

POTOMAC INSTITUTE FOR POLICY STUDIES

Revolution in Intelligence Affairs: Transforming Intelligence for Emerging Challenges

Synopsis Seminar #3 : Domestic Information Challenges and Tactical vs. National Requirements

Who Should Do Domestic Intelligence?

- Foreign collectors really didn't want to have much to do with domestic collection.
- We didn't have a lot of facts about terrorists, which is not part of traditional mission inside a particular agency.
- Key finding will be that we are dealing with a structure that was built not for problem. The structure was put into place 30 years ago and is not responsive to terrorist threats.
- Who should interview US persons overseas?
- Have state and local talking with federal ...coming up with solutions on their own because the federal has not been responsive
- Chief of Police knows what is going on in his time...by using various methods..he doesn't have the same oversight mechanism that federal level has..what we are about to do is to start pulling all that information together...starting to pull it together at the federal level.
- Till now we've talked around the issue. We've de-funded data mining because of negative publicity. Even the Matrix at the state level has shrunk because of publicity. Need national consensus.
- Separate domestic intelligence agency. . separate from law enforcement. .whose sole purpose is not just foreign intelligence domestically. . the drawback, more serious for domestic collection and civil liberties, is that it puts a limit on domestic intelligence. .fundamentally separate issue from people violating law. . no reason for an agency if you don't want that [agency to investigate only people who violate the law]. . exception to criminal activity... are the foreign groups.
- It would be better for new agency to be under the FBI because of name recognition and if the organization was under the FBI and didn't work it could become a tear-off jersey and could separate and go independently. . it would lose a lot if, it was separated from FBI.

What Would the System Look Like?

- Would you like a system that discriminates between non-US citizen and US person...probably not...law enforcement (local level) certainly doesn't want to because it means additional regulation if we did this.

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- Who does the spying within the US? Who's spied upon? Who chooses who gets spied upon? What checks and balances are there?
- Obviously want to know about Osama operatives and a groups that plans to blow up a building but plans of a local groups to see Moore's new movie. How do we separate the two?..
- Hoover built the FBI to be a domestic intelligence agency like MI5 not like a police force. no threat from communism. the issue- is an agency looking at a person because of their political views or political activity?
- Interface-13,000 agents are the greatest collection of intelligence but don't analyze or disseminate. need new training and resources for a safer US. some have concerns and fear a new more powerful FBI.
- Threat needs to be investigated. organized crime is like domestic terrorists- they bleed red, white, and blue. mafia- extremely well organized, no sources, even harder to penetrate. Al-Queda is a completely different culture based on political issues. few agents can infiltrate even if it is the top priority of the group. research and look for a weakness then go after that weakness.
- FBI can't investigate terrorists...they just process. Joint Terrorism Office is synonymous with FBI field office. represents FBI process of information flow. look at setting up intelligence cell with in JTTF that are agents from Dept. of Homeland Security. take a look at the roles of the DHS analysts in function and FBI working together- we have MI5. look to DHS, give it time to mature. collaborate with the FBI.
- Three are different categories of intelligence:
 - Criminal- information about activity trying to prevent crime (gangs)... same characteristics as foreign intelligence. which the ACLU is comfortable with. can be standards of suspicion but boundary is law breaking. I can be spied upon but if not breaking the law then I'm not in danger. obviously the potential for abuse is less but can result when agent infiltrates meeting or group. check is in the law. if not law breaking then not in danger of being in trouble.
 - Foreign threat intelligence- may involve crimes but mostly investigates foreigners on a domestic level. the agents of an organization in the US. This can result in a violation of civil liberties more easily. organization and people who disagree with American policy become under suspicion of being connected to a foreign government or extremist at a foreign level. **Examples given- Americans concerned with freeing Jewish homeland are under suspicion of being connected with Jewish extremists. Americans upset about American policy concerning trade in South America are under suspicion of being connected with radicals from the South America.. Americans concerned with Palestinian's right are under suspicions of being connected with Hamas. The boundary on such searches is if a person is not involved in the foreign government then investigation is not going anywhere

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- The ACLU feels all other types of intelligence should be prohibited. This includes political intelligence. . intelligence about a person's religious group. . should be PROHIBITED. .I'm sure Bush would like to know about the members of groups opposing him or if Kerry becomes president I'm sure he would like to know the NRA's mailing list but those things should not be available.
- We need better-defined categories of information. . there is information out there that we don't want shared. . would you support a guideline approach? Understanding that everything can't be legislated

Intelligence Community Culture:

- NSA guys have their heads down...they [NSA] have solutions for some of the problems... don't want anyone interfering with their issues.
- Agencies and agents aren't sharing information, it's the nature of the beast, because information is turf and power.
- There is a structural problem within the FBI. . 50 years of cultural work not MI5 style.
- Need someone to bring reports to the field level. . agents are reluctant to share information.
- Multiple agencies with dots. . .need to give dots to help collect vital pieces of information. .FBI isn't big enough [13,000 agents versus the 50,000 terrorists] . . If looked at CSG, they never invite other organizations that have great data bases...fighting war that cannot be won just by FBI, they need others to help.
- Dots not connected because before 9/11 had the wrong model about hijacking. . airline attendant thought it would be a standard hijacking where they flew to a remote field and made concessions. .the idea that an airplane could be used as a weapon was not in a model that was used to look at dots. . need training for that. . someone should have realized when you have people in flight school who want to learn how to fly but aren't concerned with take off or landing. . weak spot is absence of plausible but out of the box models of what is going on. . not guessing but thinking like enemy . .red team test blue solution-WRONG model.
- To change organization culture take 7-10 years and we don't have 7-10 years to wait for the FBI to change so could you explain to me why you have an objection to a new agency to do mission.
- Agents in different agencies need to be on such good terms that when information comes to CIA that would be helpful to NSA, the CIA agent feels comfortable enough to call up NSA and tell someone. And then the two meet for lunch or something to discuss the practicality of the information. . The best you can have is the exchange between two agents.

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- The best agent at DIA wouldn't dare talk to the best agent at CIA. The collaboration between the two is crap. . it's an issue of jealousy.
- In a Utopia we would have an agency that would work for everybody but we know that doesn't work because we have seen NSA, it's owned by both DoD and DCI. We're losing the tactical revolution because almost 70 percent is being used by the CIA.
- Cells in Iran and China we can deal with, but a cell in Toronto who wants to come down to the US, we cannot deal with.
- There needs to be a respect for all cultures of agencies .. doesn't make sense to elevate analytical functions.

Intelligence Community Relationships:

- Federal government is the only one who can get information relevant to security and threaten civil liberties.
- National security preempts state and local interests.
- Categories had functional relationship to agency mission

Changing Nature of Intelligence:

- National assets no bigger than in 1980. Difference is that in 1980 the assets were 70-80% for tactical instead of national.. since 20% of our asset are focused on national... we miss things like 9/11 because we aren't focused on them.

How Can We Change Intelligence?

- With a little bit of money, a few sharp people say 20 or so, given more access to real information and real customers, not every day but at precise moment when they are needed to think through issues we are after. . .access to senior people in Congress, Secretary of Defense, DCI, Secretary of Homeland Security. . . Who are we after and what do they do? There are two things: One is to look at how better we could use what we have now in terms of systems and analysts and the complicated target set; Secondly, suppose the war goes on for 10 more years, what can we build now to launch in 5 years to provide us enough coverage?
- The kind of re-conceptualization in the late 50s and 60s, it needs to occur right now.. what strategic problems do you need to identify.. the late 50s and early 60s had a whole different view. . XXXX has been arguing this for about a year. Some group needs to think about what the national intelligence needs to be in 10 years.
- We built the intelligence community to prevent another Pearl Harbor style attack and we still need that capability but in times of war, let the military have it [intelligence support].

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Now we need to prevent another 9/11 which means a different kind of system has to be built. We need to study a series of high level groups to be able to identify the targets, signals, and signatures.

- Back to the JTF to look for case sensitive classified information. Once that is removed the unclassified information can be sent back out to the intelligence community.
- We need to encourage law enforcement to send reports to Homeland Security network because not all local jurisdictions are part of the JTTF, but all are a part of the DHS network.
- 4 options:
 - Strong DCI option (Harmon Bill)
 - Goldwater-Nichols (Goss Bill)
 - DNI with it's own agencies and budgets
 - Make a new cabinet officer- the Secretary of Intelligence