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An Agenda for Responsible Intelligence Reform

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Intelligence is America's first line of defense in the war on terrorism, but the current intelligence network is not the right instrument for the challenges of the 21st century. The U.S. needs intelligence agencies that are as facile in dealing with shadowy transnational gangs as they are in countering conventional enemies. In the wake of the September 11 tragedies, Heritage Foundation scholars have made a number of recommendations that could serve as the basis for responsible intelligence reform. These are the kinds of proposals that Congress and the Administration should consider to ensure more effective coordination among agencies, more efficient government operations, and continued protection of civil liberties.

A Cold War Legacy. While the Bush Administration has done much to improve counterterrorism operations by adding resources and shifting priorities, it is saddled with an intelligence apparatus that was designed to fight the last war.

Today's national intelligence community is a polyglot of 15 intelligence agencies within the CIA, Defense Intelligence Agency, National Security Agency, Army, Navy, Air Force, Coast Guard, and Departments of Defense, Energy, and Treasury. The result is a deeply fractured and parochial intelligence community, unable to exploit Information Age technologies and operational practices. Turf battles and cross-agency communication problems are the rule rather than the exception, and no one is in charge.

While George Tenet has the title of Director of Central Intelligence and is the President's senior intelligence adviser, his title remains a misnomer. The Secretary of Defense owns 80 percent of the intelligence budget and seven of 15 intelligence agencies. During the Cold War, it made sense for the Secretary of Defense to own the majority of intelligence assets because the Soviet military posed the primary threat to American security. Today, threats are more diffuse.

Testimony before the 9/11 Commission clearly demonstrates the need for better sharing and dissemination of information at all levels of government. Specifically, the U.S. needs:

- A national leadership that will ensure rapid improvement in information-gathering capabilities at all levels and access to timely, reliable, and actionable information from both foreign and domestic sources for use at the federal, state, and local levels.
- All-source information fusion centers and a cooperative structure for sharing information.

- Establishing a separate agency for domestic intelligence is not the best way to approach intelligence reform.
- The TTIC and the TSC should answer to the Secretary of Homeland Security.
- Congress should create a Cabinet-level Director of National Intelligence.

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- The Department of Homeland Security (DHS) to become the single integrator of the domestic intelligence picture as envisioned by the Homeland Security Act.
- Strengthened use of intelligence in visa issuance and monitoring, enforcement of immigration laws, and anti-money-laundering activities.

The Wrong Answer. “Americans Do Not Need a New Domestic Spy Agency to Improve Intelligence and Homeland Security” (*Executive Memorandum* No. 848) makes the case that establishing a separate agency for domestic counterterrorism intelligence is not the best way to approach intelligence reform. Dismantling the FBI, creating a new intelligence stovepipe, and undercutting the traditional congressional and judicial oversight of domestic intelligence activities would add more problems than they would solve.

Not So Modest Proposals. Instead, The Heritage Foundation has supported responsible changes in the organization of the intelligence system.

In a April 19, 2004, *New York Post* commentary, “Spook Shakeup,” Peter Brookes argues that the intelligence community needs a single leader. The President should appoint a Cabinet-level Director of National Intelligence, leaving the Director of Central Intelligence to run the CIA. Congress should ensure that agencies work better, much as the Goldwater–Nichols Act institutionalized joint operations among the military services. In addition, to ensure greater unity of effort, the number of intelligence agencies could be reduced by expanding the CIA to include the National Security Agency and the National Geospatial Intelligence Agency.

“Terrorist Intelligence Centers Need Reform Now” (*Executive Memorandum* No. 930) applauded the Administration for establishing the Terrorist Threat Integration Center (TTIC) and the Terrorist Screening Center (TSC) to merge information, but argued that these centers should be placed under the Secretary of Homeland Security. The DHS should also vet any agency appropriations for the TTIC and the TSC and have the authority to approve, evaluate, and establish the education and experience requirements for all TTIC and TSC staff. Finally, the paper proposed allowing state and local

law enforcement representatives to participate in the TTIC.

Two other Heritage publications, “Better Intelligence Sharing for Visa Issuance and Monitoring” (*Executive Memorandum* No. 848) and “No Need for the CLEAR Act” (*Executive Memorandum* No. 925) examined how to prevent terrorists from hiding among the 40 million people that enter the U.S. each year and recommended consolidating visa operations under the DHS and promoting state and local law enforcement cooperation in immigration violation investigations.

The Heritage Foundation Homeland Security Task Force’s study *Defending the American Homeland* established six priorities for intelligence reform. Two have not even begun to be adequately addressed. First, false documents continue to be a major problem. Current procedures for issuing identity documents should be tightened, and a mechanism developed to deter and prevent identity theft. Second, although the PATRIOT Act addressed many deficiencies in pre-September 11 efforts to block financing of terrorist activities, the financial services area is dynamic. Mechanisms are needed to evaluate current laws and determine whether better enforcement and/or laws are needed.

Finally, “Principles for Safeguarding Civil Liberties in an Age of Terrorism” (*Executive Memorandum* No. 854) outlines how to implement these reforms without threatening American civil society. It is possible to increase security while still limiting the government’s ability to intrude into Americans’ lives. America can and must adhere to fundamental and firm principles of limited government, and it can do so while also answering the terrorist threat.

Conclusion. Congress and the Administration should work closely together on a responsible intelligence reform agenda. The priorities for intelligence reform and recommendations proposed by Heritage Foundation scholars could serve as the basis for reforms that further the war on terrorism and protect the safety and liberty of Americans.

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