

IR 521: INTELLIGENCE, CONGRESS AND THE FORMULATION OF NATIONAL SECURITY POLICY

National Security is all about keeping the citizens of the United States, or any country for that matter, safe and secure. Policy is all about the means of keeping us safe and secure. All accept the end of safety and security while the means of policy are almost always a matter of political debate. This course will demonstrate the connection between intelligence and the formulation of National Security Policy. We will begin with the development of U.S. intelligence and the laws governing U.S. intelligence. We will describe the intelligence agencies and their input and influence on policy. We will learn the various intelligence components but emphasize the core intelligence responsibilities of espionage/covert action and analysis. Concurrently, we will follow the debate on intelligence through the influence of Congress on intelligence management and collection. We will examine developments in the intelligence community subsequent to the 9/11 attacks against the World Trade Center, including the formulation of the Intelligence Reform and Terrorist Prevention Act (2004). Concurrently, we will discuss in the course contemporary intelligence issues taking place on almost a daily basis.

COURSE REQUIREMENTS: Students will write PDBs (President Daily Brief) articles of one to one and a half pages. The topics will reflect current events and the President's interests. In addition, students will take part individually or in discussion groups on the history of intelligence collection in the US colonies and the US Republic. I will provide weekly study sheets with benchmark questions to aid in understanding the issues of intelligence, congress and national security policy. There will be a mid-term and a final examination. My office hours are 10:00-12:00 and 3:00-4:00 p.m. Mondays and Wednesdays and whenever we can meet.

BOOKS REQUIRED FOR PURCHASE:

Christopher Andrew, For the President's Eyes Only. NY: HarperPerennial, 1996.

Michael Allen, Blinking Red. Washington, D.C.: Potomac Books, 20013

L.Britt Snider, The Agency and the Hill: CIA's Relationship with Congress, 1946-2004. Pittsburg, PA: Government Printing Office, 2008.

Mark Lowenthal, Intelligence: From Secrets to Policy. Washington D.C: CQ Press, 2009.

The National Security Act of 1947 in global.oup.com

Executive Order 123333 in www.archives.gov

BOOKS ON RESERVE:

Additional assigned and suggested readings will be drawn from literature on reserve in the library.

Stephen F. Knott, Secret and Sanctioned: Covert Operations and the American Presidency. NY: Oxford, 1996.

George Crile, Charlie Wilson's War: The Extraordinary Story of the Largest Covert Operation in History. NY: Atlantic Monthly Press, 2003.

Ed. Jennifer Sims and Burton Gerber, Transforming U.S. Intelligence. WDC: Georgetown University Press, 2006.

“The 9/11 Commission Report”

Floyd L. Paseman, A Spy's Journey: A CIA Memoir. St. Paul, Minnesota: Zenith Press 2004.

GRADING: Students will be graded on the basis of written work, class attendance/participation and examinations. The mid-term examination, the PDB essays, and class discussion/attendance papers will each count for 20 percent, and the final examination will count for 40 percent of the final grade. Students are expected to attend all classes. Students who, for whatever reason, are forced to miss class should advise me and arrange to acquire lecture notes.

NOTE: The last day to drop the course without a W is 1 March. The last day to drop the course with a W is 02 April.

ACADEMIC CONDUCT: Misuse of classroom video and recording can violate the Academic Conduct Code, the Student Conduct Code (<https://www.bu.edu/dos/policies/student-responsibilities/>), the Policy on Computer Ethics (<https://www.bu.edu/policies/conditions-of-use-policy-computing-ethics/>), and in some cases Massachusetts state law. Students may not record class sessions. Students are also responsible for understanding and following the provisions of the CAS Academic Conduct Code. Copies of the Code are available on the CAS website. Cases of misconduct must be reported to the Dean's office. All class members are expected to maintain high standards of academic honesty and integrity. You are expected to provide citations in papers for all quotations, paraphrases, and ideas taken from any source other than your own original thoughts. Boston University has very strict standards for

intellectual integrity, and punishment for plagiarism is severe, and can include permanent expulsion from the university.

NOTICE OF DISABILITIES: Boston University is committed to providing equal access to our coursework and programs to all students, including those with disabilities. In order to be sure that accommodations can be made in time for all exams and assignments, please plan to turn in your accommodations letter as soon as possible after the first class to the instructor. After you turn in your letter, please meet with me to discuss the plan for accommodations to that we can be sure that they are adequate and you are supported in your learning. If you have further question or need additional support, please contact the Office of Disability Services (access@bu.edu).

25-27 Jan: **Introduction to the Course.** Description of the course. The influence of intelligence on National Security, the laws regarding National Security, Congressional Oversight and the various stages of Congressional interest and influence on intelligence. The history of Covert Action and the laws governing Covert Action.

READINGS: Andrew, pp. 1-5, Lowenthal pp 1-304 (during or after the course).

1-3 Feb: **Intelligence in the American Revolution, followed by Manifest Destiny and the American Empire.** George Washington as the Father of U.S. Intelligence. He was an avid collector of HUMINT and dedicated to Covert Action and Deception activities. Intelligence is found in the Federalist papers and through statute, instituted in the policies of President Washington. Covert Operations are instigated by virtually every president between Washington and Lincoln for the purpose of expanding the territory and National Security of the United States. Note the amount of congressional support for these policies and concurrently congressional criticism using covert action mechanisms. Northern and Southern Intelligence collection operations during the Civil War and influence operations in Europe by both sides to draw support for their respective causes occurred.

READINGS: READINGS: Stephen F. Knott, Secret and Sanctioned: Covert Operations and the American Presidency. NY: Oxford, 1996. pp. 13-159 (On Reserve). Andrew, pp. 6-29.

8-10 Feb: **Woodrow Wilson and World War I, Post World War I Isolationism, the Beginning of World War II in Europe, Pearl Harbor and the U.S. in World War II.** President Wilson comes to recognize that the collection of intelligence is already part of the National Security consensus in European countries. Intelligence has bureaucratic structures throughout Europe. British intelligence shapes U.S. policies through the passage of information and deft handling of the President of the United States. The “special relationship” with the British services begins. Congress passes the first espionage laws. After World War I, retrenchment in intelligence gathering capabilities takes place; FDR organizes a private intelligence clan; a second British influence operation occurs, and the surprise attack by the Japanese at Pearl Harbor takes place. The

founding of the Office of Secret Services (OSS). SIGINIT, COMINT and IMINT all expand in importance to intelligence collection. General Donovan makes some singular contributions to intelligence collection. Successful covert operational activities during the war influence General Eisenhower.

READINGS: Andrew, pp. 30-148.

16-17 Feb: **The Administration of Harry Truman, the Cold War, Dissolving of the OSS and the Establishment of the Central Intelligence Agency with the National Security Act of 1947.** Congressional support for the establishment of a Central Intelligence Agency takes place. Attention is given to subversion and penetration of the U.S. government and a general consensus between Congress and the executive occurs regarding intelligence collection and covert action. Covert action to support democratic parties in Europe is a first success. Surprise at the invasion by the North of South Korea a first failure. The National Security Act establishing the authorities, responsibilities and limitations of the intelligence community in the United States is passed by Congress and signed by President Truman. The Act defines the office of the Director of Central Intelligence and the Director of the Central Intelligence Agency. The law states the DCI has the authority to protect the “sources and methods” of obtaining intelligence. How does one define “sources and methods” and why do they need protection? HUMINT is the most controversial and describes a Human Source of Intelligence. What is a human source and why is it needed for National Security to have HUMINT sources. How can the U.S. government guarantee the safety of its HUMINT sources?

READINGS: Andrew, pp. 149-198. “The National Security Act of 1947.” L. Britt Snider, The Agency and the Hill. Pittsburg, PA: Government Printing Office, 2008. pp. 137-177, pp. 223-57.

22-24 Feb: **The National Security Act of 1947 Initiates the Period of Unconditional Congressional Support, 1947-74.** The act deals most specifically with covert action. What does ‘covert action’ mean? Why and how is it employed? Why is it so controversial? The act specifically notes the Oversight responsibilities of Congress in the area of covert action. The act also authorizes other forms of intelligence collection, including Signal Intelligence, Imagery Intelligence and Military Intelligence. What purpose do these collection venues have in the overall collection of intelligence? The policy of President Eisenhower to overthrow unfriendly governments in Iran and Guatemala is successful. We will look at the long-term implications and later congressional doubts about both policies. In retrospect was either covert operation justified? What do we learn from these examples of presidential leadership?

READINGS: The National Security Act of 1947.” Andrew, pp. 199-256, Snider, pp. 3-30, pp. 259-311.

1-8 Mar: **The Period of Unconditional Congressional Support, 1947-74 Continued.** President Eisenhower is a president who understands technology and is supportive of using technology in intelligence collection systems. In the aftermath of Soviet rocketry

successes, Congress is very supportive. Intelligence support to National Security through, for example, the U-2 program monitors Soviet military capability during a period of high Superpower tension in Berlin. President Kennedy has a flair for intelligence and is sold on the covert operation to overthrow the Cuban government of Fidel Castro. The failure of the “Bay of Pigs” invasion is the first major wrinkle in the credibility of CIA with Congress. This credibility is quickly won back through the discovery of Soviet efforts to deploy medium range missiles in Cuba and CIA’s handling of Soviet agent Oleg Penkovsky. Assassination as an option becomes U.S. government policy.

READINGS: Andrew, pp. 199-306.

3 Mar: **Mid-Term Exam**

10-15 Mar: **Period of Unconditional Congressional Support, 1947-74 gives way to Congressional Activism, 1947-81.** The Cuban covert operations to overthrow Castro were partly due to a failure to consult with the analysis directorate in CIA about conditions in Cuba and the support Castro had in the Cuban population. General Donovan had combined collection and analysis in OSS. CIA continued this tradition. Congress’ contact with CIA is mainly with analysis. Analysis usually gets the blame when predictions are not timely or made accurately. In foreign affairs, Vietnam dominated President Johnson’s term in office in every way. CIA analysis tended to be much more pessimistic about the military situation in Vietnam than the military’s analysis. Due to the war in Vietnam, the foreign policy consensus in the U.S. begins to fray. CIA was engaged in covert action both in Vietnam and Chile. Both later became very controversial. Efforts by President Nixon to use CIA to obstruct the Watergate investigation and the indirect involvement by CIA in the burglary terminated unconditional congressional support, seemingly forever.

READINGS: Andrew, pp. 307-396.

17-22 Mar: **The Period of Congressional Activism, 1974-81** Along with the Watergate investigations, the Church and Pike committees investigate CIA activities over the past quarter century. Congress scrutinizes a number of operations. Conflict over authorities with the executive begins, former Director Helms pleads guilty to a misdemeanor of perjury and Congress itself loses consensus. The establishment of the Senate Select Committee on Intelligence by the 94th Congress in 1976 and the establishment by the 95th Congress in 1977 of the House Permanent Select Committee on Intelligence to oversee the activities of the intelligence agencies of the United States. Thus, Congress has become a partner, sometimes equal and sometimes not, of the executive in National Security policy.

READINGS: “A resolution establishing a Select Committee on Intelligence” and “Permanent Select Committee on Intelligence.” Snider, pp. 51-91, 177-222. Andrew, pp. 397-424

24-29 Mar: **The Period of Congressional Activism, 1974-81 III is replaced by the Period of Congressional Cooperation/Confrontation, 1981-92.** The presidency of Jimmy Carter ushered in a new era of limited intelligence activity. While collection of HUMINT, SIGINT and IMINT continued or even increased, covert action was stopped. After the Soviet invasion of Afghanistan, President Carter ordered the biggest (and least secret) covert activity in the history of the CIA. President Ronald Reagan signed Executive Order 12333 establishing the rules for conducting intelligence activities. These executive orders follow executive orders by Presidents Ford and Carter. Executive Order 12333 restricts intelligence activities vis-à-vis U.S. citizens and absolutely forbids assassination.

READINGS: Executive Order 12333. Andrew, pp. 425-456. Allen, pp. ix-75.

31 Mar: **No Classes**

5-7 Apr: **The Period of Congressional Cooperation/Confrontation, 1981-92.** The U.S. engaged in two of the biggest covert activities in its history: Afghanistan and Central America. Congress hotly debated one covert action while it unconditionally supported the other. One was a factor in the collapse of the Soviet Union while the other led to a crisis in the government of President Ronald Reagan. In retrospect, one was not as successful as it appeared while the other was more successful. The Presidency of Ronald Reagan evolved from one confrontation with the Soviet Union to cooperation with the new Soviet leadership of Mikhail Gorbachev. Intelligence on Soviet views from British agent Oleg Gordievsky influenced strongly this change in National Security Policy.

READINGS: Andrew, pp. 457-502. Allen, pp. 76-151.

12-14 Apr: **The Period of Congressional Cooperation/Confrontation, 1981-92 is followed by the Period of Executive/Congressional Ambivalence, 1993-2001.** In 1989, former DCI George H. W. Bush became President of the United States. The Soviet Union collapsed, Germany was unified, relations with Mexico were intensified, Panamanian President Noriega was forcibly removed, and a coalition was forged to defeat Iraq after its conquest of Kuwait. Congress took a critical position on intelligence analysis regarding the sudden collapse of the Soviet Union. The Presidency of Bill Clinton is initially characterized by an emphasis on the economy. The end of the Cold War brings about the “Peace Dividend” as the budgets of the intelligence agencies are cut. DCI Woolsey warns Congress about new dangers to the U.S. Presidential Directive-35 on the new intelligence targets of terrorism and proliferation is issued.

READINGS: Allen pp. 152-179. Andrew, pp. 503-41.

21-26 Apr: **The Period of Executive/Congressional Ambivalence, 1993-2001.** The arrest of Soviet/Russian penetration of the CIA Aldrich Ames leads to sharp congressional criticism of the CIA and congressional demands for reform. DCI Deutch is

sent by President Clinton to head the CIA. The Counterintelligence Center is established and the FBI's role in counterintelligence is enhanced. An operational error in judgment in Guatemala and a compromise in Paris lead to serious morale problems in CIA. CIA is accused of initiating the crack cocaine epidemic in South Los Angeles. Recruitment of new officers is virtually halted. George Tenet becomes the DCI in President Clinton's second term. The leadership of the House of Representatives articulates concern about damage to the intelligence capabilities of the U.S. The administration takes a strong interest in the Balkans, Ireland and the Middle East. After the World Trade Center attack in 1993, Khobar Towers in Saudi Arabia and the Cole bombing, increased attention is paid to terrorism. CIA accepts a role in the Middle East peace negotiations. George W. Bush becomes President and Director Tenet remains in office. The President meets daily with Director Tenet. Congress remains critical about CIA's lack of capabilities

READINGS: Snider, pp. 93-124. Britt Snider, "Congressional Oversight of Intelligence after September 11," in Transforming U.S. Intelligence, Ed. Jennifer E. Sims and Burton Gerber, pp. 239-258.

28 Apr: **The Period after 9/11.** Congress establishes a joint committee to explore the causes of the attacks on the World Trade Center and the reasons why the attack was not thwarted. A global effort is undertaken with liaison services throughout the world to arrest and detain Al Qaeda operatives and sympathizers. CIA has initial successes in Afghanistan to support the opponents of the Taliban government to overthrow that government. The President signs a finding giving CIA covert action authorities in the Global War on Terrorism (GWOT). CIA is given the authority to detain High Value Targets (HVT). CIA is given the authority by the U.S. government to use coercive techniques on HVT individuals. Black sites are established. Congress is informed. The results of the investigation by the 9/11 commission of the World Trade Center attacks include a new organization for the intelligence community in the United States. The National Security Reform Act of 2004 is passed and the office of Director of National Intelligence is created. NCTC is established to coordinate intelligence on terrorism. Intelligence failures prior to the beginning of the Iraq War force the administration to name a commission to investigate the causes of this intelligence failure. The WMD commission investigates and makes recommendations to rectify problems. The Senate Select Committee independently investigates intelligence failures; the House Permanent Subcommittee does not. Political stalemate ensues.

READINGS: "The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States," pp. 361-428 (On Reserve).

04-08 May: **Final Exam**