

Special Report

CIA: The Need for Reform

By Melvin A. Goodman

"As you are aware, recent media coverage has painted a very bleak picture of the CIA's capabilities—depicting an organization which is both unable to run secure and worthwhile operations and which blindly (and perhaps willfully) ignored numerous blatant signs of espionage in progress.... You and I know that this is just not the case. Certainly, systemic problems exist. Some are more easily identified. Others will take longer to understand. But we will get all of them."

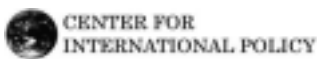
—Ted Price, CIA deputy director for operations,
in 1994 after a Soviet "mole" (spy) in the CIA was exposed.

This cable, sent to CIA stations in the wake of the revelation that Aldrich Ames had been a Soviet spy for nearly a decade, could not hide the trauma that overwhelmed the Central Intelligence Agency (CIA). Reprimands in the Ames case prompted a mass exodus of bitter senior managers, who had refused to accept the need for punishing those who ignored the fact that a Soviet spy had contaminated the agency at the highest levels. These managers were the generation that had run the CIA during the cold war and had served as the agency's institutional memory for clandestine operations. Perhaps as a result, espionage operations have gotten increasingly clumsy, causing major strains with such key nations as France, Germany, India, Italy, and Japan. Operational failures in recent years include the unbelievable bombings of both the Chinese embassy in Belgrade and a pharmaceutical plant in Sudan. Intelligence failures include the agency's surprise over the nuclear tests in India in 1998 and the skewing of judgments on the implications of a national missile defense in 1999.

President George W. Bush's decision to retain CIA Director George Tenet for at least the short term indicates that Bush has no major problems with Tenet's stewardship of

the agency over the past several years. The Bush administration has no plans for reforming the CIA and may even endorse Tenet's efforts to increase government secrecy at the expense of the public's right to know. As director of central intelligence (DCI) under Clinton, Tenet promoted an "antileak statute," designed to make potential felons of those who express themselves on any issue about which they ever had access to classified information. In November 2000, Clinton vetoed this bill establishing a national secrets act. Tenet, who renamed the CIA "the Bush Intelligence Center" (after Bush, Sr.), may believe that in the Bush W. administration he will have license to make another assault on free speech under the phony cover of national security. Tenet also presented former senator Warren Rudman with the agency's highest award. It was Rudman who tried to silence CIA critics at the nomination hearings for Robert Gates in 1991.

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THE NEED TO END COVERT ACTION

The end of the cold war over a decade ago provided the United States with an opportunity to end intelligence abuses, restructure the CIA (saving money in the process), and use the agency's extensive intelligence capabilities to address the new crises and challenges of the post-cold war environment. The United States can no longer afford a bloated intelligence community that defines too much information as intelligence and spends \$30 billion a year in the process. The first step in the reform process should be the end of covert action, which grew out of an exaggerated notion of the threat to U.S. security during the cold war.

The cold war and the Soviet threat generated the rules that historically governed the use of covert action. But the end of the cold war and the dissolution of the Soviet Union have made the need for covert action less demonstrable and should prompt a reexamination of every aspect of these activities. The boilerplate language of the Aspin-Brown Commission on the Role and Capabilities of the United States Intelligence Community argued in 1996 that covert operations should take place only when they are "essential" and where the reason for secrecy is "compelling."

But most covert operations are operations for operations' sake, undertaken with no careful reckoning of the result beforehand. It is not enough to suggest (as defenders of covert action have) that the world remains a dangerous place and the president needs an option short of military action when diplomacy alone cannot do the job.

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Covert action could be radically reduced, if not eliminated, with no compromise of U.S. national security. CIA propaganda has had little effect on foreign audiences and should end immediately. The Johnson administration wrongfully authorized efforts to ensure the defeat of the Chilean socialist candidate Salvador Allende in 1964, and the Nixon administration went even further in 1973, sponsoring actions that led to the overthrow and assassination of Allende. Covert efforts to influence foreign elections or political parties should stop.

Many problems that have been considered candidates for covert action were ultimately addressed openly by unilateral means or cooperatively through international measures, both preferable to clandestine operations. Nuclear proliferation problems created by missile programs in Iraq and North Korea in the 1990s led to congressional calls for covert actions, but, in both cases, overt multilateral activity, with the United States in a pivotal role, contributed to denuclearization. Conversely, we learned in 1999 that the United States and the CIA used the cover of the United Nations and the United Nations Special Commission (UNSCOM) to conduct a secret operation to spy on Iraqi military communications. The UN effort, which did not authorize or benefit from U.S. surveillance, had already successfully gathered information on Iraq's nuclear, chemical, and biological weapons. CIA penetration of Iraqi communications, contrived to topple the regime of Saddam Hussein, made a liar out of the White House and a truth-teller of Saddam Hussein. It also doomed further inspection efforts in Iraq and undercut the credibility of multilateral inspection teams around the world.

The CIA's emphasis on covert action has led the agency to support such world-class criminals as Panama's General Manuel Noriega, Guatemala's Colonel Julio Alpírez, Peru's intelligence

chief Vladimiro Montesinos, and Chile's General Manuel Contreras. In addition to the CIA involvement in overthrowing the democratically elected government of Chile in the 1970s, it has recently been disclosed that a CIA asset—General Contreras—directed assassinations in the United States against a Chilean official and an American citizen. Documents released in 2000 revealed that the CIA had placed Contreras on its payroll, despite its acknowledgment that he was, according to one of the declassified CIA documents, the “principal obstacle to a

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reasonable human rights policy” in Chile. The State Department, moreover, had ordered its ambassadors in Latin America to warn Latin leaders not to carry out assassinations of left-wing opponents, but the American ambassador in Chile, David Popper, refused. Contreras was sentenced to seven years in jail for the most brazen terrorist attack ever orchestrated in the U.S. capital—the 1976 car bombing that killed for-

mer Chilean Ambassador Orlando Letelier and his American associate, Ronni Karpen Moffitt. In early 2001, Contreras finished his sentence and was released, but almost simultaneously the Chilean government put Contreras' former boss, General Pinochet, under house arrest for deaths of civilians he is suspected to have ordered during his dictatorship.

Another operative on the CIA payroll was Peruvian intelligence chief Vladimiro Montesinos, who was responsible for two decades of human rights abuses in Peru. The CIA helped Montesinos flee the country in September 2000 to avoid standing trial for crimes that included the massacre of innocent civilians in the early 1990s. However, Montesinos was also involved in a 1998 transfer of arms from Jordan to leftist guerrillas in Colombia, perhaps Washington's most notorious enemies in Latin America. The CIA station in Amman actually approved the arms deal between Jordanian officials and Montesinos, another indicator of the ineptitude of the CIA's directorate of operations.

There is no absolute political and ethical guideline delineating when to engage in covert action. However, former Secretary of State Cyrus Vance (in the Carter administration) articulated a standard two decades ago when he recommended covert action only when “absolutely essential to the nation-

al security” of the United States and when “no other means” would do. The CIA observed this standard in the breach when it placed General Contreras on its payroll despite knowledge of his responsi-

bility for murders abroad. The CIA has so far refused to address how the agency failed to avert a planned terrorist act in Washington directed by its own asset. Radical reform of the CIA,

particularly the abolition of covert action, would allow the agency to return to President Harry Truman’s original conception of it as an independent and objective interpreter of foreign events.



THE NEED FOR GLASNOST

CIA Director George Tenet has reversed the modest steps toward greater openness that were instituted by several of his predecessors. At his confirmation hearings in 1997, Tenet promised to continue the policy of openness, but he also emphasized that it was time for the agency to stop looking over its shoulder at its critics and to increase its clandestine role in support of national security.

Tenet initially withheld thousands of sensitive documents detailing covert operations in Chile that took place more than 25 years ago, despite demands for openness by President Clinton and Secretary of State Madeleine Albright. Though he finally responded to additional pleas from National Security Adviser Sandy Berger to release the Chilean documents, by this time, the CIA’s reticence had marred the credibility of the government’s declassification effort. Tenet argued that releasing these documents would compromise covert sources and methods; more likely, he feared

that declassification would embarrass the United States both by revealing the efforts of the Nixon administration to overturn a constitutionally elected government and by exposing the details of the Letelier/Moffitt murders during the Ford administration.

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The Central Intelligence Agency has repeatedly hidden behind official secrecy and the “need to know” to remove its operations from legitimate public scrutiny, making difficult or impossible any reasoned assessment of important historical events. The CIA’s unwillingness to declassify documents concerning covert actions ensures that the government’s official histories of American foreign

policy will continue to be misleading, if not inaccurate. Much worse, high-level agency officials have continued to lie with impunity to the Senate Intelligence Committee in order to conceal the agency’s involvement in human rights abuses in Central America.

Former CIA Director Richard Helms (1966-73) was fined in 1977 for lying to the Senate Foreign Relations Committee about the CIA’s role in the overthrow of Chilean leader Salvador Allende. High-ranking CIA officials in the directorate of operations raised the money to pay Helms’ fine. They then conspired to weaken the leadership of Helms’ successor at the CIA, William Colby (1973-76), who understood the need for a secret agency to cooperate with a democratically elected government. And in the late 1980s, CIA directors failed to punish those who withheld information and lied to Congress about Iran-contra matters.

More recently, former CIA Director Robert M. Gates (1991-93) did not share with the White House the fact that a CIA operative (confessed spy Aldrich Ames) had compromised every agency operation aimed at the former Soviet Union. Former CIA Director James Woolsey (1993-95) never punished those officials who failed to monitor the Ames case. And former Director John Deutch (1995-97) upheld a decision to revoke the security clearance of Richard Nuccio, the State Department whistle blower who tried to expose CIA lying when he revealed a suspected murderer on the CIA's payroll in Guatemala.

Sadly, the U.S. Senate aggravated the situation in September 2000, when it passed a bill that would have criminalized the disclosure of all "properly classified" information, thus creating an official secrets act. It is already a crime to disclose classified information about nuclear weapons, codes, intelligence communications, and the names of covert agents. The CIA successfully convinced the Senate to criminalize all leaks of classified information, and

President Clinton's Justice Department was persuaded to reverse its position and support the measure.

"Properly classified" information is too broad a category; as noted in the *New York Times*, even the Pentagon Papers were "properly classified." Far too much information is classified, and the recent disclosures on the role of the CIA in Chile demonstrate that a great deal of information is classified to cover up government embarrassments and CIA misdeeds. Opposition to the bill was bipartisan, but when the House of Representatives did not block it in a House-Senate conference, the threat of another "torment of secrecy" akin to the worst days of the cold war was anticipated. Fortunately, President Clinton vetoed the bill in November 2000, dealing another political setback to DCI George Tenet, one of the main proponents of the bill. Clinton chose to protect his legacy and the public's right to know rather than endorse the zeal of his CIA director.

Former Senator Daniel Moynihan's 1995-96 commission

on secrecy concluded that the American public both needs and has a right to a full accounting of the history of U.S. covert operations. A presidential executive order to extend openness to intelligence matters is required along with congressionally mandated limits on the intelligence community's prerogative to conceal information. A balancing test between public interest and national security must be part of the classification/declassification process, and this would include judicial review of CIA denials to release of information under the Freedom of Information Act.

The CIA should not be able to hide behind its secret budget and remain in violation of Article I/Section 9 of the Constitution, which demands that a "regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time." The overall intelligence community budget (approximately \$30 billion) was declassified on a one-time basis, but the CIA budget (approximately \$3 billion) has never been declassified.



THE NEED TO DEMILITARIZE INTELLIGENCE

Previous directors of central intelligence, particularly Robert Gates and John Deutch, did great harm to the CIA

and the intelligence community by deemphasizing strategic intelligence for use in civilian policymaking and catering instead to the tactical

demands of operational officers in the Pentagon. Gates brought an end to CIA analysis on key order-of-battle issues in order to avoid tenden-

tious analytical struggles with the Pentagon, and Deutch's creation of the National Imagery and Mapping Agency (NIMA) at the Department of Defense (DOD) enabled the Pentagon to be the sole judge of its procurement needs. Imagery analysis is used to calibrate the defense budget, gauge the likelihood of military conflict in the third world, and verify arms control agreements. In creating NIMA, Deutch abolished the CIA's Office of Imagery Analysis and the joint CIA-DOD National Photographic Interpretation Center.

The director of central intelligence operates in an organizational maze, since the secretary of defense controls nearly 90% of the intelligence budget and personnel. Although executive orders give the DCI the statutory authority to establish requirements and priorities for the entire intelligence community, the Pentagon domi-

nates the structure that can and does block such purview. In fact, the DCI needs the authority in

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peacetime to direct intelligence funding and operational assignments for data collection agencies such as the National Reconnaissance Office, the National Security Agency, and the National Imagery and Mapping Agency. This authority would revert to the secretary of defense in wartime.

The militarization of the intelligence community has contributed directly to several policy fiascoes in the past several years, including the bombing of both the Chinese embassy in Belgrade (during the war in Kosovo) and a pharmaceutical factory in Khartoum. These operations were part of the CIA's participation in the wars against Serbia and terrorism respectively, and both suffered from faulty data collection and failures of leadership at the highest levels of the CIA. The Pentagon's downgrading of satellite collection in South Asia led directly to the intelligence failure to anticipate Indian nuclear testing in 1998. Open sources did a far better job of detecting the nuclear tests than the U.S. intelligence community, which operates on a \$30 billion annual budget.



THE NEED FOR AN INTELLIGENCE NETWORK

The collapse of the Soviet Union and its Eastern European empire in 1990-91 fundamentally altered the strategic environment of the United States, but there has been an inadequate attempt to redefine U.S. national security and intelligence needs in the wake of this event. Other nontraditional security problems, which will define U.S. policy choices in the 21st century, have

thus been given short shrift. Such problems include the scarcity of water in the Middle East, the social migration caused by coastal flooding in South Asia, infectious diseases in Africa and Russia, and contamination caused by nuclear and chemical weapons stored and tested in the former Soviet Union.

The Russian Federation presents a particularly difficult problem because of the fundamental insta-

bility of most Russian institutions and the lack of resources to deal with major discontinuities. When the Kursk submarine dropped to the bottom of the Barents Sea in August 2000, dragging 118 Russian crewmen to their deaths, it seemed a sad metaphor for the rapid descent of Soviet and Russian power during the past two decades. The collapse of the Soviet Union also created new areas of geostrategic weakness in the

Caucasus, Central Asia, and Southeastern Europe.

The nontraditional national security problems that confront the United States should give the CIA a competitive advantage because of its data storehouse on oil reserves, demographics, and water supply. The CIA is in a position to provide information on a variety of environmental issues, using baseline data from satellite photography documenting global warming, ozone depletion, and environmental contamination. Spy satellites already provide key environmental data on the earth's diminishing grasslands, forests, and food resources. Yet the CIA has not been forthcoming with its data.

When Al Gore was in the Senate, he chaired the Science, Technology, and Space Subcommittee where he was active in pushing for release of this data to the scientific community. Director of Central Intelligence Tenet, however, has not been cooperative in releasing unclassified information or in declassifying intelligence. Former Director Woolsey was particularly lukewarm to the idea of sharing intelligence with international agencies. And former Director Deutch, who had no compunctions about storing sensitive information on his home computers, was stubbornly opposed to providing information to the United Nations, though it

would have been helpful in peacekeeping situations.

With the proliferation of international peacekeeping missions around the world, the intelligence community is a natural resource for providing political and military data to peacekeepers in places like Bosnia, Cambodia, and Somalia. The Central Intelligence Agency should have been assisting the UN monitoring programs in Iraq rather than running its own operations against Saddam Hussein. War crimes tribunals also require funds and expertise for collecting data on political and military officials, which would be a less difficult task if the political

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and biographic assets of the CIA could be used. And it is unlikely that such global institutions as the International Atomic Energy Agency can successfully monitor strategic weapons production in North Korea or Iraq without support from the CIA.

The changed nature of international conflict will alter the intelligence needs for future confrontations and will require a global


intelligence network or alliance to track such trends as the development of civil society in the former Soviet Union or the introduction of new technology into countries with strategic weapons programs. Greater sharing of intelligence data is required, along with a rigorous intelligence network, to orchestrate the development of new intelligence requirements. Thus far, consumer-driven intelligence collection, particularly from the Pentagon, has emphasized short-term tactical problems and ignored long-term strategic issues. Presidential Decision Directive (PDD)-35, which tried to define new intelligence targets in 1995, was a consumer-driven list that gave low priority to such important regional issues as South Asia. High-level intelligence officials need to expand the list of intelligence requirements and create more autonomy for intelligence analysts in the PDD process. The information revolution that has thus far dominated the post-cold war era requires greater entrepreneurial and cooperative efforts on the part of the entire analytical community.

Finally, there is need for a new director of central intelligence who is capable of introducing accountability and responsibility to the intelligence culture. High-ranking CIA officials have lied with impunity to the Senate Intelligence Committee to cover up the CIA's involvement in human rights abuses. They have

also failed to report drug activities, including drug smuggling into the United States, to the Justice Department as normally required by law. The revolving door of CIA directors (five directors in nine years) must end, and the Senate Intelligence Committee should

endorse the idea of a statutory six-year term for future directors.

When President Nixon fired DCI Helms in 1973 for failing to assist in the cover-up of Watergate, his action precipitated an expectation by each new president that he should appoint his own director of

central intelligence. This pattern politicized the CIA. Instituting a statutory director would remove the post of DCI from presidential politics and would hopefully return the CIA to its primary mission—providing objective intelligence to U.S. policymakers. 

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