

## The Role of Intelligence

**W**ITH the end of the Cold War and the reduced need to focus on the former Soviet Union, many observers believed that the Intelligence Community was looking for new missions to justify its existence. The Commission found, to the contrary, that the core missions of U.S. intelligence have remained relatively constant. There has been a substantial shift in intelligence requirements and priorities away from Cold War targets, but the missions intelligence agencies are expected to perform have not changed dramatically with the end of the Cold War.

This is not to suggest that the functions and missions of intelligence should not, or will not, change. Each administration should set the guidelines for intelligence activities and, within these guidelines, establish in a timely fashion specific requirements and priorities for the conduct of those activities. These will fluctuate according to the world situation, the availability of resources, and the needs of the Government. Such fluctuations make it essential that senior policymakers devote frequent, if not constant, attention to updating the priorities and collection capabilities that will ensure that the United States retains a strong national security posture. (Chapter 3 discusses how such a process might work.)

This chapter outlines the key functions of intelligence and concludes with a list of what the Commission sees as appropriate missions for U.S. intelligence as the country enters the 21st century.

### The Functions of Intelligence

U.S. intelligence has two broad functions—collection and analysis—and one relatively narrow one, covert action. An additional function—counterintelligence—is integral to the entire intelligence process. While the need for collection and analysis is generally understood and accepted, there is less acceptance of covert action as an appropriate intelligence function and less understanding of the critical importance of counterintelligence.

#### *Collection*

Collection, as a function of intelligence, appears straightforward, and its necessity is not seriously challenged. Through various means, intelligence agencies collect information about foreign persons, places, events, and activities that is needed by the U.S. Government but cannot be (or is not easily) obtained through publicly available sources or diplomatic contacts.

In practice, however, this role involves numerous complexities. For example, intelligence analysts need publicly available information to perform analysis, identify gaps in their knowledge, and to task intelligence collectors. Do intelligence agencies “collect” publicly available information as well? Do intelligence agencies attempt to collect information to meet the needs of *any* Government official? Does anyone confirm that the need exists, i.e. that the information is not otherwise available to the Government, or that the

need, if it does exist, justifies using expensive and/or risky intelligence capabilities to obtain it? What if intelligence officials know in advance that what they can collect will be of marginal value compared to what can be obtained from public sources? Do they still attempt to collect it? What if the information being sought pertains to a friendly or allied foreign government? Do intelligence agencies undertake collection activities regardless of their potential political cost?

Intelligence managers in each of the principal collection disciplines—signals intelligence (SIGINT), imagery intelligence (IMINT) and human intelligence (HUMINT)—confront such questions daily. To address these issues, elaborate collection management systems exist for each of the disciplines that establish validated requirements and priorities (further described in Chapter 3). Together, intelligence professionals and representatives from the policy agencies attempt to weigh competing requirements, assess the availability of relevant open source material, and address the issues raised by the questions above.

***The Commission believes that intelligence collection systems, technical or human, normally should not be used for the purpose of collecting publicly available information, although publicly available information will often be collected as a collateral byproduct in the course of intelligence-gathering.*** To the extent that publicly available information is needed to support intelligence analysis and collection, it should ordinarily be obtained by intelligence agencies through other than clandestine means. Indeed, the collection of publicly available information should be considered a support function rather than a task for intelligence collection. There will be times, however, when information is “publicly” available but not readily accessible (for example, newspapers or radio broadcasts in North Korea or Iraq), and intelligence collection capabilities provide the only means to obtain it.

Intelligence collection capabilities, technical or human, also should be used only to collect information that can reasonably be determined, or that has been previously validated, to be of importance to a specific policymaker or intelligence user.

Finally, all intelligence collection must be weighed in terms of overall U.S. foreign policy interests. When collection activities are contemplated against allied or friendly governments, there should be a rigorous weighing of the political costs against the benefits. Senior policy officials must be involved in this process.

### ***Analysis***

The analytical function raises similar practical issues. In theory, intelligence analysts take information provided by perhaps all three collection disciplines, combine it with information from publicly available sources, and produce “all source” analysis for the customer. Because the analysis contains information obtained by intelligence sources, it is typically classified.

Because intelligence analysts have ready access to information from a wide range of publicly available sources, the question arises whether they should provide analysis based exclusively on such open sources if no significant intelligence is available on the subject.

Also, if the analyst knows in advance that information obtained through intelligence will provide little of relevance to the overall analysis of a subject, should he or she nevertheless attempt to satisfy the request of a customer for an “all source” analysis? If an analyst accepts a request but finds the information produced by intelligence sources is marginal and the request can be satisfied by publicly available information, should he or she still produce an analytical assessment, or advise the customer to go elsewhere? If produced, should the assessment be classified simply because it was done by an intelligence agency? The Commission found that in practice, these issues are worked out on an *ad hoc* basis between analysts and their customers.

*The Commission believes that intelligence agencies should not satisfy requests for analysis when such analysis could be readily accomplished using publicly available sources, unless for some reason the results of such analysis would require confidentiality or the specific expertise of the analyst would add significantly to the analysis of the open source material.* For example, a personality profile prepared on a friendly foreign leader might be taken entirely from public sources but nonetheless require confidential handling.

*The Commission also believes that in general intelligence agencies should not accept requests for analysis when it is clear in advance that the information available from intelligence sources would have marginal impact on a particular analysis, unless there are special circumstances present that necessitate handling the request as an intelligence matter.*<sup>1</sup>

## Covert Action

Covert actions (as distinguished from the covert *collection* of information) are used to *influence* political, military, or economic conditions or situations abroad, where it is intended that the role of the U.S. Government will not be apparent or acknowledged publicly. These might consist of propaganda activities, support to political or military factions within a particular country, technical and logistical assistance to other governments to deal with problems within their countries, or actions undertaken to disrupt illicit activities that threaten U.S. interests, e.g. terrorism or narcotics trafficking. Such actions complement and supplement parallel overt measures (e.g., diplomacy, trade sanctions, or military activities) undertaken by the Executive branch. By law, covert actions can be undertaken only in support of an “identifiable” foreign policy objective.

Responsibility for carrying out covert actions rests with the CIA, whose Director is charged by the National Security Act of 1947 to “perform such other functions and duties related to intelligence affecting the national security as the President or the National Security Council may direct.” By Executive Order, CIA alone is specifically authorized to undertake covert actions that are individually authorized by the President, although other departments and agencies may also be directed to undertake or support covert actions as the President may authorize.

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<sup>1</sup> In Chapter 8, the Commission proposes the creation of a new, broadly based analytical entity in which intelligence analysts would participate, that would prepare unclassified assessments as well as assessments where the intelligence contribution is expected to be marginal. However, the preparation of such assessments is not envisioned as a function of intelligence analysis generally.

## Chapter 2

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Since the end of the Cold War, the number and size of covert action programs have shrunk substantially, reflecting the extent to which they were prompted by the superpower struggle. Nonetheless, these programs continue to be undertaken to support ongoing policy needs.

The Commission addressed whether the United States should undertake covert action at all. Some witnesses expressed the view that there is no longer a need for covert action, and that, on balance, it has caused more problems for the United States than it has solved. The Government, they argue, has been frequently embarrassed by such operations and been criticized domestically and abroad as a result. Also, it is argued, covert actions comprise a minute part of the intelligence budget, but require a disproportionate share of management and oversight.

Most witnesses, however, including all of the former cabinet-level officials who addressed the subject, believed it essential for the President to maintain covert action as an option. Citing examples such as the need to disrupt the activities of a terrorist group, hamper the efforts of a rogue state to develop weapons of mass destruction, or prevent narcotics traffickers from manufacturing drugs for shipment into the United States, the proponents argue that the United States should maintain a capability short of military action to achieve its objectives when diplomacy alone cannot do the job.

In 1975, the Rockefeller Commission investigated alleged abuses in certain covert action programs and concluded that there were “many risks and dangers associated with covert action...but we must live in the world we find, not the world we might wish ... [Therefore] covert action cannot be abandoned, but ... should be employed only where clearly essential to vital U.S. purposes and then only after a careful process of high level review.” ***This Commission strongly concurs with this conclusion. Moreover, the Commission notes that the laws governing covert actions do contemplate a “careful process of high level review,” including approval by the President and notification to Congress.***<sup>2</sup>

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<sup>2</sup> The legal framework for approval and reporting of covert action, originally enacted in 1974 by the Hughes Ryan Amendment to the Foreign Assistance Act of 1961, is now set forth in Sections 503 and 504 of the National Security Act of 1947 and 50 U.S.C. 413b and 414. These provisions prohibit any department or agency from expending any funds to engage in a covert action unless the President has signed a written “finding” determining that the covert action is “necessary to support identifiable foreign policy objectives of the United States and is important to the national security of the United States.” The President is required to ensure that the congressional intelligence committees are notified as soon as possible after a finding is signed, except if the President determines that “it is essential to limit access to a finding to meet extraordinary circumstances affecting vital interests of the United States, the finding may be reported only to the four leaders of the congressional intelligence committees and the four leaders of the House and Senate.”

The established approval process includes a review of the proposed covert action by the Deputies Committee of the National Security Council (including senior policy representatives from the Departments of State, Defense, Justice, and Treasury, the Joint Chiefs of Staff, and the Office of Management and Budget, as well as the President’s National Security Advisor) to ensure that the action is consistent with U.S. policy, is appropriate in scope for the situation, does not violate U.S. law and is properly funded. The covert action proposal is then submitted to the full NSC for approval and ultimately to the President for signature. Currently, ongoing covert actions are re-validated each year by the NSC to ensure that they remain necessary to the national security and are supportive of U.S. foreign policy objectives.

***This Commission believes that covert action must be consistent with specific U.S. foreign policy objectives in the targeted area. Covert actions should be undertaken only where there is a compelling reason why U.S. involvement cannot be disclosed. Further, the range of covert action options should be weighed to ensure that the methods employed are only as aggressive as needed to accomplish the objective(s). The costs of disclosure must be carefully assessed, and, where such costs are significant, the operation should be initiated only in the most compelling circumstances.***

Some witnesses recommended that paramilitary covert actions—which typically involve arming, training and/or advising foreign forces—be conducted by the Department of Defense rather than the CIA. These individuals argued that the military is better equipped than the CIA to carry out such operations. Others argued that it is neither feasible nor desirable for U.S. military personnel to undertake such covert activities.

***The Commission concludes that responsibility for paramilitary covert actions should remain with the CIA.*** CIA has extraordinary legal authorities and an existing infrastructure that permit the secure conduct of clandestine operations, whereas the military does not. Giving this function to the military would also involve it in a controversial role that would divert attention from other important responsibilities. The military should provide support to paramilitary covert actions as needed but should not be given responsibility for them.

With respect to any changes needed to improve the existing capability, the Commission notes only that covert action programs of the future are apt increasingly to involve technologies and skills that do not appear to exist within the current infrastructure. More attention should be given to these deficiencies.

### ***Counterintelligence***

The counterintelligence function involves protecting the country, as well as intelligence agencies, from the activities of foreign intelligence services. The Federal Bureau of Investigation (FBI) has principal responsibility for countering the activities of foreign intelligence services within the United States in order to protect both classified U.S. Government information and proprietary information held by U.S. industry. The CIA is responsible for coordinating U.S. counterintelligence activities abroad. Each of the military departments also has a counterintelligence element that operates domestically and overseas.

Each of these elements has offensive and defensive missions. Offensively, they attempt to recruit agents within foreign intelligence services to ascertain what, if any, operations are being undertaken against the United States; they monitor the activities of known or suspected agents of foreign intelligence services; and they undertake operations to ascertain the targets and *modus operandi* of foreign intelligence services. Defensively, they investigate cases of suspected espionage and prepare analyses for government and industry concerning the foreign intelligence threat. The FBI has principal jurisdiction to investigate suspected espionage within the United States, although all

intelligence agencies maintain internal capabilities to undertake preliminary inquiries of their own employees. Military counterintelligence elements have concurrent jurisdiction to carry out counterintelligence investigations of their respective military personnel.

Counterintelligence, as a function of intelligence agencies, however, goes much beyond detecting and monitoring the activities of foreign intelligence services and investigating employees suspected of espionage. Counterintelligence is an integral part of the entire intelligence process. All agencies that undertake intelligence collection, whether through human or technical means, must be constantly on guard that what they are collecting is genuine. This requires continuous evaluation of their sources as well as the information gathered from them. Intelligence analysts who are familiar with the totality of information on a particular topic are often in a position to detect anomalies.

Historically, intelligence agencies have not performed this crucial function very well. Virtually all have suffered severe losses due to a failure to recognize anomalous behavior on the part of their own employees. Some have also had problems recognizing anomalies in the behavior of their sources or in the appearance or actions of their targets. The Ames spy case revealed serious shortcomings in both categories.

In the wake of the Ames case, the Intelligence Community made sweeping changes to its counterintelligence infrastructure. A new policy board, reporting to the Assistant to the President for National Security Affairs, was established to coordinate counterintelligence activities and resolve interagency disagreements, and a “national counterintelligence center” was created to share and evaluate information regarding foreign intelligence threats. In addition, the CIA made numerous improvements to its counterintelligence and security posture. (CIA’s actions are discussed further in Chapter 6.)

Perhaps more than any other function of intelligence, counterintelligence has undergone the most significant change over the last two years. The question is whether these changes will have a long-term positive effect. The Commission believes it is still too early to evaluate this issue.

***Because counterintelligence is so crucial to the success of the entire enterprise, however, the Intelligence Community must sustain the renewed emphasis recently placed on this function.*** Counterintelligence must be viewed not as an annoying intrusion but rather as an integral part of the intelligence process. It must focus not only on protecting our own sensitive information, but equally on efforts to manipulate our collection and analysis, through double agents or other means. This requires a certain openness of mind and a willingness continually to balance the conclusions drawn from intelligence with the possibility of deliberate deception by a target.

## The Missions of Intelligence

In this section, the Commission identifies what it believes are necessary and appropriate missions for the Intelligence Community as it enters the 21st century. Many are traditional missions that require little explanation. A few, however, raise issues needing elaboration.

### ***Support to American Diplomacy***

The United States emerged from the Cold War as the world's only multidimensional (e.g. military, economic, and political) "superpower." It will have global commitments and global interests for the foreseeable future. Supporting American diplomats and foreign policy decisionmakers will continue to be a principal mission for U.S. intelligence.

This support entails providing advance warning of developments in other countries that will or could affect U.S. interests. Such advance warnings give U.S. policymakers the time to frame an appropriate response and, if possible, to avoid conflicts that might require the introduction of U.S. forces.

Intelligence can also provide information that assists policymakers in determining which of several diplomatic steps may be most effective. Ideally, the best intelligence is precisely that information that provides U.S. policymakers with the leverage to achieve U.S. objectives in international affairs without the commitment of U.S. forces. Intelligence also provides information that serves as the basis for U.S. diplomatic initiatives in bilateral and multilateral treaty negotiations.

### ***Support to Monitoring of Treaties and Other Agreements***

Intelligence is also essential for monitoring the multitude of treaties, agreements, and sanctions to which the U.S. is a party or has an interest, for example, the dismantlement of the nuclear arsenal of the former Soviet Union, economic sanctions against Iraq and other countries, and agreements prohibiting the proliferation of weapons of mass destruction.

### ***Support to Military Operations***

Another traditional mission of the Intelligence Community is to provide support to U.S. military operations. This mission encompasses not only warning of attack on U.S. territory and installations, but also providing information needed to plan for and carry out military operations of all kinds. In the past, this has largely involved the provision of order of battle information on opposing military forces: their size, nature, location, morale and capabilities. In recent years, however, this mission has been rapidly expanding.

U.S. military operations since the Cold War have been carried out largely in the context of multilateral commitments of forces, increasing the need for joint planning and execution. Ironically, the number of occasions where U.S. military forces have been deployed outside the United States since the Cold War has greatly exceeded the rate of such deployments during the Cold War. Moreover, neither the location of such deployments, e.g. Panama, Somalia, Rwanda, Haiti, nor their purposes, e.g. preventing famine or genocide, "nation building," emergency evacuations, were typical of the Cold War period.

Recent years have also seen radical change in the nature of warfare. The 1991 Persian Gulf war lasted only a few weeks, but signaled a quantum leap in U.S. military capability. The world saw U.S. weapons fired from aircraft, ships, and land batteries far from the point of impact and delivered with pinpoint precision and devastating consequences. The war ended quickly, and U.S. casualties were minimal.

To a large degree, American success in the Persian Gulf war was due to information provided by intelligence systems both at the national and tactical levels. While achieving timely dissemination of such information was not without its problems, never before had so much information been gathered and relayed to a combat force so rapidly with such effect. The military began to look even more seriously at how intelligence capabilities could be brought to bear on their problems.

The Commission notes that the President recently issued a directive making support to military operations the highest priority for U.S. intelligence agencies. *While the Commission agrees that the protection of U.S. lives is paramount and that the support of U.S. forces in, or with the prospect of, combat, is of the highest priority, we believe it equally important, to this end, to have intelligence that allows the United States to achieve its goals and yet avoid the commitment of military forces, whether that is accomplished through diplomatic action or other means.*

### ***Support to Defense Planning***

U.S. intelligence should also continue to support defense planning, another traditional mission. This mission entails providing information on foreign military capabilities in order for defense planners to shape the size, nature, and disposition of U.S. military forces. It also includes necessary information to guide military research and development activities and future military acquisition decisions. It encompasses information about foreign military tactics and capabilities, which can then be used to train and protect U.S. forces.

### ***Economic Intelligence***

The Intelligence Community has collected and analyzed economic information for close to fifty years. This activity focused on those areas that could affect U.S. national interests, including the economies of foreign countries, worldwide economic trends, and information to support trade negotiations. While much of this information was available from public sources, there were many countries where such information was restricted or not readily available. Intelligence filled a considerable void.

Now, after the Cold War, far more economic information is openly available, causing some to urge that the Intelligence Community abandon or cut back its historical role in economic intelligence, particularly macroeconomic collection and analysis. Some recipients of this analysis complain that it adds little to what they already know. Intelligence analysts concede that approximately 95 percent of the analysis on economic topics now comes from open sources. Policymakers have access to these sources and often have more sophisticated analytical capabilities at their disposal than does the Intelligence Community. Clearly, if the policymaker can satisfy his or her needs from these sources, he or she should do so.

On the other hand, there remains the five percent added by intelligence. Reliable information about economic conditions in certain countries continues to be unavailable. In these cases, accurate information could be crucial to decisionmaking. In some contexts, policy



agencies may need to rely on intelligence agencies to perform economic analysis to preserve confidentiality even if open sources form the principal basis of such analysis, for example, in supporting trade negotiations.

***The Commission believes that the collection and analysis of economic intelligence are missions that require particularly close coordination between producers and consumers in order to ensure that the intelligence contribution adds analytical value.*** While the Commission believes the overall mission remains valid, it may be possible to decrease the level of effort in this area by relying more heavily on open source analysis produced by academia or the commercial sector.

At the same time, the United States and other countries have taken more aggressive steps to promote their commercial interests abroad, both to increase domestic prosperity and to strengthen their national security. The fear of becoming commercially disadvantaged and the desire to “level the playing field” have motivated a surge of multilateral and bilateral trade agreements in recent years. In the United States, the issue of economic competition has also focused attention upon the proper role of intelligence in promoting U.S. commercial interests abroad.

While other countries have used their intelligence services to spy on U.S. and foreign businesses for the benefit of their national industries, U.S. intelligence agencies are not tasked to engage in “industrial espionage,” i.e. obtaining trade secrets for the benefit of a U.S. company or companies.

Increasingly, however, the Intelligence Community has become involved in identifying situations abroad where U.S. commercial firms are being placed at a competitive disadvantage as a result of unscrupulous actions, e.g. bribery and “kickbacks,” undertaken by their foreign competitors. When intelligence agencies discover such cases, they advise the Departments of State and Commerce, whose officers may then choose to take diplomatic action with the government concerned to correct the situation. The Commission was advised that on the basis of such diplomatic actions over the last three years, American firms had obtained billions in foreign contracts they would otherwise have lost.

Several friendly foreign governments have questioned this practice, suggesting that using U.S. intelligence services in this manner was inappropriate and could damage the bilateral relationship. Presumably, these governments had in mind cases where their own commercial firms might be involved in “tilting the playing field.”

***The Commission strongly agrees with the current policy and practice prohibiting intelligence agencies from clandestinely collecting proprietary information of foreign commercial firms to benefit private firms in the United States. The role of the Intelligence Community is to provide support to the Government, not to the private sector. However, where intelligence agencies obtain information that U.S. commercial firms, through unfair trade practices such as bribery or “kickbacks,” are being placed at a disadvantage in obtaining a contract with a foreign government, or where a foreign government is otherwise involved in the transaction, the Commission believes intelligence agencies should continue to report such information to the Departments of State and***

*Commerce. These departments would be responsible for determining whether and how the intelligence information is used, taking into account, among other things, its effect on the bilateral relationship concerned.*

### ***Countering Activities Abroad That Threaten U.S. Interests***

For the last ten years, U.S. intelligence has been particularly active in collecting and analyzing information to counter certain “transnational activities” that threaten the lives of U.S. citizens, U.S. installations abroad, and U.S. national interests. These newer missions include:

- ◆ **Counterterrorism.** Intelligence efforts focus on identifying threats to the United States and its citizens and facilities abroad, but also frequently provide warning to other countries of terrorist activities within their territory.
- ◆ **Counternarcotics.** Intelligence seeks to provide information to U.S. drug enforcement authorities to prevent drug shipments from reaching the United States and to assist other governments in shutting down production in countries where illegal drugs destined for the United States are produced.
- ◆ **Counterproliferation.** Intelligence agencies provide information on at least 20 nations that have developed, or may be developing, weapons of mass destruction, and/or ballistic missile systems to deliver such weapons. Some of these nations have a record of hostile intent towards the United States. Intelligence agencies attempt to identify efforts by other countries to build or acquire such weapons and/or their delivery systems where they violate international law or threaten U.S. interests. On occasion, intelligence agencies participate in actions to prevent such activities from taking place.
- ◆ **Countering International Organized Crime.** Intelligence focuses upon international organized crime principally as a threat to U.S. domestic interests, attempting to identify efforts to smuggle aliens into the United States, counterfeit U.S. currency, perpetrate fraud on U.S. financial institutions, or violate U.S. intellectual property laws. It also attempts to assess international organized crime in terms of its influence upon the political systems of the countries where it operates.

In all of these cases, intelligence information has provided the basis for U.S. diplomatic initiatives, supported U.S. law enforcement efforts to prevent and prosecute such activities, served as the basis for military responses in some cases, and has often been key to the efforts of other governments to bring such activities under control. Frequently, intelligence agencies provide assistance to other governments beyond mere information, for example, by providing training or specialized equipment to cope with certain threats. On occasion, intelligence agencies are authorized to undertake covert operations to counter them.

***The Commission believes that each of these missions continues to be valid and, indeed, will become more important as these activities increasingly threaten our national security.*** (We discuss ways to improve the U.S. Government's overall efforts to combat these activities in Chapter 4.)

Of all these, only the counternarcotics mission raised any significant controversy during the course of the Commission's inquiry. While the Intelligence Community has technical collection capabilities that are not duplicated in the drug enforcement community, the Drug Enforcement Administration has responsibility, in coordination with host governments around the world, for investigating narcotics trafficking and preventing drug shipments from reaching the United States. Some witnesses contend that human source collection by the CIA essentially duplicates this mission, increasing the possibility of conflict as well as the possibility that the CIA will become tainted by sources involved in drug trafficking activities. While acknowledging that human source collection in the narcotics area does raise particular problems, ***the Commission is persuaded that CIA provides special expertise and focus in the counternarcotics area and should continue to perform this mission. CIA should continue to coordinate closely with the Drug Enforcement Administration and other federal departments involved in counternarcotics activities abroad.***

It is clear that there are limits to what the Intelligence Community can do in terms of its overall impact on the narcotics problem faced by the United States. On the other hand, the Government should use all of the resources at its disposal to cope with it. Intelligence agencies do provide unique information in support of U.S. drug enforcement efforts. ***The Commission believes these efforts should continue.***

### ***Support to Criminal Justice and Regulatory Agencies***

In addition to providing information to law enforcement agencies about terrorism, drug trafficking, international organized crime, and weapons proliferation, intelligence agencies also frequently are asked to collect or provide information they may have regarding foreign persons or entities who are the subject of criminal investigations within the United States. Intelligence agencies also respond to requests from a variety of U.S. regulatory agencies for intelligence information they may have pertaining to foreign persons or entities who are subject to regulation under U.S. law, for example, foreign banks that apply for a license to operate within the United States or foreign individuals seeking a visa to enter the United States.

Responding to these requests ordinarily requires only a fraction of intelligence effort or resources. It does, however, raise concerns about the protection of intelligence sources and methods, and, given the voluminous information that is ordinarily developed by, or available to, criminal justice or regulatory agencies, the search of intelligence records may yield little of value. Moreover, regulatory agencies often have difficulty using classified intelligence information because their actions must be based on a public record. ***While the Commission believes as a general proposition that intelligence agencies should continue to respond to these kinds of requests, a thorough assessment of the value likely to be added by intelligence should be made before such efforts are undertaken and given priority over other responsibilities.***

### ***Collecting and Analyzing Environmental Information***

The unique collection capabilities of the Intelligence Community are occasionally put to use to obtain information on threats to the world's environment, such as the dumping by the Soviets of radioactive substances in the Arctic or the nuclear meltdown at Chernobyl. Environmental hazards can directly threaten the security of the United States and its citizens, and environmental conditions in other countries can have an indirect effect by causing regional conflicts over scarce resources, uprooting foreign populations, and destabilizing foreign governments. The Community also monitors international compliance with environmental treaties, and provides information and imagery to cope with natural disasters both within the United States and abroad. Analysis of this environmental information is performed on a limited basis.

Over the years the Community's satellite programs have amassed a unique historical collection of ecological data and offer an impressive future capability for environmental monitoring. Scientists reviewing this material under a current Administration program have concluded that the data holds enormous potential for the precise measurement of deforestation, global-warming trends, and other important environmental matters. The President has signed an Executive Order authorizing the release of this type of historical information from the 1960-1972 period to scientists for study.

***The Commission believes the use of technical capabilities to collect information on environmental problems is legitimate but should not duplicate what civil authorities are able to obtain. The priority given such collection should be weighed against other requirements.*** To the extent possible, information obtained by such collection should be made available to civil authorities in unclassified form. The Commission also sees a legitimate, though limited, role for intelligence analysis in this area. Civil agencies are ordinarily in a better position to analyze information relating to environmental matters, but there may be circumstances where involvement by intelligence agencies is desirable, for example, if they possess special analytical expertise in a given area.

### ***Collecting and Analyzing Information on World Health Problems***

Information on world health problems and the capabilities of foreign countries to cope with them has become increasingly relevant to the ability of the United States to predict and respond to crises in other countries and to protect the health and safety of U.S. military forces and humanitarian workers who may be sent to assist. The movement of dangerous diseases to the United States is another major concern, and health problems can pose threats to the stability of foreign governments.

In many cases, information concerning these problems can be obtained without resorting to the use of intelligence capabilities, but in other cases such information will not be readily available. ***The Commission sees a legitimate role for intelligence here, albeit one that does not involve substantial resources.***

### *Information Warfare*

“Information warfare” refers to activities undertaken by governments, groups, or individuals to gain electronic access to information systems in other countries either for the purpose of obtaining the data in such systems, manipulating or fabricating the data, or perhaps even bringing the systems down, as well as activities undertaken to protect against such activities. U.S. intelligence agencies have been involved in aspects of information warfare, both offensive and defensive, for many years. New impetus has recently been given to these roles, however, by the explosion in information systems and information systems technology.

Government and public communications, transportation, financial, energy, and other industrial systems have become critically dependent on a complex set of interconnected automated information and control systems. Many of these systems are potentially vulnerable to computer-based disruption, manipulation, or corruption by hostile individuals, groups, or countries.

A number of witnesses pointed to the lack of an effective governmental structure to coordinate efforts to protect computer networks in the public and private sector from electronic attack. While several such efforts are underway, many believe they are not fully coordinated and do not sufficiently involve the private sector. While these concerns may be justified, the scope of the actions required to deal with the problem, especially the protection of computer networks in the private sector, would necessarily exceed the roles and capabilities of U.S. intelligence agencies.

Collecting information about “information warfare” threats posed by other countries or by non-governmental groups to U.S. systems is, however, a legitimate mission for the Intelligence Community. Indeed, it is a mission that has grown and will become increasingly important. It also is a mission which the Commission believes requires better definition. While a great deal of activity is apparent, it does not appear well coordinated or responsive to an overall strategy.

