

U.S. Intelligence Organization, Policy and Practice
Spring 2009
PA 5890-003

Hubert H. Humphrey Institute of Public Affairs, University of Minnesota
301 - 19th Avenue South
Minneapolis, Minnesota 55455 U.S.A.

About the Instructor:

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Andrew Borene is an attorney and former U.S. Marine Intelligence Officer with academic and professional experience in national security policy, law, finance and politics. He works for an international research company and also lectures on U.S. policy at the University of Minnesota's graduate school for public affairs. Borene has worked with the media on security, veterans and political issues by providing guidance and commentary. He has written op-ed pieces for The New York Times, The Baltimore Sun, The Minneapolis Star-Tribune and other papers. He has also appeared on CNN's Anderson Cooper, Fox, ABC News, BBC/PRI's "The World", National Public Radio and on local television and radio networks to discuss the ongoing war on terrorism.

Course Overview:

U.S. Intelligence Organization, Policy, and Practice will introduce students to intelligence concepts, provide them with the tools necessary to evaluate intelligence policy, and prepare them for further graduate studies in the national security field. Through assigned readings, classroom discussion, lecture, and guest speakers, we will address the historical development of the U.S. intelligence community and address current issues such as the role of contractors and foreign surrogates in the intelligence community, domestic intelligence collection, the Foreign Intelligence Surveillance Act, extraordinary rendition, the use of coercive interrogation methods, and other issues directly linked to the use of the intelligence community as an instrument of United States government policy.

The first portion of the class will present the organization and fundamentals of intelligence, defining the discipline, providing an overview of the basic sources of intelligence, presenting the concept of the "intelligence cycle", and tracing the history of intelligence organization in the United States from the revolution through the modern day. The second portion of the class will look at current U.S. intelligence policy, including oversight mechanisms, the historical role of the intelligence community in our American system of government, and modern efforts at intelligence reform. The final segment of the class will include an investigation of the ethical dilemmas faced by intelligence practitioners and policymakers in any era, in addition to specific dilemmas posed by the ongoing war on terrorism and resulting from modern collection capabilities.

Mandatory Course Texts:

- Lowenthal, Mark M., *Intelligence: From Secrets to Policy* 3rd ed. (Washington, D.C.: CO Press, 2006)
- Olson, James M., *Fair Play: The Moral Dilemmas of Spying* (Washington D.C., Potomac Books, 2006)
- Kessler, Ronald. *The Terrorist Watch: Inside the Desperate Race to Stop the Next Attack* (New York, Crown Forum, 2007)

Optional Course Texts:

- Johnson, Loch K. & Wirtz, James J., *Strategic Intelligence: Windows Into a Secret World – An Anthology* (Los Angeles, CA: Roxbury Publishing Company, 2004)
- Suskind, Ron, *The One Percent Doctrine: Deep Inside America's Pursuit of Its Enemies Since 9/11* (Simon & Schuster, 2007)
- Posner, Richard A., *Uncertain Shield: The U.S. Intelligence System in the Throes of Reform* (Lanham, Maryland: Rowman and Littlefield, 2006)
- Shorrock, Tim, *Spies for Hire: The Secret World of Intelligence Outsourcing* (Simon & Schuster, 2008)

Due to their pertinence to many of the classroom's substantive discussions, students are encouraged to be aware of the contents and purpose of the following materials before the start of class:

- *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States* (New York: W. W. Norton & Co., 2004) (<http://www.9-11commission.gov/report/index.htm>)
- *Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq* (<http://www.gpoaccess.gov/serialset/creports/iraq.html>)
- *Report to the President of the United States, The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction* (31 March 2005) (<http://www.wmd.gov/report/>)
- *Summary of Intelligence Reform and Terrorism Prevention Act of 2004*, United States Senate Committee on Governmental Affairs, December 6, 2004 (<http://www.fas.org/irp/crs/RL32722.pdf>)
- *Mapping the Global Future: Report of the National Intelligence Council's 2020 Project Based on Consultations With Nongovernment Experts Around the World*, National Intelligence Council, December 2004 (http://www.cia.gov/nic/NIC_globaltrend2020.html#contents)
- Director of National Intelligence, *The National Intelligence Strategy of the United States of America* (October 2005) Available online at www.odni.gov/NISOctober2005.pdf

Each class will include a discussion of current issues facing intelligence practitioners and policy-makers. In our discussions and in our readings, we will need to find a balance as we reflect on important historical precedents without allowing ourselves to be overcome by current events and real-world developments. As a result, there may be some changes to the reading assignments and schedule as the semester progresses. In particular, I anticipate that I may assign

specific news stories for follow-up reading from the Washington Post, The New York Times, and the Wall Street Journal, among others. I also recommend that students regularly read the front few pages of the The Economist magazine and the front page bullet points on the Wall Street Journal regarding world events.

Grading:

While I do reserve the right to make adjustments to grades based on the admittedly and intentionally nebulous and esoteric criteria of "a student's demonstrated individual motivation level," grades will be based on one test, one presentation, one Op-Ed piece, and partly on student preparation and participation in classroom discussions. The breakdown is as follows:

- 30% - First Test (Intelligence Organization):
 - Short answer and fill-in-the-blank
- 30% - Student Presentation (Intelligence Policy):
 - Each student will be assigned an intelligence community entity or oversight body and explain its role, function and current status
- 30% - Op-Ed piece (Intelligence Practice):
 - Each student shall write an Op-Ed piece, making an argument and supporting it with facts
- 10% - Classroom Participation

Syllabus and Reading List

1. Course Overview and Introduction

I. U.S. Intelligence Organization

2. Intelligence Overview: The U.S. Intelligence Enterprise
3. History of the U.S. Intelligence Community
4. The Intelligence Cycle
5. The Client-Analyst Relationship
6. First Test (Fundamentals of the U.S. Intelligence Community)

II. U.S. Intelligence Policy

7. Intelligence and Democracy
8. Intelligence and Congress
9. Intelligence Reform Issues
10. An Impending "Revolution?"
11. Speaker or Panel "The Intelligence Community and Oversight" (Sen. Durenberger?)
12. Speaker: U.S. District Court Judge John R. Tunheim on Declassification
13. Student Presentations

III. U.S. Intelligence Practice

14. Recent Operational History
15. Recent "Intelligence Failures"
16. Ethical Dilemmas in Espionage
17. Torture, Rendition and Coercive Interrogation
18. The Intelligence Community and the Media
19. Domestic Intelligence in the United States: FISA, wiretaps, and the Constitution
20. Speaker: W. Anders Folk, Assistant United States Attorney for the District of Minnesota, Chief Terrorism Prosecutor
21. Final Project Due- 700 word Op-Ed piece on an intelligence community related issue

1. Course Overview and Introduction

I. U.S. Intelligence Organization

2. Intelligence Overview: The U.S. Intelligence Enterprise

Reading Assignment:

Lowenthal Chapters 1 & 3

Members of the Intelligence Community

(<http://www.intelligence.gov/1-members.shtml>)

Factbook on Intelligence, Central Intelligence Agency publication

(<https://www.cia.gov/cia/publications/facttell/textonly.htm>) {now dead link}

(<http://www.fas.org/irp/cia/product/facttell/index.html>) {good link through FAS}

3. History of the U.S. Intelligence Community

Reading Assignment:

Lowenthal Chapters 2, 11, 12 & Appendix 2

Johnson & Wirtz 1

Seymour, Janet L. *Intelligence: History and Role in American Society*. Bibliography. Maxwell Air Force Base, AL: Air University Library, 2001.

(<http://www.au.af.mil/au/aul/bibs/intelam/intams.htm>)

4. The Intelligence Cycle

Intelligence Analysis and the Intelligence Cycle

Reading Assignment:

Lowenthal Chapters 4, 5, 6, 7 & 8

Optional:

Johnson & Wirtz 4, 5, 6, 7 & 9

5. The Client-Analyst Relationship

Reading Assignment:

Lowenthal Chapter 9

Jack Davis, "Tensions in Analyst-Policymaker Relations: Opinions, Facts, and Evidence," *Kent Center Occasional Papers* 2/2 (January 2003)

(<https://www.cia.gov/library/kent-center-occasional-papers/vol2no2.htm>)

Jack Davis, "Improving CIA Analytic Performance: Analysts and the Policymaking Process," *Kent Center Occasional Papers* 1/2 (September 2002)

(<https://www.cia.gov/library/kent-center-occasional-papers/pdf/OPNo2.pdf>)

Optional:

Johnson & Wirtz 10, 11 & 18

6. First Test (Fundamentals of the U.S. Intelligence Community)

II. U.S. Intelligence Policy

7. Intelligence and Democracy

Speaker: U.S. District Court Judge, Hon. Jack Tunheim

Reading Assignment:

Lowenthal Chapters 10 & 13

Intelligence and Policy: The Evolving Relationship, Roundtable Report, Center for the Study of Intelligence, June 2004

https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/books-and-monographs/IntelandPolicyRelationship_Internet.pdf

Optional:

Johnson & Wirtz 22, 27, 28, 29, & 30

8. Intelligence and Congress

Speaker: Brett Shogren, former foreign policy adviser to U.S. House Majority Leader

Reading Assignment:

L. Britt Snider, *Sharing Secrets with Lawmakers: Congress as a User of Intelligence* (Center for the Study of Intelligence, 1997) Available online from the Center for the Study of Intelligence at

<https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/books-and-monographs/sharing-secrets-with-lawmakers-congress-as-a-user-of-intelligence/toc.htm>

9. Intelligence Reform Issues

Speaker: Cody Brown, Project on National Security Reform

Reading Assignment:

Lowenthal 14.

Summary of Intelligence Reform and Terrorism Prevention Act of 2004, United States Senate Committee on Governmental Affairs, December 6, 2004.

http://www.fas.org/irp/congress/2004_rpt/s2845-summ.pdf

National Intelligence Strategy of the United States of America: Transformation Through Integration and Innovation, October 2005

(<http://www.dni.gov/publications/NISOctober2005.pdf>).

Richard K. Betts, "The New Politics of Intelligence: Will Reforms Work This Time?" *Foreign Affairs* 83/3 (May/June 2004): 2-8.

<http://www.foreignaffairs.org/20040501facomment83301/richard-k-betts/the-new-politics-of-intelligence-will-reforms-work-this-time.html>

Mike McConnell, "Overhauling Intelligence" *Foreign Affairs*, July/August 2007

<http://www.foreignaffairs.org/20070701faessay86404/mike-mcconnell/overhauling-intelligence.html>

Optional:

Richard A. Posner, *Uncertain Shield: The U.S. Intelligence System in the Throes of Reform* (Lanham, Maryland: Rowman and Littlefield, 2006)

10. An Impending "Revolution?"

Reading Assignment:

Johnson & Wirtz 19

Mapping the Global Future: Report of the National Intelligence Council's 2020 Project Based on Consultations With Nongovernment Experts Around the World, National Intelligence Council, December 2004. <http://www.foia.cia.gov/2020/2020.pdf>

11. Speaker or Panel "The Intelligence Community and Oversight"

Invited participants: Sen. David Durenberger, Judge Davis

12. Student Presentations

III. U.S. Intelligence Practice

13. Recent Operational History

Speaker: invited Richard Holm, former CIA Operations Officer

Reading Assignment:

Johnson & Wirtz 22 & 28

Kessler, Ronald. *The CIA at War: Inside the Secret Campaign Against Terror*. New York: St. Martin's Press, 2003.

14. Recent "Intelligence Failures"

Reading Assignment:

Johnson & Wirtz 8

The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States (New York: W. W. Norton & Co., 2004)

(<http://www.gpoaccess.gov/911/>)

Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq (<http://www.gpoaccess.gov/serialset/creports/iraq.html>)

Report to the President of the United States, The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction. (31 March 2005) (<http://www.wmd.gov/report/>)

15. Ethical Dilemmas in Espionage

Reading Assignment:

James M. Olson, *Fair Play: The Moral Dilemmas of Spying* (Washington D.C., Potomac Books, 2006) Introduction and first chapter on various moral frameworks, possible assignments of particular case studies based on current events

16. Torture, Rendition and Coercive Interrogation

Movie: "The Road to Abu Ghraib"

Reading Assignment:

Olson, assigned cases

Secret Prisons articles from NYT, WSJ, WashPo, etc.

17. The Intelligence Community and the Media

Speaker: Jack Rice (former CIA officer, attorney, and WCCO radio personality)

Speaker: Eric Ringham, Op-Ed editor, Minneapolis Star-Tribune

18. Domestic Intelligence in the United States: FISA, wiretaps, and the Constitution

Speaker: Anders Folk, Assistant United States Attorney for Minnesota

Speaker: Prof. John Radsan, William Mitchell College of Law

Reading Assignment:

Wiretap and Financial data articles from NYT, WSJ, WashPo, etc.

19. Final Project Due- 700 word Op-Ed piece on an intelligence community related issue

Additional Reading of Interest to Students of Intelligence

Best, Richard A., Homeland Security: Intelligence Support. Washington, DC: Congressional Research Service, Library of Congress, 2002. 6p.
<http://www.au.af.mil/au/awc/awcgate/crs/rs21283.pdf>

Best, Richard A., Imagery Intelligence: Issues for Congress. Washington, DC: Congressional Research Service, Library of Congress, 2002. 36p.
<http://www.fas.org/irp/crs/RL31369.pdf>

Best, Richard A., Intelligence Issues for Congress. Washington, DC: Congressional Research Service, Library of Congress, 2005. 19p.
<http://www.fas.org/irp/crs/IB10012.pdf>

Best, Richard A., Intelligence to Counter Terrorism: Issues for Congress. Washington, DC: Congressional Research Service, Library of Congress, 2003. 21p.
<http://fpc.state.gov/documents/organization/21217.pdf>

Harris, James W. Building Leverage in the Long War: Ensuring Intelligence Community Creativity in the Fight Against Terrorism. Policy Analysis no. 439. Washington, DC: Cato Institute, 2002. 14p.
<http://www.cato.org/pubs/pas/pa439.pdf>

Johnson, Loch K. and James J. Wirtz (eds.). Strategic Intelligence: Windows Into a Secret World: An Anthology. Los Angeles, CA: Roxbury Publishing Co., 2004. 473p.

Kessler, Ronald. The CIA at War: Inside the Secret Campaign Against Terror (New York: St. Martin's Press, 2003)

A Joint Committee on Intelligence: Proposals and Options from the 9/11 Commission and Others. Washington, DC: Congressional Research Service, Library of Congress, Updated 25 August 2004.
<http://www.fas.org/irp/crs/RL32525.pdf>

Kessler, Ronald. Inside the CIA: Revealing the Secrets of the World's Most Powerful Spy Agency. New York: Pocket Books, 1994. 374p.

Kessler, Ronald. The CIA at War: Inside the Secret Campaign Against Terror. New York: St. Martin's Press, 2003. 378p.

Lowenthal, Mark M. Intelligence: From Secrets to Policy. 3rd ed. Washington, DC: Congressional Quarterly Press, 2006. 334p.

Moore, John Norton and Turner, Robert F. National Security Law. Durham, NC: Carolina Academic Press, 2005. 1375p.

Seymour, Janet L. Intelligence: History and Role in American Society. Bibliography. Maxwell Air Force Base, AL: Air University Library, 2001.
<http://www.au.af.mil/au/aul/bibs/intelam/intams.htm>

Shulsky, Abram N. Silent Warfare: Understanding the World of Intelligence. 2nd ed. Washington, DC: Brassey's, 1993. 285p.

Snider, L. Britt. Sharing Secrets with Lawmakers: Congress as a User of Intelligence. [Langley Park, VA]: Central Intelligence Agency, Center for the Study of Intelligence, [1997]. 62p.
<https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/books-and-monographs/sharing-secrets-with-lawmakers-congress-as-a-user-of-intelligence/toc.htm>

Steiner, James E. Challenging the Red Line Between Intelligence and Policy. Institute for the Study of Diplomacy paper. Washington, DC: Georgetown University, Edmund A. Walsh School of Foreign Affairs.
<http://isd.georgetown.edu/redline.pdf>

Treverton, Gregory F. The Next Steps in Reshaping Intelligence. Santa Monica, CA: Rand, 2005. 30p.
http://www.rand.org/pubs/occasional_papers/2005/RAND_OP152.pdf