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**“Catching Field Mice”: Intelligence and Policy
in the Twenty-First Century**

A. Denis Clift

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**“Catching Field Mice”:
Intelligence and Policy in the Twenty-First Century**

A. Denis Clift

February 20, 2003

*A. Denis Clift was appointed president of the Joint Military Intelligence College in 1994. The College, in the Department of Defense (DOD), is the nation's only accredited academic institution awarding the bachelor of science degree in intelligence and the master of science in strategic intelligence. As president, Mr. Clift was elected to the Commission on Higher Education of the Middle States Association of Colleges and Schools, and has served as a commissioner since 2000. Since 1992, he has also served as a U.S. commissioner on the U.S.–Russia Joint Commission on Prisoners of War/Missing in Action. He started his career of public service as a naval officer in 1958, serving in the Fleet Intelligence Center Pacific, on two Antarctic expeditions, and in the Office of Naval Intelligence. In 1967, he began thirteen successive years of service in the Executive Office of the President and the White House. His assignments included serving on the National Security Council (NSC) in 1971–1976, first as senior staff member for Europe and then as head of President Ford's NSC staff for the Soviet Union and Eastern and Western Europe. From 1977 to 1981 he was assistant to Vice President Mondale for national security affairs. Mr. Clift joined the Defense Intelligence Agency (DIA) in 1981, becoming assistant deputy director for external affairs in 1982 and deputy director for external relations in 1985, and serving as DIA chief of staff from 1991 to 1994. Among his awards and decorations are the President's Rank of Distinguished Executive, the President's Rank of Meritorious Executive, DOD Distinguished Civilian Service Medal, Secretary of Defense Meritorious Civilian Service Medal, DOD Medal for Distinguished Public Service, and the Director of Central Intelligence's Sherman Kent Award. He is the author of *Our World in Antarctica, With Presidents to the Summit*, *Clift Notes—Intelligence and the Nation's Security*, and a novel, *A Death in Geneva*; he has also edited the U.S. Naval Institute's Proceedings. He holds a B.A. from Stanford University and an M.S. in political science from the London School of Economics and Political Science.*

Oettinger: As you all know, our guest today is Denis Clift. You've seen his biography. I just want to add to it that he's also an old friend and I'm delighted he was willing to make the trek up

here for the second time.¹ I really appreciate that.

He has also indicated that, although he has in his tidy way prepared a presentation, he would be delighted by interruptions, questions, and digressions to take things down to what interests you. Is that right?

Clift: Yes. I'm not enough of a don that I stand up and speak without notes for two hours, so I did prepare some remarks. But it's not a formal speech, so anytime someone wants to raise a hand, or if you'd rather wait to the end and come back, it's your call. I'm just delighted to be here.

As I was thinking about the subject that Dr. Oettinger asked me to speak to and around and through today—the subject of intelligence and policy in this early part of the twenty-first century—I thought back to some bits of history that I think are very relevant. The first was during World War II, when the late Director of Central Intelligence [DCI] Allen Dulles was head of the Office of Strategic Services' operations in Switzerland. He came to admire the Swiss officials who inspected travelers' papers at the border—the documents of people boarding trains to enter the interior of Switzerland. What he noticed about these Swiss officials was that they paid special attention to each traveler's shoes. He learned that the Swiss are a meticulous people, and insist on clean shoes, and if the inspectors noticed anyone with dirty shoes, it might just be an indicator that the individual in those shoes might be entering the country illegally. That individual then became of greater interest to the inspector. Reflecting on this Swiss practice, Dulles offered a broader observation: "In a free society counterespionage is based on the practice most useful in hunting rabbits. Rather than look for the rabbit one posts oneself in a spot where the rabbit is likely to pass by."²

Following the post-World War II Cypriot struggle for independence, General George Grivas, commander of the National Organization of Cypriot Fighters, would write of his British opponent, Field Marshal Sir John Harding, "He underrated his enemy on the one hand, and over weighted his forces on the other. But one does not use a tank to catch field mice—a cat will do the job better."³

I cite those two bits of history, because knowing where to look for the terrorist and knowing how best to catch the terrorist are central to the shaping of an element of the partnership crucial to the survival and well-being of the nation in the early twenty-first century—the fragile, evolving partnership joining intelligence, the policymaker, the military commander, and law enforcement in the war on terrorism. It is a partnership that goes well beyond the specifics of such acts, indeed well beyond the definition of war, to the shaping of a strategy and a plan of action to meet and to succeed in a confrontation between democracies, and in particular the democracies of the West, and those nations, and those political and religious entities, opposing Western values.

¹See A. Denis Clift, "Intelligence—The Left Hand of Curiosity," in *Seminar on Intelligence, Command, and Control, Guest Presentations, Spring 1997* (Cambridge, Mass.: Harvard University Program on Information Resources Policy, I-98-2, April 1998), [On-line]. URL:http://www.pirp.harvard.edu/pubs_pdf/clift/clift-i98-2.pdf

²Allen Dulles (ed.), *Great True Spy Stories* (New York: Harper & Row, 1968), 130–131.

³*The Memoirs of General Grivas*, Charles Foley (ed.) (London: Longmans, 1964), as quoted in Bruce Hoffman, *Inside Terrorism* (New York: Columbia University Press, 1998), 71.

The United States is entering a new era of national security. The structure shaped by the National Security Act of 1947 is being joined—and “joined” is the correct word in these initial stages—by the structure of the Homeland Security Department that was approved in legislation of 2002. The national security requirements at the core of the 1947 act—the need for effective strategic warning against attack, for a government correctly shaped and harnessed to provide effective deterrence and defense in a new, nuclear era and to avoid the recurrence of a Pearl Harbor attack—are today being augmented.

New dimensions of U.S. national security opportunities and challenges rise against the background of the strengths and frailties of the existing national security structure and processes. The United States’ role as sole superpower, the information age, the cyber era, the global economy, new political structures challenging existing nation-states, proliferation of weapons of mass destruction [WMD], and the increasing virulence of terrorism drive our fresh look at national security structure and processes.

Late in 2002, the joint congressional committee investigating the September 11, 2001, attacks issued its majority and minority reports criticizing the intelligence community for the role it played and recommending major amendments to the National Security Act, to include the creation of a new cabinet-level director of national intelligence, with sweeping new authority, responsibility, and accountability.

The new era is a dynamic with an onrush of changes both revolutionary and far more subtle to the work of intelligence: with changes going far beyond those proposed by the Congress for leadership and structure; changes in the doctrine and practice of collection, analysis, and dissemination; and changes in the mindset, the relationship, the partnership between and among intelligence and the policymaker, intelligence and law enforcement, and intelligence and the military commander. Intelligence professionals understand as never before that in this new era intelligence is the air the nation breathes, that their work must be relevant, with underlined emphasis on the importance of *warning*. It must be accessible when and where needed, it must be actionable (terrible word!), and they must accept accountability for the intelligence provided or not provided.

Policymakers and legislators, those who use the intelligence product and oversee the intelligence community, understand that they can no longer limit themselves to dismissively asking, as President Richard Nixon did in 1970, “What the hell do those clowns do out there in Langley?”⁴ They understand as never before that intelligence is a uniquely important player in the nation’s security; that, while by its nature it is not infallible, it delivers what no other player can deliver; that it must be available to be assessed positive or negative; that at its best it can be the skunk at the garden party, cutting across every preferred view of policy; and that it must have on an uninterrupted, continuing basis the authorities, the men and women, the money and the tools—from the satellites to the emerging nanotechnologies—it requires.

⁴Robert M. Gates, “Opportunity Unfulfilled,” *DI 50th Anniversary Edition of Studies in Intelligence* (Washington, D.C.: Center for the Study of Intelligence, Central Intelligence Agency, November 2002), 51.

Pushing ahead with you, I'd like to take a look at what these authorities are. I'd like to discuss who these men and women are, and what this ever-changing kit of scientific and technological wizardry intelligence requires.

Oettinger: You said something about the technological process. In describing the new, you sort of said it's side-by-side with the old or something like that, and then you dropped that and went on.

Clift: I'll be coming back to that. What's happened right now is that the national security community is a community that, until September 11, 2001, focused on foreign issues. It focused on challenges to the nation beyond our shores. As a democracy, one of our great and enduring strengths has been the core importance we attach to our individual freedom and to our civil liberties. As a democracy, we have exercised exquisite care to keep domestic surveillance, domestic law enforcement, totally separate from the work of the foreign national security community. Whenever there has been a blurring of the lines—whenever, for example, the CIA [Central Intelligence Agency] has become involved domestically, as it did during the war in Vietnam, in infiltrating student groups—the nation has thrown its hands up in horror. You heard new levels of oratory from senators and congressmen that you didn't think even they would be capable of reaching, as they expressed shock.

Right now, we're at a point where, with the invasion of our shores, if you will—with the attacks on the World Trade Center and on the Pentagon, and the downing of the aircraft out in the fields of Pennsylvania—we realize that we're much more vulnerable than we ever felt we were before. We realize that we have to bring the work of foreign intelligence and the work of domestic law enforcement together, and we are working very hard to do that. We're creating new structures, and at the same time we're creating these new structures, each one of them is being challenged by the American Civil Liberties Union and by critics in the media, in public life, and in private life. This is wonderful. I say that most sincerely. There's a tension between national security and individual freedom and liberty that is built into the Constitution of the nation. In fact, if you read the preamble to the Constitution, the tension is explicitly stated there: the need for the security of the nation on the one hand, and the need for individual liberty on the other. What we're doing now is coming to grips with how to join the security of the nation—our strengths within our shores and beyond our shores—so that we are able to provide for security against a whole new challenge construct.

Oettinger: If I might just add something to that, I keep harping on balancing acts. This one is as old as the Constitution, and beyond that. You students have a unique opportunity here to help us and the world to think through how to reinterpret that. Really, historical guidance is not bad. You can read the history of the Civil War, and how Lincoln, the Great Emancipator, suspended habeas corpus. So, this is not unprecedented, even though the technologies and the circumstances are unique. Again, there are gallons of term paper possibilities here in important unexplored areas.

Student: Law enforcement has a fundamentally different goal than intelligence gathering. Law enforcement is trying to convict a criminal, and have material that will hold up in a court of law, whereas intelligence processes aren't concerned about those issues. To me, your claim that they

should work together doesn't really hold. Instead, you want a domestic intelligence organization that doesn't have the goal that the law enforcement organization does.

Clift: You have the right verb and the wrong tense. Law enforcement *had* the responsibility to get a conviction, and it still does. But today law enforcement—security within the United States that takes into account and safeguards individual freedom and liberty—has got to be forward looking. It has to be able to identify threats, and it has to be able to act against those threats before a crime is committed.

Let me give you an example. At lunch I mentioned, with tremendous pride, that I was born and raised in Greenwich Village in New York City. I haven't lived in the Big Apple for a long time, but New York is on the cutting edge of the new interface between foreign intelligence and domestic law enforcement. The New York police department has an assistant commissioner of police for intelligence, a gentleman named David Cohen. Before David became the assistant commissioner, he was head of the CIA's clandestine services, and before that, he was head of the CIA's analytical arm.

At the same time that you have an assistant police commissioner for intelligence, the mayor has also hired a retired Marine lieutenant general, Frank Libutti, to be the deputy police commissioner for counterterrorism. This lieutenant general has said, "My job is to make New York, in the vernacular of our time, a 'hard target,' one that is difficult to penetrate. I want the terrorists to come up to the boundaries of New York City and say, 'That place is too tough. I think I'll go someplace else.'"

New York is a very good example of how the times have changed. About two weeks ago, a judge in New York ruled in favor of a request by the police department that it be given greater latitude in wiretaps, in surveillance; that it no longer needed evidence of a crime to put a tap on a phone or on suspected individuals; that it now needed, in the judge's view, greater surveillance powers so that it could keep an eye on suspicious people—on people who, for one reason or another, didn't fit the mold of the average citizen and should be watched.

The times are really changing. In the federal government, the administration has announced plans to create a terrorist threat integration center. This is a center where, under the direction of the DCI (very significant) the CIA and the FBI [Federal Bureau of Investigation] under one roof will work the future, the present, and then the follow-up of terrorist issues. It's a dynamic that really has to be followed very carefully, because a great amount of activity is unfolding right now, and it's unfolding with very important speeches by members of the House and Senate. There are people in favor and people against. The whole checks and balances of the government are at work at the same time as the nation says, "We have to change the way we're doing what we're doing."

Oettinger: Although the U.S. model won't necessarily follow others, it isn't as if this were unknown in practicing democracies. The British system, over the longer term and certainly honed by the relationship with Ireland, has had to deal with this issue for a longer time than we have. The Israeli government has done likewise. Those models are instructive, but they don't necessarily copy for the United States. But there are instances of democratic countries striking a different balance from the one we've gotten used to in the post-Watergate, post-Church Committee era.

Student: Going back to your remarks, you mentioned that intelligence must be uninterrupted. Could you elaborate on that a little bit?

Clift: I'm going to elaborate on it. It's one of the dangers of having a brilliant speech and getting into questions and answers halfway through it. But I'm very happy to do it. Let me push ahead on that, because I said "it must have, on a continuing basis, the authorities. . . ." You can't turn it on and off, and that's what I'm going to get into right now. You pay a big price if you suddenly take the money away, or cut the people. It's very hard to regenerate them.

I said, "Who are these people?" The handling of spies, the turning of agents, and the exfiltration of agents are at the heart of intelligence operations. This is work that you should not expect to find in the Department of Labor, or the Department of Education. The challenges such operations pose, the skills they require, and the stresses they place on those responsible for their conduct, are unique.

People—however varied, laudable, or ugly their motives—talk, they betray, and they ferret out information critical to intelligence successes. Listening to people, understanding what they're doing, is at the heart of intelligence operations when you're talking about operations involving clandestine activities, the work of spies.

Since the terrorist attacks of 2001, the executive branch, the Congress, and the courts have begun to act to give intelligence and the nation's law enforcement agencies the enhanced authorities needed to deal with such people. This includes enhanced surveillance authorities; it includes authorities pushing aside the 1990s' policy-level reluctance to having intelligence deal with foreigners considered criminal, unsavory, or unfit for U.S. contact.

When you think of the personality profile of a spy, there is no single profile. One of my favorite examples is the case of Eddie Chapman, a British crook, a safecracker by trade. Early in World War II, when the Germans overran the Channel Islands, they found him in jail there. He offered them his services. They took him back to Germany, trained him in sabotage, and then slipped him back into England in 1942 to blow up an aircraft factory.

Chapman made contact with the British government and told them what he was about. The target factory was camouflaged so that German aerial reconnaissance would report its destruction. The British secret service then sent Chapman back to Germany. He was decorated by the Germans and entered into training on the targeting of V-1 buzz bombs and V-2 rockets. He reentered England, where he re-established collaboration with his British handlers.

At the end of the war, Chapman's British prison sentences were suspended. He was dropped by the secret service as being too difficult a character to deal with and lived for several years in Algeria before returning once more to England to end his years running a health farm north of London.⁵ Chapman was a complicated individual; his handling required great attention and care. He was not your typical laid-back Harvard student.

⁵"Safecracker Eddie Chapman Dies: Spy for Britain in WWII," *The Washington Post*, December 17, 1997.

In this new era of the war on terrorism, when information from human sources—from spies, from traitors—is of such critical importance, the voice of the late Dame Rebecca West, as expressed in her book *The Meaning of Treason*, provides sage advice. “Not till the Earthly Paradise is established,” she wrote, “and man regains his innocence, can a power which has ever been at war be blamed if it accepts information regarding the military strength of another power, however this may be obtained; and of course it can be blamed least of all if the information comes to it from traitors, for then it is likely to touch on the truly secret.”⁶

As policy looks to intelligence for information that will make the difference, information on which vital decisions will hinge, it must give the fullest possible support—which involves the checks and balances of the nation—to clandestine operations in all their unique dimensions. This is not a business that turns on and off easily; it involves dedicated, long-term investment.

In this new era, of course, intelligence collection goes well beyond the work of spies, agents, and traitors, with collection systems operating beneath and on the seas, on land, in the air, and in space. As you know, Predator unmanned aerial vehicles [UAVs], some fitted with Hellfire missiles, are flying lengthy missions at heights of some 25,000 feet providing multi-hour surveillance (I underline surveillance, not reconnaissance) of designated geography, installations, and activity. Tasking to the Predator and electro-optical video and infrared images collected by its cameras move near-instantaneously, which is to say in real time, to and from the area being surveilled, the in-theater commanders, the command at MacDill Air Force Base in Tampa, Florida, and Washington, D.C. Communications and the resulting data stream flow through a network of ground stations and satellites, with part of the product traveling through the secure medium of Intelink, the classified Internet counterpart.⁷

The episodic, manned U-2 photography missions of the 1950s and the periodic, evolutionary satellite missions proceeding from the 1960s have now been joined by the current generation of surveilling UAV eyes. Image collection, analysis, and decision-making that once proceeded in distinct, often lengthy sequential steps can now be the business of simultaneity. The policymaker and the military commander increasingly press the intelligence community to meet this new standard whenever and wherever the demand for actionable intelligence requires.

It’s not stopping with the Predator. Today, scientists and flight engineers in laboratories, in wind tunnels, here and abroad, study the free flight of butterflies and other insects, analyzing the wing beats and the wing strokes producing flight as part of research and development on future UAVs no larger than insects, able to surveil the interiors of buildings and other areas currently inaccessible to our aerial and space eyes.⁸ At the same time that this nation and others press ahead with work on successors to Predator and the spectrum of tools of advanced surveillance and reconnaissance, we should think back to the technological response to the daunting intelligence challenge of half a century ago to gain a sense of the level of effort—again the question about “uninterrupted”—that such technological advance requires.

⁶Rebecca West, *The Meaning of Treason* (London: Phoenix Press, 2000), 192.

⁷General Atomics Aeronautical Systems, Inc., “Predator, A Global Option,” General Atomics Aeronautical Systems Fact Sheet (San Diego, Calif.).

⁸James Gorman, “Butterflies’ Flights Disclose Free Spirits,” *The New York Times*, December 12, 2002.

In the Eisenhower administration, U.S. policymakers attached urgency to acquiring hard facts about Soviet strategic and conventional military capabilities: a tall order when dealing with a closed-society target covering one-sixth of the earth's land surface. In the mid-1950s, the United States embarked on a secret photographic reconnaissance satellite program known as Corona. The challenges were threefold: first, to build such a satellite and place it in the correct orbit; second, to have it perform its photographic mission; and third, to recover the film from the camera, develop that film, and use it for intelligence purposes. There would be a dozen failures at the beginning of the Corona program—four years of tremendous effort, with President Eisenhower steadfastly giving his backing—before the first successful mission in 1960, just 110 days after the downing of Francis Gary Powers' U-2 aircraft over Sverdlovsk in the Soviet Union.

The public had been led to believe that the Thor booster rockets being launched in full view from Vandenberg Air Force Base were part of the unclassified environmental, space-biomedical research Discoverer program. During the first unsuccessful Corona missions, even when the Thor rockets fired successfully and the satellites attained orbit, the cameras malfunctioned. "The system was designed to operate without pressurization...and the acetate-based film being used was tearing or breaking in the high vacuum existing in space and causing the camera to jam."⁹ Film experts and chemists, dedicated Americans working at Eastman Kodak, revolutionized film technology (how soon will it be before we start asking "Do you remember the days when they had film in cameras?"), providing Corona with a new polyester-based film able to capture the reconnaissance quality required while withstanding the rigors of space.

With their photographic missions completed, the film capsules were designed to separate from the satellite and return to earth, deploying a parachute after atmospheric reentry. The Air Force had the mission of recovering the film capsule by flying recovery aircraft just over the canopy bloom of the descending parachute and snagging the shrouds with a trapeze wire trailing from the aircraft. Here, the revolutionary Corona system drew on a fresh dimension of American ingenuity and courage. Colonel Philip Rowe, one of the pilots for these flights, offered the following description:

An array of grappling hooks and cables hung below and behind the transport to engage the parachute. Hooking the parachute without flying into the canopy or fouling the propellers in the lines required considerable flying skill and precision.... A winch equipped with hydraulic brakes stood ready to unwind almost 1,500 feet of cable in barely four seconds as the hooks engaged the parachute. Braking would slow the cable to bring the payload into steady trail behind the plane. Then...the winch would wind the cable to draw the parachute and payload into the cargo bay. It was dangerous work for the cargo handlers.... The rapidly unwinding cable could become fouled; instant death awaited the crewman caught by that metallic snake.¹⁰

⁹Center for the Study of Intelligence, "Corona: America's First Satellite Program," (Washington, D.C.: Central Intelligence Agency, 1995), 19.

¹⁰Philip A. Rowe, Jr., "The Star Catchers," *Air Force Magazine* 78, 6, June 1995, 75.

Just listen to this, and you hear all the complicated mechanics involved. I offer that example just to underscore the commitment, the level of activity, that goes into something such as a photographic satellite in space. There are so many dimensions to this work. In fact, as we look at the civilian space program, and the different dimensions we're all reading about as it relates to the loss of the Space Shuttle *Columbia*, you begin to get another sense of all the different parts that have to come to bear if you're going to make such a system work.

Oettinger: Stop me if this is something you're going to get into. You asked a question, perhaps rhetorically, about how long it would be before film gets replaced. That's a publicly observable phenomenon. It is now many decades since Bell Laboratories produced the first so-called charge-coupled diodes, which eventually replaced film. You've seen them all, and used them all, initially in video cameras, and now the digital cameras that are sharply reducing in price every day are their latter-day cousins.

To continue this theme of technological complications, the charge-coupled diodes were a product of Bell Laboratories, which were a product of the telephone monopoly. They were tolerated by the management because, what the hell, it was a few cents on everybody's phone bill, and they were a monopoly, and it looked good to have these laboratories around even if they didn't necessarily do anything for the phone company in its day-to-day operations. Then it became public policy to dismantle monopolies. Among the unintended consequences of dismantling the telephone monopoly was fragmenting Bell Laboratories to the point where its Lucent portion, for example, is hardly breathing, and the AT&T portion is moribund. Something like the development of charge-coupled diodes, as an unauthorized front-loading of pennies on everybody's phone bill, can no longer take place quite that way. The next generation may be invented somewhere, but over the last decade or so, in terms of our economic policy, we've dismantled some of the apparatus for generating some of these scientific and technological advances. We'll need to reinvent something along those lines if we want the cornucopia to continue to produce.

Clift: I'm going to build on that in just a second.

The world of signals intelligence [SIGINT] collection is confronting its own gargantuan revolution and challenge in this new era, with communications moving away from radio beams through the atmosphere and stratosphere to signals, commercially encrypted, traveling millions of miles of fiber-optic cable and traveling the Internet. The information age of the Internet is also an enabler for those in the business of collecting data. There has been excitement and consternation over the news that the Defense Advanced Research Projects Agency [DARPA] is dedicating some \$200 million a year to the Information Awareness Office for its development of a "global computer surveillance system to give U.S. counterintelligence officials access to personal information in government and commercial databases around the world."¹¹

The checks and balances in SIGINT play out as they do in other parts of this unfolding story. When General [Michael V.] Hayden became the director of the National Security Agency [NSA], he suddenly became a very publicly accessible individual. The NSA used to be known as

¹¹Robert O'Harrow, "U.S. Hopes to Check Computers Globally," *The Washington Post*, November 12, 2002.

“No Such Agency.” They didn’t talk about themselves. When you met them, they said, “Oh, I work for the Department of Defense. Nice day!” They were very secretive. People whom I used to work with at NSA used to say that not only were they told not to call outside their building on an unclassified telephone, they were also discouraged from using classified telephones. They lived in their own world.

Hayden changed all that. Why did he do it? Because he was no longer in the business of collecting against the Soviet general staff; he was now in the business of collecting in a communications medium that also involved the communications of U.S. citizens, and he had to go public and enter into a dialogue with the nation on the fact that he was not violating the law; that he was not collecting against U.S. citizens at the same time that he was in that new medium. NSA has a totally different world in which it operates today, and they are pretty happy with some of the successes that they’re realizing.

Student: Isn’t there a danger here? It used to be an intelligence rule that if you determined that you were using SIGINT against an American citizen, you had to turn off the recorders. You were done. Now if you’re going to continue to record, you’re looking for terrorism. What happens if you catch evidence of tax evasion, or something like that? Isn’t there a fear that, the next thing you know, no matter what you do, you’re going to have this ability of the intelligence community to monitor all your communications and it basically turns out to be the Gestapo.

Clift: You’re up against the boundaries of foreign collection and domestic law enforcement. This is where, for about the past ten years, before the terrorist attacks of 2001, we were dealing with terrorism, and at the federal level we were dealing with it very clumsily. We were creating joint task forces, where we were bringing different agencies that didn’t normally talk to each other into a room to meet and then depart. We’re finding that we have to be far more integrated now in how we share this work. Domestic law enforcement and foreign intelligence are working on the challenge you’re describing. Foreign intelligence says, “We still do not collect against U.S. citizens. If we find something going on that may involve a U.S. citizen that is of a foreign intelligence concern, we contact the FBI and say, ‘Hey, get on this. This is something you have to track.’” That is something that didn’t happen in the old days.

How we’re doing this today is still so primitive, so rudimentary. It is a work that is just beginning, so I can’t give you a satisfactory answer to your fear that we’re developing a Gestapo, a domestic super-police. Everything that the government is trying to do wants to avoid that. Coming up with the interfaces, coming up with the filters, coming up with the ways of handing off information, is at the heart of the challenge. It’s a challenge that hasn’t been met yet.

Student: Won’t those government officials who are collecting that, if they detect tax evasion, have a desire to give that information to the IRS [Internal Revenue Service], or would they just say, “I’ll let this crime occur. It’s not terrorism”?

Clift: The ground rules that will have to be established will have to address that. Right now, the intelligence community’s position is, “If we find that someone is about to burglarize a Gap store, we’re not going to call the police and say that a burglary is about to take place. That’s not our business.”

Oettinger: Eternal vigilance is the price of almost everything. It gets more complicated than you've just stated, because there are obligations on federal officials to report a crime. My guess is that before it settles down there will be clashes in the courts, as there are within the executive branch, and maybe a bit of experimentation on this score. Again, this is not the first time in our history that some of this has happened.

Student: For the past forty minutes, you've been largely talking about terrorism and how intelligence is going to deal with the terrorist threat. I'm wondering if you think there's a danger now that they're focusing on terrorism too much. There are non-terrorist threats to U.S. security that the intelligence community should be concerned about.

Clift: When one decides what one is going to speak about, one has to pick and choose. Earlier in my address I spoke about the many-faceted, multidimensional nature of the intelligence challenge. There are the challenges of the proliferation of WMD, and indeed the challenges of the global economy. None of the intelligence requirements that existed before we focused so heavily on terrorism have disappeared. Strategic nuclear deterrence, conventional force capabilities, and political intentions and directions are still major intelligence challenges for the United States, and indeed we add more and more new challenges to the intelligence agenda that weren't there before, such as environmental challenges. Of course, back in the days of the cold war, we collected as we could on the nature of crop and harvest prospects in the Soviet Union, because we knew that would have a dramatic effect on the actual activities of the Soviet government, depending on how well or how poorly they were faring. We use intelligence these days to assist other nations to fight forest fires and environmental problems. None of that has disappeared. I'm just forcing you to listen to me on one dimension of the problem.

Student: I didn't mean that you were focusing on it too much, but that the intelligence apparatus as a whole might be.

Clift: Not true. What is happening is that the intelligence community was very much reduced in the 1990s. At the end of the cold war there was a lovely term, the "cold war peace dividend." The intelligence community basically was cut by almost 25 percent after the end of the cold war.

The Congress and the executive branch together are rectifying that. We are in a period of growth in the intelligence community, and it is recognized that we have to have the ability to deal with this spectrum of problems. The community is very challenged when it is working issues such as North Korean nuclear weapons development at the same time as it's working the entire spectrum of issues involving Iraq and southwest Asia, at the same time that it is looking near-, mid-, and long-term at developments in the People's Republic of China. All of this is on the intelligence agenda, and right now the need for a greater capability to address these issues is being recognized, against tremendous competition for the taxpayer's dollar. We're not at a point where the community begins to say, "Hey, thanks, we're set now." That isn't just because of bureaucratic greed. It's a reality. The challenges are such that we are not able to meet them the way we would like to.

Think back to the mid-1990s. After so many of these cuts, we had the humanitarian crisis of the Hutus and the Tutsis in the Great Lakes region of Africa. A good friend of mine, General George Joulwan, was the supreme allied commander in Europe at the time. He was told, "Get

down there in forty-eight hours with humanitarian relief.” Joulwan had to rely on one intelligence source, basically, to assist him in this, and that was the open diplomatic source of attachés traveling in the region or flying over the region. It could almost have been the nineteenth century in the way this information came to him. What they reported back was, “We don’t need any weapons down here; we don’t need any artillery. The first thing that you’re going to have to get in here in those big C-5 transports is potable water trucks so that we can deliver water to those who are dying of thirst. And understand, you’re going to have a hell of a challenge, because the roads are so littered with the dead and dying that those trucks may not be able to get through.” That’s the kind of intelligence that came from that one source, and it was almost a sole source at that time. We as a nation are not comfortable with being reliant on so thin a string of information, so we’re working very hard to strengthen ourselves across the board.

On February 11, DCI George Tenet, FBI Director Robert Mueller, and DIA Director Vice Admiral Jake [Lowell E.] Jacoby all testified before the Senate Select Committee on Intelligence in open and closed hearings, and Admiral Jacoby testified before the Senate Armed Services Committee the next day. These open sessions are available on the Web,¹² and they give you the current statement of the challenge facing the intelligence community from A to Z. It’s a multifaceted challenge.

Student: I wanted to get back to the question about the FBI, CIA, and the Gestapo theory. Professor Oettinger raised the British system as a possible example. Are there serious efforts to look at other democratic countries, countries that we do not think of as Gestapo states, to see if their model is workable? Has there been any analysis of the MI5/MI6¹³ model in Britain, and, if so, what are the ways in which that model would not be applicable to the United States?

Clift: I think you find the answer in the fact that we’re not following the MI5/MI6 model. We’re not happy with that in terms of the way our democracy works, or the way our checks and balances work. We’re not comfortable with an MI5 in the United States.

Student: Are there any public statements about the analysis of why that is?

Clift: The most public statement is one we keep coming back to: we do not want to have a domestic secret police. At the same time, we want to have security, and it’s a tough nut to crack. It is one that we haven’t cracked yet. We continue to work on it.

You find that, for the first time, we are giving security clearances to people in each of the fifty states who didn’t have national security clearances in the past—people on governors’ staffs, people in the state police establishment—so that information can be shared, so that classified information can move in a way it has never moved. How many counties are there in the United States?

¹²See <http://intelligence.senate.gov/0302hrg/030211/witness.htm> (Last accessed 21 March 2003.)

¹³MI5 is the United Kingdom Security Service, charged with “security intelligence against covertly organized threats to the nation.” See URL: <http://www.mi5.gov.uk/> MI6 is the Secret Intelligence Service.

You know from my biography that I spent years in the White House, and what I used to see with president after president was that they loved to migrate to foreign issues, because there they were in charge. There they had a say, and what they said would stick. In the United States you go from the House and the Senate—the elected representatives—to the governors and the state houses down into the local jurisdictions—the counties, the cities—and everyone at every level is in charge. That is what we want as a nation. It is a very cumbersome, wonderful government of the people by the people for the people.

We're trying to keep that all together at the same time that you have information flowing to this new deputy police commissioner for counterterrorism, this Marine general sitting up in New York City, so that he can head off an attack rather than just being in the old world, where after an attack occurred you started going through the mosques of Newark and elsewhere in New Jersey and finding people who may have been behind such an attack. It's too late, and we don't think that's acceptable anymore. As I said at the beginning, the old structure of the National Security Act of 1947 is going to be joined and then merged in a way that a majority will say, "This is okay." There will be a screaming protest on the one hand, and a very loud "We've got to make it tougher!" on the other hand as the extremes of the nation speak their minds and as we move ahead down a path that the majority can vote on and agree on.

Student: You mentioned at the beginning knowing where to catch the terrorists and how to catch them. Very recently, part of the homeland security documentation on combating terrorism talked about two main components of the threat of terrorism: the most geographically dispersed and the most interconnected. Those were the two areas that this documentation said they were going to target directly: geographic diversity as well as the interconnectedness of state financing and other forms of financing. You've talked a lot about the domestic linkages and partnerships we're having. If the White House is saying we're going to combat things on a truly global level, how would we do that? What sorts of partnerships do we have? Do we go it alone with covert action, or does it require intergovernmental intelligence sharing?

Clift: It's an answer that can be delivered in a minute or in five hours. At the beginning, as you said, I noted that you have to understand how to look at this new challenge of terrorism, and that rather than rushing out everywhere and seeing if you can find a terrorist, you have to figure out how this whole new threat operates and then you have to learn how to target it. That is what we're doing. We're doing it with nations around the world.

We had tremendous success back at the turn of the millennium, in 1999/2000, in thwarting a number of threats to the nation as the result of our work with other nations. We've had tremendous success in dealing with terrorist attacks that were planned out in the Asian theater following the attack on the World Trade Center in the early 1990s. We are working with other nations on this. In fact, it's an area where nations are very comfortable cooperating with each other as long as the investigation isn't within their own country. They're very willing to share information about terrorists coming from other countries. It's a threat that touches on many more nations than the United States. As you saw just a couple of days ago, one of the men who was captured as part of the German sweep following 9/11 has just been tried and convicted as having had a hand in the murder of more than 3,000 people. He received the maximum sentence under

German law, which is fifteen years, and as I was reading this morning, that means that on “good behavior” he’ll be out in ten.

We’re going about this in ways that we never dreamt of going about it. I come back to my example of how New York City is structuring its police force and how the courts are ruling far differently than they would have ruled before 2001 in favor of new ways of doing business.

Student: Related to that issue, in your book¹⁴ you discuss the classification systems and especially the sharing of intelligence with allies. You didn’t use Allied Force as an example,¹⁵ which I thought was maybe because it was an example of the poor use or sharing of information, or the downside of the sharing of information, particularly with the French. Using the NATO [North Atlantic Treaty Organization] construct of intelligence sharing with NATO allies and non-NATO allies, how is that working in the context of the war on terrorism, and do we have a similar construct for non-NATO members? Are we thinking about that, for example with Asian allies?

Clift: The United States doesn’t discuss specific intelligence relationships with other countries. That would ruin the game for people in intelligence. You can’t do that.

That said, as I just mentioned, terrorism is a subject nations want to cooperate on, and we are formally cooperating with other nations. It was very interesting: at the end of the cold war, as the nations of the former Soviet Union emerged, and the Baltic states—Latvia, Lithuania, Estonia—came into their own and we started working with them on partnerships, when it came to sharing intelligence, they weren’t really interested in intelligence about strategic and conventional military forces. They were interested in intelligence on international drug running, international terrorism, or international crime, because these were the things that were having an impact on them on their soil. When it came time to have cooperative visits, the Baltic states were much happier to have a Coast Guard cutter come to call than they would have been to have an Aegis guided missile cruiser come to call. They didn’t have their own guided missiles and they didn’t need to get into that business. They did need to talk to the Coast Guard about how we work maritime law enforcement and how we might be able to assist them as they built such a capability. The business of intelligence is an area where nations want to work with us, and we’re working with nations around the world on the business of world terrorism.

Oettinger: It’s also very situation specific. During the Kosovo episode, military folks from several nations, including the Russians and Americans, were working on the ground together. It doesn’t take much of a stretch of the imagination to think that neighboring commanders would share some tactical intelligence in order to protect themselves against third parties, but that would not necessarily extend outside Kosovo, or extend to information that wasn’t specifically related to the security of peacekeepers on the ground.

Clift: In our enormous government, as we work on the business of applying intelligence to terrorism, you find that for good and valid reasons different parts of the government tackle

¹⁴A. Denis Clift, *Clift Notes—Intelligence and the Nation's Security* (Washington D.C.: Joint Military Intelligence College, 2nd edition, August 2002).

¹⁵ Allied Force was the 1999 NATO operation in Kosovo.

different parts of the problem. Take the DOD. It has created a joint intelligence task force for counterterrorism. People ask, “What is it doing? Why are we doing that, when CIA has its own counterterrorism center?” The answer is that in the DOD—just go back to the bombing of the *USS Cole*, or of Khobar Towers—there is a tremendous responsibility to protect our armed forces, who are around the world and are deploying around the world and are working with other people around the world, from terrorism. That is not a responsibility that is being worked by other parts of the government. The United States is so big that you find us already specializing in different parts of this work.

I’ll take one more question, and then I’ll do another paragraph.

Student: You mentioned earlier that government officials around the United States are now obtaining security clearances, so that classified information can perhaps be disseminated more easily. I’m interested in this idea of what should be classified information and what shouldn’t be. Perhaps another approach to that is moving what is classified into the more public realm, and then you wouldn’t have to give security clearances to certain officials. Is there work being done on that—on declassifying information that maybe five or six years ago was considered highly secret?

Clift: When we’re talking about terrorism, the whole business of national security classification basically focuses on sources and methods. What is the source of this information? How did we get it? Is it from a sensitive source—some individual highly placed overseas, or someone who is embedded in a terrorist network somewhere as a sleeper who is now feeding us crucial information? What is the method that we’re using to obtain this information? Are we getting it through the NSA via very sensitive collection means? That’s what governs national security classification.

When you come to operational work, when you’re building new secret systems, you have other reasons for national security classification. If you’re creating some new generation of satellite that you don’t want people to know about you classify it for different reasons for national security.

It’s as simple as that, and that’s why you keep the number of people cleared for such information to those who have a “need to know.” Don’t misunderstand me when I say that we’re now working with people in all the states and clearing them. It’s very few people. What I said was that we are clearing an individual or individuals in a particular state, in the governor’s office or with the police, so that we do have a connection, but there isn’t a great new wave of clearances being given out.

Oettinger: What he’s just described will be the root of congressional inquiry later on, about why it isn’t more. You’ve heard in our first couple of sessions a discussion of the Green Door syndrome within the military. “Why aren’t these intelligence guys talking to the operational guys? They need to do more of that,” et cetera. Is half a loaf better than none? Yes, but we want a full loaf. So sooner or later somebody is going to complain about the Purple Door or whatever color you want to paint it, because it won’t have been enough.

The other thing that he hasn’t said, but that you should keep in mind, is that in these partnerships on the domestic side, which involve private sector organizations, national security

classification is only one form of secrecy. It relates to Title 18 of the U.S. Code and certain obligations of government agencies. If you have banks or health-related organizations involved, they operate under civilian privacy laws and they have imperatives not to want to screw up their business by telling tales that might benefit the competition and create a panic that will get their customers to go to another bank or forget the whole banking system. So you have a whole bunch of different legal and other regimes operating on this question of who tells what to whom. This is, again, not a new phenomenon, but it's exacerbated in this terrorism context.

Clift: At lunch we were talking about the cyber era, and I described it as being like the Wild West of the nineteenth century. Occasionally someone with a badge comes along and shoots someone, or these days someone without a badge shoots someone with a badge, but there are basically no rules in this new era, and it's a very complicated period.

Oettinger: A footnote on that: Debora Spar's book *Ruling the Waves* describes what Denis has just talked about: the evolution in different realms from the Wild West era to an era with more rules, and how that works and why it doesn't work, et cetera.¹⁶ Every one of his sentences can be expanded into a whole library, and that particular one reminded me of her book.

Clift: Talking about technology, let me conclude on that subject by saying that if President Eisenhower did not waver in providing the large amounts of money and the time required over several years to bring that first photographic satellite into being despite so many failures, so—getting to the theme of my talk today—today's leaders, policy officials at the highest levels, have to appreciate and have to budget for the vast sums required for new generations of intelligence collection systems, and do so at a time of stiff, competing priorities for the taxpayer's dollar. Today, research and development on such systems by government agencies such as DARPA is more and more the exception rather than the rule. The government now looks to industry to take the lead in such research and development. There is a new intelligence partnership between government and industry, bringing with it the requirement for new, wisely executed contracts that balance the needs of both parties—recognizing the expense, the trials, the lead times required—enabling research and development that, in fact, brings into being the collection systems needed by intelligence for the conduct of its mission. This is a revolutionary change in the way we're doing business. In the cyber era, using commercial off-the-shelf technology is the norm rather than the exception.

Oettinger: Again, it's not unknown. The early photographic satellites came into being in part as a Cambridge, Massachusetts, enterprise. The possibility of evolving lenses adequate for that had to do with the work of one James Baker, who founded the Perkin-Elmer Corporation. He figured out how to trace rays of light through complicated lenses using then-emerging computer technologies. Some of the film techniques were developed by one Edwin H. Land, the founder of the now almost defunct Polaroid Corporation, who took the initiative as a member of the then-nascent President's Foreign Intelligence Advisory Board to bring these matters to Eisenhower's attention. Again, there are complicated interactions between the private sector and government.

¹⁶Debora L. Spar, *Ruling the Waves* (New York: Harcourt, 2001).

Clift: Let me now interrupt myself. We've been talking about a massive domestic secret police; we've been talking about the horrors of having the Pentagon create a total information awareness office. People who are knowledgeable can sit down and talk to you about just how much information is known about the individual through the whole world of credit cards, of private credit, and the fact that what the Pentagon is talking about is child's play compared to what people already have on you as you go about your happy lives. You listen to the radio and read stories about "Hey, you'd better check your credit rating, because it may be all screwed up, and people are using it against you."

I think my favorite example recently was in the *Chronicle of Higher Education*, which as a college administrator I read religiously, and it was about a faculty member who was moving from a college in Massachusetts to a college in New York. As an early part of that move, in his new home town in New York, he went to a Sears and bought a new washer and dryer. Bang! His credit card would not pass. It was rejected, because there was an anomaly. I don't know where it was being read: in Sri Lanka or Alberta, Canada, or wherever that particular credit card network was, but the reading was "This is a Massachusetts credit card, and it's being used to buy this durable consumer good in New York. There's something wrong here. It's probably stolen from Massachusetts and being used in New York." This is going on all the time. We are well into this wild new era, where the rights of the individual are being trampled at the same time as we worry about the rights of the individual as they relate to our efforts to improve security against terrorists.

Oettinger: It's an example of checks and balances not within the government, but in the private sector as well. The intention of what you just described is to safeguard you against your credit card being stolen. I had exactly the same thing happen to me last month. My wife and I were on vacation in Florida, and we ran up quite a bill there. By the time we got back to the grocery store here, they wouldn't take it. It took one phone call to straighten it out. I was damned glad, because it might have been stolen, but they do track you.

Student: A key point there is that you *can* straighten it out with one phone call. If it's a government organization, that may not be possible.

Clift: That's why there's the big debate. But I still make the point that it's very important to bear in mind how much we have been intruded on as individual men, women, and children in this country by our own private sector ways of doing business.

Student: The private sector doesn't put people in jail. We have more than a thousand people who were put in jail and held without seeing an attorney, in many cases without being told why they are being held. A credit card company can't do that to you. I'm on your side; I actually think that what's happening with domestic intelligence is the only thing we can do. But I do feel that trying to establish similarities and parallels between domestic surveillance by the government and domestic surveillance in the private sector is not well thought out.

Clift: You bet, and it's something that we're worrying and working in exquisite detail. Bear in mind earlier chapters in our government's history. Remember that in 1942 two U-boats, one off Long Island and one off Florida, landed some German saboteurs, and they were picked up very quickly by the FBI because one of the Germans had his bowels turn to ice, decided he didn't want

to be doing what he was doing, and contacted the U.S. authorities. Again, you get back to human intelligence and to police informants. This is what works, people on people. President Franklin D. Roosevelt was informed of this by FBI Director Hoover, and Roosevelt said, “I don’t want Hitler to think he can get away with this,” and so Roosevelt approved military tribunals for these people. I think they were caught in June, and by August they had been tried. Six of the eight were electrocuted and the other two were given lengthy prison sentences. The Supreme Court backed up the president in terms of his establishment of the tribunals.

When the national security has been imperiled in the past, we’ve done some rather dramatic things that people today either agree with or don’t agree with. You had the internment of 100,000 Japanese-Americans at the beginning of the Second World War, and sixty years later we have formally apologized for that. It was a terrible thing to have done, but we did it. That was something that happened in the heat of war. Still, this nation has done things as a democracy to try to address national security challenges that we can learn from.

I think my favorite example, going back to that era, was that there were only 300 people in the Bureau of Investigation back in World War I, before it became the FBI. Some lawyer in Chicago said, “Why don’t we deputize private citizens to help the Bureau?” I forget the name of the badge; I think it was the Citizen’s Protective League, Secret Service Division, and within a year there were 250,000 badges issued. All sorts of terrible things went on as a result of this, citizen-on-citizen. By 1919 it was all canceled, and people said it wasn’t a very good thing to have done.

We’ve learned from that. There was the snooping proposal early in the war on terrorism, TIPS [Terrorism Information and Prevention System], and it was going to have mail carriers spying on the people whose mail they were delivering. The nation is confronted with new challenges, and we’re addressing how to deal with them right now. We find it is incredibly difficult, and we’re determined to keep it difficult. We’re not suddenly saying, “No, forget it. We’re going to do this.” We’re keeping the checks and balances at the fore.

Student: Could you discuss one current example of this? Yesterday in a class of mine, Dr. Diana Eck compared the current surveillance of mosques by the FBI to the internment of Japanese-Americans in World War II.¹⁷ I thought the comparison was a little extreme, but I was wondering if you think this kind of practice is a bit over the top in terms of civil rights and liberties, or if it is a step in the right direction.

Clift: What I mentioned earlier this afternoon was that the court in New York has just formally ruled on expanded surveillance that does not have to do with following up on someone who is suspected of having committed a specific crime. The court has said that’s okay. They may not have used the word “mosque” in the finding, although it’s a multipage finding that I haven’t read; I just read about it in *The New York Times*. But what we are doing is coming to grips with stopping a crime before it occurs, rather than catching the perpetrator of the crime after it occurs. That’s what domestic law enforcement has been all about. That’s been the genius of the FBI: the

¹⁷Diana L. Eck is professor of comparative religion and Indian studies in Harvard’s faculty of arts and sciences, and a member of the faculty of divinity.

forensic labs. That's what they have specialized in: catching people who have committed crimes. They're not in the business (until now, when they're moving into it) of analysis or warning, and they're moving into it joined by the CIA. People are trying to figure out how to make the two work together.

Oettinger: Let's put this in context. Denis mentioned the Church Committee earlier. There was a period before the 1970s, during the Vietnam war, when that kind of surveillance was going on. As a consequence of revulsion against those activities in the 1970s, we enacted laws and regulations and prohibited that. Come September 11, 2001, the pendulum swings the other way. The good news before September 11 was that the law was being obeyed. Intelligence agencies and the police were scrupulous about avoiding things that had been prohibited for the preceding thirty years, and then folks said, "My gosh, we'd better rethink this, because we just lost 3,000 people by virtue of an inability to merge information." Is the pendulum going to swing a bit too far? History would suggest, probably. Will the checks and balances work? We hope so.

Clift: We have one member of NROTC [Navy Reserve Officers' Training Corps] in the audience. The United States is like a big ship moving through the sea with a yawing motion. It's going on a certain compass direction, but the ship itself is moving back and forth as it's moving forward, and that's the way we have behaved as a nation: swinging back and forth while moving ahead, charting each new decade in the history of the nation. We've moved to the left, we've moved to the right, we've been conservative, we've been "radical," we've moved to this or that side of whatever the issue as we continue to move ahead as a democracy. Circumstances dictate our behavior.

I had dealings with both the Church Committee and the Pike Committee, and you're luckier people than I for not having had those dealings. The Pike Committee was manned by a lot of little *Lord of the Flies* children, terrible people, who just screamed and yelled and said awful things. It was a mad committee. But what was going on here? The CIA was being charged with infiltrating student groups in the United States that were antiwar and were fomenting protest and problems. That is not what we're talking about here when we're talking about surveilling people who may be about to commit an act of terrorism against the nation. That's not what I'm saying; it's what the courts are saying. They're saying, "There's a very big difference here."

Student: Do you think it's more of a form of racial profiling?

Clift: To a degree I suppose it is. What we're trying to do is to surveil whatever should be surveilled. If intelligence indicates that there's more of a threat coming from this or that direction, if there seems to be more activity here or there, one would hope we would be surveilling where there seems to be more activity. I don't think that such surveillance would just be done in the blind. It is based on certain indicators, certain information that says "We think we may have a problem here," and that's what the courts are approving.

I come back to the fact that you're not going to try to surveil everything: "We have a cop watching that Catholic church, and we're watching the Unitarians, and we're surveilling everything, and the democracy can be happy. No one is being unwatched." That doesn't make any sense. We don't have the resources, and that's not the way intelligence and surveillance are done.

I'm about to give up on this speech!

Student: I was about to give an example of how extremely the pendulum has swung. As we train Navy aircraft carriers off the coast of North Carolina or down in the Caribbean, we train the intelligence professionals as well. Part of that training sometimes involves making sure they know how to use their intelligence capabilities when they deploy to other parts of the world. A good example is a Navy F-14 that carries cameras that can photograph things on the ground. To show you how scrupulous we are in terms of making sure we don't use that intelligence asset to collect on U.S. citizens, if we're going to fly those airplanes over Puerto Rico or North Carolina we have to ask for permission to turn those cameras on while they're over land. We have to make sure we don't use cameras to take pictures of U.S. citizens' property ashore and that we don't take the film from those cameras and use it in any way that could be intelligence collection against U.S. citizens. When we do have permission, we have to handle the photographic evidence carefully; we have to show that it's been used for intelligence training purposes. That's just an extreme example. I'm not saying that everybody in the intelligence community is that scrupulous, but I am saying there are rules in place that we've been following for thirty years for the exact reasons you're talking about.

Cliff: Coming back to the wonder that is the United States, today we have a whole new generation of commercial photographic satellites coming into being. They don't have the same ground rules as the government does. Commercial satellite imagery is very valuable. For example, if you're planning a new shopping center it'll give you a picture of the geography; it'll give you a picture of the road networks; it'll give you a picture of the lay of the land that you cannot get from driving around or even from an aircraft.

After the terrorist attacks, the National Imagery and Mapping Agency [NIMA], which is a foreign-oriented organization that is in charge of our photographic product, was asked by the government to put together a good picture of the nation's nuclear power plants. We didn't have such a thing. We don't do that as a government. We don't take pictures of the United States that way. NIMA very correctly, with probably fifty lawyers all holding hands, got all the permissions it needed to do this, so we could start working on better safeguarding nuclear power plants around the United States. It isn't the work of the foreign intelligence community to address the United States. NIMA has done very valuable work on forest fires in the United States. It's a capability that is unique, but we're very careful about how we do it.

I was asked at lunch about analysis. Let me just touch quickly on the importance of analysis. Again, there is the theme of intelligence and policy in the early twenty-first century. Expert, timely analysis is crucial if intelligence is to be of value and is to be recognized as doing its job well.

I'm very proud that back in 1974, when I was named to lead the Soviet and European staff on the NSC, I looked around for people who could join me on this staff, and I hired a very talented young CIA analyst who had just been over at the Strategic Arms Limitation Talks in Geneva, a young man by the name of Robert M. Gates, who would go on to be DCI, and is today president of Texas A&M University. Bob had a number of tours in the White House, and after he worked with me under Nixon and Ford and worked for National Security Advisor Zbigniew Brzezinski under Carter he went back to CIA and published a very thoughtful essay titled "An

Opportunity Unfulfilled.” It was published at the SECRET level back then in the CIA journal *Studies in Intelligence*, and it has just been declassified and published in November 2002 in the Center for the Study of Intelligence’s fiftieth anniversary salute to CIA’s analytic arm, the Directorate for Intelligence.

In this essay, Bob Gates examined the inability of CIA’s analysts to appreciate and act on the intelligence needs of the NSC staff and the White House. In a section subtitled “Overcoming Isolation (Ours) and Suspicion (Theirs),” Bob wrote:

To the extent intelligence professionals isolate themselves from White House/NSC officials and are unresponsive to White House analytic needs, this adversarial nature of the relationship will be emphasized and understanding of what we [the CIA] can and cannot do will be lacking. Thus, the Intelligence Community must take the initiative to establish and maintain close personal ties to the White House and NSC officials from the President on down. It must also aggressively seek new ways to get the maximum amount of analysis before the President, even while experimenting with old mechanisms such as the PDB [President’s Daily Brief]. White House procedures and relationships are always dynamic; accordingly, we must always be searching for new and better ways to serve our principal customer.¹⁸

This is so different from the business of an all-intrusive intelligence organism. I currently have the pleasure of serving on the editorial board of *Studies in Intelligence*. The Center for the Study of Intelligence has a very good Web site, and it publishes unclassified issues of the journal twice a year. There are excellent essays in those issues. I was delighted in 2001 when a CIA senior analyst named Carmen Medina submitted an excellent essay titled “What to Do When Traditional Models Fail.”

Oettinger: That was a reading assignment for the class.

Clift: It’s a wonderful work. It drives traditionalists in CIA crazy. They think it’s indecent, immoral, and fattening to have ideas such as hers. What she says is that we’re in a new era. Today’s policy-level consumer of intelligence no longer waits for the analyst to feed information to him or her. Today, that consumer usually has a much better grasp of what’s going on in his or her area of expertise. It’s no longer the era of the Sovietologist, the experts in the community on the Soviet Union, who alone could tell you the significance when the leadership was standing atop Lenin’s tomb and one person had been moved from the right of the secretary general out to the far left. You depended on the Sovietologist for information on this closed society. It’s not the case today, even when it comes to closed societies. The flow of information to the policy level, across classified intelligence networks, the flow from media, the flow from colleagues in the professional field or the academic world, is such that they are extremely well informed.

If you’ve read it, you know that she makes the key point that

¹⁸Robert M. Gates, op.cit., 57.

...to provide value-added analysis, today's analyst must focus more sharply on the specific needs and the timing of meeting those needs for the policy-level consumer, seek specific tasking, analyze feedback from analysis already provided, and invite and tackle the consumer's hard questions demanding answers, rather than dishing up to the consumer what the intelligence analyst thinks may be of interest.¹⁹

Having been at the policy level of government for many years, we wanted to see "raw traffic." We wanted to read SIGINT reports. We wanted to see the imagery. We didn't want the analyst telling us, on issues that were moving very quickly, something that didn't relate to the problem we were working on at the time. My job, when I was on the NSC and when I was in the White House, was to know who was an expert on a particular subject and get on the telephone and ask that person to come down and see me so that I could work my specific question. That's the lovely thing that she's writing about.

Student: Does that model have purchase only for the policymaker who is engaged in a discrete crisis? For somebody involved in the Cuban missile crisis or something like that, I can see why the policy shop has to have the answers to the salient questions of the moment. But do you think Medina's model works as well for some background analysis work, scoping out potential problems that may not be on the radar screen of anyone at the White House?

Clift: Intelligence has to proceed on a number of different planes in carrying out its mission. She's talking about intelligence to the policy-level consumers, and she's saying "Get in close with those consumers. Know what issues are grinding for them right now." Usually you're working in terms of days, hours, or minutes at the policy level. Getting a nice paper on the production of half-track vehicles in Romania just doesn't help you if you're working on seeking support in NATO for a resolution on Iraq. You may want something else that relates to Romania. That's where the analyst can be of value.

While that's going on, intelligence has to be doing the whole business of updating its databases and making sure that they are experts, because that is essential to the work of the analyst in his or her own field. It has to proceed somehow in parallel. It comes back to needing the resources to allow you to do this.

I mentioned to Dr. Oettinger that I'm reading Omar Bradley's history of his role in World War II.²⁰ Bradley went on to be the first chairman of the Joint Chiefs of Staff. In 1942 he was assigned to Eisenhower's staff when Eisenhower was allied commander for the Mediterranean. This was following the U.S. landings in North Africa. Bradley was with Eisenhower in Algiers, and he wrote that at the Allied headquarters the British were so far ahead of us in intelligence that it wasn't even an issue. They had done the drudge work of understanding the countries, the politics, the geography, and the military tactics in the years of peace, while America had simply turned its back. He said intelligence basically wasn't an honorable assignment in the Army, and

¹⁹Carmen A. Medina, "What to Do When Traditional Models Fail," *Studies in Intelligence* 45, 4, 2001, 35–40.

²⁰Omar Bradley, *A Soldier's Story* (New York: Holt, 1951).

that he, among others, had avoided it with great care. He never wanted to be in intelligence. He said the British just ran circles around us, they were so good. We never did catch up.

You have to be able to develop that data, you have to be experts, you have to have people who are authorities on the culture of the nations they're analyzing. They have to deal with those nations first hand. They have to be able to read and speak the languages of those nations, and we don't begin to have those people in the numbers or with those skills that we require. It's a huge drive right now.

It's a long answer, but she's focusing on a specific subject, and that's policy-level support. That's the tip of the iceberg, and underlying all that is the huge work of analysis.

Let me just finish by talking about a couple of things that we're doing at the Joint Military Intelligence College. When one considers the challenges of dealing with the rogue nations and the proliferation of WMD, we have just entered into a new partnership with the DCI's National Intelligence Council to educate better analysts and better intelligence leaders. Starting this term (which began this past November) we are offering a new four-course denial and deception program as part of our master of science of strategic intelligence degree and as a DCI certificate program for CIA analysts.

H.L. Mencken sort of set the stage for the whole business of denial and deception. It's rooted in human experience, and Mencken once wrote words to the effect of: "It is hard to believe that a man is telling the truth when you know that you would lie if you were in his place." It's the whole issue of trying to figure out these days what is going on in countries. They have since learned what the orbits are of our photographic satellites, so they know when to put things under cover. Many of these countries are burrowing more and more into the ground with underground facilities. They are engaged in denial and deception practices, and at our college we are raising the attention that has been given to this intelligence challenge.

Turning from that back to the war on terrorism, the analyst has a new range of challenges in serving the policymakers and other consumers. The analyst must deal with specific signatures of terrorist organizational and operational behavior—loosely affiliated groups, small "footprints," with extraordinary efforts to conceal activities, with resulting terrorism-related data often fragmentary, ambiguous, and uncorroborated. The challenge for the analyst of terrorism is compounded by the velocity of information and exponential growth of the quantity of information, as well as the uncertain quality of the data received.

Against that challenge, we have a new course on terrorism analysis. We are providing our graduate students with an educational foundation—conceptual, methodological, and case specific—structured to broaden their professional knowledge and expertise to a point where they will be able to apply what they have learned to a broad range of evolving strategic and tactical terrorist problems. It's a two-term, twenty-week graduate seminar. The analyst develops a comprehensive analytical framework for the study of terrorism, applies this framework to the study of a terrorist group using case-study methodology, applies forecasting methodologies to identify four possible alternative futures for the terrorist group, and against this background looks at existing I&W [indications and warning] structures and how we collect against such targets. The analyst then recommends ways to improve I&W collection against the alternatives that he or she

has developed against the target. And you thought that you have problems with people such as Dr. Oettinger! This is a tough course. The students who come out of it are able to take what they have learned and apply it to other problems. Let's say they have been studying Hezbollah. They've learned so much about this that their minds are able to move to different terrorist problem sets and apply them in a professional way that they would not have been able to do before.

I'm going to conclude by talking for a moment about Harvard. Just over a month ago, in mid-January, in an article headlined "Harvard Aims to Promote Public Service," *The New York Times* reported that Harvard University is planning to award \$14 million in scholarships to 200–300 graduate students over the coming three years to encourage public service and research careers.²¹ When I read this, I had been doing some reading of the history of Woodrow Wilson. It literally brought to mind a quotation that Woodrow Wilson included in his inaugural address as president of Princeton University in 1902. He said, "In planning for Princeton...we are planning for the country. The service of institutions of learning is not private, but public. It is plain what the nation needs as its affairs grow more and more complex and its interests begin to touch the ends of the earth. It needs efficient and enlightened men. The universities of the country must take part in supplying them."²²

I've been impressed by the number of you who have quoted from *Clift Notes* today—who have waved it like Mao's little red book. You know that on the back cover I have a quotation that speaks to the intelligence successes over the past years. They've been the genius and the labors of citizen-soldiers. It is essential that this generation and upcoming generations continue to join, to be part of it. We need the finest talent in the land.

What I would say to you is that the Joint Military Intelligence College, in partnership with the DIA, has just created a very exciting new scholarship program. What we are telling college seniors around the country is that if they are selected for employment by the DIA and selected for admission in parallel by the College they will be hired by the federal government as salaried employees (I think the average salary for these scholars will be somewhere between \$35,000 and \$39,000 to begin with, with all federal benefits), and for the first year of their government service they'll be at the Joint Military Intelligence College earning the M.S. in strategic intelligence degree. Once they have that degree they will be sent off to their first intelligence assignment. This is a splendid professional springboard in service to the nation.

I was out at the Air Force Academy two weeks ago as the banquet speaker at a big conference. At the end of my speech a graduate student from one of these colleges came up to me and asked, "How's my scholarship application coming?" Some of the people who are coming to us have Ph.Ds. They are bringing hard languages, they are bringing information technology skills, and it is a lovely situation where the government benefits and these individuals benefit. I've been told it's worth somewhere just under \$100,000 if you add up all the value of this thing. I commend it to you. In fact, I've even brought a flyer with me, although I'm not recruiting on this hallowed ground.

²¹Karen W. Arenson, "Harvard Aims to Promote Public Service," *The New York Times*, January 16, 2003.

²²Ray Stannard Baker, ed., *Woodrow Wilson Life and Letters—Youth—Princeton, 1856–1910* (New York: Charles Scribner's Sons, 1946), 141.

Oettinger: It's a real degree, guys!

Clift: The Joint Military Intelligence College is a member of the Consortium of Universities of the Metropolitan Washington Area. We are cross-registering our students with other member institutions, and of course anyone who has the clearances is able to cross-register with us. It's a good place to be!

Thank you very much. Let's go on with the questions.

Student: Much earlier, when you were talking about domestic intelligence and the changing role of law enforcement, you were talking specifically about the NSA and said they're still working out the ground rules on what kind of crime reporting they will do. If they hear someone is going to break into the Gap, they won't tell. How exactly are those ground rules agreed on? Is that something internal to organizations, or congressional oversight, or a combination?

Clift: Dr. Oettinger followed up, in fact correcting me, by saying there's an obligation when a law is being broken to report on that. The ground rules are being developed to keep foreign intelligence out of the business of spying on Americans. When you bang up against a situation like that, the ground rules are being developed so that you're able to put this into the hands of the people who can follow up.

There's an interesting rudimentary precedent in the way we have dealt with international narcotics interdiction. The Navy is not allowed to arrest people, so when the Navy operates in the Caribbean, it has Coast Guard officers aboard. They are law enforcement officials, and they are able to do the job. They are traveling on a nice, high-tech platform, whether it's a frigate or a cruiser or what have you, but the right people are doing the job and they're doing it in partnership.

Oettinger: This is not pure Mickey Mouse. There is method to that madness. A naval officer is not necessarily trained to provide evidence that will hold up through the whole chain of distribution and hold up as untainted in court. A good police officer, a good FBI agent, and I presume a good Coast Guard officer is trained on how to handle stuff that will be evidence, and the criteria for handling evidence are a great deal more stringent than the criteria for handling intelligence. It's an intensely practical thing, even though it also has a sort of weasely look to it. I suppose occasionally they may shade into one another, but when you have a practice like that, think about the different skill sets required, and that often helps clarify why something that might look like mere ass-covering is in fact functionally essential.

Clift: In terms of the difference between the two professions, if you will, one of the problems that we have had in trying to figure out how to make law enforcement and foreign intelligence work more efficiently together is that good law enforcement officers look upon certain pieces of intelligence as a large part of the evidence that they want to bring before the judge and the jury. At that point the DCI's few remaining hairs stand on end and he says, "My God, you cannot reveal that source, or that method."

There are different dimensions of each field that we're trying to bring together now and make work. The proof of the pudding is that we did as poorly as we did in 2001, because we

weren't handing information off. It was too hard. Dr. Ernest May of Harvard's Kennedy School was I believe appearing before one of the committees, and he was asked whether this was an intelligence failure. If I quote him correctly, he said, "Yes, but was it an avoidable failure? Could we have handled it any differently?" That's what we're about right now: figuring out how to handle it differently. We're moving fast, and I think we're realizing some progress.

A very fine Coast Guard officer, since we're on the Coast Guard so much today, was a fellow at the Council for Foreign Relations last year. He said, "Trying to catch terrorists at U.S. borders is like trying to catch minnows at the base of Niagara Falls." There are 350,000 cars a day, just for starters, moving back and forth across the borders. The volume of interaction with the world is enormous, and that's why we are reaching out.

Way back in the mid-1990s FBI Director Louis Freeh took the step of expanding what were known as legal attaché offices in embassies in key capitals around the world. That was a somewhat euphemistic title for putting senior FBI agents in Moscow, by agreement with the host country, so we could work the issue of proliferation of WMD. What Freeh testified before the Congress at the time is that we stand a much better chance of catching any effort to move components of WMD, radioactive material, if we work with the host country security forces and catch it before it leaves the borders of the country involved. When it's en route to the United States or in the United States it's too tough, and that's what we're grappling with.

Oettinger: This also addresses the profiling question. In the source country it's less profiling. You're looking for a certain behavior pattern among people who are more homogeneous than they would be by the time they arrive in the United States. The locals, like a local cop who's walking the beat, are better equipped to recognize who among them might be behaving in a manner that's not the normal pattern.

Student: It seems to me that our society wants a legal system where it's better to let a guilty person go free than to convict an innocent one wrongly. With the hysteria over terrorism, it now seems we're at a point where it would be better to wrongly convict someone of terrorism than to let one terrorist go free.

Clift: It's a speech you should give at Ground Zero in New York. That is what we're grappling with right now. That is the issue. I agree with you. That is what has made America great, and we're trying to figure out how to move in just enough to deal with a new threat that is confronting us at the same time that we have this principle.

Student: I was at the Pentagon. Don't get me wrong; I'm not advocating being soft on terrorism.

Oettinger: The strength of the U.S. Constitution is that it provides the mechanisms for having, as he describes, the yawing ship on a basic course. I was twelve years old at the time of Pearl Harbor. The horror of Pearl Harbor was such that nobody at that time was particularly incensed or even necessarily very cognizant of the fact that Japanese-Americans were being interned in California. I was taught in grade school songs about hating our friends the Japanese, like our friends the Germans, and the strength of the U.S. system as Denis described it is that it may have taken a number of years, but the system apologized. I have yet to receive an apology from the French government for having interned my father and my sister as Germans during World War II

when we were Jewish émigrés and they couldn't tell the difference, or didn't want to. The French democracy is not capable of apologizing like the American democracy when it eventually recognizes an error. I can understand that in the heat of May 1940 the French government might have been a little bit indiscriminate about things.

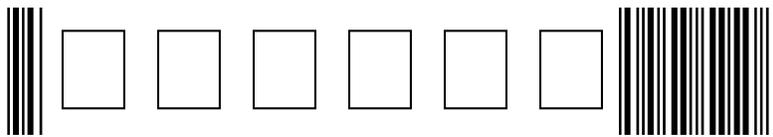
Clift: There's one other very important point that I'd make about intelligence in the United States. Since the National Security Act of 1947, it has become a formal, overt arrow in the U.S. quiver. It has become a formal part of the national security process and structure of the United States, and, with the advent of the oversight committees in the mid-1970s, that formal structure came full circle. You moved from an earlier era where a few committee chairmen—Armed Services Committee, Appropriations Committee—met with the DCI and basically said, “Do you have enough, or should we give you a little more?” to an era of very intrusive oversight, which, in the final analysis, is benefiting both the American people and the intelligence community. The oversight committees are no different than any other committees: they have parochial interests. Their interest is the intelligence community. They give it hell 364 days a year, and on the 365th day they are the sponsors of its budget, and it fares far better in the Congress than it ever would have before those committees. This formal, overt role of intelligence in the United States is one of our strengths of our democracy.

Oettinger: Denis, thank you for a splendid presentation. We have a small token of our large appreciation.

Clift: My dear sir, you gave me a coin last time I was here. This Harvard sweatshirt is far better. Thank you very much. That's perfect.

Acronyms

CIA	Central Intelligence Agency
DARPA	Defense Advanced Research Projects Agency
DCI	director of central intelligence
DIA	Defense Intelligence Agency
DOD	Department of Defense
FBI	Federal Bureau of Investigation
I&W	indications and warning
MI	military intelligence
NATO	North Atlantic Treaty Organization
NIMA	National Imagery and Mapping Agency
NSA	National Security Agency
NSC	National Security Council
SIGINT	signals intelligence
UAV	unmanned aerial vehicle
WMD	weapons of mass destruction



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