

S. 2258

To create a Commission on the roles and capabilities of the United States Intelligence community, and for other purposes.

NOTE: The questions in bold correspond to the legislation, while the categories (underlined) are those provided by the Office of Management and Budget in sorting the questions. Questions in both bold and italics are primary questions recommended for clearer guidance by the Executive to the commission; all other questions are recommended elaboration on the primary questions to ensure the commission delves into specific areas of inquiry.

QUESTIONS

Roles, Missions, and Organization

1. What should the roles and missions of the intelligence community be in terms of providing support to the foreign policy and Defense establishment?

1a. What are and should be the specific missions of the intelligence community with respect to the provision of threat support to acquisition? What are the short-falls in these areas?

1b. What are and should be the specific missions of the intelligence community with respect to the provision of operational intelligence? What are the short-falls in these areas?

1c. What are and should be the specific missions of the intelligence community with respect to the provision of tactical intelligence, not only to U.S. military commanders, but also to law enforcement, other governments, and non-governmental organizations such as the United Nations? What are the short-falls in these areas?

1d. What are and should be the specific missions of the intelligence community with respect to the provision of technical intelligence to policy & acquisition managers, theater commanders, and tactical commanders? What are the short-falls in these areas?

2. Should the roles and missions of the intelligence community extent to non-traditional areas: e.g. economic, environmental, and health issues?

- 2a. To what extent have non-traditional areas requiring intelligence support increased in importance over traditional areas?
- 2b. To what extent have non-traditional areas, such as intelligence support for civil affairs and humanitarian assistance, become an integral part of current operations by traditional customers such as the Department of Defense?
- 2c. To what extent can the requirements for intelligence in non-traditional areas be met by "other means", such as open source intelligence (OSINT)?
- 2d. To what extent can the National Information Infrastructure (NII) serve as a vehicle for harnessing the distributed intelligence of the Nation, and bringing to bear private sector OSINT capabilities in support of non-traditional consumers and their requirements?
- 3. What functions, if any, should continue to be assigned to the Central Intelligence Agency (CIA), and what capabilities should it retain in the future?**
- 3a. Distinguishing between the CIA as an agency, and the CIA as a *de facto* supporting element for the Director of Central Intelligence and the Community Management Staff (CMS), are there roles and missions within CIA which should be transferred to a more robust CMS?
- 3b. To what extent can similar functions, such as Comptroller and Inspector General Functions, be consolidated under CMS?
- 3c. If a separate clandestine agency is created, and the Directorate of Intelligence is integrated into an expanded National Intelligence Council under CMS management, should the Directorate of Science & Technology be consolidated with similar elements now under National Security Agency (NSA) and National Reconnaissance Office (NRO) control?
- 3d. Should the Foreign Broadcast Information Service and what was formerly known as the National Collection Division be consolidated under a Center for the Exploitation of Open Sources (CEOS), and transferred to a new Open Source Agency (OSA) which consolidates both intelligence and non-intelligence open source collection, processing, and dissemination capabilities?
- 4. Does the existing organization of the CIA provide the optimal structure to accomplish its mission?**

4a. Should the clandestine services be made an autonomous agency with more clearly defined roles and missions?

4b. Should the National Intelligence Council have operational oversight over distributed intelligence analysis capabilities, or should distributed analysis capabilities be brought together into a series of inter-agency centers?

4c. Should there be a Deputy Director of Central Intelligence for communications and computing, with oversight over all community expenditures in this area?

4d. Should there be a Deputy Director of Central Intelligence for research & development, with oversight over all community expenditures in this area?

4e. To what extent do the capabilities of the Directorate of Administration duplicate or overlap those of other agencies? Should there be a consolidated personnel and financial management agency for the community?

20. Does the existing organization of NSA provide the optimal structure to accomplish its mission?

20a. To what extent should NSA resources be focused on unclassified electronic information such as is contained on the Internet?

20b. To what extent should NSA respond to the spread by public key encryption by establishing its own clandestine service and an independent ability to install local "alternative transmitters" in key sites overseas?

20c. To what extent should NSA re-double its efforts to develop capabilities against public key encryption?

20d. To what extent should NSA shift its focus to include support to law enforcement and international non-governmental operations?

21. Does the existing organization of the NRO provide the optimal structure to accomplish its mission?

21a. With the advent of one-meter commercial imagery, does it make sense to continue to rely primarily on a constellation of classified systems with limited broad area surveillance capability?

21b. Should the NRO be consolidated with the Defense Mapping Agency (DMA), into a Defense Mapping & Reconnaissance Agency?

21c. What percentage of traditional requirements for imagery can be satisfied by improved SPOT and LANDSAT capabilities, as well as forthcoming one-meter synoptic resolution capabilities? What percentage of non-traditional requirements for imagery, including support to non-governmental organizations, can be satisfied by private sector capabilities?

21d. Assuming a minimal level of national and commercial imagery satisfaction of the needs of tactical and theater commanders, to what extent should there be an accelerated program to establish air-breather platforms and systems to meet the rapid-response wide-area, long-loiter imagery needs of commanders in the field?

22. Does the existing organization of the Defense Intelligence Agency (DIA) and the service and theater intelligence structure, provide the optimal structure to accomplish its mission?

22a. To what extent is tactical intelligence manning inadequate for the dramatic expansion of tactical intelligence requirements in the face of low-intensity and non-traditional threats? Could this inadequacy be resolved through a consolidated defense intelligence Corps responsible for providing all intelligence manning at tactical, joint, coalition, theater, and national levels?

22b. To what extent are continuing inter-operability problems between national, theater, service, and tactical intelligence systems likely to continue? Could these inter-operability problems be resolved by integrating management of both the General Defense Intelligence Program (GDIP) and the Tactical Intelligence and Related Activities Program (TIARA) under a single program manager?

22c. To what extent are continuing short-falls in both 1:50,000 combat maps and digital maps for precision munitions, and short-falls in Third World intelligence, the result of excessive reliance on classified systems optimized for denied areas? Could a robust program for out-sourcing all possible Third World collection and production to the private sector resolve or ameliorate many of these short-falls?

22d. To what extent has the existing intelligence community failed to focus on "rear area security" threats within the homeland of the United States of

America? To what extent is the existing intelligence community incapacitated with respect to collecting, processing, and disseminating intelligence on international criminal gangs, international electronic warriors, and other non-traditional threats? Could these deficiencies be resolved through the establishment of an Inter-Agency Law Enforcement Intelligence Center (ILEIC), and the establishment of an Electronic Counter-Intelligence Division, both under the cognizance of the Federal Bureau of Investigation (FBI)?

23. To what extent does the existing organization of non-intelligence agencies responsible for economic, environmental, criminal, treaty, and other information collection, processing, and dissemination activities, fail to meet the needs of senior policy makers responsible for domestic economic health and international trade, crime, and other agreements?

23a. Would the establishment of an Economic Policy Support Center (EPSC) within the Office of Management and Budget (OMB) help ameliorate this problem?

23b. Taking the National Economic Council as an example of a consumer whose needs are not met by the existing intelligence community, could the EPSC play a role in providing unclassified collection management, analysis, and dissemination coordination among government agencies such as the Federal Reserve, and Departments of government not traditionally associated with the intelligence community?

23c. Assuming the establishment of an OSA responsive to the needs of all government consumers, and perhaps even private sector needs, to what extent should collection management for OSINT be in the direct hands of consumers, rather than inter-agency intelligence centers?

23d. What role should the National Technical Information Service, the Defense Technical Information Center, and the Library of Congress, among other centers of excellence, play in an expanded distributed network of national intelligence capabilities?

Collection and Analysis

5. Should existing principles and strategies governing the acquisition and maintenance of intelligence collection capabilities be retained? What collection capabilities should the government retain to meet future contingencies?

5a. Is the existing clandestine service truly clandestine? To what extent have its case officers and agents been compromised to local services through decades of "business as usual" practices, including over-use of official cover? Are there solid grounds for establishing a separate Clandestine Services Agency (CSA) removed from the national capital area and under completely non-official cover?

5b. To what extent should unclassified signals monitoring, such as is provided to a very limited extent by FBIS, come under the direction of NSA? Should NSA integrate FBIS radio and television monitoring capabilities into its organization, or should FBIS as a whole be privatized?

5c. Given the robustness of the private sector's capability in imagery collection, and the expense of exclusive classified imagery capabilities, to what extent should routine imagery collection and analysis be privatized?

5d. Taking into account all government open source collection, both within the intelligence community and in all other elements of the government, how can the government as a whole best meet its needs for "just in time" open source collection responsive to both intelligence community analysts engaged in all-source analysis tasks, and the broad variety of consumers needing "quick & dirty" open source information as well as unclassified intelligence?

6. Does intelligence analysis add sufficient value to information otherwise available to the government to justify its continuation?

6a. What would happen if all intelligence production were stopped, and only those products demanded by consumers were reinitiated? What percentage of the intelligence community's production would not be in demand?

6b. Given the importance of rapid responsiveness and the ever-changing needs of the consumer, does it make sense to have most analysis managed through a one-year research plan with a follow-on eighteen-month editing cycle? Should we shift to continuous analysis with production only on demand?

6c. To what extent are the consumer's own unclassified intelligence analysis capabilities going to waste because of a lack of integration with classified intelligence analysis capabilities, or indeed, private sector analysis capabilities? Can major savings be achieved, as well as major improvements in the responsiveness, accuracy, and range of analysis be achieved by establishing a "virtual" intelligence community which links private sector, consumer, and

intelligence community analysts in real-time multi-media networks?

6d. How does the intelligence community propose we deal with the fact that fully ninety percent of what a consumer reads and listens to is both unclassified and unanalyzed? How do we provide intelligence analysis to every action officer in every government agency?

7. Does the existing decentralized system of analysis result in significant waste or duplication, and if so, what can be done to correct this?

7a. Prepare a cross-walk showing how many analysts are assigned by each member of the intelligence community to follow each region, country, and topic listed by the *Foreign Intelligence Requirements and Capabilities* (FIRCAP) matrix. Alongside, show how many dollars have been spent by each agency in external research & analysis (ER&A) for each country/topic.

7b. What percentage of a typical analyst's time is spent absorbing basic unclassified or classified encyclopedic intelligence? To what extent could analytical knowledge maintenance tasks be out-sourced to private sector centers of excellence?

7c. Evaluate the decentralization of analysis in a larger sense--to what extent is the intelligence community unable to exploit distributed centers of excellence throughout the Nation, centers maintaining an in-depth expertise on various regions, countries, and topics, at no cost to the tax-payer.

7d. Taking into account the strong distrust of the intelligence community on the part of the private sector (schools, business, media), would it make sense to establish an independent OSA or a National Information Foundation (NIF) as the "content" element of the NII, and to create--outside of the intelligence community--a very robust OSINT network which is responsive to the needs of the classified analysts, while also able to meet a majority of the needs of all consumers, including private sector consumers, for unclassified intelligence?

9. Does the existing framework for coordinating intelligence collection and analysis among elements of the intelligence community provide an optimal structure for such coordination?

9a. To what extent are the needs of the consumer actually integrated into the over-all requirements process? In particular, is the consumer allowed and encouraged to specify the maximum level of classification, the time when

needed, and the length of the response?

9b. How can the consumer track on-going efforts to satisfy their request, and provide feed-back on satisfaction?

9c. Given the distribution of knowledge about an issue among the various agencies, how does a collection management network establish 1) what is available on the shelf throughout the government; 2) what is available from the private sector at minimal cost; and 3) what collection strategy will produce maximum satisfaction at minimum cost in terms of both dollars and time?

9d. How can the existing framework be modified to take advantage of existing collection assets not traditionally controlled by the intelligence community?

15 To what extent, if any, should intelligence agencies collect information bearing upon private commercial activity and how should such information be controlled and disseminated?

15a. Distinguish between illuminating the playing field for policy makers, leveling the playing field for private sector parties based in the U.S., and tilting the playing field on behalf of private sector parties based in the U.S.

15b. How does one define a "U.S." organization, given the prevalent pattern of international ownership, management, and employment?

15c. To what extent can "U.S." needs for competitor intelligence or business intelligence be satisfied through private sector OSINT?

15d. What should the U.S. government do to nurture a robust private sector OSINT capability responsive to the needs of U.S. industries and enterprises?

18. Should existing collaborative arrangements between the U.S. and other nations be maintained or expanded?

18a. Discuss the value of existing classified burden-sharing arrangements in relation to encyclopedic intelligence, indications & warning, current intelligence, and estimative intelligence. Evaluate the risk of withholding of intelligence by each partner in relation to specific targets of common interest.

18b. Discuss the potential value of unclassified burden-sharing arrangements, and the cost-benefit of such arrangements in relation to specific other

governments.

18c. Discuss the potential value of unclassified burden-sharing arrangements with the private sector, both U.S. and foreign, focusing in turn on each of the four main types of intelligence.

18d. Discuss the relationship between the NII and its global expansion, the Global Information Infrastructure (GII), and a recommended global pattern of collaborative arrangements, both classified and unclassified.

19. Are existing arrangements for sharing intelligence with multinational organizations in support of mutually-shared objectives adequate?

19a. Assuming approval to share Sensitive Compartmented Information (SCI) with coalition and multinational partners not normally eligible for clearances, discuss the inadequacies of the existing collection networks and the existing databases, with respect to the needs of both U.S. and multinational forces executing operations other than war in the Third World.

19b. Assuming approval to share SCI, and the availability of SCI, discuss the command, control, communications, and computing (C4) inadequacies which prevent rapid response or sustained support of multinational operations by the intelligence community as now trained, equipped, and structured.

19c. In the absence of available SCI, and given a relative priority, discuss alternative means (e.g. OSINT) for providing timely and broad multi-media intelligence support to multinational organizations.

19d. Discuss potential advantages for the U.S. of establishing a clear relationship between foreign aid and military assistance, and the provision of unclassified encyclopedic information by those receiving aid and assistance.

Administrative Issues

10. Do current personnel policies and practices of intelligence agencies provide an optimal work force to satisfy the needs of intelligence consumers?

10a. For each agency, show what percentage of the workforce remains on board to the five year mark, the ten year mark, the fifteen year mark, the twenty year mark, and beyond twenty years. Show the gaps. Provide an

estimate of the cost, both in training and in lost expertise, of existing salary and promotion practices.

10b. For each agency, show the number of years expertise each analyst has in their specific current assignment. Show how many years (or fractions of years) each analyst has spent in the country they are assigned to analyze. Show language fluency of the analyst for the specific country or countries they are assigned to analyze.

10c. For intelligence officers under non-official cover, show their average age upon hiring, their average salary upon hiring, the number of years of prior experience they had in private sector jobs directly related to their cover assignment, and the number of years they have spent in their current cover assignment.

10d. For collection personnel only, discuss whether existing security practices preclude exploitation of ethnic and cultural minorities, many with close family still overseas, from being considered for hiring and overseas assignments.

Budget

8. Are the existing arrangements for allocating available resources to accomplish the missions of the intelligence agencies adequate?

8a. Should the Director of Central Intelligence have total and final control over all base, ongoing, and new initiative funds for all of the agencies?

8b. Should all consumer agencies and departments be required to earmark a certain percentage of their total budget for in-house intelligence analysis and dissemination?

8c. Should there be a separate program consolidating and allocating resources for unclassified intelligence collection, processing, and dissemination by the rest of the government?

8d. Should there be a separate program, a non-regulatory grant program, to nurture and harness "the distributed intelligence of the Nation"?

11. Should intelligence resources continue to be treated as part of the Defense budget or be treated as a separate budget program?

11a. If the intelligence budget is treated as a separate budget program, should it include TIARA? If not, how should the DCI exercise oversight over TIARA, and in particular ensure that new weapons systems have appropriately earmarked funds for sensor to shooter interfaces and adequate collection?

11b. If treated as a separate program, should funds previously controlled by both traditional and non-traditional consumers of intelligence, and earmarked for intelligence or external information collection, processing, and analysis, be integrated into the separate program?

11c. Should there be a national intelligence budget program which includes, in addition to the various national level classified intelligence program (e.g. the National Foreign Intelligence Program, the Combined Cryptologic Program) and TIARA, two new programs which 1) consolidate all Federal government expenditures on the collection, processing, and dissemination of external unclassified information; and 2) establish a non-regulatory grant program to harness the capabilities of a wide variety of information capabilities resident in the private sector?

11d. Should there be a National Information Program under the cognizance of a Director of National Intelligence, with two subordinate programs, one for classified intelligence under a Director of Classified Intelligence, and one for unclassified intelligence, under a Director of Public Intelligence? How would these two programs be coordinated to meet the needs of the Department of Defense and other consumers?

12. Are the resources for intelligence collection, analysis, and covert actions at variance with U.S. needs?

12a. What percentage of all of the collection by each discipline is actually processed each year? What is the justification for continuing to collect the 90% that is not processed?

12b. Comparing the resources spent on collection (90% of which is not processed) and analysis, what resource realignments are recommended to establish a new and better integrated network of analysts able to meet the needs of a broader base of traditional and non-traditional consumers?

12c. Why should civilian covert action capabilities remain independent and within the CIA budget, rather than be subsumed within the Special Operations/ Low Intensity Conflict (Program 11) budget?

12d. Given the National Foreign Intelligence Board (NFIB) declaration that 40% of the all-source product comes from OSINT, at a cost of just under 1% of the total National Foreign Intelligence Program, shouldn't a significant portion of the NFIP resources be realigned to provide for a vastly expanded OSINT program together with major new investments in new sources and methods?

13. Are there areas of redundant or overlapping activity or areas where there is serious waste, duplication, or mismanagement?

13a. Specifically examine investments in information technology, both its research & development, and its procurement. Identify the \$2 billion or more per year waste associated with delivering information technology to individual analysts, and the maintenance of compartmented communications channels.

13b. Specifically examine savings which could be achieved through the establishment of a consolidated research & development program under a single Deputy Director of Central Intelligence for R&D.

13c. Specifically examine savings that could be achieved by affording consumers the opportunity to obtain OSINT to satisfy the majority of their needs, with classified collection being undertaken only when validated by a consumer as being essential to their mission.

13d. Specifically examine savings that could be achieved by developing a national network of distributed centers of excellence which permit all intelligence community analysts to leverage the overhead of existing private sector centers of excellence, such that intelligence community resources are used only when lower-cost information available outside the community is inadequate to meeting the needs of the consumer.

14. Should the intelligence budget be publicly disclosed?

14a. Identify those countries which now disclose the total sum of the intelligence budget, but not the details.

14b. Identify those countries which now disclose the detailed intelligence budget, minus clandestine operations and covert action.

14c. Discuss what can be induced from publication of the existing intelligence budget in detail, with what can be induced from the existing public records

about what is spent by the government on unclassified information collection, processing, and dissemination.

14d. Put forward a judgement as to whether the total budget should be disclosed, and the context in which that disclosure should occur.

17. How do the size, mission, capability, and resources of the U.S. intelligence community compare to those of the United Kingdom, Canada, France, Australia, Israel, Russia, and Germany?

17a. Provide a one page summary for each of the above country, *together with ratios of personnel per capita, U.S. dollars per capita, and percentage of gross national product.*

17b. Provide the same information and ratios for the Netherlands, Sweden, Japan, Taiwan, and China.

17c. To what extent do other countries draw on their private sector and/or their extended international network of citizens or ethnic and religious loyalists?

17d. Assuming that all existing intelligence communities are in one way or another the product of the Cold War era and the machine model of organization, draw conclusions from these other examples as to how selected other intelligence communities are adapting to the information age, and radically redefining of both national security and "the threat".

Counterintelligence

16 Are counterintelligence (CI) policies and practices adequate to ensure that employees are sensitive to security problems, and do the agencies have adequate authority and capability to address perceived security problems?

16a. To what extent are existing CI and security policies and practices a product of the era when physical security and compartmentation were possible and enforceable? Discuss the adequacy of these policies and practices in an era of digital information, portable modems, and pocket-sized diskettes.

16b. To what extent are existing CI and security policies encumbered and kept from healthy adaptation by the bureaucratic tendency to classify and control

everything, rather than only the most sensitive information?

16c. Discuss specific vulnerabilities of the intelligence community, the government, and the private sector to electronic vandalism, crime, and terrorism.

16d. What comprehensive encryption and other security measures could be established as a national standard, to improve security both within the government and in the private sector?

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