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**Additional Views
of
Senator Saxby Chambliss with Senator Orrin G. Hatch,
Senator Trent Lott, Senator Chuck Hagel and Senator Christopher S. Bond**

Since the December 2002 submission of the report of the *Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001*, little progress has been made in two areas which we view as key to improving the U.S. Intelligence Community: information sharing and human intelligence (HUMINT) collection. We also believe it is important to address a third issue which became the center of controversy with regard to this report, and that is the allegations of “pressure” on intelligence analysts in the pre-war environment.

Information Sharing

The Joint Inquiry found:

9. Finding: The U.S. Government does not presently bring together in one place all terrorism-related information from all sources. While the CIA’s Counterterrorist Center⁶⁹ does manage overseas operations and has access to most Intelligence Community information, it does not collect terrorism-related information from all sources, domestic and foreign. Within the Intelligence Community, agencies did not adequately share relevant counterterrorism information, prior to September 11. This breakdown in communications was the result of a number of factors, including differences in the agencies’ missions, legal authorities and cultures. Information was not sufficiently shared, not only between different Intelligence Community agencies, but also within individual agencies, and between the intelligence and law enforcement agencies.⁷⁰

With regard to Iraq’s weapons of mass destruction, the Committee found numerous instances in which access to important intelligence information was limited to a few CIA analysts. This is not to say that sensitive operational detail needs to be

⁶⁹We note that this center is actually under the DCI, and this finding should read, “the DCI’s Counterterrorist Center”

⁷⁰*Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001*, Report of the Senate Select Comm. on Intelligence and House Permanent Select Comm. on Intelligence, S. Rep. No. 107-351 and H. Rep. No. 107-792, at 77 (2002).

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disseminated to each Intelligence Community analyst, however, the CIA in particular must examine how it trains its reports officers, and whether they are producing the highest quality reporting with as much relevant detail included as possible.

In a February all-hands speech, the Deputy Director for Intelligence (DDI) told the Directorate's analysts that the time had come for them to have access to important source information. It is not clear to us why, in the wake of the 9/11 failures, it took 17 months for the CIA to begin to reconsider its information handling guidelines. While we see the DDI's February announcement as an important first step, allowing only CIA analysts access to source information limits both the level of intellectual debate, and the checks and balances available for having analysts at various agencies examining the same issues. The Committee found that with respect to the intelligence on Iraq's alleged biological weapons program, the CIA withheld important information concerning two HUMINT sources which were key to their assessments. In this case the information was available only to the CIA analysts that the CIA had determined had a "need to know." This left the analysts at other agencies at an analytical disadvantage, since they had to trust their CIA counterparts to make critical determinations about the credibility of these sources. We can see from the footnotes and alternative views that were expressed in the NIE that analysts from other agencies were not shy about expressing their doubts about the reporting. Therefore, we can extrapolate that these analysts might have interpreted the reporting from these two sources more critically and might have argued to include these views in the NIE.

This problem is not limited to analysts and the sharing of source information. The Committee found that the DCI was not aware of the views of all of the intelligence agencies, particularly on the aluminum tubes issue, prior to September 2002. As a result, his briefings may have only provided CIA's views on the purpose of the aluminum tubes to the President and might not have addressed the possibility that they were intended for conventional rocket programs. There is no excuse for this type of stovepiping. The DCI, having shouldered the responsibility of being the President's primary intelligence briefer, is responsible for knowing the issues he briefs, and this includes knowing the varying views of all of the intelligence agencies. If he is not aware that other agencies have alternative views, he renders these agencies largely irrelevant.

HUMINT

The Joint Inquiry found:

11. Finding: Prior to September 11, 2001, the Intelligence Community did not effectively develop and use human sources to penetrate the al-Qaida inner circle. This lack of reliable and knowledgeable human sources significantly limited the Community's ability to acquire intelligence that

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could be acted upon before the September 11 attacks. In part, at least, the lack of unilateral (i.e. U.S.-recruited) counterterrorism sources was a product of an excessive reliance on foreign liaison services.⁷¹

Senator Chambliss noted in his Report by the House of Representatives Subcommittee on Terrorism and Homeland Security in July 2002 that “. . .the CIA had become overly reliant on foreign liaison at a cost to its unilateral capability.” Since the Joint Inquiry and many others have come to the same conclusion, we are at a loss to explain why this has not been addressed. Prior to 9/11, the CIA had not built the capability to penetrate al-Qaida at a sufficient level to gain access to the plans and intentions of bin Laden or his inner circle. We were shocked to learn that the same had been true for Saddam Hussein’s regime. Moreover, whereas the 9/11 terrorist attacks constituted a significant strategic surprise, the threat of Saddam was known. The U.S. Intelligence Community should have taken the necessary measures to learn Saddam’s abilities and his intentions since 1991. Instead analysts were left to make uninformed judgements as to how he might respond to international pressure, or a coalition strike. This is unacceptable.

The Committee noted in this Review an interview in which a CIA officer stated that regarding Iraq “It takes a rare officer who can go in . . .and survive scrutiny for a long time.” The risks associated with clandestine intelligence collection – removal from the country, arrest, torture and execution – are ever present, particularly against such hard targets as Saddam’s Iraq. We do not want to callously expose our officers to unnecessary risk, but risks must be carefully balanced against the policymakers’ need for intelligence that will protect our national security and inform difficult policy decisions. The clandestine collection of intelligence – hard target or not – is the job of the Intelligence Community. We know that many of the men and women who serve as collections officers would willingly put themselves in harm’s way to perform this important mission. If only a rare officer can sustain cover, we need to rethink how we recruit our collections officers. We are not advocating careless operations or overwhelming targets with sheer numbers, but we cannot shy away from carefully planned operations when we have thoughtfully weighed the risks and benefits.

The Question of “Pressure”

In contrast to the first two issues we have addressed, “pressure” on intelligence analysts was not examined by the Joint Inquiry. We believe it is emerging now largely as

⁷¹Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001, Report of the Senate Select Comm. on Intelligence and House Permanent Select Comm. on Intelligence, S. Rep. No. 107-351 and H. Rep. No. 107-792, at 90 (2002).

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a result of the way intelligence analysis has shifted since the attacks of September 11. In terms of recent intelligence failures, none have been so costly, and none have so impacted our approach to strategic warning. We did not recognize the tremendous volume of intelligence data that we expected analysts to sift through and understand, nor did we anticipate that our collections platforms might miss something that could have helped prevent the attacks.

There have been numerous allegations in the press that analysts were questioned repeatedly about the information linking Iraq to al-Qaida and that this somehow constituted pressure to alter intelligence judgements. This allegation was also included in the Kerr Report, which the Committee reviewed. The Kerr report judged that repeated questions and taskings pressured analysts to find evidence that supported a link between Saddam's regime and al-Qaida, and the Committee questioned Mr. Kerr and his colleagues about that line in their report. Their response was that the questioning was similar to other issues of high interest that they had dealt with in their intelligence careers, and that, in fact, the analysts were not pressured to reach certain conclusions. Mr. Kerr also suggested that the Committee speak with the CIA's Ombudsman for Politicization, which the Committee did. The Committee later submitted follow-up questions asking the Ombudsman to clarify some of the statements he made during his initial discussion with the Committee.

The Ombudsman stated that he interviewed a number of analysts during an inquiry subsequent to a complaint about the production of a specific intelligence report. During his inquiry, the issue of pressure came up. Several of the analysts he interviewed mentioned "pressure from the Administration" and implied that it was in the form of repeated questioning. Some of these analysts felt that the questioning was unreasonable, while others stated that they felt it was not unreasonable. The Ombudsman also interviewed members of the CIA's Policy Support Staff as part of his inquiry, and they explained that the CIA's initial answers to the Administration's questions were unsatisfactory, and therefore merited the repeated questions.

To assess whether something untoward had happened in the form of this questioning, the Committee reviewed the CIA's training materials and opinions on the subject that had been produced as Occasional Papers for the CIA's Sherman Kent School of Intelligence Analysis. The Committee found that analysts are taught to expect and to field difficult questions from policymakers, and that no question should be considered inappropriate or unreasonable. In the DDI's February All-Hands speech that we mentioned earlier, she took the opportunity to remind analysts,

. . . rigorous questioning of our judgments is not to be feared; it is welcomed. It is the price we pay for being relevant and influential – for being taken so seriously. It should be something that we, as intelligence

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professionals, welcome, and it is why we spend so much time emphasizing our tradecraft.

This is the same answer we heard from Mr. Kerr, and also from the DCI – when issues are of high interest, analysts can expect rigorous challenging of their assessments. That is to be expected most in instances that involve threats and strategic warning. We agree strongly with the portion of Conclusion 4 of the Overall Conclusions for the Terrorism section of the Report, “Just as the post 9/11 environment lowered the Intelligence Community’s reporting threshold, it has also affected the intensity with which policymakers will review and question threat information.” It was apparent from the interviews conducted by the Committee that analysts, their managers, and senior intelligence officials alike recognize that this is the reality of the post 9/11 environment.

If we judge, or leave open to interpretation, that repeated questioning and challenging of intelligence assessments is inappropriate, we do ourselves a disservice as United States Senators, and limit our own ability to demand rigorous review of intelligence. We also discount the tremendous efforts and dedication of our analytic professionals by implying that they cannot perform effectively in the most critical of times. Our terrorism analysts made careful, appropriately caveated judgments regarding Iraq’s links to terrorism, they should be commended, not characterized as weak and inclined to yield to political influence.