

Executive Memorandum

No. 939
July 30, 2004



Published by The Heritage Foundation

Intelligence Recommendations Bear Scrutiny

James Jay Carafano, Ph.D.

The National Commission on Terrorist Attacks Upon the United States (the 9/11 Commission) released its report on July 22, 2004. The report suggests several reforms of the U.S. intelligence community. Most of the recommendations are spot-on, but two—the proposals to create a National Counterterrorism Center (NCC) and an independent national intelligence director (NID)—bear closer scrutiny. Although a national center is needed, creating an NCC as proposed by the commission might weaken, rather than enhance, the intelligence community's ability to provide the nation with more responsive, accurate, effective, and useful strategic intelligence. Instead, the NCC should be located in the Department of Homeland Security (DHS).

A Center of Gravity for Counterterrorism. The 9/11 Commission called for “unifying strategic intelligence and operational planning against Islamic terrorists across the foreign–domestic divide with a National Counterterrorism Center.” In other words, the center would coordinate the collection and analysis of information.

On its own, this idea has merit. A national center charged specifically with synchronizing the nation's disparate counterterrorism efforts would address the valid criticisms about the intelligence community's failure to “connect the dots” and the need to “take down the wall” that prevents information sharing. A national center would also be the next logical step to

the number of innovations implemented by the Bush Administration after 9/11, including establishing the Terrorist Threat Integration Center (TTIC) to coordinate information sharing and the Terrorist Screening Center (TSC) to integrate information on various federal terrorist watch lists.

-
- Congress should establish a National Counterterrorism Center within the Department of Homeland Security and
 - Congress should define the National Intelligence Director's roles and responsibilities as overseeing the entire intelligence community, not just counterterrorism efforts.
-

Another key recommendation by the commission is to establish a national intelligence director to oversee the intelligence community—a patchwork of 15 federal organizations scattered throughout the government that have never worked well together. Ever

since the CIA was created, the CIA director has worn “two hats,” serving as both the chief of the CIA and the Director of Central Intelligence (DCI)—the nominal leader of the intelligence community. In practice, though, the DCI has had scant influence over intelligence activities outside the CIA. Splitting the position into two full-time jobs makes sense. Creating an independent NID with real authority (as recommended by the commission) would allow the CIA director to focus full-time on running the CIA. Meanwhile, the NID would oversee the entire community, make recom-

This paper, in its entirety, can be found at:
www.heritage.org/research/homelanddefense/em939.cfm

Produced by the Kathryn and Shelom Cullom Davis
Institute for International Studies

Published by The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, D.C. 20002-4999
(202) 546-4400 • heritage.org

Nothing written here is to be construed as necessarily reflecting the views of The Heritage Foundation or as an attempt to aid or hinder the passage of any bill before Congress.

mendations on resources and priorities, and—as the nation’s principal intelligence advisor—provide independent assessments to the President.

A Flawed Proposal. However, the commission may have missed the mark in arguing that the National Counterterrorism Center should work directly under the NID. Counterterrorism is just one of the nation’s strategic intelligence priorities. In order to serve the President adequately, the NID would have to be concerned about transnational terrorism, in addition to keeping an eye on events in Asia, global weapons proliferation, and other vital issues—as well as pondering what challenges may emerge in the future. If the NID has chief responsibility for overseeing the global war on terrorism, that mission will consume all of the director’s time and energy.

Additionally, giving the national director day-to-day responsibilities for the NCC would recreate the current problem with the DCI—giving the director two day jobs. Moreover, if the NID is intimately involved in the fight against terrorism, he or she will no longer be able to provide truly independent assessments.

Putting the National Counterterrorism Center under the NID would also further undercut the intelligence analysis and integration functions of the Department of Homeland Security. DHS was created to serve as the main center for data sharing and analysis for homeland security, but it has not been given the tools to exploit U.S. intelligence and law enforcement resources. Since its creation, little has been done to bolster that mission. Today, the TTIC is run by the DCI, and the TSC is under the supervision of the FBI. In the end, the current arrangement leaves DHS as little more than just another intelligence end user, competing with other members of the national security community to ensure that its priority requirements are met. Creating this new center outside of DHS will only further marginalize it.

Ironically, the arguments for not strengthening DHS’s responsibilities are the same ones that were used to strip the DCI of any real authority when that position was created. The DCI, detractors

argued, lacks the experience and resources to do the job. However, once the lines of authority were set, they became unchangeable. Unless DHS is given the mission now, it will never garner the expertise and resources that it needs to fulfill its mandate.

A Better Idea. Rather than further weaken DHS, its role should be strengthened. The TTIC and the TSC should be combined with DHS’s intelligence directorate, the Information Analysis and Infrastructure Protection (IAIP). In addition, other intelligence integration centers within DHS, such as the Customs and Border Patrol’s National Targeting Center (NTC), which identifies high-risk international cargo for inspection, and the Immigration and Customs’ Law Enforcement Support Center (LESC) should be integrated into the IAIP. Together, these organizations should form the nucleus of the National Counterterrorism Center under DHS. The center should be the focal point for analysis and information sharing. Responsibilities for intelligence collection and covert operations should remain within existing intelligence agencies.

Because DHS is a member of the intelligence community, the NID would still oversee and influence the operations of the NCC in the same manner as the other components in the community. In addition, through NID staff, the national director will have the capacity to independently assess the work of the intelligence community on counterterrorism and to coordinate their activities, as well as work on other key strategic issues.

Recommendations. Congress should hold hearings now to examine the 9/11 Commission’s recommendations. At the top of their agenda should be: (1) determining the roles and responsibilities of the National Counterterrorism Center, establishing it within DHS, and consolidating it with TTIC, TSC, NTC, and LESK; and (2) defining the roles and responsibilities of the NID.

—James Jay Carafano, Ph.D., is Senior Research Fellow for National Security and Homeland Security in the Kathryn and Shelby Cullom Davis Institute for International Studies at The Heritage Foundation.