassy was cited by the CIA as an example of excess in one of the hearings. The reaction to this by the CIA was, "My God, the Polish government is asking for information! A communist government — obviously it's direct from Moscow." The request happened to deal with movement of state funds in the immediate postwar period. On investigation, it turned out to be what appeared an historical question — the request was for unclassified matters. It would not have unearthed any secrets. Even if it was an attempt to do that, it couldn't have succeeded — the information wouldn't be available in that case anyway.

There is of course always a chance of error. Classification may have been imposed for reasons which

someone at a lower level might not understand; so in order to be absolutely sure, theoretically, you would have to have people who had access to all the various compartments of classification to know whether there was something tucked away in there that shouldn't be talked about.

There has to be a balance between what is a reasonable burden to place on a government agency, and what is the reasonable expectation of a citizen. I think Congress will hold to the basic proposition that a citizen has the right to know. The agencies should be required to review their material — if they need additional help, they should get additional funds and manpower to do it — and institute procedures that require additional checks. It may take longer. But the principle that you can't hide behind classification, I think, is something they'll stick by, because there have been so many instances where things have been improperly classified. When I say "improperly," of course, I get into the philosophical morass again, because there is, at present, no statute on classification. There is theological debate about what classifications are or should be, and adherence to classifications varies with the intensity of emotions and circumstances. It is still a really amorphous area. This is an example of an aspect of government dependent upon dealing with the psychology of a nation at a given time. But I think the general principle is sound.

**Student.** The other night William Colby was speaking at a forum on the Freedom of Information Act, and he did say that the right to know is not in the Constitution, which is true — but you implied that it is.

**Miller.** Intelligence isn't either.

**Student.** Right. But do you believe the current efforts to exempt the intelligence community totally from the Freedom of Information Act will succeed?

**Miller.** I think there's more support for it in the Senate than in the House, but I don't think it will succeed in the long run. I think Congress will uphold the principle that it is reasonable to require the agencies to review whether or not information is properly classified. That is not an unreasonable approach. No one is asking that there be a requirement to release classified information; and if it's not classified, then there's no problem to it. There may be executive orders and regulations issued, which, even though there's no statute, can be as effective as statutes at slowing down the freedom of

information process. The bureaucracy's ability to delay and impede is really quite extensive, if they want to and are encouraged to do so by the administration. But I think in the long run, the principles of the act will hold up. One of the interesting things about the Freedom of Information Act is the willingness of its both authors and opponents to work out their differences. There's a lot of room given for trial and error. That can be seen in the drafting of the various executive orders on intelligence, too: a lot of give-and-take, back-and-forth, on key verbs and adjectives as well as principles.

**Student.** It seems to me that the line you were talking about has always shifted its position, at least to a degree, as a reflection of how pressing the political problem is. The more clearly we can formulate policy, define our ends, the more clearly we may be able to understand which means to select in achieving those ends. In a national crisis, the line might fall at one extreme of intelligence-gathering. If the situation is not so urgent or immediate, the line might fall further back.

**Miller.** That's a very good point. And that was one of the issues that arose in discussions about the efficacy and proper use, or use at all, of covert action. The standard now adopted by our country as a whole is that covert action will only be used when no other means will do, and when it is in the vital interest of the United States to do so. That's known as the Vance standard. Cyrus Vance, before he became secretary of state, in testimony before the Senate committee went through a categorical review of covert actions as he understood them (and he understood them well because he'd been in line positions in the Defense Department and other parts of the government). The senators on the committee thought that his statement of policy was sound — including both those who were very conservative and those who were very liberal. They all thought it was reasonable that one could conceive the circumstances in which covert action would be vital to the country. The crucial point is how you define "vital." There are continuing efforts to lessen the standard to "necessary" rather than "vital," moving the possible swings of policy from left to right from margins of 5 to 10 percent to 20 percent. But you're still in the same ballpark in either case.

**Oettinger.** A bit of devil's advocacy, to get away from some of these theological implications. One of the questions raised about the Freedom of Information Act and its relationship to intelligence-gathering activities,

and how to maximize the range of information available to decision-makers, has to do with the relationship between the public and the private sector, or indeed between different parts of the government. It seems to me that to characterize the qualms of a Foreign Service officer as being purely theological is unfair in this sense: if, after something is declassified and becomes widely available under the Freedom of Information Act, it turns out that Foreign Service officer X at one point collaborated with intelligence agencies in supplying information, doing other than his stated tasks as attaché or assistant secretary, he's got a problem with his career. He's got a problem in his relationship with citizens of the country where he's currently stationed. The same holds true for an industrialist or merchant who, perhaps in a crisis situation, provides information to his government, then finds that in some swing in the other direction an account of his participation becomes declassified. Now here's a whole region of the world where he can no longer do business, because five or ten years back he provided "intelligence" information to the government. That doesn't strike me as very theological.

**Miller.** It can have an impact on theological societies, though. To buttress your point: when the documents were taken from the embassy in Iran, and reported in any number of books, especially Mohammed Heikal's recent book, which has astonishing things in it, the reaction of the Iranian authorities was that the Embassy was a spy house, and that's how they described everyone in it. Of course, for the most part they were not spies; they were ordinary bread-and-butter Foreign Service officers, diplomats. But the rules had changed. The new government said, "Hell with those rules; those rules are all corrupt. We are the pure way. These are spies. Lock 'em up." And so they did, for 444 days. I think we're coming to the point where there will have to be another Vienna convention on diplomatic and consular practice. We as a nation are now beginning to come to terms with these things. These are the kinds of questions that we examine and reexamine constantly, maybe because of our intellectual origins and the way our country has turned out. But the proper scope of intelligence activities is a national, an international concern; a lot of other nations worry about these questions. Some of them worry about it in extreme ways, as Iran does. The Iranian experience has done great damage to concepts of normal international behavior; it is normal in the international world for embassies to have intelligence officers as part of the

complement.

**Oettinger.** Yes, but it seems to me that as a consequence the value of the information is sharply reduced. I keep coming back to this. The value of information still ultimately depends, however many layers there may be, on the traceable and audited trail back to the source. At some point they may block that and say, "Trust me," but regardless where, that line is drawn.

**Student.** What you develop is a sort of code of euphemisms, by which you refer to someone as something else and everybody knows what you mean, but you can't say it.

**Miller.** Well, you rely on classification.

**Student.** But one result of the executive order that set limits of years before something is reevaluated, and possibly declassified, has been a tremendous cut in the supply of straight facts.

**Miller.** Yes, that's one of those delicious dilemmas for a democratic society. We wrestle and worry about these things in ways that are looked on by other societies, totalitarian societies, as foolish.

**Oettinger.** You don't have to be totalitarian. Even the British, with their Official Secrets Act, regard us as a bit crazy.

**Miller.** Yes, but they are the father of modern intelligence activities, and they're more worldly than we are as a result of their long history.

**Student.** There is another aspect, apart from just the information. It's not just what you release and what you don't, but the publicity surrounding it. And the publicity surrounding a leak makes it that much more difficult to get information, to get cooperation from sources.

**Miller.** That is asserted, but I don't think it's true. People exchange information because it's in their interest.

**Student.** Yet there is documented proof that people have said they will not give information because they can't trust the protection of sources.

**Miller.** Well, that's very wise; they shouldn't. But still they will give their information if it's in their interest to

do so. I'd separate the assertion of possible loss of sources, which is correct as far as it goes, from practice, which may be something else. A nation will worry about how information will be handled. If the nation believes it's confidential and wants it kept so, it will want to understand in what ways it will be handled and by whom, and that's a perfectly sensible thing to do. However, to move from that prescription to saying that leaks have not happened, or that there's been a significant change of behavior, I think, is something else again.

**Student.** Sometimes it may not be in their best interests to give us the information anyway.

**Miller.** I'd suggest testing that proposition before you accept it. In some respects it's true, as I've said, but I think you have to ask more questions than that.

**Student.** It seems as if "best interest" is the operative phrase. People would give information if it was in their best interest to do so, yes, but if they can't be assured that the source of that information would be protected, it may very well not be in their best interest to divulge it.

**Oettinger.** But I think there's no shift in principle. Earlier you indicated that some of these wrestlings might have changed the level from 10 to 20 percent. To rephrase the question these two are asking, to the best of your knowledge, has the interest in freedom of information materially, or only marginally, altered the threshold at which self-interest would make a source give information in the face of possible eventual release of that information to the public?

**Miller.** The circle of awareness of classified information seems to be widening from certain executive branch agencies to include Congress. But that's as far as the circle has widened. In regard to the Freedom of Information Act the circle has not widened. Presumably you're talking about classified information, not simply the things that are available in the newspaper or that you can obtain by walking down the street. You're talking about something that there is some understood reason for protecting.

**Oettinger.** It seems to me you are talking about two different things.

On one I would agree with you: that, in terms of the present, it is not likely that the widening of the circle of

recipients of US classified information will induce the British or others to radically alter their behavior. But what about the effect of our oscillations, as in the Watergate revelations, where after a period of years what was classified becomes declassified under a shifting definition of freedom of information and becomes widely available? What is the chilling effect of that? It seems to me any observer of the ways confidentiality is maintained, or not, in the US intelligence community would have to take into account not just the current situation, but our democratic gyrations.

**Miller.** Unquestionably that's true. It is very difficult for individuals and groups from other nations, societies and cultures to pin us down on almost any subject, and certainly on this. You're quite right that there are cautions, but in that world it's in the interest of everyone involved to know the full ramifications. Our "democratic gyrations" have slowed things up, no question. Other nations' intelligence services are asking, "Who are these people? Why are they doing these things? Are they reliable? What will happen if..." On the other hand, the answers, I think, have worked to serve the self-interest of the parties concerned. The naked question is, has the sheer quantity of the American intelligence effort been affected by all this? Yes, temporarily, because we were asking a lot of questions of ourselves, and that induced others to ask what we were doing and what relationship they could have with us — and those are perfectly sensible questions. The American intelligence system, as Colby likes to point out, is different from anyone else's. It has the limitations of extraordinary democratic institutions. It's necessary for other countries which don't follow quite the same ways to understand what the differences and changes have been; but Colby says on balance it's still very workable for this country.

**Student.** My last assignment was in the comptroller's office at the CIA. Although I didn't deal with you directly, I received correspondence back and forth, and had to run down answers to questions. An additional burden is put on the agency by such tasks — tracking agency sources, tracing why things won't work. We also get a lot of questions from the various congressional committees that require us to run down information. My question is, is it really worth it? Is the information used, particularly for the committee it is going to? Is it used by the staff? Do the committee members themselves use it too?

**Miller.** If you subscribe to the proposition that all the agencies of the US government, domestic or foreign, intelligence or agricultural, whatever, are in the service of the government and the people, then the CIA is in the same position. It has an obligation to serve, not only the executive branch but the legislative branch and, as appropriate, the public at large. Decisions on national policy are formulated and put in motion by other branches in an intricate and constantly changing process. Certainly information supplied by the agencies to Congress ought to be helpful. The questions that are asked are designed for the most part not to be obstructive, but to inform. Sometimes inquiries reflect suspicion and they're poking at what they suspect to be something wrong or inadequate. But generally the purpose of inquiries is to understand and be enlightened. The burden it puts on the agency ought to be looked on as a benefit, because Congress is a major consumer of intelligence information now — and it is, of course, your constituency.

**Oettinger.** I'm fascinated by this interchange. I contrast it with DeLauer's discussion at the last session when he expressed a certain measure of irritation at what might happen, but had to admit that it's a part of the game, and Bob Inman last year\* saying that from his viewpoint it was hard to take, that from a rather anomalous privileged position, the intelligence agencies had moved to being just a lot more like everybody else, including defense. I'm not sure that there's more to your question than the problem of transition from a once privileged position to being like any other agency.

**Miller.** But I think the question was, do I think it is an unreasonable burden, and I don't think so. The answer to the staff part of the question is yes, staff do tend to generate the questions, except the macro questions. They are fascinated with the intricacies of the subject matter, because that's all they do, it's their life work. But that's true in any of the agencies, too, once you get below the leadership level: both the questions and the answers are staff-generated.

On the other hand, some senators are very interested in these questions too; they read a lot and you hope they'll read everything. In some cases, on some sub-

\*See B. R. Inman, "Issues in Intelligence" in *Seminar on Command, Control, Communications and Intelligence, Guest Presentations, Spring 1981*, Program on Information Resources Policy, Center for Information Research, Harvard University, Cambridge, MA, December 1981.

jects, they do. For example, on the question of the monitoring capabilities of the United States, a number of senators read everything that came in, absolutely everything, top to bottom, and learned it backwards and forwards — even some who were not on the committee, like John Glenn. John Glenn worked at it. If he didn't understand something, he asked to have the key analyst brought over and they'd spend hours together. I think it was valuable. A number of key senators are interested in verification subjects: Senator Jackson, Senator Goldwater. Even people who are not military-minded learned a lot from that process, and on particular questions they would dip in and learn a lot, though they would not do so consistently; they don't have the time, and in their view there's no necessity. But doing first-class work for your nation's leaders is a worthy objective — it may in fact be used, you hope it will, and if it is used, you assume it will influence better judgments.

**Student.** In the comptroller's office we never had trouble getting the information; it comes in, it goes out. But it does take people away from their primary task. It comes down to a question of resources: people having to do that kind of thing and so being unable to do their job.

**McLaughlin.** Let me go back to covert action for a moment. That, I think, was one of the non-events, perhaps, or non-results, of the Senate committee work in the middle or late 1970s. In his talk here two years ago Admiral Inman said\* that since the Pentagon eventually has to support covert action, perhaps it would make sense putting it there in the first place. That was before he went to the CIA, of course. One can go through all the arguments about how covert action actually fares in the competition for resources. The other countries have found different ways to do it. Was the issue just that there was not sufficient consensus on it? Or in the proceedings did no one want to get into it? Or what?

**Miller.** Oh, no, it was of great interest and concern, it generated an enormous amount of internal debate, and

\*See B. R. Inman, "Managing Intelligence for Effective Use," *Seminar on Command, Control, Communications and Intelligence, Guest Presentations, Spring 1980*, Program on Information Resources Policy, Center for Information Policy Research, Harvard University, Cambridge, MA, December 1980.



an enormous amount of information was reviewed on the question of where to house covert action. The conclusion was that it is necessary to the United States, and should be used according to the Vance standard that I described earlier. On the question of where it's to be located and what kind of command or control structure it is to have, there were a variety of proposals. The general feeling was that if you were starting from scratch you might put covert action somewhere else, but because it's there in the CIA, leave it there, it will function reasonably well given the proper review procedures and control mechanisms.

What was done with the issue of covert action was very similar to what was done with analysis. There was a proposal to detach the estimate function from any direct association with collection, as the Australians have done. The Australians have a separate body that reports directly to the prime minister's office. The British have something like a cross between our system and the Australians'. All those options were reviewed for analyses and for covert action, too, with the idea of putting it back in the State Department where it used to be.

Where to put it, you know, is just box shuffling. Until other kinds of questions are decided, the boxes are really secondary. I think the Senate and the White House looked at it very carefully. They worried about it a lot. They argued fiercely, and decided that since they had no overwhelming consensus to change existing structures they should leave covert action and analyses where they are, in the CIA, which is where almost all of the major functions of the intelligence world have remained. The change has come in understanding more fully what was created and how to control it, how to exercise better oversight, how to come to decisions about what it is to do, rather than how to organize it, which the Senate clearly believes is an executive branch function. While I was on the intelligence committee we put forth a number of charter proposals. The executive branch didn't really want to make any organizational changes for reasons of not wanting to make the effort to overcome bureaucratic inertia, although there were supporters of one scheme or another. Bobby Inman, for example, was very anxious to have a different structural arrangement for intelligence actors because it would lead to greater efficiencies, but the bureaucratic obstacles were too great and it wasn't worth the effort. Other questions were more important.

**Student.** You mentioned the use by other people, in a horizontal exchange, of intelligence information, pho-

tographs for agricultural predictions, stuff like that. What is being done to try to make some of this information more available so that it can be put to a greater use — to encourage more horizontal exchange of information from one agency to another? It seems like the system's set up more to provide information in a pyramid-type structure; but I'm not sure that's the most efficient use of the resources.

**Miller.** Well, Adlai Stevenson, the former Senator from Illinois, when he was on the committee, was also on the space committee. He was very interested in making sure that benefits from the "black world" of intelligence were made available to the "open world." He made great efforts in that direction, on photographs among other things. I think a lot more can be done. That more is not being done, I think, is largely because other questions have higher priority: new administrations, changes in technology, all that. It's clear that certain outmoded or obsolete intelligence technologies would be useful to the open world, but it takes money to make them available and it takes manpower to do it.

**Student.** You say you've made some recommendations that, for good and valid reasons, aren't going to be implemented. But were you able to implement ways to enable decision-makers to have access to information that's usable so they can really make better decisions? Do you have some that weren't acted on, or that from this perspective, being out of government now, you could recommend and work on for the future?

**Miller.** No, I think that in the time that I was there, as a consequence of being in the position I was, I was able to bring certain kinds of information and ways of looking at problems to the attention of people who had not been aware of those things before. They are still using them. And as a result of the congressional inquiry the executive branch had to look at its own resources and what it was doing with them, in such a way that it improved ways of disseminating information to itself. That's one result. It's a small milestone, I suppose.

**Student.** Are you referring to your comment about taking advantage, for instance, of the access and background the vice-president had? The vice-president is very interested in doing that at the moment.

**Miller.** Well, that kind of experience is, I think, what the founding fathers had in mind in the initial electoral process. The vice-president was the second most popu-

lar figure in the country and it was thought that he would later end up as president. So they thought that one out. Of course, the process has changed since then, although sometimes the parties just work it out that way, even now. I have come more and more to believe that in a complex society that has to deal with command and control problems — the kind you've been dealing with, where societies talk so much, where there are so many electronic signals all over the place — some kind of sense and order must be imposed on all the complicated operations that are taking place. That takes skills of a kind that go beyond goodwill and native wit: it takes knowledge and experience. Those ought to be qualifications for national leadership.