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James M. Simon, Jr.**

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C. Kenneth Allard, Cheryl J. Roby, Nicholas Rostow, Richard P. O'Neill, Harry D. Raduege, Jr., Thomas S. Moorman, Jr., Thomas R. Wilson, James M. Simon, Jr., Toshi Yoshihara

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## Crucified on a Cross of Goldwater–Nichols

James M. Simon, Jr.

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*James M. Simon is assistant director of central intelligence for administration, a position he has held since 1999. He was commissioned in the U.S. Army in 1969 and retired from the reserves in 1997. He joined the CIA in 1975, and for much of his career was an analyst specializing in military strategy, tactics, and doctrine. Later, he was responsible for tasking the national imagery constellation and, in 1990, was assigned to Vienna, where he was principal negotiator for the information exchange protocol of the Conventional Forces in Europe Treaty. After treaty ratification, he was put in charge of the intelligence community's effort to implement this and other treaties. Following his return from Europe, he held various senior positions in the CIA. Mr. Simon has presented papers before various professional associations and has lectured at universities and military colleges here and abroad. He is a graduate of the University of Alabama, the University of Southern California [USC], and the Army's Command and General Staff College. He interned at Radio Free Europe and held Herman and Earhart fellowships while pursuing a Ph.D. at USC. This paper was circulated to all participants in the Seminar.*

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### One

#### Goldwater–Nichols and Intelligence

*Not all are soldiers that go to war.*

Spanish Proverb

American intelligence is in trouble. Soviet communism vanquished, a revolution in information technology has nullified decades of investment in traditional technical collection. Just as substantial modernization of technical intelligence became imperative, pursuit of the peace dividend made it impossible. Having missed the chance for a measured, evolutionary response, the United States in 2001 is faced with a growing, almost dizzying disparity between its diminished capabilities and the burgeoning requirements of national security.

War does involve more than soldiers. This is true for any nation and most particularly for the constitutional republic that is the United States. The sanctity of its citizens' lives is a principal incentive behind the creation and maintenance of a U.S. intelligence system more pervasive and capable than any previously seen or imagined.

Western intelligence appropriately, consciously, and successfully evolved to deal with the Soviet challenge. The USSR was the perfect target and the standard by which western intelligence success was measured. It was a large country that denied western access to all but small, rigidly circumscribed areas. Its totalitarian system necessarily relied on high-volume, long-

haul communications to maintain control. Its corruption fostered security indiscipline and endemic technological obsolescence, which, in turn, allowed penetration of the most secure systems. It was a large, imperfectly denied area, with large, mechanized armed forces continually training and preparing for war and a large military-industrial base continually producing material for internal and foreign use. Most significant, its hostility was real, making Soviet secrets worth almost any cost to obtain.

Others wishing the United States ill remain, but none with the communications need, the volume of activity, or the mass of secrets that made the Soviet Union such a lucrative target. Much of the real work of intelligence is about establishing patterns of normalcy so that deviance can be detected. This is the principle behind arms control monitoring, detecting troop mobilizations, predicting drug flow and crop failures, and providing intelligence support to military planning. The character of today's threats and their dispersion, especially terrorism, has made the problem of establishing normalcy formidable indeed. The problem is the difference between studying a dandelion in one place and tracking its seeds as they float on the wind.

Tomorrow is already here, but yesterday's challenges remain. The United States's worldwide interests require the nation to keep today's "standing start" intelligence structure predicated, as it is, on the need for warning. The loss of foreign bases and the shrinkage of the armed forces are changing the calculus for overseas intervention, so the United States must also acquire a more agile structure capable of long-range prediction to enable force generation and projection.

Intelligence is not history; it is secret information of actionable use. Behind this statement of the obvious is a complexity of organization, practice, and control that mirrors the complexity of U.S. government. Efficiency and effectiveness are sought, but imperfection is tolerated in the interest of protecting the rule of law under the Constitution.

Change the United States must, but change requires purposeful leadership from those in charge of the intelligence agencies, especially the Director of Central Intelligence (DCI). The DCI's task is difficult under the best of circumstances, given the balkanized structure of the Intelligence Community and its congressional oversight committees. The inherent difficulty of providing leadership without authority was aggravated by the failure to achieve central direction of intelligence within the Department of Defense (DOD) and the consequent dissipation of intelligence resources caused by the implementation of the Goldwater–Nichols Act of 1986.

Goldwater–Nichols accomplished many of its objectives.<sup>1</sup> With it, the military organized to fight. The Joint Chiefs of Staff (JCS) were strengthened relative to the military Services, and the

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<sup>1</sup>The single best overview, though one focussed on the advantages of Goldwater–Nichols, is Gordon Nathaniel Lederman, *Reorganizing the Joint Chiefs of Staff* (Westport, Conn.: Greenwood Press, 1999). The Goldwater–Nichols Act of 1986 remains controversial not only because of its putative consequences for the armed forces but also because of its implications for the constitutional role of the military. The original arguments can be found in General David C. Jones, "Why the Joint Chiefs of Staff Must Change," *Armed Forces Journal International* (March 1982), 62-72; and General Edward C. Meyer, "The JCS—How Much Reform Is Needed?" *Armed Forces Journal International* (April 1982), 82-90. For a recent appreciation, see the *Festschrift* for the tenth anniversary of Goldwater–Nichols in the house organ of the JCS, *Joint Forces Quarterly* (Autumn 1996), 10-73. For the view of those troubled by the potential effect of the act on constitutional governance, see Robert Previdi, *Civilian Control Versus Military Rule* (New York:

Commanders-in-Chief (CINCs) were established to promote geographic unity of command and a combined arms perspective as quasi-independent, operationally oriented counterweights to the military Services. If success was manifest in the triumphs of Desert Shield, the continued dominance of the Services was seen in the compromises of Desert Storm.<sup>2</sup> Quibbles aside, Goldwater–Nichols made it possible to carry out the unparalleled organizational, planning, and logistical feats that led to the Coalition’s victory in the desert. The Joint Staff and the CINCs have been able to compel effective cooperation among the Services so that the United States is better able to wage combined arms warfare. But Goldwater–Nichols had other, perhaps unintended, consequences.

As is not uncommon, the legislative intent of Goldwater–Nichols addressed problems soon to disappear. Decentralization made sense in 1986, when the Soviet Union’s worldwide ambition needed countering, and it proved useful when the United States and the western powers were confronted by a regional megalomaniac. Now, however, the Soviet Union lies on the ash heap of history while the computer revolution has made the functional centralization of many processes both cheap and effective. Called “reach-back” in current military jargon, the need to concentrate and conserve scarce resources while keeping to a bare minimum the “footprint” of deployed U.S. forces is a concept that has received considerable theoretical endorsement from the military Services. Acceptance is most pronounced in the Air Force and Navy, bearing as they do the burden of transporting U.S. forces to a fight, while the Army and Marines seem less enthusiastic, wanting support assets in sight of the responsible commander.

Reach-back, however, is a necessity for intelligence where expertise and genius are too rare to be dispersed in penny packets. This concept runs afoul of a military culture that prizes the role of the operator or, to use the current term, the “warfighter.”<sup>3</sup> Certainly, the need to maintain *esprit de corps* and focus on the absolute requirement that the U.S. military win whatever war it fights argues for emotive leadership. As regards intelligence, the need for intelligence support has been translated into the concept of ownership of the means of collection and reporting wherein each warfighter must have its own intelligence entity. All have heard, and some repeated, the worn refrain that the operator, the warfighter, the “pointy end of the stick” needs to have hands on whatever joystick is at issue. Slogans are dangerous in that their purpose, and their effect, is to suspend rational thought. Stripped of emotional context, what is being urged is the displacement of expertise by ignorant authority. Those who would rise in righteous indignation against the notion that an amateur could direct the wartime operations of a carrier battle group are quite comfortable with the idea that amateurs can direct U.S. intelligence. Institutions that deliberately engage in antirational mythmaking tend to sacrifice creativity to routine, independent thought to

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Hippocrene Books, 1988). Previdi’s concern is echoed in LTC Charles J. Dunlap, Jr., “The Origins of the American Military Coup,” *Parameters* (Winter 1992–93), 2-20, n.b., 9.

<sup>2</sup>The literature on the Coalition effort in the Persian Gulf is extensive but suffers from proximity to the event. Of particular interest is Michael R. Gordon and Bernard Trainor, *The Generals’ War: The Inside Story of Conflict in the Gulf* (Boston: Little Brown, 1995), n.b., 159-162, 471-473.

<sup>3</sup>Were Gilbert and Sullivan still alive, they would be grateful for the possibilities inherent in the term “warfighter.” The interests of parody aside, words have meaning and reality exists independently of cultural structures even in this post-Modernist age. It is strange that the military, reliant as it is on a shared ethos, would foster such a divisive term; although, given the history of inter-Service exclusivity (“Only fighter pilots need apply”), it becomes understandable, but not defensible. Curiously, “Intel wienies are never warfighters, even though intelligence is always ‘at war.’”

conformity, and intelligent dissent to reflexive obedience. In national security matters as elsewhere, the consequences are harmful. Too often counsel is taken of fear, inaction becomes common as commanders and policymakers await standards of proof unobtainable in a world inhabited by human beings, and “operational success or intelligence failure” becomes a familiar refrain.

At the heart of an assessment of the effect of Goldwater–Nichols on U.S. intelligence are the cultural and theological divides between operations and intelligence, between the tactical and the strategic. “Unity of Command” makes most lists of the “Principles of War” and is a prime factor in military culture. Military culture, at the tactical and operational levels, is biased toward producing action and deliberately constructed to survive the stress of battle. Its processes are designed to construct rational plans and then harness all available resources to achieve the objective. Being “on the team” is an organizational and cultural imperative for a profession in which unit cohesion can be the difference between victory and defeat. Teamwork matters in war, so much so that it is internalized by the military culture and capable of producing incredible sacrifices of self for others.

The applicability of military culture to more ambiguous activities is less benign. Intelligence, like science, is a voyage of discovery in which alternate hypotheses and different paths are desirable. Even when the goal has been reached, a good analyst, like a good scientist, continues to question assumptions and data, always willing to change conclusions on the basis of new information. Despite periodic paeans to teamwork, analysts believe in their hearts that only they truly understand. That they are often wrong doesn’t matter; what matters is consistent effort to discover truth. As a first principle, “group think” is antithetical to what is required from intelligence.

## Two

### Unintended Consequences: The Rise of the CINCs

*God is on the side of the big battalions.*

Napoleon<sup>1</sup>

Nowhere is Napoleon's observation more powerful than in the demand, or requirements, side of intelligence. The big battalions in this case belong to the Department of Defense. Support to military operations was intended to describe the self-evident priority to support U.S. soldiers, sailors, and airmen in battle. Like most phrases that metamorphose into slogans, and whose received meaning frequently then differs from their creators' intent, intelligence "support to military operations" has acquired a surreal naiveté as it has expanded to include routine force protection and even training for contingencies.

Although there are many users of tactical intelligence, ranging from diplomats to law enforcement, Goldwater–Nichols made the CINCs the predominant customers. A CINC has a genuinely complex responsibility that is both catholic and continual. CINCs routinely engage in missions that require intelligence to aid in force protection, from the routine security of fixed installations and patrolling ships and aircraft to the protection of forces in proximate danger or combat. The latter includes predictable requirements to assist in the protection of U.S. forces patrolling Iraqi airspace or in Kosovo, or the insertion of U.S. or allied troops to evacuate U.S. citizens from countries in turmoil. Nearly all these missions have an immediacy that constrains the time-horizon of the CINCDoms.

For a great nation, balance is a key concept. The demands of today cannot be allowed to weaken the United States's ability to deal with tomorrow. In the U.S. system, balance is provided both within and among the branches of government. The balance among the branches is constitutionally mandated, but that within the branches is a function of power within the executive and legislative branches. Goldwater–Nichols has allowed the unity-seeking military, aided by Congressional enemies of (supposed) duplication, to destroy this balance.

The rise of the "proconsular" CINCDoms has, unsurprisingly, had an effect on the civilian institutions of the United States government, principally the State Department and the Central Intelligence Agency (CIA). State has seen the rise of the CINCs in the form of a super regional ambassador with material and financial resources that challenge the State Department's purview over foreign policy. Relatively poor and unable to challenge a lawyerly redefinition of foreign affairs as military-to-military contact, the State Department's ambassadors are increasingly marginalized whenever the Defense Department chooses to assert its dominance.<sup>2</sup> The CIA, for its part, has had its centrality compromised. It no longer devotes serious resources to military or scientific analysis and has lost its independent imagery analytic arm to the Defense Department.

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<sup>1</sup>Remembered as Napoleon's, this saying has been attributed also to Henri de la Tour d'Auvergne, Vicomte de Turenne (1611–1675), Marshal of France.

<sup>2</sup>For a recent article on this topic, see Dana Priest, "A Four-Star Foreign Policy?" *The Washington Post*, 28 Sept. 2000, A-1, A18-A19. In truth, the CINCs are a long way from becoming proconsuls.

The sum of the changes wrought by Goldwater–Nichols is that the balance necessary for the prudent protection of U.S. interests has been weakened. The military has been diverted from its primary mission of preparing to fight and win armed conflict to diplomacy. The Department of State’s constitutional role has been undermined and the ability of the government to obtain intelligence independent of policy prescription threatened.

From an intelligence perspective, Goldwater–Nichols gave the CINCs a call on intelligence resources equal to none but the president’s. Although the resources available to the rest of the intelligence community have shrunk, the CINCs have prospered. Each CINC now has an intelligence element, which, for most of the geographic CINCDoms, is of considerable size. In part, this shift in resources is because the military Services have systematically reduced, some would say plundered, the assets of the Service intelligence components in favor of more “teeth.”<sup>3</sup> This reduction was not a function of indifference or malice but of the natural and predictable reaction of over-committed armed forces forced to pay a peace dividend in the midst of profound changes in military technology.

The inevitable consequence of tight budgets is that the CINCs have been encouraged to, and have had to, become increasingly reliant on national intelligence. Reliance on others is not the preferred option of any commander. For obvious reasons, confidence comes most easily when all of the resources necessary for mission accomplishment are under the control of a single commander.<sup>4</sup> The central problem with military ownership of intelligence means is that the military is necessarily and properly a chain-of-command, hierarchical structure. Superb in war, the chain of command is designed to bend all to the will of the commander. In peace, its record too often is one of stultifying conformity. Although the chain of command works well for those inside it, those outside are excluded. For this reason, non-DOD customers are, and ought to be, opposed to military ownership of those intelligence activities that serve national objectives.

Lacking ownership, the CINCs rely upon the sound military principles of mass and mission to influence their demand for national resources. The command’s mission and the sheer size of the CINCs’ staff components, coupled with a “checklist” approach to intelligence, have meant that the CINCs’ requirements are detailed, immediate, and insistent. Other operational users share many of these traits, but none on the scale of the aggregated CINC requirements for intelligence. By contrast, other users and consumers of intelligence are focussed far more on the strategic and long term. Further, everyone else, except for the CIA and the Defense Intelligence Agency (DIA), is too small and too poor to compete with the CINCs for intelligence resources.

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<sup>3</sup>Overall intelligence funds are down 10 percent in real terms since 1990. Plundered is a strong term, but because intelligence resources controlled by the DOD are down over 40 percent in real dollars since 1990, not without merit.

<sup>4</sup>A recent version of this line of argument may be found in BG Michael E. Ennis, “The Future of Intelligence,” *INTSUM Magazine* 8, 1 (Spring 2000), 1-2.



### Three

#### Unintended Consequences: Marginalization of DIA

*“the obscene failure of intelligence”*

John Lehman<sup>1</sup>

Certainly one of the greatest unintended consequences of Goldwater–Nichols was its effect on centralized management of defense intelligence. The Defense Intelligence Agency was created to centralize many, if not all, of the DOD’s intelligence activities and bring an end to inter-Service intelligence disputes and, indeed, to complete the Defense Reorganization Act of 1958. DIA was never allowed to realize its intended role as *primus inter pares* in the military intelligence community with broad managerial powers over intelligence programs and the activities of the DOD components. Its failure was not of its own making but the result of the effective, united opposition of the Services.<sup>2</sup> Never given the chance to succeed in its own right, DIA was instead assigned the Herculean task of bringing coherence to the intelligence activities of the Department of Defense, the JCS, and the Services.

A difficult task was made impossible by the passage of Goldwater–Nichols. The act’s neglect of even the theoretical role of DIA was implicit recognition that the Service intelligence organizations had been able to defeat the express intention of the 1958 reorganization. With the passage of Goldwater–Nichols, DIA’s intended role became an outright mockery. Not only did the CINCs add to the cacophony that DIA was to coordinate, but their claim on intelligence resources in their areas of concern also dwarfed the claims of DIA. One consequence was that the CINCs took responsibility for shared production, notably for order-of-battle intelligence. It would be an understatement to say this sharing has not worked, condemning successive DIA directors to trying to fix the “database problem”<sup>3</sup> with inadequate resources and the authority only of tact and goodwill to get the job done.

DIA was subjugated to the Services’ tutelage when its director was dual-hatted as the J-2 of the Joint Chiefs of Staff. Not only did subjugation ensure that the Services could not be pressed too hard, but it also entangled DIA in the day-to-day task of coordination inside one of Washington’s most complex bureaucracies. Good intelligence cannot coexist with the need to secure the *a priori* agreement of those whose ox might be gored. Cutting the Gordian knot is always an attractive solution to reformers, but the JCS has knots beyond Gordias’ dreams. More significant, the Director of DIA, already hampered by a relatively junior three-star rank in the relationship with the military Services and their waves of four-star officers, now had a new constellation of superior officers to give him guidance, orders, and—too frequently—criticism.

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<sup>1</sup>John Lehman, “USS Cole: An Act of War,” *The Washington Post*, 13 Oct. 2000, B07, [On-line]. URL: <http://washingtonpost.com/ac2/wp-dyn/A7299-2000Oct14?language=printer> (Accessed on 26 June 2001).

<sup>2</sup>See “Forty Years of History,” 29 June 2001 [On-line]. URL: <http://www.dia.mil/History/40years/index.html> (Accessed on 5 July 2001.)

<sup>3</sup>See Vice Admiral Thomas R. Wilson, “Focus on Attacking the Database Problem,” *Communiqué* (March–April 2000), 1-2. To oversimplify, the problem is one of figuring out how we do know or gain access to what we have in our knowledge base. See also Admiral Wilson, “Asymmetric Approaches to Joint Vision 2020” (forthcoming).

Former Secretary of the Navy John Lehman spoke for many in the Services when he blasted “our vast centralized intelligence bureaucracy” for failing to warn the *USS Cole* of its danger.<sup>4</sup> Understandably anxious to defend the Navy against unfair charges of dereliction, but not content to let villainy speak for itself, he offered centralized intelligence as the scapegoat. The ineffectiveness of decentralized intelligence, demonstrated on December 7, 1941, aside, not even Dr. Pangloss would call today’s defense intelligence structure “the best of all possible worlds.” In this possible world, the Defense Department has, in addition to all the national agencies, a centralized intelligence bureaucracy at DIA, a centralized intelligence bureaucracy for each Service, and a centralized intelligence bureaucracy for each CINC. If this is centralization, it is a curious one.

Cause and effect are complicated, but, perhaps, were DIA able to manage and draw more effectively on the resources of the CINCs and the Service intelligence organizations, the *USS Cole* story might have been different. The implicit demand that intelligence should focus on the tactical to the exclusion of all else explains why thoughtful strategic leadership of intelligence is a must. Given the divergent interests of the CINCs and the Services in intelligence, the Director of DIA needs to have sufficient status and authority to bring a measure of coherence to defense intelligence. DIA was eviscerated by the Services at birth, but there is every reason to believe that it ought to be allowed to achieve its intended purpose. Accountability is a wonderful thing unless you are the one held to account.

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<sup>4</sup>Lehman, “USS Cole: An Act of War.”

## Four

### Unintended Consequences: Erosion of the Role of the DCI

*Errors have been made; others will be blamed.*

Anonymous

Plaudits for the successes of intelligence are widely shared, but “failure” usually is the DCI’s alone. When intelligence systems and analysts are engaged in providing saturation coverage in support of operational forces for years on end, if a nuclear test or a ballistic missile launch is missed it is the DCI who testifies on the “intelligence failure.” When conflict comes, it is the DCI who is held accountable for a cloudy crystal ball, not those whose “requirements” distracted the watchful eye and made failure certain.

Other departments can, and do, unilaterally eliminate organic intelligence collection assets essential to the success of their own missions. When the inevitable happens, again it is the DCI who gets to explain why intelligence “failed.” The military’s public displeasure with imagery intelligence support in the aftermath of the Gulf War effectively obscured its own investment failures. The Services’ conscious decisions to reduce Service intelligence strength and theater reconnaissance assets and not to buy a modern dissemination capability were lost in the hubbub surrounding the creation of the National Imaging and Mapping Agency (NIMA).

Every commander demands, and rightly so, that when forces are engaged, all available intelligence assets be available to support them. But the price is high. Too often the United States appears willing to risk the sacrifice of thousands tomorrow to attain near certainty of saving one life today. The United States requires in its leaders the willingness and moral courage to look beyond immediate problems and protect those not yet in harm’s way. Intelligence also fights wars against terrorism and drugs and has worldwide operational clandestine activities. These efforts also risk lives and are, in that sense, the moral equivalent of military engagement, even if they lack the public relations battalions of the armed forces. Intelligence supports U.S. diplomats, monitors arms control treaties, and assists others in humanitarian relief efforts. Depending on the circumstances, apart from the lives that might be saved, these missions can be as important as support for the armed forces.

Recently, there has been a tendency to characterize the dichotomy of intelligence needs as a conflict between the so-called national users and military. This characterization is both wrong and misleading. The real argument is over who pays for what and what means are appropriate to the occasion. The National Foreign Intelligence Program (NFIP) is, for reasons of security, appropriated inside the larger DOD budget. From this simple fact arise many problems. The important one is that the NFIP usually takes its full “fair share” of cuts to overall defense appropriations but rarely its full “fair share” of increases.<sup>1</sup>

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<sup>1</sup>A second consequence of the classification of the NFIP inside the DOD appropriation is that charges and countercharges can be made about support for intelligence, as is done here, but without the inconvenience of having to argue from fact.

The United States's ability to build and operate technical marvels with unprecedented capability has brought with it the problem of appropriate use. Increased capability in the post-cold war world means fewer absolute systems in use. Each system is many times more capable than its predecessors, and thus fewer are required and fewer still are bought. The physics of collection are immutable, so, at some point, absolute numbers do matter, increasing the overall fragility of the system and often making opportunity costs prohibitive. Increased collection in country X can mean no collection in country Y, and the longer X is covered, the harder it is to regain continuity on events in Y. This situation is increasingly common; it has many fathers but underinvestment by the Services in organic intelligence capabilities for the CINCs is a significant one. The United States too often finds itself in the silly position of using the equivalent of carrier battle groups to escort fishing boats past the ice fields for want of a Coast Guard cutter.

The real functional difference is between intelligence and battlefield awareness, between the complex requirements of strategy and the immediacy of tactical need, between knowledge through analysis and awareness through fusion. One form of tactical intelligence, for example, battlefield information, is concerned with finding a target, identifying a target, assessing the relative value of a specific target among targets, and sending something to kill the target. Although difficult to do, it is straightforward in concept.

Strategic intelligence also has a use for facts. Questions such as how fast does a plane fly, how thick is a tank's armor, or what weapons have been sold to Iraq all can be answered by focusing on facts. Although requiring more, and more complex, facts than those needed for targeting, these still are questions that can be answered by the accumulation and synthesis of data. Best of all, these are questions with answers that can be intercepted, deduced, or stolen.

At a higher complexity are mysteries whose answers are either complex (what is the combat capability of Iraq's Republican Guard?) or complex and inferential (will Russian economic reform continue?). None of these "answers" can be intercepted, deduced, or stolen. They either do not exist or exist in places unreachable by intelligence. Here the job of intelligence is to observe and get inside the process so as to offer informed analysis, know the answer as soon as it is known, or detect the consequences of the "decision" so that its reality can be deduced.

The end of the cold war and the revolution in telecommunications added new dimensions to both tactical and strategic intelligence. Where once the adversaries were nation states characterized by formal structures operating under the norms of bureaucracy, the United States now faces a world of mini-actors whose informality and randomness resemble the anarchist terror movements common at the beginning of the twentieth century. Success against these nonbureaucratic targets requires a greater reliance not only on human agents but also on serendipity. The need for good fortune, in turn, makes it necessary that the net of information collection be cast widely. Once this class of target is found, its fleeting exposure requires the intelligence system to be agile and timely in response. Decisive response, in turn, requires the authority inherent in unity of command to redirect resources quickly and successfully. Today, the DCI lacks such authority on any but an exceptional basis. This lack of clear authority over the intelligence system is compounded by the failure of the Defense Department to allocate adequate resources for its own intelligence support needs. The DCI is left with the task of satisfying a herd of warring cats, each vigorously waving the flag of the nation's most critical interest.

## Five

### What Ought Be Done?<sup>1</sup>

*Vision without resources is a hallucination.*

Louis Andre<sup>2</sup>

U.S. intelligence serves primarily the president and thus lacks the public constituencies of other government activities. A servant, intelligence needs a master to give direction and set priorities beyond the short-term interests of the policy community. The formal, active engagement of the president and the National Security Council (NSC) principals is necessary to ensure that intelligence goes after something other than the lowest hanging fruit. Without such engagement, no DCI can ensure that the nation has the intelligence it needs.

The President, the Secretary of Defense, the Secretary of State, the National Security Advisor, and the DCI must take a collective hands-on role in assuring that the executive branch provides the intelligence services needed for the challenges and opportunities confronting the United States. The president ought formally to create an executive committee to take charge of U.S. intelligence. The government is in dire need of a focussed and sustained effort to convert intelligence from an industrial age organization and infrastructure to one suited to the information age.<sup>3</sup> There is no substitute for engaged leadership nor, given the United States's legal and budgetary circumstances, any other way to persuade the Congress of the certainty of the nation's need.

The president ought to direct the executive branch to review its own internal directives, in particular, Executive Order 12333, to ensure that the departments and agencies are acting in a purposeful and effective manner. More specifically, a presidential directive ought to be promulgated laying out the organization and function of intelligence.

The position of DCI was created to manage the competition of scarce intelligence resources. The foremost reason an independent agency head was given this task was a presumption of independence from the influence of the policy departments. It was expected that an independent intelligence chief would counter the tendency of policy departments, whose primary missions are other than the production of intelligence, to trade off intelligence capability for mission routinely.<sup>4</sup> The tradeoffs so righteously advocated by the foes of duplication are, in truth, a function of

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<sup>1</sup>My view is that genuine reform cannot occur without parallel changes inside the DOD. A provocative view is advocated in William A. Owens, with Edward Offley, *Lifting the Fog of War* (New York: Farrar, Straus, and Giroux, 2000). For a discussion of the changes intelligence may need, see Larry Combest, *IC21: Intelligence Community in the 21st Century* (Washington, D.C.: U.S. Government Printing Office, 1996).

<sup>2</sup>Personal communication to the author by Louis Andre, Defense Intelligence Agency.

<sup>3</sup>For the likely significance of information superiority to the United States, see Owens and Offley.

<sup>4</sup>Of a voluminous literature, two of the clearest expositions are: C. Thomas Thorne, Jr., and David S. Patterson, eds., *Foreign Relations of the United States, 1945–1950: Emergence of the Intelligence Establishment* (Washington, D.C.: U.S. Gov't Printing Office, 1966); and Sherman Kent, *Strategic Intelligence for National Policy* (Princeton: Princeton University Press, 1949). A recent, and excellent, treatment is David F. Rudgers, *Creating the Secret State* (Lawrence: University of Kansas Press, 2000).

mission. Only the DCI has proved able to trade among intelligence disciplines or deliver a single intelligence system to customers. Only the DCI is in a position to be a responsible steward for the acquisition and protection of intelligence vital to meet the full range of the nation's most critical national security demands.

Nonetheless the government's management structures are suited to the industrial age, not to the twenty-first century. The DCI ought to be directed by the president and funded by the Congress to create an Intelligence Community management and information architecture to serve the president, the National Command Authority, and the DCI. The primary objective would be to solve as many of the stovepipe problems as possible without the complexity inherent in major restructuring. The model is not government, but companies, such as State Street, Bear Sterns, and Goldman Sachs, that have taken strong, conservative cultures saddled with considerable legacy issues and changed in a manner appropriate to the information age.

The DCI must be freed from having a budget held hostage by the Secretary of Defense. The entire NFIP ought to be appropriated to the DCI in the same manner as today's CIA appropriation.<sup>5</sup> Only by doing so can the president and Congress reasonably hold the DCI accountable for the workings of U.S. intelligence. Only by doing so can intelligence avoid raids on the NFIP as the competition among the Services for every possible dollar continues. Nowhere is this need more evident than in the DCI's uphill battle to modernize intelligence to achieve information superiority in an era of technological revolution. It is unrealistic to expect the military Services to sacrifice the weapons they need to fight and win a future war so that National Security Agency (NSA) and NIMA can be recapitalized.

It is unwise for the nation to have its intelligence arm dominated by the immediate and the near. The country requires a balanced governance mechanism strong enough to ensure that intelligence focusses on the future and on the strategic—in short, a mechanism founded on the idea of checks and balances, certainly an objective within the ken, capability, and history of the United States. The CINCs, individually and collectively, have become disproportionately powerful in the conduct and direction of U.S. intelligence. It is unrealistic to expect any of the “national” agencies, which are themselves defense organizations, to push back against the collective and insistent tactical interests of the CINCs and their supporting Services. The position of DCI was originally created and subsequently strengthened as a counterweight to the often breathtaking parochialism of the military Services. In the aftermath of Goldwater–Nichols and the resultant expansion of the number of powerful, but no less parochial CINCs, restoration of balance requires that the role of the DCI be substantially strengthened.

Congress should conduct hearings on the consequences, unintended and otherwise, of the Goldwater–Nichols Act. Although the primary jurisdiction for Goldwater–Nichols lies with the Armed Services committees, parallel efforts are desirable in those committees that oversee State, Justice, and the Intelligence Community. Absent fundamental changes, the likely future will vastly complicate the policy problem of synchronizing the efforts of defense, law enforcement, and intelligence. The sooner these issues of synchronization are framed, the sooner a solution can

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<sup>5</sup>In government “[a]s in business, cash is king. If you are not in charge of your budget, you are not the king.” See Norman R. Augustine, *Managing to Survive in Washington: A Beginner's Guide to High-Level Management in Government* (Washington, D.C.: Center for Strategic and International Studies, 2000), n.b., 20.

be found. Congress also ought to look at its own processes, which have made effective management in an era of rapid technological change all but impossible.

The Defense Department needs to begin to redress the absence of central direction and strategic coherence across defense intelligence programs. DIA's role should be strengthened and other institutional changes made to bring defense intelligence under closer control of the Secretary of Defense. If this is not possible, then DIA should be put out of the misery of having responsibility without authority. Unfortunately, there is no reason to believe that, absent DIA, the Services could be trusted to do themselves what they have so long opposed at DIA.

NSA and NIMA ought to adopt the National Reconnaissance Office (NRO) model with their oversight shared equally between the Secretary of Defense and the DCI and their "combat support agency" designation withdrawn.<sup>6</sup> The designation of the national technical intelligence agencies as combat support agencies has self-evident consequences for all users of intelligence other than the military. It even affects the future as the NRO becomes increasingly driven by the tactical fixation of its closest partners. Because of the modernization challenge, NSA's and NIMA's directors should be civilian, have extended tenure, and have demonstrated success leading the transformation of an information-dependent business.<sup>7</sup>

Finally, in addition to the sums needed to ensure a military advantage, money must be found to modernize a dangerously obsolescent NSA and back the U.S. gamble that gaps in the United States's imagery collection capabilities will not materialize. The NRO lacks the money to push the technological envelope in space when it is unable to stop or reduce any current activity. As the need to penetrate foreign terrorist groups and to increase the use of close access technical collection to deal with the encryption challenge both grow, intelligence lacks the human and technical resources to move expeditiously. Technical collection by its nature is expensive, but for pennies in comparison, intelligence should adequately staff analytic organizations, the Clandestine Service, and the overt efforts of the State Department.

In the tension between the immediate and tomorrow, it is desirable that neither perspective should triumph, but the reality is that one has. Too many of the currently planned future programs are essentially battlefield surveillance architectures that deliver the same information as the United States has now but in greater volume, with better fidelity, and faster. These architectures are well suited to wage the cold war or re-fight Desert Storm. The disconnect between what we are planning for and the likelihood of what the United States will face has never been so stark. Failure to address these issues now will assuredly require a future president and Congress to examine again why a foreseeable disaster went unforeseen.

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<sup>6</sup>Undefined in Goldwater–Nichols, designation alone does not alter an agency's obligations to the DCI. The applicability of the statute to the national missions of NSA and NIMA as well as to the roles of the DCI and DIA limits the effect. Designation does cause the agencies to allocate or reallocate resources to improve their status in light of the oversight review by the JCS. Oversight frequently triggers decisions that reduce resources or capabilities that affect the national mission. Moreover, the agencies designated act as if this status demands greater allegiance to the combat mission than to the national mission. The designation is another unnecessary complication that adds to the difficulty of creating a coherent, effective national intelligence effort.

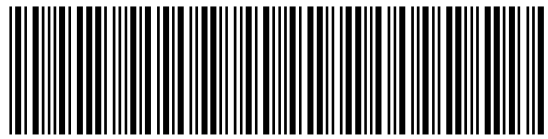
<sup>7</sup>Although some outstanding military officers have led these organizations, I believe the military is increasingly unlikely to produce those with the experience needed for the future. Three-year tours of duty and the practice of allocating command positions by Service contribute to my conclusion that civilian leadership is the answer.



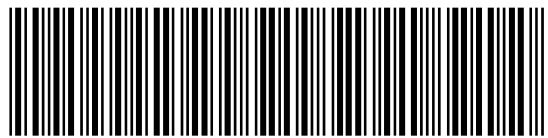


## Acronymns

CIA	Central Intelligence Agency
CINC	Commander-in-Chief
DCI	Director of Central Intelligence
DIA	Defense Intelligence Agency
DOD	Department of Defense
JCS	Joint Chiefs of Staff
NFIP	National Foreign Intelligence Program
NIMA	National Imaging and Mapping Agency
NRO	National Reconnaissance Office
NSA	National Security Agency
NSC	National Security Council
U.S.	United States
USSR	Union of Soviet Socialist Republics



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