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**THESIS**

**DO POLITICAL APPOINTMENTS CREATE  
POLITICIZED INTELLIGENCE?**

by

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June 2018

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**DO POLITICAL APPOINTMENTS CREATE POLITICIZED INTELLIGENCE?**

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## **ABSTRACT**

A resilient nation must not only have a strong and functional military for defense, but also have the capability to collect tactical intelligence about adversaries to inflict the greatest potential damage in potential conflict. Regardless of the size and strength of forces, intelligence sharpens the military force's lethality, ultimately making a nation powerful.

Fundamentally, intelligence should be unbiased and objective. However, as the United States polarizes itself politically today between its two dominant parties, that objectivity is at risk. Political bias has been included in U.S. intelligence analysis and through a study of two cases, it is apparent that politicized intelligence often negatively impacts the intelligence community (IC), the military, and the citizens of the United States.

The current system of appointing senior intelligence officials inevitably fosters politicized intelligence because of an inherent obligation of those appointed to serve the administration that selected them. This thesis recommends that to reduce politicization, legislation must require IC leaders to have served as intelligence officers first and with positional term limits, essentially making them professional, not political, appointments. The objective of this legislation would be to maintain the policymaker and IC leadership relationship while ensuring the public that the IC remains capable, knowledgeable, and unbiased.

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## **LIST OF ACRONYMS AND ABBREVIATIONS**

CENTCOM	United States Central Command
CIA	Central Intelligence Agency
CJCS	Chairman of the Joint Chiefs of Staff
COI	Coordinator of Information
DCIA	Director of the Central Intelligence Agency
DNI	Director of National Intelligence
DoD	Department of Defense
FBI	Federal Bureau of Investigation
FEMA	Federal Emergency Management Agency
IC	Intelligence Community
IG	Inspector General
IRTPA	Intelligence Reform and Terrorism Prevention Act of 2004
ISIS	Islamic State in Iraq and Syria
JCS	Joint Chiefs of Staff
NSC	National Security Council
UN	United Nations
USAF	United States Air Force
USMC	United States Marine Corps
WMD	Weapons of Mass Destruction

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# I. INTRODUCTION

## A. RESEARCH QUESTIONS

A fundamental principle of intelligence work is that it should be unbiased and objective. However, as the United States polarizes itself politically today between its two dominant parties, that objectivity may be at risk. This thesis analyzes whether political biases have been included in U.S. intelligence analysis and whether such politicization adds value to intelligence or undermines the apolitical principles of the Intelligence Community (IC). Additionally, this thesis investigates what action the government could take to prevent the negative implications of politicized intelligence in the future. In particular, it examines three questions. First, is politicized intelligence necessary to support national policy? Secondly, has our system for selecting intelligence community leaders led to negative politicization in American intelligence? Finally, in order to reduce politicization, should intelligence leaders be chosen based on professional experience similar to the Joint Chiefs of Staff (JCS), and should they be given a fixed term like the FBI director?

## B. WHY DOES POLITICIZED INTELLIGENCE MATTER?

A resilient nation must not only have a strong and functional military to defend itself, but also the capability to collect strategic, operational and tactical intelligence about its adversaries to inflict the greatest potential damage if conflict becomes necessary. Regardless of the size and strength of forces, intelligence is the spear that makes a military force lethal, ultimately making a nation powerful. However, as Mark Lowenthal adamantly argues, politicized intelligence undermines the effectiveness of analysis. He characterizes politicized intelligence as “one of the strongest expressions of opprobrium that can be leveled in the U.S. intelligence community.”<sup>1</sup> Michael Rubin agrees with Lowenthal, and adds that politicization is growing today not only in different types but also in quantity.<sup>2</sup>

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<sup>1</sup> Mark M. Lowenthal, *Intelligence: From Secrets to Policy*, 7th ed. (Thousand Oaks, CA: CQ Press, an imprint of SAGE, 2017), 4.

<sup>2</sup> Michael Rubin, “The Temptation of Intelligence Politicization to Support Diplomacy,” *International Journal of Intelligence and CounterIntelligence* 29, no. 1 (2016): 18, <https://doi.org/10.1080/08850607.2015.1083309>.

Not only is politicization a problem, but it remains relevant even in the current administration. Recently, reports have revealed that President Trump may have influenced intelligence by predicting Iran would be in violation of the nuclear agreement vice coming to this conclusion based on intelligence analyses.<sup>3</sup> Citizens should be concerned as bipartisanship in the United States government diminishes and support of party politics and administration's policies supersedes subjective intelligence.

Even before the current administration was elected, in the recent history of the United States, intelligence assessments have often affected diplomatic and military decisions; examples include the 2003 Iraq invasion and the fight against the Islamic State in Iraq and Syria (ISIS). Politicized intelligence directly affected these campaigns and led to policy and intelligence failures. In Iraq, policy drove intelligence demands vice intelligence helping shape foreign policy.<sup>4</sup> In the case of the fight against ISIL, senior military commanders were accused of persuading intelligence analysts to soften their estimates to make it appear that their campaigns were more effective than they actually were.<sup>5</sup> It appears that senior intelligence leadership used biased analysis to support a politically palatable foreign policy. Because of politicized intelligence, members of the armed forces fought and died in these conflicts while American taxpayers funded their efforts.

Despite the current and other recent administrations being accused of politicizing intelligence, it is often the political appointed IC leadership who is accused of this behavior. The formal practice of naming political appointees to head American intelligence agencies dates back at least to President Franklin D. Roosevelt, when he selected William Donovan as the Coordinator of Information (COI) (the predecessor of the Central Intelligence

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<sup>3</sup> Julian Borger, "White House 'Pressuring' Intelligence Officials to Find Iran in Violation of Nuclear Deal," *Guardian*, August 28, 2017, <https://www.theguardian.com/world/2017/aug/28/iran-nuclear-deal-violations-white-house-search-intelligence>.

<sup>4</sup> Erik J. Dahl, "Not Your Father's Intelligence Failure: Why the Intelligence Community Failed to Anticipate the Rise of ISIL" (unpublished book chapter), 11.

<sup>5</sup> Dahl, 11.

Agency (CIA)) in 1941.<sup>6</sup> Although Donovan appears to have served valiantly as the first COI, his appointment established the precedent that political appointees would lead the IC. It appears that Donovan never used politicized intelligence; however, the establishment of IC positions as a political appointment may have made it more likely for politics to influence intelligence analysis.

Not all experts believe that increased politicized intelligence is bad. Some argue that politicized intelligence—or at least, policy relevant—can be more useful than intelligence that lacks the interest of policymakers. Intelligence scholar Richard Betts, a former staff member of the Senate Select Committee on Intelligence and professor at Columbia University, suggests, “The best analysis is useless if those with authority to act on it do not use it.”<sup>7</sup> Intelligence is just information if it is not policy relevant, and information is useless in making policy decisions.

Although the debate of the causes and effects of politicization is nothing new, one possible cause of politicization has not been widely deliberated: the practice of appointing IC leaders for political interests or favors rather than appointing individuals based on intelligence expertise, experience and ability. Little attention has been devoted to addressing the problem that senior intelligence leaders may inject their political opinions in analysis to conform to an administration’s policy.

### **C. THE INTELLIGENCE PROBLEM AND THE SOLUTIONS**

The research question proposed contains three distinct questions that are worth deliberating. First, have political biases been included in intelligence analysis or briefings, and does politicization add value to the intelligence, or does it undermine the apolitical principles of the IC? Secondly, has the system for selecting IC leaders contributed to politicization in American intelligence? Finally, what action could the government take to prevent the negative implications of politicized intelligence in the future?

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<sup>6</sup> “COI Came First,” Central Intelligence Agency, June 28, 2008, <https://www.cia.gov/library/publications/intelligence-history/oss/art02.htm>.

<sup>7</sup> Richard K. Betts, *Enemies of Intelligence: Knowledge and Power in American National Security* (New York: Columbia University Press, 2007), 67.

The first question is the basis of the overall argument. If politicized intelligence has not occurred in the history of the United States, then this thesis would have been irrelevant. However, the literature overall suggests that politicized intelligence has occurred, despite experts having mixed views as to whether the influence of politicized intelligence has a positive or negative effect on policy. Politicized intelligence may give policymakers substance and context that can be impactful to aid the decision making process. Nevertheless, if the intelligence becomes partial to policy preferences, it could misrepresent the intelligence and cause intelligence failures. This thesis argues that although politicized intelligence appears to get the attention of policymakers, it undermines the principal foundation of the IC's apolitical nature.

The second question in this thesis expands on the previous inquiry. Has the system for selecting IC leaders contributed to negative politicization in American intelligence? Politicized intelligence is inevitable within the current system of appointing senior intelligence officials because there is an inherent obligation of those appointed to leadership positions to serve the administration that appointed them. This thesis explores options to alleviate this dilemma by arguing that if the United States government wishes to increase the trust and the integrity the public has for the United States IC, it should change the way in which senior intelligence officials are appointed.

The final question in this thesis is what action the government could take to prevent the negative implications of politicized intelligence in the future. The hypothesis is that there needs to be a greater separation between the producers and consumers of intelligence. When these two groups are interconnected, it can lead consumers to dictate what the producers should infer through their analysis, vice the producers generating the intelligence for consumers to better inform policymakers in their decision making. This can often be unintentional; however, it is still contrary to the fundamental principle of intelligence remaining apolitical and without bias. Experts in the field point to this as a critical way to prevent the mixture of politics and intelligence, and the current system appears to allow this solution to persist.

There are two characteristics of appointments to consider when looking for optimal solutions to politicized intelligence. The first consideration is whether appointees are

professional or political appointments. It is the hypothesis of this thesis that the appointment of career politicians or supporters of administrations to intelligence leadership roles should be restricted when they have little intelligence experience. Intelligence officers promoted from within the agency they serve will be better suited to lead their organizations without the influence of political biases. These leaders can ensure evidence based analysis is used to make better policies and educated decisions.

The second aspect of appointments to consider is the implementation of a term limit. An effective model for future IC appointments might be based in part on the system used to appoint members of the Joint Chiefs of Staff, who are selected on the basis of their professional knowledge and experience, and on the system used to appoint the Director of the Federal Bureau of Investigation and the Board of Governors in the Federal Reserve System, who serve with term limits.<sup>8</sup>

#### **D. RESEARCH DESIGN**

This thesis accomplishes three objectives. First, it proves political views have been included in intelligence analysis and that those views undermine the apolitical principles of the IC. Secondly, it determines that the lack of professional expertise as a criteria for selecting IC leaders contributes to politicization in American intelligence. Finally, it evaluates what action the government could take to prevent the negative implications of politicized intelligence in the future.

To assess whether political views have been included in intelligence analysis and their impact on policy, this thesis studies two recent intelligence and policy failures. The sources used in understanding the foundations of politicized intelligence are scholars who have backgrounds in the field and others who are well known authors within the intelligence domain. These leaders of their field offer opposing views as to whether or not politicized intelligence is advantageous or disastrous. Through these case studies, evidence proves biases influenced the analysis and dissemination of intelligence having catastrophic effects on foreign policy and military action.

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<sup>8</sup> Paul Charles Light, *A Government Ill Executed: The Decline of the Federal Service and How to Reverse It* (Cambridge, MA: Harvard University Press, 2009), 224.

To determine if the system for selecting IC leaders contributed to an increase in detrimental politicization, this thesis first studies the Iraq Weapons of Mass Destruction case. The supporting documentation used in this study originates from the work of Paul Pillar, Joshua Rovner, Ron Suskind, and Melvin Goodman.<sup>9</sup> This study determines politicized intelligence led to the intelligence failure and political appointments of intelligence leaders further influenced the politicization of analysis.

Next, this thesis conducts a second case study of Central Command and its inability to adequately assess the rising ISIS threat. The evidence used in this case study primarily comes from Dr. Erik Dahl's work, *Not Your Father's Intelligence Failure: Why the IC Failed to Anticipate the Rise of ISIL* supplemented by the Initial Findings of the U.S. House of Representatives Joint Task Force and the U.S. Department of Defense Inspector General's Unclassified Report of Investigation on Allegations Relating to USCENTCOM Intelligence Products. Additional sources used are Mark Mazzetti's and Matt Apuzzo's article "Military Analyst Again Raises Red Flags on Progress in Iraq," Shane Harris's and Nancy A. Youssef's article on the manipulation of ISIS intelligence, and Deb Riechmann, Paul McLeary, and Dan De Luce's work on reporting intelligence obstructions within the Pentagon.<sup>10</sup> This analysis proves that the IC's professional training ensures there is a

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<sup>9</sup> Melvin A. Goodman, *Failure of Intelligence: The Decline and Fall of the CIA* (Lanham: Rowman & Littlefield, 2008), 257; Ron Suskind, "Faith, Certainty and the Presidency of George W. Bush," *New York Times*, October 17, 2004, <http://www.nytimes.com/2004/10/17/magazine/faith-certainty-and-the-presidency-of-george-w-bush.html>; "The Record on CURVEBALL," The National Security Archive, accessed June 03, 2017, <http://nsarchive.gwu.edu/NSAEBB/NSAEBB234/>; Paul R. Pillar, *Intelligence and U.S. Foreign Policy: Iraq, 9/11, and Misguided Reform* (New York: Columbia University Press, 2011); Joshua Rovner, *Fixing the Facts: National Security and the Politics of Intelligence* (Ithaca, NY: Cornell University Press, 2015).

<sup>10</sup> The U.S. House of Representatives Joint Task Force on U.S. Central Command Intelligence Analysis, *Initial Findings of the U.S. House of Representatives Joint Task Force on U.S. Central Command Intelligence Analysis* (Washington, DC: U.S. House of Representatives, 2016), [https://intelligence.house.gov/uploadedfiles/house\\_jtf\\_on\\_centcom\\_intelligence\\_initial\\_report.pdf](https://intelligence.house.gov/uploadedfiles/house_jtf_on_centcom_intelligence_initial_report.pdf); Mark Mazzetti and Matt Apuzzo, "Military Analyst Again Raises Red Flags on Progress in Iraq," *New York Times*, September 23, 2015, <https://www.nytimes.com/2015/09/24/world/military-analyst-again-raises-red-flags-on-progress-in-iraq.html>; Shane Harris and Nancy A. Youssef, "50 Spies Say ISIS Intelligence Was Cooked," *The Daily Beast*, September 9, 2015, [www.thedailybeast.com/articles/2015/09/09/exclusive-50-spies-say-isis-intelligence-was-cooked.html](http://www.thedailybeast.com/articles/2015/09/09/exclusive-50-spies-say-isis-intelligence-was-cooked.html); Deb Riechmann, "House Chairman: Military Files, Emails Deleted Amid Probe," *Business Insider*, February 25, 2016, <http://www.businessinsider.com/ap-house-chairman-military-files-emails-deleted-amid-probe-2016-2>; Paul McLeary and Dan De Luce, "Top House Lawmaker Accuses Pentagon of Obstructing Intel Probe," *Foreign Policy*, February 26, 2016, <http://foreignpolicy.com/2016/02/26/exclusive-top-house-lawmaker-accuses-pentagon-of-obstructing-intel-probe/>.

separation of bias from analysis. Specifically, it identifies that nonmilitary analysts blew the whistle and reported politicized intelligence because of their training and professional conduct. From this case study, it is easy to recognize how professional appointments could serve more effectively as leaders of the IC.

Finally, and most importantly, this thesis compares other government professions to determine whether political appointees or professional appointees better serve the citizens and the President of the United States. A comprehensive study of the Joint Chiefs of Staff, the Federal Bureau of Investigation, the Board of Governors in the Federal Reserve System, and the Federal Emergency Management Administration (FEMA) director is used to determine which method of selecting senior officials would be most effective to use in a reform recommendation for the IC. The research finds professionals appointed in their field are superior to political appointees, and a term limit aids in the success of appointees.

## **E. THESIS OVERVIEW**

This thesis is comprised of five chapters. Following the introduction, Chapter II consists of background information and a detailed literature review. Chapter III consists of two case studies. First is an analysis of an intelligence failure suspected to be a politicization intelligence failure in the study of the Iraq WMD incident. The ISIS case in comparison appears uninfluenced by politics but was rather a manipulation of the perceived threat in Central Command, which lead to a major failure. Chapter 4 discusses the history of the appointment process in the IC and examines the process of selecting political and professional appointments of other government professions, allowing for a comparison of effectiveness in relation to IC appointees. The final chapter is a conclusion of the thesis research and answers the three questions posed in the problem statement.

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## II. LITERATURE REVIEW

The subject of politicized intelligence is highly debated among scholars who study the IC. Some scholars claim that without a political context, and a close relationship between senior intelligence officials and the President, policymakers ignore intelligence because it is tactically insignificant and lacks policy value. Other scholars suggest politics and intelligence are “like oil and vinegar”; they do not and should never mix because they may cause policy to drive intelligence vice intelligence influencing policy.<sup>11</sup> This literature review provides three frameworks for analysis when reviewing politicized intelligence. The first section uses current scholarly work to investigate definitions and clarify what exactly politicized intelligence is and is not. Next is a study of both arguments for and against the politicization of intelligence. The literature review concludes with an examination of the suggested solutions to prevent politicized intelligence in the future.

### A. POLITICIZED INTELLIGENCE DEFINED

It is important to understand politicized intelligence first before determining if it has affected the United States IC. This section discusses how different experts have defined and characterized politicization. There are three widely accepted definitions along with three different frameworks for considering politicized intelligence

Former U.S. National Intelligence Council Director and Professor Gregory F. Treverton provides the first definition of politicized intelligence. His definition is the most succinct and detailed. Treverton states politicized intelligence is a “commitment to perspectives or conclusions, in the process of intelligence analysis or interaction with policy, that suppress other evidence or views, or blind people to them.”<sup>12</sup> For further analysis, Treverton provides a detailed categorization of politicized intelligence into five classifications in his book *Analyzing Intelligence: Origins, Obstacles, and Innovations*.

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<sup>11</sup> Mark M. Lowenthal, *Intelligence: From Secrets to Policy*, 4.

<sup>12</sup> Gregory F. Treverton, “Intelligence Analysis: Between ‘Politicization’ and Irrelevance,” in *Analyzing Intelligence Origins, Obstacles and Innovations*, ed. Roger Z. George and James B. Bruce (Washington, DC: Georgetown University Press, 2008), 93.

The first type he designates is direct pressure, defined as “senior policy officials [coming] to particular intelligence conclusions, usually ones that accord with those officials’ policies or policy preferences.”<sup>13</sup> An example of this type of influence would be if the president directed a senior analyst or official to find or lose information to affect the resulting report.

The second category of politicized intelligence is “house line” bias, which ignores any information that counters a predetermined view or position.<sup>14</sup> As stated in the introduction to this thesis, increased political polarization in the United States today makes this type of politicized intelligence a major issue for the IC. As a former CIA analyst argues, the Trump administration’s former Chief Strategist Steve Bannon was exerting an unprecedented influence over the intelligence arm of government which he believed is extremely dangerous.<sup>15</sup> Other scholars believe the Trump administration has attempted to influence analyses to justify their policies and the policies of Republican Party.<sup>16</sup> Sticking to party lines can not only cause issues in the legislative branch of government but, as evidenced by Treverton’s argument, can also undermine the apolitical nature of analyses in the IC.

The next type of politicized intelligence is “cherry picking.” An example of cherry picking would be if policymakers looked at an array of analyses and picked which ones best support their agenda and ignored the analyses that gave opposing views despite being factually based.<sup>17</sup> The most often violators of cherry picking are usually policy officials within the executive branch of government; analysts are not exerting bias but rather leaders well above their pay grade.<sup>18</sup>

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<sup>13</sup> Treverton, 93.

<sup>14</sup> Treverton, 93.

<sup>15</sup> Nada Bakos, *Politicization of the Intelligence Community is Extremely Dangerous* (Philadelphia, PA: Foreign Policy Research Institute, July 17, 2017), <https://www.fpri.org/2017/02/politicization-intelligence-community-extremely-dangerous/>.

<sup>16</sup> Julian Borger, “White House ‘Pressuring’ Intelligence Officials to Find Iran in Violation of Nuclear Deal,” *The Guardian*, August 28, 2017, <https://www.theguardian.com/world/2017/aug/28/iran-nuclear-deal-violations-white-house-search-intelligence>.

<sup>17</sup> Treverton, “Intelligence Analysis,” 93.

<sup>18</sup> Treverton, 93.

The fourth type of politicized intelligence is question asking. Treverton defines question asking as “where, as in other areas of inquiry, the nature of the question takes the analysis a good way [punctuation mark here?] if not to the answer, then to the frame in which the answer will lie.”<sup>19</sup> This type of politicization is an integral piece of the analyses in Chapter III, specifically in the Iraq WMD case. Question asking can often skew or eliminate important pieces of information in analysis, leading some to view a situation more optimistically.

Treverton’s final category of politicized intelligence is the shared mindset. The shared mindset is similar to the idea of group-based thinking (groupthink) but expands to encompass both the intelligence and policy aspects of analyses.<sup>20</sup> Usually, the shared mindset type of politicized intelligence is not intentional but rather self-imposed subconsciously.<sup>21</sup> Although groupthink may not be intentional, it can have a devastating impact on the integrity of facts in analysis.

Other authors provide different perspectives when categorizing politicized intelligence into two main types. Glenn Hastedt, an author and professor in the Justice Studies Department at James Madison University, breaks politicized intelligence into two categories: soft and hard politicization.<sup>22</sup> He describes soft politicization as “alter[ing] the assumptions underlying an analysis, the decision rules by which an analysis moves forward, and the institutional setting within which these deliberations occur.”<sup>23</sup> Hastedt proposes that by applying soft politicization on assumptions, intelligence becomes valuable when it may not have been considered, discussed, or acted upon before. Soft politicization does not change the information gathered but only contextualizes it for the consumer.

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<sup>19</sup> Treverton, “Intelligence Analysis,” 93.

<sup>20</sup> Treverton, 94.

<sup>21</sup> Treverton, 94.

<sup>22</sup> Glenn Hastedt, “The Politics of Intelligence and the Politicization of Intelligence: The American Experience,” *Intelligence and National Security* 28, no. 1 (2013): 10, <https://doi.org/10.1080/02684527.2012.749062>.

<sup>23</sup> Hastedt, “The Politics of Intelligence and the Politicization of Intelligence,” 10.

Conversely, Hastedt defines hard politicization as “deliberate attempts to coerce analysts into adopting a certain set of assumptions or conclusion or in the extreme, overruling analysts and imposing a conclusion on the analysis.”<sup>24</sup> An example of hard politicization was the estimated impact the United States IC made based on the assumption that the Iraqi regime possessed nuclear weapons. In this example, administration officials guided analyses to the desired estimate, despite not having evidence to support the assumption that Iraq had nuclear weapons. The analysis, although valid, was based on information that has not been proven accurate and was erroneously used to justify the invasion of a sovereign nation.

It is clear that Hastedt sees a vast difference between hard and soft politicization. He asserts hard politicization by both the producers and consumers of intelligence is not tolerable because it undermines fact based analyses and imposes fictional alternative conclusions. Hastedt describes the issues of both defining and classifying politicized intelligence.<sup>25</sup> In his opinion, splitting the issue into two distinct groups allows for a more comprehensive understanding vice Treverton’s five-step approach to compartmentalizing politicized intelligence. As a result, this construct of politicized intelligence may be easier to describe and categorize but is insufficient because it lacks the detail that Treverton’s approach provides.

In his book *Fixing the Facts*, Joshua Rover depicts a similar definition as Hastedt and Treverton but diverges from the other scholars by describing politicized intelligence by its effects rather than its category or type. Rover states “politicization [is] defined as the attempt to manipulate intelligence so that it reflects policy preferences.”<sup>26</sup> Moreover, he believes that although politicization negatively affects intelligence, there may not be a solution to absolve the problem.<sup>27</sup> Rover does break down politicization into two distinct types comparable to Hastedt: direct and indirect politicization. Rover asserts that direct

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<sup>24</sup> Hastedt, “The Politics of Intelligence and the Politicization of Intelligence,” 10.

<sup>25</sup> Hastedt, 5–6.

<sup>26</sup> Rovner, *Fixing the Facts*, 5.

<sup>27</sup> Rovner, 203.

politicization is when leaders change factual evidence in analysis, and indirect politicization is usually a subtle signal to direct the IC to a policy preference.<sup>28</sup> Again, just like Hastedt, Rover's categorization may be easier to describe but is insufficient because it lacks the detail that Treverton's approach provides.

Overall, all three authors agree that there are different methods to politically influence intelligence. They each define politicized intelligence in different ways, some direct and others more complicated. However, not all the authors believe politicized intelligence is useless; in fact, some believe soft politicization can help policymakers make informed decisions. Among the authors who provide frameworks to compartmentalize types of politicized intelligence, Treverton contributes the most robust and comprehensive five-part explanation and analysis. His five part definition breaks down politicization into direct pressure, house lines, cherry picking information, question asking, and shared mindset or "groupthink," which are used to analyze the case studies examined in this thesis. The next two sections of this Chapter discuss how the experts on the subject view politicization and the relationship between the consumers and producers of intelligence.

## **B. POLITICS AND INTELLIGENCE: LIKE OIL AND VINEGAR**

The majority of scholars who study politicized intelligence adamantly argue that politicized intelligence undermines the effectiveness of analysis. As noted earlier, Mark Lowenthal characterizes politicized intelligence as "one of the strongest expressions of opprobrium that can leveled in the U.S. IC."<sup>29</sup> Political opinions and intelligence analysis, in Lowenthal's opinion, are "like oil and vinegar"; they do not and should not mix and should therefore be intentionally kept separate.<sup>30</sup> U.S. intelligence agencies, according to Lowenthal, draw a hard line between intelligence analysis and policies adopted based on that analysis.<sup>31</sup> Intelligence officials presenting strong policy preferences in analyses can

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<sup>28</sup> Rovner, 5.

<sup>29</sup> Mark M. Lowenthal, *Intelligence: From Secrets to Policy*, 7th ed. (Thousand Oaks, CA: CQ Press, an imprint of SAGE, 2017), 4.

<sup>30</sup> Lowenthal, *Intelligence*, 4.

<sup>31</sup> Lowenthal, 4.

cause policy makers to question the objectivity of the intelligence they receive. For that reason, Lowenthal writes, intelligence officers cannot and should not present opinions or preferences when it comes to choices in policy.<sup>32</sup> Lowenthal also provides a visual representation of the ideal relationship between producers and consumers of intelligence as seen in Figure 1, where policy can clearly impact intelligence requirements and provide feedback to the IC, but the IC cannot affect policy. The CIA, as an example, was organized and developed specifically as a non-departmental agency to avoid being susceptible to policy goals.<sup>33</sup>

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<sup>32</sup> Lowenthal, *Intelligence*, 5.

<sup>33</sup> Melvin A. Goodman, *Failure of Intelligence: The Decline and Fall of the CIA* (Lanham, MD: Rowman & Littlefield, 2008), 119.

## Policy Versus Intelligence: The Great Divide

One way to envision the distinction between policy and intelligence is to see them as two spheres of government activity that are separated by a semipermeable membrane. The membrane is semipermeable because policy makers can and do cross over into the intelligence sphere, but intelligence officials cannot cross over into the policy sphere.

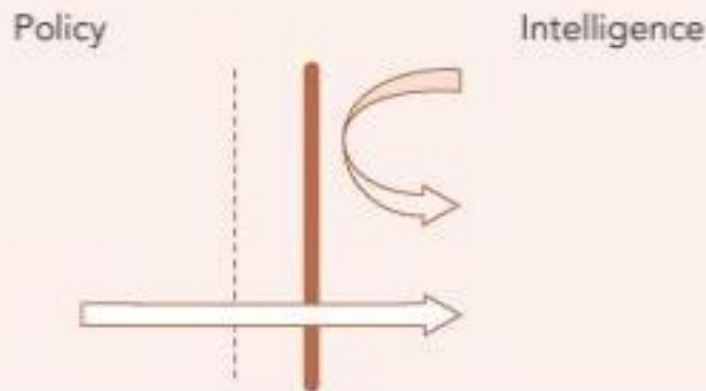


Figure 1. The Great Divide between Policy and Intelligence<sup>34</sup>

Jennifer E. Sims, the author of *Transforming U.S. Intelligence*, agrees with Lowenthal and staunchly opposes politicized intelligence. In her opinion, the competitive use of intelligence by IC officials to affect policy often leads to politicized intelligence. Intel officers want to be relevant, and aiding policymakers can lead them to form analyses in concert with the perceived policy preferences of the administration they work for. Sims states, “Policymakers compete for influence, seek to use intelligence to gain leverage, and have an interest in keeping competitors in the policy process from using intelligence to eclipse their own roles.”<sup>35</sup> This adds to what Hastedt notes, that “the long-developing trend

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<sup>34</sup> Source: Lowenthal, *Intelligence*, 6. Lowenthal provides the diagram to illustrate what should be conceived of as a dividing line between policy and intelligence, where only policy can permeate thought the boundary to influence intelligence and not vice versa.

<sup>35</sup> Jennifer E. Sims and Burton L. Gerber, *Transforming U.S. Intelligence* (Washington, WA: Georgetown University Press, 2005), 41.

is the end of bipartisanship and a sustaining and guiding concept in the conduct of national security policy.”<sup>36</sup> Sims argues that not only is politicization corrupt, but it is also a product of the polarization of party politics in the United States as a whole.

Mark Jensen also agrees that politicization has a negative impact and often leads to failures. He adds that “Politicization, the practice of intelligence professionals bending intelligence to meet decision-maker needs or decision makers focusing on selected intelligence products or passages thereof for their own political purposes, is unacceptable, but unfortunately still occurs.”<sup>37</sup> Despite awareness by both producers and consumers of intelligence, politicization still happens and negatively impacts the public’s support and rapport of the intelligence community and policymakers.

From the literature reviewed in this section, the use of politicized intelligence misleads the government and the public, often drawing their attention away from important intelligence issues. Most authors with prior experience in the IC argue against the use of politicized intelligence; however, using politicized intelligence when necessary to draw the attention of policy makers can be an effective measure to promote action and ensure analysis. When policy makers use the distorted truth to support action, on the other hand, politicized intelligence can be dangerous.

### **C. ARGUMENTS IN FAVOR OF POLITICIZED INTELLIGENCE**

Politicized intelligence may not always be negative. The objective of intelligence is to inform consumers and policymakers so that they can make decisions based on analysis that was previously unavailable. Experts suggest intelligence is just information if there is no substance or importance, and it is therefore useless in making policy decisions. Betts, in his book *Enemies of Intelligence*, argues that politicized intelligence is not always bad, and states “it is a complicated phenomenon which in a few limited respects offers benefits

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<sup>36</sup> Hastedt, “The Politics of Intelligence and the Politicization of Intelligence,” 7.

<sup>37</sup> Mark A. Jensen, “Intelligence Failures: What Are They Really and What Do We Do about Them?,” *Intelligence and National Security* 27, no. 2 (2012): 265, <https://doi.org/10.1080/02684527.2012.661646>.

as well as costs.”<sup>38</sup> Politicized intelligence, which “suppresses or distorts the truth to promote a political agenda,” can be bad, but if the politicization makes the intelligence seem more relevant and policy makers are less likely to dismiss the information, it can be extremely advantageous.<sup>39</sup> Policy makers may need context in analysis to understand how their decisions may influence the situation. Intelligence, even if it requires some politicization, should not reflect interests, preferences, or decisions but rather should assess the way decisions may affect policymakers’ concerns.<sup>40</sup>

Other authors take a similar view as Betts. In his article “The Politics of Intelligence and the Politicization of Intelligence: The American Experience,” Hastedt claims, “politicizing an issue is not by definition corrupting it. It is value neutral strategy. It says nothing about the agenda of those employing it.”<sup>41</sup> Hastedt believes adding a political spin to intelligence can give it a purpose. Josh Rover offers a similar suggestion to Hastedt in his article “Is Politicization Ever a Good Thing” but is less tolerant of politicized intelligence. He states, “Politicization can be a good thing, or at least a necessary risk.”<sup>42</sup> Rover, although a staunch critic of politicized intelligence, sees the value in politicizing intelligence if it is the difference between being isolated from policymakers or being a possible influence over policymakers.<sup>43</sup>

Generally, the literature on politicized intelligence is critical of politicization, looks down heavily on the topic, and considers it a manipulation of facts. As one can ascertain from the authors above, however, some experts see benefits from politicizing intelligence products. There are circumstances when politicized intelligence transforms information,

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<sup>38</sup> Richard K. Betts, *Enemies of Intelligence: Knowledge and Power in American National Security* (New York: Columbia University Press, 2007), 67.

<sup>39</sup> Douglas A. Borer, Stephen Twing, and Randy P. Burkett, “Problems in the Intelligence-Policy Nexus: Rethinking Korea, Tet, and Afghanistan,” *Intelligence and National Security* 29, no. 6 (2013): 815, <https://doi.org/10.1080/02684527.2013.851875>

<sup>40</sup> Betts, *Enemies of Intelligence*, 75.

<sup>41</sup> Hastedt, “The Politics of Intelligence and the Politicization of Intelligence,” 10.

<sup>42</sup> Joshua Rovner, “Is Politicization Ever a Good Thing?,” *Intelligence and National Security* 28, no. 1 (2013): 56, <https://doi.org/10.1080/02684527.2012.749065>

<sup>43</sup> Rovner, 56.

which would be useless otherwise, into relevant analyses for use in the decision making process.

#### **D. SOLUTIONS TO THE POLITICIZATION PROBLEM**

Reform can have a negative connotation in government, specifically in the IC, because it often adds bureaucracy to an already extremely bureaucratic organization. However, in the case of the politicization of intelligence it might be needed to fix an age old problem. As the first Director of the CIA (DCIA) Robert Gates noted in an address to the CIA in 1992, “the problem of politicization is as old as the intelligence business,” and it will not go away anytime soon.<sup>44</sup> Critics charge that not only has politicized intelligence in the Iraq WMD case cost the lives of some 4,000 U.S. service members, but it has also cost an estimated 1.7 trillion dollars.<sup>45</sup> The evaluation of the mistakes of the past can prevent them from occurring again in the future; nevertheless, politicized intelligence is consistent and will only get worse without major reforms.<sup>46</sup> Upon reviewing the literature on the subject, there is not a copious amount of proposals to reform the IC to prevent politicized intelligence. Some scholars within the field do provide solutions, and despite their simplicity, they may effect change.

Most often, experts suggest that there is a need for more separation between the producers and the consumers of intelligence. Mark Lowenthal argues the separation between these two entities is critical to reduce the risk of Treverton’s five types of politicized intelligence.<sup>47</sup> To avoid political influence and analyses corruption, it is paramount to limit interactions between analysts and policy makers when discussing intelligence.

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<sup>44</sup> Robert Gates, “Guarding Against Politicization,” Central Intelligence Agency, August 04, 2011, [https://www.cia.gov/library/center-for-the-study-of-intelligence/kent-csi/volume-36-number-1/html/v36i1a01p\\_0001.htm](https://www.cia.gov/library/center-for-the-study-of-intelligence/kent-csi/volume-36-number-1/html/v36i1a01p_0001.htm).

<sup>45</sup> Dennis Gleeson, “The High Cost of Politicizing Intelligence,” *The Atlantic*, February 25, 2017, <https://www.theatlantic.com/politics/archive/2017/02/the-high-cost-of-politicizing-intelligence/517854/>.

<sup>46</sup> David S. Cohen, “Opinion | Trump is Trying to Politicize Intelligence to Support his Iran Policy. That’s Dangerous.” *Washington Post*, August 04, 2017, [https://www.washingtonpost.com/opinions/trump-is-trying-to-politicize-intelligence-to-support-his-iran-policy-thats-dangerous/2017/08/04/ffb192e0-77b6-11e7-8f39-ccb7d3a2d304\\_story.html?utm\\_term=.568b45a4851e](https://www.washingtonpost.com/opinions/trump-is-trying-to-politicize-intelligence-to-support-his-iran-policy-thats-dangerous/2017/08/04/ffb192e0-77b6-11e7-8f39-ccb7d3a2d304_story.html?utm_term=.568b45a4851e).

<sup>47</sup> Lowenthal, *Intelligence*, 18.

Other authors suggest that the separation between producers and consumers may be too drastic. Daniel Byman, Professor and Senior Associate Dean for Undergraduate Affairs at Georgetown University, contends that specialized courses for policymakers may make them more effective consumers of information and limit the pressure politicians place on intelligence leaders and analysts.<sup>48</sup> Not only could these courses provide policymakers with a basic knowledge of the capabilities and limitations of intelligence, but it would also help level their expectations of the IC.

Still, Paul Pillar has another view. Pillar is a prolific author in the intelligence field and is a retired CIA analyst and professor at Georgetown University. He argues that political appointments only add bureaucratic layers of filtration from original analysis from producers to the consumer.<sup>49</sup> This layer of filtration allows analyses to change at every level without the initial author ever realizing it, sometimes even leading to politicization at the highest levels of the IC.

Pillar recommends that policymakers should “adapt to the uncertainty” of intelligence and have an open mind that intelligence does not always predict exactly what will happen in the future.<sup>50</sup> Pillar continues by offering that reducing political appointments to senior IC positions would not only eliminate a layer of bias between the producer and the consumer of intelligence in the federal government, allowing political agendas to be curtailed, but it would also open opportunities for career employees to seek the highest office in their profession.<sup>51</sup>

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<sup>48</sup> Daniel Byman, “Intelligence and Its Critics,” *Studies in Conflict & Terrorism* 39, no. 3 (2016): 274, <https://doi.org/10.1080/1057610X.2015.1108086>.

<sup>49</sup> Paul R. Pillar, *Intelligence and U.S. Foreign Policy: Iraq, 9/11, and Misguided Reform* (New York: Columbia University Press, 2011), 326; Georgetown University, <https://explore.georgetown.edu/people/prp8/>; Paul Charles Light, *A Government Ill Executed: The Decline of the Federal Service and How to Reverse It* (Cambridge, MA: Harvard University Press, 2009), 224; Stephen B. Slick, “Comment on Presidential Intelligence,” *Harvard Law Review*, January 11, 2016, <https://harvardlawreview.org/2016/01/comment-on-presidential-intelligence/>.

<sup>50</sup> Pillar, *Intelligence and U.S. Foreign Policy*, 337.

<sup>51</sup> Pillar, 337.

General Charles G. Boyd, USAF (ret), shares the opinion of Pillar that professionals should hold the most senior positions in the IC. In his hearing before the Senate Select Committee on Intelligence for reform of the IC, he stated:

The President's chief military advisor is a military professional, standing at the very top of the entire profession of arms. We put only professionals in that position, and in fact our law requires that only one who has served as a service chief, vice chairman or commander of a unified or specified command can hold the position. Not so for the person who stands at the top of the intelligence profession and serves as the principal adviser to the president for intelligence.... Those who serve at the pleasure of a President for an expected term limited to his, who comes to office precisely because of a shared politics and political reliability, come, I should think, under enormous pressure or temptation to give the President what he wants rather than what he doesn't want, but needs. When that servant is responsible for selecting the intelligence analysis to give his President, I think I'd prefer a professional to a political appointee with as much independence and job security as possible.<sup>52</sup>

While Boyd prefers professional appointments over political appointments in key Presidential advisor roles, other appointments pose other issues in the executive branch.

Presidential scholar Paul Charles Light also agrees with Pillar and has written that new presidents face significant problems in nominating and getting their senior agency and cabinet leaders approved.<sup>53</sup> The problem could be avoidable if most senior IC leaders were professionals and reappointment with each new presidential administration was not necessary. Ultimately, this would allow the IC agencies to work more efficiently during Presidential transitions vice having drastic changes in leadership every four years.

Pillar, to support his solution, offers pros and cons to reducing political appointments. He suggests that reducing political appointments would "facilitate the flowing of insights and information to top policymakers without being filtered through appointees with their own agendas."<sup>54</sup> Pillar also identifies counter arguments to reducing

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<sup>52</sup> *Reform of the United States Intelligence Community: Hearings Before the Select Committee on Intelligence*, 118 Cong. 2 (2004), <https://www.intelligence.senate.gov/sites/default/files/hearings/108835.pdf>.

<sup>53</sup> Light, *A Government Ill Executed*, 224.

<sup>54</sup> Pillar, *Intelligence and U.S. Foreign Policy*, 326.

appointments. Eliminating these positions has three potential consequences. First, it removes/erases/etc., the ability to have new perspectives after each new election.<sup>55</sup> In addition, it takes away the ability of the president to appoint political allies who aid their political campaign as a reward.<sup>56</sup> The final consequence of eliminating appointees is that the administration may lose the ability to ensure senior management supports their policies and preferences.<sup>57</sup> After identifying these tradeoffs, Pillar states that these reasons are exactly why reducing appointments would also reduce the politicization of intelligence.<sup>58</sup> Appointments as rewards for campaign aid or political support only fosters an environment that would tolerate political biases in intelligence vice a strictly analytical approach. This bias of policies and preferences undermines the ability to debate and see other arguments and evidence that support different solutions to foreign and domestic politics.<sup>59</sup>

James Dobbins, the Director of the International Security and Defense Policy Center at the RAND Corporation and former Assistant Secretary of State under Presidents Clinton and Bush, adds to Pillar's final point about the necessity of debate within the IC. He proclaims, "Americans should insist on leaders who will foster debate and welcome disciplined dissent. These leaders should be surrounded by advisers chosen primarily for their relevant experience and demonstrated competence, not their ideological purity and partisan loyalty."<sup>60</sup> The idea of removing political appointees from government is not a task taken lightly and will likely face tremendous opposition.<sup>61</sup> Regardless of political parties, it is difficult to imagine a president would support such an idea to surround him or herself with advisers who may not be like-minded, but it may be the only way to reduce the growing amount of politicization within the IC.

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<sup>55</sup> Pillar, *Intelligence and U.S. Foreign Policy*, 326.

<sup>56</sup> Pillar.

<sup>57</sup> Pillar.

<sup>58</sup> Pillar.

<sup>59</sup> Pillar.

<sup>60</sup> James Dobbins, "Who Lost Iraq?," *Foreign Affairs*, September/October 2007, <https://www.foreignaffairs.com/articles/iraq/2007-09-01/who-lost-iraq>.

<sup>61</sup> Light, *A Government Ill Executed*, 224.

In stark contradiction to Pillar and Dobbins, Samuel J. Rascoff, in a *Harvard Law Review* article on “Presidential Intelligence,” discusses the fact that despite political appointments, intelligence agencies “have successfully resisted politicization.”<sup>62</sup> Currently, less than 20 political appointments are Senate-confirmed in the IC.<sup>63</sup> The Director of the FBI also has a limited term to avoid political influence on intelligence affairs, and there have been calls to expand the term limits to the Director of National Intelligence (DNI) position. From Rascoff’s perspective, “an increase in the number of presidential appointees would foster greater attentiveness to the President’s policies” and reduce the “misused or not used at all” of analyses.<sup>64</sup> Rascoff believes that the appointees serve at the pleasure of the President and therefore must have his or her political agenda on their minds.

In contrast, Stephen Slick, in a response to Rascoff’s article, presents a counter argument to the subjectivity of political appointments, stating,

The IC’s most valuable asset is, in fact, a carefully cultivated reputation for providing objective nonpartisan information and judgments. The presence within intelligence agencies of large numbers of non-professionals who owe their current jobs (and future career prospects) to the electoral success of a political party is, at best, a source of bias and, at worst, an invitation to corruption.<sup>65</sup>

Slick agrees with Pillar that non-professionals only foster an environment where biases can exist. He also adds that political appointments cultivate an intolerable environment of politicized intelligence. Assuming, although not directly stated, that Slick would agree with Pillar, Dobbins, and Light in that the change in the appointment process would only help eliminate the negative implications of politicized intelligence.

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<sup>62</sup> Samuel J. Rascoff, “Presidential Intelligence,” *Harvard Law Review*, January 11, 2016, <https://harvardlawreview.org/2016/01/presidential-intelligence/>.

<sup>63</sup> Rascoff, “Presidential Intelligence.”

<sup>64</sup> Rascoff.

<sup>65</sup> Stephen B. Slick, “Comment on Presidential Intelligence,” *Harvard Law Review*, January 11, 2016, <https://harvardlawreview.org/2016/01/comment-on-presidential-intelligence/>.

Overall, the reforms to intelligence suggested, with the exception of eliminating or reducing political appointments, are rudimentary, and it is difficult to determine if they will succeed. Reducing political appointments, however, may be a change that has little traction in the literature but seems to be the most effective solution to the problem proposed in this thesis. The change, as Pillar suggests, to the political appointments will not be a trivial task and will likely require legal change and congressional approval. Nonetheless, if it is not carefully considered and analyzed, it could cause the best solution to be overlooked.<sup>66</sup>

## **E. CONCLUSION**

Within the academic field of intelligence studies, there is a plethora of literature on intelligence success and failures. More specifically, there is quite a debate, as depicted above, on the use of politicization in the analysis and the briefing of intelligence. There are authors who believe less aggressive politicization, referred to as soft politicization, is necessary in circumstances to catch the eye of the consumer. Others provide a contrasting view and believe that in no way should politics and intelligence encompass one another, and none of the scholars have come to a consensus regarding reform. This literature review has not only defined politicization but has also provided the basis for both sides of the politicization argument. The next chapter, using the definitions and the foundations of the debate discussed here, analyzes two case studies to determine if politicized intelligence helps or hinders policymakers in their decisions in foreign relations and national security.

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<sup>66</sup> Pillar, *Intelligence and U.S. Foreign Policy*, 326.

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### III. CASES OF POLITICIZATION

The politicization of intelligence can be either positive or negative depending on the author or official one reads or discusses the issue with. Some pose the question: does politicized intelligence really matter if it has not caused intelligence failures? It appears, however, that the politicization of intelligence has caused recent and significant intelligence failures and may have even influenced the decision to declare an offensive war in a sovereign nation.<sup>67</sup>

The previous chapter discussed the current debate in the literature over the definition, the effects, and the possible solutions to the politicization of intelligence. This chapter adds to that discussion and argues that politicization not only exists but also causes serious damage to U.S. national interests; in the Iraq case, it led to a war that continues 14 years later after 4,000 American casualties and over 100,000 Iraqi casualties.<sup>68</sup> This case study, using Gregory Treverton's five-part definition of politicized intelligence, proves that politicization did in fact occur and that it was harmful to national interests.

The second portion of this chapter looks at the ISIS Central Command Estimates case to prove that politicized intelligence does not always originate from the IC but that politics can also influence military intelligence. In the ISIS case, estimates were purposely misleading in order to portray a more appealing assessment of the threat vulnerability.<sup>69</sup> This case when compared to the Iraq case proves that politicized intelligence happens often for different reasons and has a devastating impact on national security. Additionally, this case proves civilian professionals are also more likely to blow the whistle when politicization occurs because of their understanding of the implications and because of the ethos and values of unbiased intelligence.

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<sup>67</sup> Gregory F. Treverton and C. Bryan Gabbard, "More Value Should Be Placed on the Tradecraft of Intelligence Analysis," RAND Corporation, February 11, 2008, [http://www.rand.org/pubs/technical\\_reports/TR293.html](http://www.rand.org/pubs/technical_reports/TR293.html).

<sup>68</sup> Daniel Byman, "Intelligence and Its Critics," *Studies in Conflict & Terrorism* 39, no. 3(2016): 260, <https://doi.org/10.1080/1057610X.2015.1108086>.

<sup>69</sup> Erik J. Dahl, "Not Your Father's Intelligence Failure: Why the Intelligence Community Failed to Anticipate the Rise of ISIL" (unpublished book chapter), 11.

**A. THE FOUR OF THE FIVE TYPES OF POLITICIZATION USED IN THE IRAQ WMD CASE**

On May 6, 1997, in a hearing before the Select Committee on Intelligence for his nomination to be Director of Central Intelligence, George Tenet proclaimed under his leadership that the CIA would provide intelligence that was “clear and objective” to all those who depended on the Nation’s intelligence.<sup>70</sup> However, despite Tenet’s testimony, it is evident that in the Iraq WMD case the Bush administration influenced the analyses and lacked objectivity. As seen in Figure 2, not only did the administration and the IC have a close working relationship, but they also sat closely together at the United Nations Security Council in 2003. The invasion of Iraq is a failure of both the practice of guarding the IC from political interaction and a failure of the proper use of sources and methods by taking action based on poorly vetted and single-source uncorroborated intelligence. The administration influenced the intelligence analyses using four of the five politicized intelligence types described by Treverton in his chapter of *Analyzing Intelligence*.<sup>71</sup> Although both the Senate Select Committee on Intelligence and the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction claimed politicization did not occur in the Iraq WMD case, there is ample evidence to support the contrary.<sup>72</sup>

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<sup>70</sup> *Hearing before the Select Committee on Intelligence of the United States Senate on the Nomination of George J Tenet to be the Director of Central Intelligence*, 115 Cong. 1 (1997), [https://fas.org/irp/congress/1997\\_hr/tenet.pdf](https://fas.org/irp/congress/1997_hr/tenet.pdf).

<sup>71</sup> Roger Z. George and James B. Bruce, *Analyzing Intelligence Origins, Obstacles and Innovations* (Washington, DC: Georgetown University Press, 2008), 93.

<sup>72</sup> Paul R. Pillar, “Intelligence, Policy, and the War in Iraq,” *Foreign Affairs*, March 01, 2017, <https://www.foreignaffairs.com/articles/iraq/2006-03-01/intelligence-policy-and-war-iraq>.



Figure 2. Director Tenet and Secretary of State Colin Powell Getting Too Close at the UN.<sup>73</sup>

There are many definitions of politicization; however, Treverton's five-part definition breaks down politicization into direct pressure, house lines, cherry picking information, question asking, and groupthink and is most useful in determining if politicization has occurred. Since Treverton's definition is so effective, it will be used in both case studies to determine if intelligence was politicized.

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<sup>73</sup> Source: "U.S. Secretary of State Colin Powell Addresses the U.N. Security Council," National Archives and Records Administration, February 03, 2003, <https://georgewbush-whitehouse.archives.gov/news/releases/2003/02/20030205-1.html>. Image shows the closeness of the Director Tenet to the Administration as Secretary of State Colin Powell briefs the WMD evidence during his address to the United Nations Security Council on February 5, 2003, in New York City. One can imagine that Tenet's presence at this meeting had an effect on the council in that it showed that the intelligence community supported the executive branch and backed it intelligence fully. This may have convinced some UN leaders that, despite the ambiguity in the information, the head of the IC was willing to put his name and face on the evidence and testimony presented by Colin Powell.

There were two reasons the Bush administration used intelligence to justify that war was the best option for intervening in Iraq. The first reason was that Saddam Hussein was working to develop and may already have developed WMDs. The second reason was that it appeared he had ties to al Qaeda, a terrorist network and enemy of the United States. The Bush administration used politicized intelligence in an effort to prove that these two motivations for war were facts. This section of the chapter breaks down each of the four types of politicization used by the Bush administration through the justifications for war and study how it affected overall policy.

### **1. Direct Pressure**

Direct pressure in the Iraq WMD case appears to have come from two sources, first the Vice President Dick Cheney and secondly from the administration's policy preferences. According to Treverton, direct pressure is when, "senior policy officials [coming] to particular intelligence conclusions, usually ones that accord with those officials' policies or policy preferences."<sup>74</sup> The evidence of direct pressure is quite clear.

Rovner's book, *Fixing the Facts*, illuminates the first source of direct pressure by Dick Cheney. Rovner claims that the Vice President's frequent trips to CIA headquarters in Langley, VA gave the appearance that the administration was not happy with the conclusions analysts were drawing in the intelligence gathered on Iraq.<sup>75</sup> Some officials even felt as though "signals intended or otherwise, that a certain output was desired."<sup>76</sup> Direct pressure does not require a policymaker to publish their demands of the IC but rather to just assert their displeasure with the current analysis or direct analysis to a certain conclusion in line with the policy objects. Through firsthand accounts, it is clear that the Vice President tried to affect the CIA's products.

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<sup>74</sup> Gregory F. Treverton, "Intelligence Analysis: Between 'Politicization' and Irrelevance," in *Analyzing Intelligence Origins, Obstacles and Innovations*, ed. Roger Z. George and James B. Bruce (Washington, DC: Georgetown University Press, 2008), 93.

<sup>75</sup> Rovner, *Fixing the Facts*, 150.

<sup>76</sup> Rovner, 150.

The second influence of direct pressure in the Iraq WMD case was that the administration had already made the decision to go to Iraq before intelligence supported that conclusion. Paul O'Neill, the former Secretary of the Treasury under the Bush administration, discussed the president's influence over intelligence analysis when he stated, "if you operate in a certain way—by saying this is how I want to justify what I have already decided to do, and I don't care how you pull it off—you guarantee that you'll get faulty, one-sided information."<sup>77</sup> Secretary O'Neill also stated that not only did the United States enter the Iraq War primarily based on single-source intelligence but also that the administration decided to go to war before the faulty intelligence was even discovered.<sup>78</sup> It appears through another account detailed in Goodman's book, *The Failure of Intelligence: The Decline and Fall of the CIA*, that "the deputy director of the CIA's Iraqi Task Force noted, 'Let's keep in mind the fact that this war's going to happen regardless of what Curveball said or didn't say . . . the powers that be probably aren't terribly interested in whether Curveball knows what he's talking about.'"<sup>79</sup> It is clear through this evidence that the direct pressure by the Vice President on the CIA and the predetermined policy preferences of the Bush administration led to the politicization of intelligence and the Iraq invasion.

## 2. Cherry Picking Info

The second method of influence the Bush administration used to politicize and influence the intelligence surrounding the invasion of Iraq was cherry picking.<sup>80</sup> Despite having multiple analyses from the intelligence community noting the unlikely possibility of Saddam Hussein having weapons of mass destruction, the administration specifically

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<sup>77</sup> Ron Suskind, "Faith, Certainty and the Presidency of George W. Bush," *New York Times*, October 17, 2004, <http://www.nytimes.com/2004/10/17/magazine/faith-certainty-and-the-presidency-of-george-w-bush.html>.

<sup>78</sup> "The Record on CURVEBALL," The National Security Archive, March 5, 2007, <http://nsarchive.gwu.edu/NSAEBB/NSAEBB234/>. Curveball was an unnamed source of Iraq WMD intelligence who was used by the Bush administration heavily to attempt to prove Iraq was developing and planning to use WMD's.

<sup>79</sup> Melvin A. Goodman, *Failure of Intelligence: The Decline and Fall of the CIA* (Lanham: Rowman & Littlefield, 2008), 270.

<sup>80</sup> Roger Z. George and James B. Bruce, *Analyzing Intelligence Origins, Obstacles and Innovations* (Washington, DC: Georgetown University Press, 2008), 94.

chose politically preferred intelligence.<sup>81</sup> A clear example of the cherry picking of intelligence was on display when President Bush in his 2003 State of the Union Address proclaimed the Iraq government had tried to acquire uranium deposits from Niger.<sup>82</sup> Not only was this intelligence later found to be inaccurate, but George Tenet, knowing the intelligence was not reliable, had even tried multiple times to remove it from the speech due to its untrustworthiness. In his speech, the President proclaimed that the source was British intelligence to prevent backlash on the United States if it was inaccurate. Additionally, cherry picking intelligence was easy for the administration because it was intentionally asking leading questions such as when the Secretary of Defense asked the question “does Saddam have WMD’s?” This direct questioning makes the answer seem relatively simple as either yes or no; however, it was much more complicated than that when attempting to assess probability in answering the question.<sup>83</sup> A further discussion of the question asking (a separate method of politicizing intelligence) reveals that had the question been broader, it would have been more informative and led to a different analysis.

Cherry picking did not just happen within the Bush administration, however; due to direct pressure, it appears that senior officials and the administration ignored analysts who were reporting that Saddam Hussein did not have weapons of mass destruction.<sup>84</sup> The CIA Inspector General never investigated these reports or resolved the issues of the politicization. This may be due to the close relationship (depicted in Figure 1) between George Tenet and the administration and the fact that intelligence was filtered through the bureaucracy of the CIA from the analysts to the administration. As Pillar states,

The Bush administration would frown on or ignore analysis that called into question a decision to go to war and welcome analysis that supported such a decision. Intelligence analysts—for whom attention, especially favorable attention, from policymakers is a measure of success—felt a strong wind consistently blowing in one direction.<sup>85</sup>

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<sup>81</sup> George and Bruce, *Analyzing Intelligence Origins, Obstacles and Innovations*, 94.

<sup>82</sup> Pillar, “Intelligence, Policy, and the War in Iraq.”

<sup>83</sup> George and Bruce, *Analyzing Intelligence Origins, Obstacles and Innovations*, 94.

<sup>84</sup> Rovner, *Fixing the Facts*, 138.

<sup>85</sup> Pillar, “Intelligence, Policy, and the War in Iraq.”

Treverton would argue that not only was this a clear example of cherry picking politicization but a result of direct pressure from the President's administration onto the IC. The administration supported the evidence that supported their policy preferences and eliminated and ousted the analysts that provided contrary analyses. This egregious cherry picking of information caused great harm to the IC and to the credibility of both the IC and the Bush administration.

### **3. Question Asking**

The third way the Bush administration politicized intelligence was by simply asking analysts leading questions.<sup>86</sup> The framing of a question can in some cases suggest a desired outcome. An example, previously mentioned, was when Secretary of Defense Donald Rumsfeld asked the IC, "Does Saddam have WMD?"<sup>87</sup> This question not only led to a politicized answer but also allowed the answer to be cherry picked, causing a double politicization of analysis. The question asked by Rumsfeld made it seem as though there was a right or wrong answer and that the analysts must find the right answer. Knowing what the administration wanted to hear led the analysts to produce material that only reflected the desired answer, which is a textbook example of the influence of direct pressure on the analyses.<sup>88</sup> As Treverton states, "question asking had a political effect on intelligence."<sup>89</sup> The question asked by Secretary Rumsfeld left few options for analysts and should have been more broad to allow for a more detailed investigation.

There are other examples in this case when question asking immediately skewed the possible explanation of the questions in one direction. A former CIA employee Vincent Cannistraro stated, "If people are ignoring your intelligence, and the Pentagon and the NSC keep telling you, 'What about this? What about this? Keep looking!'—well, then you start focusing on one thing instead of the other thing, because you know that's what your

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<sup>86</sup> George and Bruce, *Analyzing Intelligence Origins, Obstacles and Innovations*, 93.

<sup>87</sup> George and Bruce, 94.

<sup>88</sup> George and Bruce, 94.

<sup>89</sup> George and Bruce, 94.

political masters want to hear.”<sup>90</sup> There is a direct relation between the forming of a question and the answer. Policymakers may have been asking questions and demanding answers to ensure every possibility was analyzed before a decision was made. However, in this case the administration officials’ questions appear to have only been asked to help gather evidence to support a predetermined policy preference. Intelligence became the intermediary to connect the issue to the solution and question asking is what allowed the administration’s policy to navigate analysis to its desired destination.

#### **4. Group Think**

The final method that influenced the politicization of intelligence, groupthink, in the Iraq case did not necessarily come from within the Bush administration but rather from within the intelligence community. Groupthink enabled analysts to incorporate information that may not have been as influential if Saddam had not previously had WMDs in the past. As Betts notes, “to people paying attention to the issues, the conclusion seemed utterly obvious from the accumulated observations and experience of the preceding decade.”<sup>91</sup> The fact that Saddam previously possessed weapons of mass destruction led the IC to believe it might be possible again and influenced the analyses years later.<sup>92</sup>

Groupthink, based on previous experience, severely influenced the analysis and thus the policy recommendations made to the Bush administration. Treverton simplifies this by adding, “If most people believe one thing, arguing for another is hard.”<sup>93</sup> It becomes even harder to avoid groupthink when policymakers agree with the flawed analysis and praise it as groundbreaking. The feeling of accomplishing a major task and being policy relevant overrides the conditioning and training that analysts have in preventing biased influence on analysis. Had analysts looked at more evidence and relied less on previous

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<sup>90</sup> Rovner, *Fixing the Facts*, 149.

<sup>91</sup> Richard K. Betts, *Enemies of Intelligence: Knowledge and Power in American National Security* (New York: Columbia University Press, 2007), 116

<sup>92</sup> Gregory F. Treverton, “Intelligence Analysis: Between ‘Politicization’ and Irrelevance,” in *Analyzing Intelligence Origins, Obstacles and Innovations*, ed. Roger Z. George and James B. Bruce (Washington, DC: Georgetown University Press, 2008), 94.

<sup>93</sup> Treverton, “Intelligence Analysis,” 95.

experiences, it may have prevented or changed the analysis that DCI Tenet gave the president.<sup>94</sup>

## 5. Counter Arguments and Iraq Case Summary

Despite these examples of politicized intelligence leading up to the Iraq invasion, there are still many within the intelligence community who think the intelligence failure was not the result of politicized intelligence. Lowenthal comments on the accusation of politicized intelligence in the invasion of Iraq and states,

The Senate Intelligence Committee found that groupthink was a major problem in the Iraq analysis, along with a failure to examine previously held premises. At the same time, the committee found no evidence that the intelligence had been politicized. The WMD Commission (formally the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction), established by President George W. Bush, came to the same conclusion regarding politicization but was critical about how the intelligence community handled both collection and analysis on Iraq WMD and on other issues.<sup>95</sup>

Lowenthal, the Senate Intelligence Committee, and the WMD Commission appear to believe that groupthink is not a form of politicized intelligence. Despite this opinion, this incident could have been avoided had the intelligence community pushed back on the demands of the administration and had Director Tenet had more separation from the President, the Secretary of State, and other senior officials. It is the responsibility of the IC leadership to prevent politicized question asking to ensure bias does not infiltrate the purity of intelligence analyses.

Another counterargument is that the expectations of intelligence are too great and that failure comes with the job.<sup>96</sup> The Iraq case is just one example of a circumstance where the CIA overextended itself and failed to prevent politicized intelligence. Intelligence is not fail proof or perfect. It is apparent, however, using this idea that the IC is infallible has led

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<sup>94</sup> Betts, *Enemies of Intelligence*, 116.

<sup>95</sup> Mark M. Lowenthal, *Intelligence: From Secrets to Policy*, 7th ed. (Thousand Oaks, CA: CQ Press, an imprint of SAGE, 2017), 33.

<sup>96</sup> Jennifer E. Sims and Burton L. Gerber, *Transforming U.S. Intelligence* (Washington, WA: Georgetown University Press, 2005), ix.

the community to become the scapegoat for failed policy, something reform will not be able to change. The theory that the IC knows all is an assumption that will only lead to disappointment.

In this case, however, the expectations of the IC were not too high. This is not a case of missed intelligence but rather politicized intelligence. Many inside the CIA have given accounts of the politicization of intelligence and in some circumstances even attempted to stop it. The problem was that Director Tenet was too close to the administration, had no professional intelligence experience besides serving as a staffer on the Senate Select Intelligence Committee, and failed to prevent the Iraq invasion. Despite the 2003 National Intelligence Estimate, not only did Hussein not possess WMD's but he also was never found to have support Al Qaeda, which were the two reasons the administration justified the war.<sup>97</sup>

Not all cases of intelligence politicization are limited to the IC or fit into Treverton's method of categorizing the reasons for politicized intelligence. After the 2003 invasion of Iraq and the overthrow of the Saddam Hussein regime, the absence of a strong central government created a void that was filled by a new Islamic extremist group commonly referred to as the Islamic State of Iraq and Syria (ISIS). This new group exploited the lack of a strong government in Syria and Iraq and used the territory as a safe haven for training and operations in the region to form a new Caliphate and independent Islamic State. The rise of ISIS came as a surprise to many citizens as they watched Fallujah and Mosul fall back into the control of extremists in 2014.<sup>98</sup> How could this happen? Where was the IC's analysis and estimates? Although this case is considered an intelligence failure, it differs from other cases because the failure was not merely politicization of intelligence analysis but rather a manipulation of intelligence because of political pressure after analysis was conducted. Regardless of the causal factors, the rise of ISIS is still an intelligence failure worth investigating. Despite the fact that some investigations are still

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<sup>97</sup> Walter Pincus and Dana Milbank, "Al Qaeda-Hussein Link Is Dismissed," *Washington Post*, June 17, 2004, <http://www.washingtonpost.com/wp-dyn/articles/A47812-2004Jun16.html>.

<sup>98</sup> Erik J. Dahl, "Not Your Father's Intelligence Failure: Why the Intelligence Community Failed to Anticipate the Rise of ISIL" (unpublished book chapter), 3.

ongoing, this thesis attempted to find the motivation behind the politicized intelligence using Treverton's method.

## **B. WAS THE RISE OF ISIS UNANTICIPATED?**

Politicized intelligence can influence Defense Department intelligence just as it has in the IC. The IC is not the only source of intelligence for policymakers; in fact, many in the military work in or with the IC. President Obama ran in and won the 2004 election in part because of the negative views of the ongoing wars in Iraq and Afghanistan. Sebastian Gorka, a professor at the Marine Corps University, stated in an interview with the Washington Times, "This administration is ideologically wedded to the narrative that Afghanistan was the 'good' war and Iraq the 'bad' war since this is the platform that got the president elected originally."<sup>99</sup> After the withdrawal from Iraq in 2011, the administration was not interested in combating the rising threat of the Islamic State in Iraq (ISI, which would become ISIS in 2013) with kinetic ground forces.<sup>100</sup> Not only would this be politically costly, but it would also be expensive for the government and ultimately the taxpayers. This policy was known to many, both in and outside the administration, and likely had an effect on the analysis in CENTCOM's intelligence.

The controversy in this case is whether senior intelligence officials within CENTCOM altered the estimates made by analysts in order to provide an analysis that was more positive than others within the IC were reporting.<sup>101</sup> When looking at this case, one might wonder, why would senior civilians and military commanders manipulate and politicize intelligence? Using Treverton's model, it is apparent that direct pressure because of policy preferences and direct pressure because of military relationships led to politicized

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<sup>99</sup> Bill Gertz, "CIA Blew It in Iraq, Blamed for Failing to Warn About Rise of Islamic State," *Washington Times*, July 01, 2014, <https://www.washingtontimes.com/news/2014/jul/1/cia-blamed-iraq-intel-failure-isis-rise/>.

<sup>100</sup> Tara John, "ISIS: Timeline of the Rise of the Islamic State," *Time*, October 9, 2015, <http://time.com/4030714/isis-timeline-islamic-state/>.

<sup>101</sup> The U.S. House of Representatives Joint Task Force on U.S. Central Command Intelligence Analysis, *Initial Findings of the U.S. House of Representatives Joint Task Force on U.S. Central Command Intelligence Analysis* (Washington, DC: U.S. House of Representatives, 2016), 1, [https://intelligence.house.gov/uploadedfiles/house\\_jtf\\_on\\_centcom\\_intelligence\\_initial\\_report.pdf](https://intelligence.house.gov/uploadedfiles/house_jtf_on_centcom_intelligence_initial_report.pdf)

intelligence. Additionally, the can do attitude that can be correlated to the house line category of politicization also caused the failure to assess the capability of ISIS forces.

### **1. Direct Pressure because of Policy Preferences**

The first cause of politicized intelligence in CENTCOM analysis is direct pressure. Senior military officers knew the policy of the current administration and might have been fearful of reporting a less than optimistic analysis on the rising threat of ISIS to the White House.<sup>102</sup> Knowing what senior military officers knew about the current policy and that Washington would judge their effectiveness on their ability to combat the issue, it is not unreasonable that officials would paint a rosier picture of the problems in their area of responsibility.<sup>103</sup> Their careers and their superiors' careers may have depended on the optimistic reporting.

### **2. Direct Pressure because of the Chain of Command Relationship**

A second reason senior CENTCOM intelligence officials might have manipulated intelligence is because of the chain of command relationship, which makes it difficult for a subordinate of the Combatant Commander, in this case General Lloyd Austin, to criticize their supervisor's work in their region.<sup>104</sup> Imagine a job where the subordinate would rate or determine the efficiency of their superior, which their superior would not only receive but also forward to the President of the United States. This in of itself makes the job of the military intelligence leaders extremely difficult. In short, if the intelligence is not optimistic, analysts are expected to report it regardless of their bias towards the operations and their superiors' thinking. It is a tough situation to be placed in regardless of one's profession but is drastically more difficult in military culture, which is based on structured leadership.

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<sup>102</sup> Mark Mazzetti and Matt Apuzzo, "Military Analyst Again Raises Red Flags on Progress in Iraq," *New York Times*, September 24, 2015, <https://www.nytimes.com/2015/09/24/world/military-analyst-again-raises-red-flags-on-progress-in-iraq.html>.

<sup>103</sup> Mazzetti and Apuzzo.

<sup>104</sup> Mazzetti and Apuzzo.

### 3. House Lines or “Can Do” Attitude

The third type of politicization in the ISIS case may be just an organizational flaw within the military. The ‘can do’ attitude of many within the military often undermines the difficulty of a task. This ‘can do’ attitude can be correlated to Treverton’s example of house lines. Although it is not a political stance, the military does indeed have a can do attitude that is preached within the organization, almost becoming a “house line.” In this case, the failure to appreciate the strategy of the enemy may have led to not only faulty analysis but also the unexpected rise of ISIS. Although this is less of a politicization of intelligence and more a failure to divulge a commander’s weakness, it led to a major intelligence failure by policymakers failing to act prior to the rise of a major threat to U.S. national security because of manipulated intelligence.

After a thorough investigation, it became clear that politicization did occur. A House of Representatives Joint Task Force concluded that Maj. Gen. Steven Grove and his civilian deputy Gregory Ryckman manipulated the estimates of the rise of ISIS.<sup>105</sup> Mr. Gregory Hooker, a Defense Intelligence Agency (DIA) analyst, initially blew the whistle and reported numerous cases of the manipulation of intelligence by both Gen. Grove and Ryckman.<sup>106</sup> Thus, far, neither Gen. Grove nor Ryckman have been held accountable for their actions.<sup>107</sup> Although the motive may not be clear yet, the analysis above provides countless reasons why these two individuals manipulated intelligence. The Department of Defense’s (DoD) Inspector General’s investigation concluded that there were failures in the CENTCOM intelligence command but that there was not politicization of intelligence. The evidence seems to support the contrary.<sup>108</sup> Just like senior CENTCOM officials might

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<sup>105</sup> The U.S. House of Representatives Joint Task Force on U.S. Central Command Intelligence Analysis, *Initial Findings of the U.S. House of Representatives Joint Task Force on U.S. Central Command Intelligence Analysis*, 7.

<sup>106</sup> Mazzetti and Apuzzo, “Military Analyst Again Raises Red Flags on Progress in Iraq.”

<sup>107</sup> Jim Axelrod and Emily Rand, “Investigation Reveals CENTCOM General Delayed Intel on ISIS Fight Meant for the President,” CBS News, September 22, 2016, <https://www.cbsnews.com/news/did-a-centcom-general-delay-intelligence-meant-for-the-president/>.

<sup>108</sup> Glenn A. Fine, *U.S. Department of Defense Office of Inspector General Report of Investigation on Allegations Relating to USCENTCOM Intelligence Products* (Washington, DC: Department of Defense, 2017), <https://media.defense.gov/2017/Apr/18/2001734034/-1/-1/1/DODOIGFINE%2002272017.PDF>.

have a bias, so might the DoD's Inspector General when assessing the ability of one their own Combatant Commanders in this case. It may be unrealistic to assume the Inspector General would lie in his report; however, it directly contradicts what the House found in its investigation.

The Obama administration's foreign policy preferences at the time indirectly caused the politicization in the ISIS case based on, command bias (house line), and possibly because of the lesson learned from the previous CENTCOM Commander, General Mattis, who ultimately disagreed with the President's administration policy preferences. General Austin did not want to follow in his predecessors' footsteps and wanted to avoid conflict with the Obama administration. Regardless of the reasons for politicization, it is irrelevant. Motive is not important in the politicization of intelligence; what is important is that intelligence is analytically honest and allows policy makers to make informed decisions.<sup>109</sup>

### C. CONCLUSION

In both cases presented in this chapter, politicized intelligence led to extreme loss of life, caused taxpayers billions of dollars, and made for poor foreign policy. The most significant aspect of these case studies is that if politicized intelligence was thwarted by candid leaders these cases would be preventable. The intelligence branches of both the CIA and the CENTCOM intelligence commander primarily caused the Iraq WMD failure and the ISIS CENTCOM fiasco because they were too close to their superiors and to the policy that dictated the foreign relations and strategic vision of each President's administration. The producers of intelligence in both cases were subjected to policy preferences and limited their work to the confines of what was deemed acceptable by the Executive Branch. The question that this thesis intends to answer, now that it has demonstrated that politicization exists and negatively impacts U.S. national interest, is: can politicization be prevented in the future or will Americans be forced to deal with the imperfections of the IC?

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<sup>109</sup> The U.S. House of Representatives Joint Task Force on U.S. Central Command Intelligence Analysis, *Initial Findings of the U.S. House of Representatives Joint Task Force on U.S. Central Command Intelligence Analysis*, 2.

## IV. CURRENT LIMITS ON POLITICAL APPOINTMENTS

The previous chapter, through the analysis of its two case studies, completed three of the four main objectives of this thesis. The first objective was to prove that intelligence does get politicized in the intelligence community and the Defense Department. The next objective was to demonstrate the negative impact that politicization has regarding policy decisions, the integrity of the IC, and the lives of many citizens of the United States. Finally, the previous chapters determined that the source of the politicized intelligence is the relationship of the top managers of producers of intelligence when they are too close to the consumers—often the executive branch—and fail to provide intelligence that is “objective, independent of political considerations ... and employ[ed] the standards of proper analytic tradecraft.”<sup>110</sup>

This chapter aims to investigate what reform might look like to address the issue of politicization. The chapter looks at other positions in the Executive Branch of government that are political appointments and determines possible solutions to the appointment requirements of IC leaders. Specifically, the chapter asserts that term limits and requiring the senior appointees to hold credentials or records of service in the IC should be prerequisites to being authorized to lead the community.

This portion of the thesis studies the requirements to become the Director of the FBI, the Chairmen of the Joint Chiefs of Staff, the FEMA Director, and the Board of Governors of the Federal Reserve to see if those requirements could solve the issues discovered in the previous chapter of this thesis. Finally, this chapter concludes by looking at the Director of National Intelligence position to determine if those who held that new position were more successful with intelligence backgrounds.

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<sup>110</sup> Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108–458, § 1019 (a) 118 Stat. 3638 (2004). <https://www.gpo.gov/fdsys/pkg/PLAW-108publ458/pdf/PLAW-108publ458.pdf>.

## A. FEDERAL BUREAU OF INVESTIGATION

From 1924 until 1972, J. Edgar Hoover led the FBI as its director.<sup>111</sup> For 48 years, he ruled the agency despite the Senate never confirming him.<sup>112</sup> Since then, Congress established 28 United States Code (U.S.C.) §532, which limits the term of the Director of the FBI to ten years and also requires FBI Director appointees to be Senate-vetted before assuming office.<sup>113</sup>

Congress created the new law for two main reasons. First, Congress believed that being involved in the confirmation process would give the legislative branch more control over the FBI's vast size, which had greatly increased during Hoover's reign. Secondly, the new law was created to ensure that the FBI remained unbiased and apolitical. The failed nomination of L. Patrick Gray III, as the Congressional Research Service noted, states, "Senators expressed concern about partisanship, lack of independence from the White House, and poor handling of the Watergate investigation."<sup>114</sup> L. Patrick Gray III was the first nominee as the Director of the FBI after 28U.S.C. §532 was enacted, and Congress was concerned about the obvious close relationship of the President and the Director. During his Senate confirmation hearing, the first for an FBI director, several Senators cited the same argument in this thesis, that leaders of independent government agencies must remain apolitical and unbiased.<sup>115</sup>

The FBI Director requirements as a model to reduce politicization has ensured those who hold the position, like IC leaders, should be partisan and should operate independently from the White House. The CIA was developed as a non-departmental agency to reduce politicization just like the FBI director has the requirements for term length and Senate confirmation. Until recently, the new law appeared to uphold its intent to ensure politics did not undermine the mission of the Director of the FBI. Thus, term limits, although not

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<sup>111</sup> Vivian S. Chu and Henry B. Hogue, *FBI Director: Appointment and Tenure*, CRS Report No. R41850 (Washington, DC: Congressional Research Service, 2014), <https://fas.org/sgp/crs/misc/R41850.pdf>.

<sup>112</sup> Chu and Hogue.

<sup>113</sup> Chu and Hogue.

<sup>114</sup> Chu and Hogue.

<sup>115</sup> Chu and Hogue.

currently required for IC positions, could become an integral part of new reform in the IC to reduce politicization.

## **B. CHAIRMAN OF THE JOINT CHIEFS OF STAFF**

The Chairman of the Joint Chiefs of Staff (CJCS) serves at the pleasure of the President to assist and advise on policy as it relates to the military.<sup>116</sup> 10 U.S. Code § 152 provides the legal requirements to serve as the CJCS in detail. According to the law, there are three basic requirements. First, the Chairman must be presidentially appointed and Senate-confirmed. Secondly, the CJCS must have “previously served as the Vice Chairman of the Joint Chiefs of Staff (VCJCS), or as a unified or specified combatant commander, or as the head of a branch of service (i.e., the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, or the Commandant of the Marine Corps).”<sup>117</sup> Finally, the CJCS, once confirmed, may only serve three consecutive two years terms unless otherwise directed by the President in a time of war.<sup>118</sup>

There are a number of reasons for these particular requirements. The first requirement is to ensure Congress maintains oversight of the civilian-military relationship particularly to vet the CJCS in order to guarantee their unbiased and apolitical influence within the executive branch. The second requirement ensures that the CJCS has the requisite knowledge and experience in joint operations to effectively advise the President. As noted by Peter Feaver, a professor of political science at Duke, “the chairman is the principal adviser to the president and to the other national security policy makers. He’s not directly in the chain of command, but all of the reporting up the chain of command travels through him, through the secretary of Defense, to the president of the United States.”<sup>119</sup>

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<sup>116</sup> Peter J. Roman and David W. Tarr, “The Joint Chiefs of Staff: From Service Parochialism to Jointness,” *Political Science Quarterly* 113, no. 1 (Spring 1998): 91, <https://doi.org/102307/2657652>.

<sup>117</sup> “10 U.S. Code § 152—Chairman: Appointment; Grade and Rank,” Cornell Law School Legal Information Institute, accessed February 28, 2018, <https://www.law.cornell.edu/uscode/text/10/152>.

<sup>118</sup> “10 U.S. Code § 152—Chairman: Appointment; Grade and Rank.”

<sup>119</sup> Michele Norris, “What Does The Head Of The Joint Chiefs Of Staff Do?” NPR, May 31, 2011, <https://www.npr.org/2011/05/31/136829586/what-does-the-chairman-of-the-joint-chiefs-of-staff-do>.

Third, the term limit ensures that no individual CJCS stays in that role over a long period of time and may therefore develop a political relationship to the executive administration.

Although many IC leadership positions have the same requirement as the CJCS for Senate confirmation they do not have the requirements to have professional experience or term limits to prevent political relationships from developing overtime ultimately leading to the politicization of information. As discussed throughout this thesis, these second two requirements and the reasons for their existence are very similar to the requirements that should be instituted in the IC. The CJCS is an advisor to the President just as the DCIA and the DNI and is nominated to ensure there is trust and confidence in the relationship, but in the CJCS there are requirements in place to ensure the relationship does not lead to misinformed policy and possible failures, which are missing for IC leadership.

### **C. FEDERAL EMERGENCY MANAGEMENT AGENCY DIRECTOR**

Hurricane Katrina caused over 1,600 fatalities and damage costs that exceeded \$100 billion. In response to the scale of the disaster and the failures of the Federal Emergency Management Agency (FEMA) to respond swiftly, Congress in 2006 enacted the Post-Katrina Emergency Management Reform Act.<sup>120</sup> This Act specifically established for the first time “the role, qualifications, authority, and responsibilities of the Administrator of FEMA.”<sup>121</sup>

The most consequential reform from the Post-Katrina Emergency Management Reform Act changed the requirements to serve as the Director of FEMA. One of the primary findings in the multiple Hurricane Katrina investigations conducted by Congress was that the leadership within FEMA did not possess the education and experience to serve in their roles at the time of the incident.<sup>122</sup> Specifically, the then Director Michael Brown was criticized because he had been a lawyer and horse judge prior to being appointed as the nation’s

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<sup>120</sup> Susan Collins, *S.3721—109th Congress (2005-2006): Post-Katrina Emergency Management Reform Act of 2006* (Washington, DC: Library of Congress, 2006), <https://www.congress.gov/bill/109th-congress/senate-bill/3721>.

<sup>121</sup> Collins, *S.3721—109th Congress (2005-2006)*.

<sup>122</sup> Spencer S. Hsu, “Bush Balks at Criteria for FEMA Director,” *Washington Post*, October 07, 2006, <http://www.washingtonpost.com/wp-dyn/content/article/2006/10/06/AR2006100601527.html>.

primary emergency manager.<sup>123</sup> Shortly after Katrina, Brown stepped down as director amid substantial uproar by the citizens of the Gulf States, Congress, and the media.<sup>124</sup>

The Post-Katrina Emergency Management Reform Act directly addressed the primary finding that FEMA Director Brown was ill-equipped to serve in his position. It states, as a solution, that the Director of FEMA shall “have not less than five years of executive leadership and management experience, significant experience in crisis management or another relevant field, and a demonstrated ability to manage a substantial staff and budget.”<sup>125</sup> From now on, only someone with experience in crises/emergency management will serve as the Director of FEMA without a term limit because of the non-political nature of the position. The idea that the leader of an organization should have basic knowledge of the organizations’ profession does not seem unreasonable and might become a necessity for future IC leadership.

#### **D. THE FEDERAL RESERVE BOARD OF GOVERNORS**

The Board of Governors of the Federal Reserve is charged with leading and monitoring the U.S. central bank, setting interest rates, controlling the money supply, setting monetary policy, and controlling inflations in an attempt to reduce unemployment.<sup>126</sup> Political party preferences can obviously affect the responsibilities of the Federal Reserve and the Board of Governors. To reduce the influence of the president and politics, the Board was set up so that no president or political party could control and appoint the entire board upon an election.<sup>127</sup>

Currently, there are seven members of the board each serving 14 year terms. Every two years the president appoints and the Senate confirms a new member of the Board.<sup>128</sup>

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<sup>123</sup> Hsu, “Bush Balks at Criteria for FEMA Director.”

<sup>124</sup> Hsu.

<sup>125</sup> Collins, *S.3721—109th Congress (2005-2006)*.

<sup>126</sup> Kimberly Amadeo, “Who Really Controls the Fed?” *The Balance*, updated April 17, 2018, <https://www.thebalance.com/what-is-the-federal-reserve-board-3305527>.

<sup>127</sup> Amadeo, “Who Really Controls the Fed?”

<sup>128</sup> “Board Members,” Board of Governors of the Federal Reserve System, updated February 21, 2018, <https://www.federalreserve.gov/aboutthefed/bios/board/default.htm>.

In addition to the new appointments every two years, the president appoints the Chairman and two Vice Chairman of the Board from within the current members of the Board to four year terms.<sup>129</sup> These appointments ensure that the president gets to appoint someone with their economic preferences without gaining total control of the board.

Like in the intelligence community, the Chairman and the Vice Chairmen of the Board of the Federal Reserve are able to ensure that they and the rest of the board have the administration's preferences in mind while still remaining independent. As Paul Pillar notes, the “long and fixed term” of the Board of the Federal Reserve makes it an interesting model for comparison when considering the issues of politicization within the intelligence community.<sup>130</sup>

The Board positions' term limits and the requirement that appointees shall have “demonstrated primary experience working in or supervising community banks having less than \$10 billion in total assets” makes this appointment structure a great example for the IC to follow.<sup>131</sup> The last requirement for Board members to have experience is less about the impartiality of the board and more driven to ensure the board has the requisite knowledge of the finance community to best serve the people of the United States. The Board of the Federal Reserve serves the administration well by being impartial, having sufficient professional experience, and installing term limits to prevent its own politicization.

## **E. DIRECTOR OF NATIONAL INTELLIGENCE**

The Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) reorganized the IC and established the position of Director of National Intelligence (DNI), hoping to seamlessly integrate and coordinate the 16 agencies within the IC.<sup>132</sup> The DNI

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<sup>129</sup> “12 U.S. Code § 242—Ineligibility to Hold Office in Member Banks; Qualifications and Terms of Office of Members; Chairman and Vice Chairman; Oath of Office,” Cornell Law School Legal Information Institute, accessed February 28, 2018, <https://www.law.cornell.edu/uscode/text/12/242>.

<sup>130</sup> Paul R. Pillar, *Intelligence and U.S. Foreign Policy: Iraq, 9/11, and Misguided Reform* (New York: Columbia University Press, 2011), 326; Paul Charles Light, *A Government Ill Executed: The Decline of the Federal Service and How to Reverse It* (Cambridge, MA: Harvard University Press, 2009), 314.

<sup>131</sup> Board of Governors of the Federal Reserve System, “Board Members.”

<sup>132</sup> “The Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA),” Department of Justice, accessed February 28, 2018, <https://it.ojp.gov/PrivacyLiberty/authorities/statutes/1282>.

now serves as the chief and direct representative of the IC to the President.<sup>133</sup> Additionally, the IRTPA created a Principal Deputy Director of National Intelligence to assist the DNI in their duties of leading the IC.

In accordance with IRTPA, the DNI or the Principal Deputy Director of National Intelligence is required to “be a commissioned officer of the Armed Forces, in active status; or have, by training or experience, and appreciation of military intelligence activities and requirements.”<sup>134</sup> Additionally, the law requires that the DNI also have “extensive national security expertise.”<sup>135</sup> To date, the DNI and the Principal Deputy Director of National Intelligence are the only leaders within the IC that have specific requirements for confirmation by the Senate.

However, despite these requirements, the current DNI, former Senator Daniel Coats, does not meet the criteria to have “extensive national security expertise.”<sup>136</sup> Senator Coats has served the United States honorably as a Congressman, Ambassador to Germany, and Senator but does not possess the national security experience that the IRTPA intended to require in the spirit of the law. As Spencer Ackerman notes, “Coats is the first DNI nominee not to come from either the professional military, intelligence community or diplomatic service. He seeks to step into his role at a fraught time for U.S. intelligence after being on the sidelines as Trump’s early national security policies and priorities have coalesced.”<sup>137</sup> There have been previous DNI’s that have met the criteria of the IRTPA requirements by serving as military intelligence officers, CIA officers, and leaders of IC agencies. In sum, it appears those with thorough experience in the IC have served the Office of the Director of National Intelligence well, the requirement to have “extensive national security expertise” should remain and presidents and the Senate should adhere to these legal requirements.

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<sup>133</sup> “The Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA).”

<sup>134</sup> Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108–458, § 103A (c) 118 Stat. 3656 (2004). <https://www.gpo.gov/fdsys/pkg/PLAW-108publ458/pdf/PLAW-108publ458.pdf>.

<sup>135</sup> Intelligence Reform and Terrorism Prevention Act of 2004.

<sup>136</sup> Intelligence Reform and Terrorism Prevention Act of 2004.

<sup>137</sup> Spencer Ackerman, “Senators Question If Dan Coats Is Tough Enough to Be Intelligence Director,” *The Guardian*, February 28, 2017, <https://www.theguardian.com/us-news/2017/feb/28/dan-coats-national-intelligence-director-senate-hearing>.

## F. CONCLUSION

The intelligence community has been under scrutiny since 9/11 and the WMD intelligence failure, and despite the government's best efforts to reform, politicization remains.<sup>138</sup> There are numerous Presidential appointments within the government that have requirements to ensure the appointees have the expertise, education, experience, and training needed to best serve the citizens of the United States. Some appointments even have longer term limits to prevent politicization and influence by sitting Presidents. Table 1 denotes the three general requirements—professional experience, Senate confirmation, and term limits—for each position described in this chapter and makes it apparent that there is a lack of oversight or control over positions in the IC.

Table 1. Current Political Appointment Requirements

	Professional Experience	Senate Confirmation	Term Limits
Board of Federal Reserve	X	X	X
FEMA Director	X	X	
FBI Director		X	X
CJCS	X	X	X
DNI		X	
CIA Director		X	

The next chapter of this thesis recommends reform to overcome politicization using some of the models of the political appointments described in this chapter. Reform is often considered a dirty word in the IC; however, looking at the evidence, it is a necessity. Additionally, the next chapter accomplishes the final goal of the thesis: determining the best course of action, or reform, to reduce the politicization of intelligence in the future.

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<sup>138</sup> Pillar, *Intelligence and U.S. Foreign Policy*, 326; Light, *A Government Ill Executed*, 314.

## **V. CONCLUSION, RECOMMENDATIONS, AND FUTURE RESEARCH**

Despite the best efforts of the 9/11 Commission, the WMD Commission and the Intelligence Reform and Terrorism Prevention Act of 2004, the age old problem of politicization in the intelligence community has continued.<sup>139</sup> Real reform must address the issue of politicization within the Intelligence Community to ensure repetitive mistakes are avoided and American service members do not continue to die in vain. Like other political appointments addressed in Chapter IV, requirements for term length and professional expertise could lead to better leadership in the IC in general and prevent politicization by the highest leaders of the IC.

This thesis has made it evident that political bias has been included in U.S. intelligence analysis, which has undermined the apolitical principles of the Intelligence Community. Additionally, the thesis has proven that IC leaders have not prevented politicization because of their close relationship with presidential administrations. This chapter in particular answers the last question proposed in the original problem statement: how can the U.S. government eliminate politicization? In order to reduce politicization, intelligence leaders should be chosen based on professional experience similar to the Joint Chiefs of Staff, and should be given fixed terms like the FBI director.

### **A. WHAT REFORM SHOULD LOOK LIKE**

Many intelligence experts have noted that reform is a dirty word with negative connotations in the intelligence community. Reform often leads to increased bureaucracy, ultimately causing less time to actually accomplish the task at hand. Additionally, reform usually comes from outside agencies without foresight or experience within the agency to implement effective change. Despite these arguments against reform, this thesis still provides recommendations to the IC to decrease the political influence on intelligence,

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<sup>139</sup> Paul R. Pillar, *Intelligence and U.S. Foreign Policy: Iraq, 9/11, and Misguided Reform* (New York: Columbia University Press, 2011), 326; Paul Charles Light, *A Government Ill Executed: The Decline of the Federal Service and How to Reverse It* (Cambridge, MA: Harvard University Press, 2009), 314.

something most analysts would consider a worthwhile investment. One of the many reasons this thesis recommends reform is because it is a foundational principle of democracy. As Andrew Jackson, the seventh president of the United States, noted, “Democracy shows not only its power in reforming governments, but in regenerating a race of men and this is the greatest blessing of free governments.”<sup>140</sup> A democracy or republic should never be satisfied with the status quo but should always challenge assumptions to make itself more prosperous and righteous. Reform is not always perfect, and strong organizations often oppose change, but it is a necessity to ensure organizations always improve and transcend the status quo.

### **1. Term Length**

The length of a term of office, when it spans greater than the length of a two term president, would reduce the likelihood that presidents would be able to exert political pressure on appointees. This thesis has argued that George Tenet was too close the Bush administration which lead to the politicization of the intelligence in support of the Iraq War. In spite of the fact that it may have been unintentional, the politicization of the intelligence drastically affected the nation’s trust in the IC. Like in the ISIS case study, DCI Tenet probably felt pressure to ensure he met the expectation of the president considering he could be fired without warning if he did not meet the expectations of the president.

There are several benefits of creating term limits for IC leadership including reducing political pressure on IC leadership, reducing turnover in senior positions, and increasing the credibility of the IC. The first benefit of expanding the length of term of IC leaders would be that a term limit would reduce the possible pressure of the leadership to please the president. Instead of worrying whether intelligence supports policy preferences, the IC could focus on providing factual unbiased analysis regardless of preferences. This unbiased analysis is the foundation of the IC to begin with. By alleviating the pressure of serving the “boss,” the IC leadership would focus on its core mission instead of worrying

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<sup>140</sup> Andrew Jackson, “Democracy Quotes,” BrainyQuote, accessed May 07, 2018, [https://www.brainyquote.com/quotes/andrew\\_jackson\\_402962?src=t\\_democracy](https://www.brainyquote.com/quotes/andrew_jackson_402962?src=t_democracy).

about job security. Although the IC supports the president in his/her decision making process, it should not feel required to please him/her in support of their policy. The IC can be objective and still support the president, but could not be objective and still aim to please the president because the IC must be able to tell the president facts even though they might not like them.

Secondly, expanding the length of term of the IC leaders would create an environment where turnover would not be so abrupt. Instead of having new IC leadership every election cycle, IC leadership could actually spend a copious amount of time in their position. The experience gained during their tenure in their role will allowing them to gain insight and ability to increase performance.

The final benefit of a long term length is that the IC would increase its credibility. Since the Iraq and ISIS IC debacles, the IC appears to have lost its trustworthiness among the population. Allowing IC leaders to work in their position through multiple administrations would ensure they remain politically and would only increase the credibility of the IC. Additionally, longer term limits would foster a greater relationship between the producers and consumers of intelligence because of familiarity and trust between parties. If the government wants to prevent future IC crises similar to the Iraq WMD case, it needs to reform the leadership within the IC to ensure the term length is similar to that of the FBI Director and the Board of the Federal Reserve.

## **2. Professional Expertise**

Professional expertise is the second critical piece to reforming the IC and guarding it from politicization. Professional leadership has driven appointments of the Joint Chiefs of Staff, the Board of the Federal Reserve and the Director of FEMA. The inherent complexity of these jobs has forced legislation to ensure leadership possesses the qualities and talent to successfully lead these organizations. The IC is no different in its complexity. Foreign intelligence, covert action, counter intelligence, analysis, human intelligence, signals intelligence, geospatial intelligence, measures and signals intelligence, and open source intelligence are all complex missions that without guided and knowledgeable leadership could lead to intelligence failure.

To prevent pending intelligence failure, Congress should pass reform similar to that passed in the Post-Katrina Emergency Management Reform Act to regulate the requirements to serve as both the DCIA and the DNI. It should state, similarly to the Post-Katrina Act, that the DCIA and the DNI shall “have not less than five years of executive leadership and management experience, significant experience” in the intelligence community, and a “demonstrated ability to manage a substantial staff and budget.”<sup>141</sup>

Ultimately, the requirement for professional experience would serve two purposes. The first purpose would be to maintain the professionalism and reputation of the organization as an apolitical unbiased organization. Having a professional appointee would not only appear to make the position less political but would also increase the confidence of subordinates that the IC leadership has the community and its people in its best interests, not political preferences. Additionally, as a professional appointee the leadership would know where the line between IC and policymaker should be drawn and would be more likely to enforce it based on experience and knowledge.

The second purpose of the professional appointment would be similar to the purpose of political appointments. Although there would be new requirements for senior leadership in the IC, they would still serve at the pleasure of the President. This would ensure that the policymaker and intelligence nexus remained intact, allowing intelligence to be policy relevant. This reform would not take away the power of the President to appoint or terminate IC leadership but rather ensure their appointees have the knowledge to best serve the government and ultimately the American people. The President should still, under certain parameters, be able to relieve IC leadership. As an example if an IC leader had been found guilty of a crime, then they would be relieved. This would only be in extreme circumstances and in all other circumstances the term limit would remain a law.

Creating a professional requirement for IC leadership could also create a greater separation between producers and consumers. This would likely happen because IC leadership would be seen as independent from the president’s inner circle because its

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<sup>141</sup> Susan Collins, *S.3721—109th Congress (2005-2006): Post-Katrina Emergency Management Reform Act of 2006* (Washington, DC: Library of Congress, 2006), <https://www.congress.gov/bill/109th-congress/senate-bill/3721>.

leaders would not be loyal to the administration's political agenda. This could negatively affect the IC, and despite making it less likely that politicization would occur, it would also be tough to ensure intelligence is policy relevant. However, if IC leaders are able to gain trust from administrations through sound and unbiased intelligence, then the gap between the producers and consumers could be surmounted.

## **B. FUTURE RESEARCH**

There are two areas in the study of politicized intelligence that could strengthen the argument presented in this thesis. The first area where additional research could be dedicated is in a metric to compare the effectiveness of political appointees and professional appointees. The second area of study would be a more analytical method to analyze leadership, specifically in the field of intelligence community leadership.

### **1. Political vs. Professional Appointments Metric**

Despite new legislation that would require political appointees to have professional experience, there is no analytical proof that appointees with more experience perform better than those who do not. This thesis has argued empirically that it is common sense that professional appointees would have a better understanding of their positions and would be likely to outperform those who do not, but future research should try to find an analytical model to prove this assumption. Realistically, the best model would be a position where both political appointees and professionals work as is the case for ambassadors from the State Department. If a model could assess what success might be as an ambassador and compare the success rates between professionals and political appointees, it could greatly strengthen or weaken the argument presented in this thesis. If professional appointees performed better than political appointees, it would support the argument presented in this thesis that professionals are more effective in complexed leadership roles. However, if political appointees outperformed professional ambassadors, it could mean that leadership in positions is not always based on professional experience but rather the individual qualities of leaders.

## **2. How to Determine Success of Leadership**

Determining the success of political and professional appointments would not be easy. How do you define success in the IC? There is a metric in the military that does assess command climate, which is usually a direct reflection of how leadership is performing as assessed by subordinates. In the case of determining success, this model might be useful in the IC and could be used to help leadership perceive their success and work to improve. In the IC, like the military, the juniors in the organization do most of the hands on and difficult work and have a unique view point as to whether the organization and its leadership are operating effectively. This metric could allow for a comparison between professionally and politically appointed leaders. The results could greatly strengthen or hinder (depending on the results) the argument presented within this thesis.

## **C. DEPARTING REMARKS**

To conclude, this thesis has demonstrated that politicization exists in the current structure of the Intelligence Community and negatively impacts national security. In the case study analyses of the Iraq WMD case and the rise of ISIS case, politicization has been the major contributing factor in their intelligence failures. In the first case, politicization caused a preemptive war on a sovereign land based on false information. In the second case, the Department of Defense failed to realize the critical implications of the rise of ISIS because of modified and politicized intelligence. However, both cases, as discussed earlier—although the first resulted in action, and the second resulted in inaction—led to Soldiers, Sailors, Airmen and Marines losing their lives in combat.

This thesis has also argued that reform can alleviate politicization. If the government acts to increase the term limits of IC leadership and requires appointees to have requisite knowledge of the institutions that they are entrusted to lead, then politicization will be easier to identify, isolate, and remove from intelligence analysis. Reform will not only make the IC better prepared in the future to counteract political bias but will also ensure the IC remains creditable in the executive and legislative branches of government and in the minds of the citizens of this great nation.

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