It's a Cultural Thing: Thoughts on a Troubled CIA

by Garrett Jones

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The CIA has recently been the subject of numerous presidential commissions and Congressional committees concerned either with the details of individual operations or with sweeping reforms in structure and organization. One of the repeated themes in these reports is that the Agency must change its “culture.” This article identifies and offers possible remedies for cultural problems in the two directorates (the Directorate of Intelligence and the Directorate of Operations) and Agency-wide, and argues for enhanced accountability.

Since retiring from the CIA in 1997 after almost twenty years as a case officer ("spy runner," "asset handler," or "agent recruiter"), I have followed the Agency’s failures and successes through the media. The Agency has never been as close to termination as it is now. Numerous presidential commissions and Congressional committees are currently engaged in fault- and fact-finding about recent Agency missions. These groups by their nature are concerned either with the details of individual operations or with sweeping reforms in structure and organization.

The director of the CIA (DCIA) will need to address these specific issues as the Agency tries to move forward, but one of the repeated themes in these reports is that the Agency must change its “culture”—the day-to-day details of its operation. Much of the Agency’s culture is positive and a normal outcome of the nature of its business. Even some of the culture that outsiders find hard to understand may be healthy and useful. But some of the Agency’s culture does have to change: a few features that were always counterproductive have now become intolerable. This article identifies some of these cultural problems and offers possible remedies.¹


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Directorate of Intelligence

The Directorate of Intelligence (DI) is where the intelligence analysts live in the CIA. The intelligence analysts' job is to take all-source raw intelligence reports (human, satellite, communications intercepts, etc.) and open-source information and then to distill this mass of information into a finished intelligence product. The finished product should provide the U.S. policymaker with the best information and interpretations of the foreign policy issues that confront him or her. The DI's failure to properly evaluate and process the intelligence information on Iraqi WMD illustrates several problems that recur in DI products. These recurring practices are sources of continuing confusion and unhappiness for the DI's intelligence consumers.

Far too many DI products simply summarize publicly available information and/or attach so many caveats in answering policymakers' questions that the answers are effectively without value. It may be useful for busy policymakers to have a summary of publicly available information, but such a summary is not an analytical judgment on current intelligence. Neither is answering a specific question with an array of equally possible outcomes. While it may be human nature and bureaucratically wise for the DI to try to give an extensive answer to every question posed, it is also intellectually dishonest and a disservice to the policymaker. "We don't know" can be a valuable answer, even if it is not what the questioner wants to hear. The DI should be required to change its processes to require it to make an accountable affirmation that it has sufficient intelligence reporting available to make a meaningful analytical judgment on any question posed to it.

Words of Estimative Probability

When writing analytical judgments, a DI analyst can use any word he or she wishes—"likely," "possibly," etc.—to estimate the probability of an event's occurring. This imprecision could easily be overcome by acting on a proposal made by Sherman Kent, the inventor of the intelligence analyst profession, which the DI rejected at the time it was first made. He observed that my "maybe" might be your "probably," and someone else's "certainly" may be my "probably." To prevent confusion, only certain words describing probability should be permitted in intelligence reporting. These allowed words would be defined on a numeric scale of 1-10 or 0-100. The words and their numeric values would be made known to the consumer, so that the analyst and the consumer can communicate precisely. The simplicity and clarity of the idea should refine both the analyst's intent and the consumer's understanding of analytical judgments.2

Intelligence

Analysts in Operations

The CIA formed the Counterterrorist Center in the mid 1980s to bring together case officers collecting information on a terrorist target and DI analysts with specialized knowledge of a subject matter. It was originally an effort to better identify and exploit assets across the traditional geographic boundaries of the Directorate of Operations. (For the most part, the DO is broken down along geographic lines, such as the Middle East, Africa, etc.) This was a good idea that worked well as originally conceived, and since then there have been a number of intelligence centers set up to cover several different multinational subjects.

From its founding in 1947, one of the CIA's cardinal rules was that intelligence should be collected by a different group of people than those who analyzed what the intelligence meant and its value. The CIA's founders understood that a collector of intelligence invested far too much professional and personal energy into a source or a method to be able to evaluate the resulting intelligence in an unbiased manner. In fact, when the old CIA headquarters was first opened, the hallway doors between the DI and the DO were permanently locked. DI and DO personnel were not to mix. The DI had no stake in how much time and money the DO had expended in collecting a piece of intelligence. Their only task was to evaluate the accuracy and importance of the collected intelligence.

Unfortunately, it has become common practice in many intelligence centers for analysts to both direct the collection of intelligence and, because of their training, make the first cut on the meaning and value of the intelligence. When it comes time for the DI to produce a formal product, among the first people it sounds out on what the intelligence means are the analysts responsible for its collection. This is a fundamental error and may be at least partially responsible for the failures surrounding the Iraqi WMD question. This is not to say that collectors' opinions on the intelligence should not be considered: they often have subtle and meaningful insight into the situation. However, their opinions should be one data-point among many, not the first draft of a National Intelligence Estimate.

The current practice is a profound violation of analytical tradecraft. If you are going to collect, collect; if you are going to analyze, analyze. Having analysts involved in the collection process is a good idea, but once they have invested themselves in collection, they must not be involved in the subsequent analysis.

Reports Officers

Report Officers (ROS), sometimes called Collection Management Officers, work for the DO, but their primary job is to interface between the DO collectors and the first-line intelligence consumers, usually DI analysts. ROS are
the intermediaries between collectors and consumers. While they are not required to have experience or specialization in the given subject or geographical area, they are tasked to give the DO collectors feedback from the intelligence consumers on the value of the raw intelligence reports, identify possible gaps in coverage, and discern new areas of interest. Conversely, ROSs are to tell the consumers of the reliability and past performance of the DO sources and provide them a general sense of the access the source has to the intelligence targets. ROSs are also supposed to ensure that the clerical details of a raw intelligence report are handled correctly: checking that the correct addresses are on the report, verifying that an up-to-date source description is used, and serving as the last editorial check, seeing to it that the report’s wording conforms to Agency style.

Based on what we have learned about the Iraqi WMD issue, it appears that the interface role of the ROSs is completely broken and that neither analysts nor case officers are being well served. It is time to start over and redesign the RO function. The interface role between the collectors and the consumer has to be performed differently. The clerical component of the RO’s job is non-controversial, and the DO should retain it. The interface component of the job, however, should be shifted to the DI or to a new independent review panel. If due regard is given to the collector/analyst problem, the RO interface function may be an excellent task for DI analysts to take on when they are seconded to the DO.

Not Invented Here and Not Used Either: What Is Intelligence After 9/11 and Who Gets It?

During the Cold War, the DI produced a limited number of finished intelligence products. The average DI analyst knew exactly who his consumers were and in what information they were interested. Consumers were usually policymakers at the Department of State, the Pentagon, and the White House. Occasionally, the Departments of Commerce and Treasury were involved in certain economic reporting, but the audience for finished reporting was small.

Since 9/11, intelligence consumers have run the gamut from policymakers to local police chiefs, and from combat commanders at the unit level to FBI agents trying to get a search warrant. Some of the consumers want masses of data sifted through, while others insist on receiving a real-time flow of the raw data. A DI analyst may no longer be able even to identify his consumers, much less grasp their individual needs for intelligence. The DI has met this new

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challenge by largely ignoring its existence. Finished intelligence products are delivered to consumers in more or less the same format and by more or less the same methods as they did during the Cold War, and they address more or less the same questions.

This is not good enough. For a start, the DI needs to identify all of its consumers and find out who needs what information and in what format. A second step might be to find out what other parts of the U.S. government have already amassed large amounts of raw information that could benefit DI consumers. The Drug Enforcement Agency, for instance, has an enormous amount of raw information on the operational details of drug cartels. Do the operations of drug cartels mirror in any way the operations of terrorist cells? Does the multiyear hunt for drug lord Pablo Escobar have any lesson that could aid in the hunt for Osama bin Laden?

Performing analysis no longer means just pulling together written documents of various pedigrees and condensing their meaning. There is no public indication that the DI is researching recent developments in computer data-mining of both classified and open-source databases looking for counterintuitive or nonlinear relationships. (An example of a nonlinear or counterintuitive relationship would be dress hemlines and the U.S. stock market, which rise and fall with each other. No one knows why, but the relationship seems real and predictive over time.)

Another new challenge not yet addressed by the DI is that the intelligence analysis function can change over time, even for the same consumer. While policymakers may require the traditional “secret information”—i.e., plans, intentions, and capabilities—to define an emerging situation, their needs can change once an initial policy has been formed. Determining that a chemical weapon plant exists is an example of the traditional “secret stealing”; finding out who is being bribed to sell illicit equipment and by means of what bank accounts is new to the Agency, which has not even explored how to do something covert to effectively end the bribery. Historically, the default is to go to the diplomats and see if a strongly worded démarche can achieve anything; if a diplomatic resolution is not possible, then it’s “send in the Marines.” There has to be something in between—perhaps compromising the existence of secret international bank accounts, starting civil suits against the various players operating through deniable fronts, mounting direct-action missions against material in transit, or rerouting shipments by compromising computer systems. The information, or intelligence analysis, needed to carry out any of these nontraditional efforts in no way resembles traditional intelligence analysis. Shipping schedules are rarely classified, and Swiss bankers may fear public disclosure more than covert action. Those who carry out these nontraditional activities, whether collection or covert action, require intelligence analysis. Are the collectors going to do this, analysts working with the collectors, or a new branch of the DI?
Liaison Services 101: None Are Friendly and Many Are Not Competent

There have been repeated calls in the media and Congress for the CIA to increase its cooperation with “friendly” foreign intelligence liaison services to obtain better reporting on terrorism and other vital intelligence targets. This could be valuable, but there are a few features of liaison services to bear in mind. First, there are no “friendly” liaison services, not even among those allies who are historically, philosophically, and economically closest to us. There are several liaison services whose own national interests often coincide with U.S. interests and with whom we often cooperate to some degree. But they are not on our side: they are on their own side. They report to their own governments, and what is good for their governments is not always good for the United States. The intelligence the CIA receives from a foreign service may be reliable, partly accurate, or completely false, depending on how that service sees its own national interest on a particular subject.

A second factor is whether the foreign service is any good at reporting on the intelligence subject in question. Besides the CIA, perhaps two or three other national intelligence services are worldwide in scope. There are then perhaps a baker’s dozen of good regional services that can accurately report on their neighbors or some specific region of the world. The rest, including a number of wealthy and sophisticated countries, would be better served by subscribing to the New York Times for foreign intelligence reporting.

However, the liaison services’ internal reporting abilities are often outstanding. Inside their own borders, most liaison services have an excellent grasp on what is going on and who is involved. Their powers normally exceed anything the FBI can do, and if they are willing to share the information, it is usually more accurate and detailed than anything the CIA can hope to obtain unilaterally.

All these factors must be considered in evaluating liaison service reporting. As the Iraqi WMD fiasco demonstrates, they are not. The CIA’s Counterintelligence Center remains the primary component that performs a regular evaluation of the foreign liaison services. The Center is chiefly focused on evaluating how much of a counterintelligence threat the liaison service might pose to U.S. interests. Evaluating the service’s foreign intelligence reporting credibility is outside the Center’s scope. Logically, the ROS could pick up the slack, but as noted above, that role appears to be completely broken.

Whatever component is finally drafted to take on this task is going to have to tell the intelligence consumer a few things upfront when disseminating a liaison service’s intelligence report. Does the service have credibility? Has it ever reported on the given intelligence subject? What percentage of its reports were correct? It will also need to inform the consumer about the liaison service’s own agenda. Are its internal politics such that it will tell us everything it knows or only some of what it knows? Will they embellish what information
they might have in order to influence U.S. policy? Making these evaluations will be a full-time job, not something that can be done some slow afternoon. Too much is at stake.

**Directorate of Operations**

In the DO, some things have been broken for years, and it is time they were fixed. Despite a widespread knowledge among Agency officers of these dysfunctional artifacts, senior officers cling to them with a sense of entitlement, a *droit du seigneur* that borders on the edge of "power corrupts, but absolute power is pretty neat."

**The Not-So-Meritorious Promotion System**

In a bureaucracy such as the DO, the promotion system is supposed to do two things well: reward past superior performance and select the people who will advance through the organization and become the future senior officers. In the DO, it works this way: until grade scale 13, it is pretty much pass/fail. (This is for case officers in the DO; it varies over other directorates and job titles.) There is no competition to speak of; if you show up and do the job, the promotions will come. (The DO had to do this for retention reasons, given how expensive it is for a family to live in the Washington, D.C. area.)

From GS-14 on up, it becomes competitive, "sort of." There are two lists: one of everyone who is eligible for promotion and recommended for promotion by their respective component chiefs, and the other listing everyone else who is eligible for promotion. Both lists are ranked by merit. The first list is then matched to the number of available promotions, and those folks are promoted. Generally, the recommended list is roughly the same size as the available number of promotions. If there are any positions left after the first list has been promoted, then starting with number one, folks on the second list are promoted until all the promotions are filled. Promotions to the Senior Intelligence Service (SIS, the grades above GS-15) do not even go through the motions of a merit system. The component chiefs take their picks to the DDO (Deputy Director for Operations); ultimate decisions are generally governed by who has the most influence with the DDO that week.

Where there are competitive lists (GS-14 and GS-15), the two lists are not ranked against each other. The first dozen or so folks on the not-recommended list may be as good as or better than anyone on the recommended list, but they will not be considered for promotion until the recommended list has been promoted. This often happens. This is unfair, but that is not the worst part of this system. The real problem with this system is, especially at the SIS level, that whatever kind of management and leadership you have had before, you will
have again. Not one of the many articles written about the CIA and the DO over the last few years has called for more of the same, but more of the same is what the DO’s promotion system fosters. If you liked the past, you are going to love the future.

The quickest way to change things is to have one list for promotions above GS-13, including the sis levels. Everyone is ranked by merit on the same list and the top performers on the list are promoted. A few folks with new ideas, uncomfortable and threatening ideas to the status quo, may be just what the DO needs. At this point, it cannot hurt to try.

"They Did What?" How the Agency Does Not Learn from its Mistakes

Whether you call them after-action reports or lessons-learned studies, these usually have two main components: identify what your organization has done well or poorly, and then disseminate what you think you have learned to everyone involved. This is inarguably a good idea, but the CIA—and the DO in particular—has yet to buy into it. The DO does not require lessons-learned studies, has no guidelines on how to produce them, no personnel responsible for preparing them, and no mechanism for routinely disseminating such products if they were produced. When an outside body such as the Inspector General does undertake a review or investigation, the results are normally shared with only a few high-ranking individuals. These select readers are often the people responsible for the failure in the first place and have the most at stake in concealing their errors.

If an organization is neither trying to learn from its mistakes nor circulating information organization-wide on how to do better, it cannot improve performance. True, such a standardized review will require a commitment of resources and may embarrass otherwise good people. Consider, however, the resources it will take to repair a disaster. Isn’t a little constructive criticism good for everyone? Perhaps one could begin by reviewing generally acknowledged mistakes as a normal course of business. If that proves useful, then the practice could be extended. As far as potential security problems in such a process, since everyone in the DO has high-level security clearances, posting a suitably redacted report available to all in the DO on a classified system is a trivial problem. This is a simple idea that should have been implemented a long time ago.


7 See Dan Baum, “Battle Lessons,” New Yorker, Jan. 17, 2005, for the Army’s mechanisms to share “lessons learned.”
Worldwide Presence vs. Worldwide Capability

Within the Agency in the early 1990s, two contrasting schools of thought arose about the number of overseas stations the DO should maintain. One school of thought, the *worldwide presence* advocates, is that the DO should be on the ground as a permanent presence in as many different locations as possible. Another school, those favoring simply a *worldwide capability*, believed the DO should conserve its resources, have a permanent presence in only a few key locations, and then be prepared to surge into other geographical locations on a temporary, as-needed basis. These competing premises are ones upon which reasonable people can disagree. The Agency opted for the worldwide-capability model, and over the years, many DO stations were closed overseas. I believe there is a qualitative difference in the effectiveness and reliability of collection operations that are based on a permanent presence.

I have participated in “surge” operations to cover breaking intelligence targets, and they are inherently risky, from both counterintelligence and reliability standpoints. They are also very expensive in personnel and money. In a “surge,” operation you are trying to create in days what would normally take years of careful work. This is done by throwing money and personnel at the problem. You can get away with this some of the time, but eventually it will undo you. Better is taking the long view and carefully vetting collection operations. Intelligence collection is about quality, and quality operations take time and preparation.

A second reason a worldwide presence is preferable is the fact that many of the Agency’s best sources over the years have been volunteers. It is human to believe in talent and hard work, but sometimes you can also get lucky. In the past, simply put, the Agency was not very hard to find. Most embassies had a DO officer immediately available and extensive preparations had been set in place to securely handle the genuine volunteer with valuable intelligence. With the closure of many stations, this is simply no longer the case in many places. To win the lottery, you have to buy a ticket. In this case, the price of a ticket is a station on the ground.

Toxic People and Due Diligence

The Agency used to have a reputation for attracting and retaining some very “different” people. I have worked with a few of them. They ran the gamut from individuals who were astonishingly creative and a joy to be around to those who cause one to wonder how they made it to adulthood. In the Agency, this second group are known as “toxic people.” The Agency has a history of tolerating them in positions of authority. The theory has always been that despite the damage they do to those around them, these “toxic” individuals are brilliant and the results they produce justify their retention and promotion.
The Agency may have been strong enough at one time to tolerate "toxic" people and the damage they caused to careers and morale, but I do not believe that this is any longer the case. The current DO workforce will no longer suffer in silence what they perceive as arbitrary and abusive treatment by senior officers. With Congress looking over their shoulders more than ever before, the DCIA and the DDO must demonstrate "due diligence" in their selections of individuals to fill senior positions. The days of senior DO officers with poor people skills and contempt for subordinates are over. If the DCIA does not take note of this change, it will come back to haunt him.

Management vs. Leadership

Never in senior officers' entire careers within the DO will they be evaluated on their leadership ability. There is no leadership training. The Agency's position is that it evaluates and trains its senior officers in management ability, but there is a substantial difference between the two concepts: leadership requires inspiring people, while management involves stewardship of resources. The U.S. military observes this distinction: their doctrine is that one leads people and manages non-human resources. Managing, instead of leading, people is to treat them as commodities.

Case officers are often called upon to do dangerous and difficult things in dangerous and unpleasant places. The senior officer who wrote a particularly effective memo on reducing the costs associated with the use of rental cars may be a wonderful person, but he may not be the person to call the shots when officers' lives are endangered in some far-off place among hostile people.

Leadership can be taught. The military academies do it every year with 18-year-olds. Leadership can be objectively evaluated, the easiest way being to look back and see if anyone is following you. Intelligence work in the field demands extraordinary things in difficult circumstances. Those performing this work need to be led by senior officers who know the difference between leadership and management. The Agency's senior officers should be evaluated on their leadership abilities before they are promoted.

Jointness: On Being Purple

Squabbles over resource allocations began as soon as the U.S. military services were founded. After World War II, Congress attempted to force the various services to adopt the concept of "Jointness," where the needs of all the services are placed before the individual needs of each service. (In the military services, this is known as "being purple," purple being the color one ostensibly gets when one mixes all the uniform colors of the various services.) Congress was largely unsuccessful. Finally, in 1986, a frustrated Congress mandated that no officer could be promoted to general officer unless he/she
had served in a "joint tour of duty," loosely defined as two years working with other services, in which role you are not to represent your own service’s parochial interests. The effort worked. Faced with career-ending restrictions, the U.S. professional officer corps embraced the Jointness concept and translated the concept into the superb military machine that now dominates the world military scene.

Since 9/11, Congress and the executive branch have attempted to promote the concept of Jointness within the intelligence community, but with little success. The bureaucratic inertia and foot-dragging they have encountered mirror the resistance of the military services when they were first confronted with the idea of Jointness. If Congress and the president want Jointness to be implemented in the intelligence community, they are going to have to force the issue. They could begin by mandating that no one within the IC can advance beyond the level of GS-14 (about equivalent to the military’s lieutenant colonel) without serving in a "joint tour." The intelligence community may not embrace the Jointness concept, but it will have to give it attention.

**Retirees and Contractors**

When I first joined the Agency in the late 1970s, I noticed a few older folks in the halls sporting green badges instead of the normal staff badge. When I asked about them I was told that they were retired staffers who had come back to work on contract to help with liaison visits or temporary workforce shortages, or because they had unusual language or area skills. At the time, I thought this was a good system: experienced, cleared people could help when there was a workload surge or temporarily plug the gaps until things could be sorted out permanently. Over the years this practice expanded as the Agency’s workload and responsibilities increased. By the early 1990s it was largely out of control, with the contracting process in effect being used to fill the gap left by the lower number of employees authorized by Congress. The Agency could not hire new employees at the rate it needed, but it could bring back retirees.

After 9/11, the practice of contracting retirees exploded. Today, the DO would grind to a halt if the retirees were removed. RUMINT\(^8\) has it that about 30 percent of DO employees are retirees. DO employees can retire, join a firm that is contracting with the Agency, and resume their old job within weeks, with a 25-percent increase in salary. This practice could be justified as a short-term measure and a “necessary evil,” but in the war on terror, there are adverse long-term effects.

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\(^8\)RUMINT, or rumor intelligence, is an informal term in common use within the intelligence community. It is the only form of human communication alleged to travel faster than the speed of light.
Apart from the usual abuse that can come from having this kind of money sloshing around, widespread retiree-contracting distorts the workforce by siphoning off workers to early retirement. Contract retirees are not in the DO chain of command. As more experienced employees are enticed into retirement, the pool of experience is reduced at the command levels. The practice also tends to separate core functions and skills from staff employees. Several components within the DO are for all intents and purposes completely staffed by retirees, with one staff employee in the front office. The practice creates two workforces, paid significantly different amounts to do the same work. This is becoming a morale problem for staff employees.

This is not to criticize the retired employee contractors, who more than earn their salary and do an excellent job in the process. But Agency management has to assess the long-term impact of the contracting process and how it impacts the hiring and training of tomorrow’s leaders.

Agency-wide Reforms and Problems

Counterintelligence and Connectivity

Since 9/11, both the executive and the Congress have mandated that all elements within the intelligence community must be interconnected and must share information about possible terrorist threats. This is a reasonable reaction to the information fragmentation that was the norm among the intelligence community before 9/11. Unfortunately, there has not been any consideration of the unintended effects of the mandated change in procedures. In the intelligence business, information security equals inefficiency. Raise the efficiency with which you can share information and you automatically increase the possibility that information can be compromised.

This has always been a conflict in the intelligence profession: sharing information risks revealing its existence and endangering the source of the intelligence. The arrival of interconnected networks and computer databases has exponentially raised the damage a hostile mole can do to the intelligence community. It used to be that a hostile mole could steal the papers on his desk; now he can steal his own work and everyone else’s that is in the various databases to which he has access. To paraphrase Paul Redmond, one of the CIA’s counterintelligence gurus: “It is an actuarial certainty that there is a hostile mole operating within the intelligence community at any given time.” The next mole is going to clean the intelligence community out because of interconnectivity. There are some computer security steps that can be taken, but to put it bluntly, they are hard to do, expensive, and do not work well. This is a cost and an unforeseen consequence of interconnectivity within the intelligence community. It is a matter of when, not if. If the policymakers are not warned
early and often, then the intelligence community leadership will deserve the outraged criticism it will receive.

Falling Through the Cracks

Since 9/11, all the components of the intelligence community have significantly redirected their efforts towards counterterrorism. Informed RUMINT has it that of the FBI’s 12,000 or so special agents, only 4,600 are working criminal cases, with the rest working against counterterrorism, domestic security, and counterintelligence targets. One can wonder whether keeping the FBI out of the criminal enforcement business to such an extent is a good thing. It was comforting having the bureau focusing on organized crime, international gangs, and white-collar crime.

The classified personnel numbers at the CIA no doubt reflect a similar shift of resources. This means that subjects and areas to which the CIA used to devote resources have been downgraded in coverage. This means we are going to be surprised. No government handles surprise well, and national intelligence agencies are always found to be guilty. Neither the public nor Congress are going to understand it when the inevitable surprise happens. The CIA has taken some bad hits recently in this regard, and a few more may be fatal. Generally, the public handles the truth fairly well, even if it is not what they want to hear. The DCIA or the new National Intelligence Director needs to craft a program of informing the public of what it can reasonably expect in the short- and medium-term from the CIA. No intelligence service wants to tell the world where it is weak, and it will have to be a careful performance by whoever assumes the task. The alternative to reasonable expectations may well be a complete loss of public trust and a subsequent crippling of the CIA and the intelligence community.

You Could Always Ask Them

The DCIA may want to survey employees on what they perceive to be problems within the Agency. This sort of survey has been done before at the Agency; a particularly large-scale survey was conducted under Director William Casey in the late 1980s, but the results were never released to the employees or the public. RUMINT has it that the results of these inquiries are so embarrassing, Agency leadership has refused to release the results. Agency employees have in fact consistently pointed to the same problems over the years. This may be the right moment to conduct a survey, and one with some degree of transparency for employees.

Staff Relations

Not unlike some parts of government, the military, and the private sector, there has been a long-standing tradition at the CIA of senior officials'
engaging in sexual relations with newly hired and/or junior officers who work for them. In the early 1980s, the practice became so disruptive at the Agency's main training facility, The Farm, that it was made a firing offense. The perception of favoritism as a result of such relationships, especially in promotions and assignments, is extremely corrosive to employee morale. The DCIA needs to take a position on the problem for his senior staff: if you get caught doing it, you are fired.

"Palsied by Lawyers"

While I do not always agree with Michael Scheuer, he certainly got it right with that phrase. Having your own lawyer has become as necessary as having top-secret clearances at anything above the lowest level of CIA management. Each level of management has its own lawyer, fundamentally tasked with keeping that level of management out of trouble. Getting something done comes in a distant second priority. This is not an unreasonable response by CIA managers. Since the Boland Amendment in the 1980s, Congress has levied a series of formal and informal requirements on the CIA. Not even their authors agree on exactly what they mean. Couple this with ambiguous guidance from successive administrations, a "gotcha" political climate, and reluctance on the part of CIA directors to back their own people, and the various managers are left looking for cover.

In the CIA as in any other agency, things roll downhill. Starting at the top, at each level a lawyer tries to identify where the "bright line" is that either Congress or the White House does not want the CIA to cross. Having identified where s/he thinks that line is, they then subtract 5 percent to ensure a safety margin for their management level. After a dozen or so levels of management, a lethal-action order turns into a request to speak harshly in bin Laden's general direction. An exaggeration, but not by much.

The lawyers should be pulled out of the unit level and put back with the Office of General Counsel at the director's level, where they belong. Then, a policy can be established of "one issue, one lawyer, and one legal opinion." You have a legal question. The General Counsel has assigned one lawyer to that issue, and that lawyer tells you what the director's guidance is. One interpretation, one safety margin, and one place for Congress or the White House to go, at the highest level of the Agency, if they are not happy with how the policy is implemented. Rooting around at the branch level trying to hold some GS-12 accountable for interpreting guidance originating at the highest levels of the government is ridiculous. Short of malfeasance or criminal intent, the buck stops at the director's office, or at least it should.

9 Michael Scheuer, Imperial Hubris: Why the West is Losing the War on Terror (Potomac Books, 2004).
Internal Affairs

The CIA has no Internal Affairs Unit or Office of Professional Responsibility to handle violations of Agency regulations or procedures. Depending on what the offense might be, an individual can be investigated for wrongdoing by any or all of the Office of Security, the Counterintelligence Center, the Office of the Inspector General, the individual's work component (for example, the DO for a case officer), and the General Counsel (to determine whether to refer the matter to the Justice Department for prosecution). Each of these has its own procedures and standards, and each reports its results to different authorities. It is entirely possible for multiple components to investigate the same set of facts at the same time and come to different results. The process is so arbitrary, the "powers that be" can decide who is going to be the designated scapegoat for a particular incident and then convene an investigation to obtain evidence to support their decision.

For reasons of efficiency and fairness, this has to change. Employee investigations, other than criminal acts, need to be conducted by a single investigative office within the CIA, with uniform standards and procedures. The Inspector General has certain statutorily required duties, but perhaps this task could be added to its purview. The Office of Security might be another place to consolidate this function. Wherever the function is located, the results of these investigations should then be reported to a single place, where a consistent standard of accountability can be applied. At the moment, the employee's component chief decides what penalty, if any, is appropriate based on the various findings—that is, unless the higher-ups have become involved, and then the component chief does what they are told. The entire procedure or lack thereof serves neither the employee nor the Agency.

9/11 and Accountability

Shortly after 9/11, an Agency-wide investigation was instituted to hold individuals accountable for failures that may have resulted in the events of 9/11, and on August 26, 2005, the CIA sent the Inspector General's report on CIA performance leading up to 9/11 to the House and Senate Intelligence Oversight Committees. Clearly, if it requires nearly four years to hold someone accountable, an agency's procedures are broken.

10 Richard Holm, The American Agent: My Life in the CIA (St. Ermin Press, 2004). Three different components were conducting simultaneous investigations on the same set of facts. None of the investigating components interviewed the person in charge at the time of the alleged incident.

Even more troubling, this report is not being released in either a
classified form for use within the CIA or in an unclassified form for release to
the public. On October 6, Director Goss confirmed that he would neither release
the report nor hold any CIA officer accountable for intelligence failures prior to
9/11.12

The Washington Post, reporting based on interviews with persons who
had seen the report, characterized the report as harsh, since it named the CIA
officers responsible for the Agency's failures before 9/11 and called for
disciplinary action against them. In the same article, "an unidentified official" stated that Director Goss was inclined to shelve the entire report without
action, claiming that many of the retired officials involved could not be
disciplined by the CIA. Additionally, those retired officers who were still
working at the Agency were leading the CIA's efforts against terrorism and
did not need to be distracted from their current jobs. There seems to be more
than a whiff of après moi, le deluge in this—"We may have been in error, but it
does not matter, for we are irreplaceable!"

This was the most significant intelligence failure since Pearl Harbor, yet
the CIA just wants to move on. That the DCIA and the senior officers of the CIA
should even harbor such thoughts signals that the CIA's leadership has lost
touch with the thinking and mood of the American public, and that it is
unmindful of the partisan political war that will be started if the CIA tries to go
forward with this position. For now, both the public and the political classes
are distracted by recovery efforts after Hurricane Katrina. One observes that in
the case of that disaster, a natural one in which bin Laden had no part, the
clamor to hold accountable the officials responsible for mishandling the
disaster was immediate and has not abated even with the removal of FEMA'S
Michael Brown. Hoping the 9/11 report goes away is "group-thinking" of the
first order. To quote the originator of the term "group-think" in describing
small, insular groups with a homogeneous worldview: "These kinds of groups
share the illusion of invulnerability, a willingness to rationalize away possible
counterarguments and a conviction that dissent is not useful."13

The CIA's desire to deflect the American public's obsession to blame
someone, anyone, is understandable to a degree. There probably was not
sufficient information available to the CIA or anyone else before 9/11 to stop
the attacks. In all likelihood the intelligence community had not collected
enough "dots" to be able to do any connecting. That, however, is not the point.
Policies and practices employed long before 9/11 led the intelligence com-

12 Katherine Shrader, “Lawmakers Ask CIA to Open Sept. 11 Report,” Las Vegas Sun, Sept. 16,
13 Irving Janis, Groupthink: Psychological Studies of Policy Decisions and Fiascoes (Boston:
Houghton Mifflin, 1982), quoted in James Surowiecki, The Wisdom of Crowds (New York:
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protect the United States from a terrorist attack. Identifying those policies and practices is fair game. If the organization does not know how it fell into the hole, it is unlikely to be able to crawl out. If the CIA does not learn from mistakes made before 9/11 and is not seen to be holding people accountable for what they did or did not do, it has no future.

Whomever the senior retired officials named in the report are, the CIA in fact has significant leverage over them. One can be reasonably sure that most of these senior officials have maintained their security clearances and are enjoying a second career consulting on homeland security and intelligence matters for major corporations involved with government contracts. Security clearances are like gold: with them, you are a highly paid consultant and "beltway bandit"; without them, you are just another retiree. Security clearances are not a right; they are completely discretionary. The DCIA can revoke security clearances for any reason or no reason, and he does not have to explain his actions. If the DCIA wishes to express how unhappy he is with how you did your job before you retired, this falls well within his authority. This is exactly what happened to former Director John Deutch. One cannot appeal the DCIA's decision. One could sue, but federal case law is on the side of the DCIA.

The mid-level people who may be culpable for their behavior before 9/11 are now the senior people in charge of the counterterrorism effort. If there is another terrorist attempt on the United States, then the people who may have been culpable for 9/11 will be responsible for averting the new attack. Where I am from, allowing something like that to occur will get you hunted down by people with dogs.

If one believes that the process of holding people accountable might distract officials within the CIA, think how distracted they will be if an angry Congress abolishes the CIA and they have to start over from scratch building a new intelligence apparatus. For the CIA as an agency to put 9/11 behind it, everything needs to be made public that can be made public. Trying to stall this subject is going to lead to a disaster in short order.

Conclusion

This article endeavors to draw attention to some of the cultural artifacts at the CIA that have failed to change with the times. Whatever utility these practices may have had when they originated, they have become liabilities in the current environment. A unifying theme among them is that in each instance, there is a marked tendency on the part of senior levels of the CIA not to tolerate criticism, but instead to staunchly defend the status quo. In my

experience, working-level Agency employees would welcome substantive change, not just meaningless reorganizations. Additionally, a distorted selection/promotion system has led the Agency to become top heavy with risk-averse “careerists.”

Another event such as 9/11 or the Iraqi WMD fiasco could lead to the break-up of the CIA as it is currently known: the ice is that thin. That said, there are some great people working their hearts out at the CIA. With a modicum of enlightened leadership and support, there is nothing that is beyond their reach. The clock is ticking.