

The Washington Post

Settling an intelligence turf war

Advertisement

By Walter Pincus
Washington Post Staff Writer
Tuesday, November 17, 2009

For those of you who believe the only thing the CIA leadership has to do is provide all-source intelligence analyses to President Obama and his top policymakers, think again. Besides two wars raging and the U.S. clandestine and covert operations abroad, the agency must carry out operations on the bureaucratic and legal fronts at home.

Early last week, several long-festering bureaucratic issues that had arisen between Director of National Intelligence Dennis C. Blair and CIA Director Leon Panetta had to be settled by national security adviser James L. Jones, through some Solomon-like decisions.

Blair's four-year-old organization has been trying to establish its role as supervisor of all 16 intelligence agencies, particularly involving the CIA, the former top dog.

The CIA, by a 60-year tradition, has worked directly for every president. The agency usually did the President's Daily Brief (PDB) -- the overnight intelligence report for the chief executive -- and the morning Oval Office oral briefing that accompanies it. Normally, the briefer was accompanied by the agency director or a top deputy. Questions from the Oval Office were immediately carried back to CIA headquarters in Langley, where case officers and analysts set out to answer them. The most important link was when it came to the CIA's covert actions, which the president must authorize.

Now some of those links have been broken. Blair's outfit prepares the PDB, and he or a deputy attends the Oval Office briefing. Though the PDB is often CIA-written and the briefers are primarily from the agency, the president's questions are filtered through Blair's group. The result: CIA personnel have been guarded about their remaining turf.

Three issues arose within the past year. The best known involved a May Intelligence Community Directive from Blair that dealt with appointing DNI representatives to foreign partners and international organizations. Blair's directive said that although CIA station chiefs would most likely serve as DNI representatives, he reserved the right "in rare circumstances" to name someone else, albeit after consultation with the local ambassador and the CIA director.

The agency bureaucrats went directly to new Director Leon Panetta with their complaints about the DNI representatives. They also raised two other less-publicized issues they considered to be further infringement on the CIA's relationship with the president.

The first was a DNI role in oversight of covert action, operations almost always carried out by the CIA. CIA officials thought their officers should continue to deal directly with the White House, even on oversight issues, without second-guessing from DNI personnel. Blair thought the CIA was bypassing him with the White House. Blair believed he would be held accountable by the president, Congress and the public for success or, more worrisome, failure of such operations.

The second issue involved Blair's determination to name the intelligence community representative at National Security Council meetings, even when CIA issues were central. His rationale was that he wanted to ensure that an integrated intelligence picture was presented, even when CIA issues, such as covert actions, were involved.

On Thursday, it was disclosed that Jones had decided all three issues.

CIA station chiefs would continue to serve concurrently as DNI representatives -- a well-publicized CIA win. Blair will name the intelligence community representative to NSC meetings, but the White House has retained the right to call CIA personnel -- a not-publicized DNI win. On covert actions and their oversight, the CIA would continue to deal directly with the White House but must report oversight findings also to the DNI. And Blair, when requested by the White House, will undertake strategic oversight, meaning the director will evaluate effectiveness on whether the operations meet national policy objectives. This was a more complicated split decision, but one that the CIA claims as a victory.

Also Thursday, the CIA's general counsel, Stephen W. Preston, laid out the ton of legal issues the agency faces here at home. There are enough of them for him to set up a new position, deputy CIA general counsel for litigation and investigations, and to hire Darrin Hostetler for the post.

During a presentation before the American Bar Association's national security conference, Preston listed a number of matters that arose from past CIA counterterrorism operations. They included the Justice Department criminal investigation of the destroyed videotapes of the interrogations of three detainees who were waterboarded; Justice's review of cases involving alleged detainee abuse; the Senate Select Committee on Intelligence's review of the CIA's rendition, detention and interrogation programs; three White House-initiated task forces addressing terrorist interrogation and transfer practices, disposition of Guantanamo detainees, and future detention policy; preparation of CIA materials for prosecution of terrorists in U.S. custody in federal court or by military commission; and support to Justice in habeas proceedings in federal courts brought by detainees.

The only laugh Preston got came when he introduced himself as "the chief legal officer of a well-understood and enormously popular agency, the object of universal praise and appreciation." Panetta should use that line next time he speaks to a DNI audience.

Post a Comment

[View all comments](#) that have been posted about this article.

You must be logged in to leave a comment. [Login](#) | [Register](#)

Submit

; or material will be removed from the site. Additionally, entries that are unsigned or contain "signatures" by someone other than the actual author will be removed. Finally, we will take steps to block users who violate any of our posting standards, terms of use or privacy policies or any other policies governing this site. Please review the [full rules](#) governing commentaries and discussions. You are fully responsible for the content that you post.

Sponsored Links

[DO NOT Bleach Teeth](#)

Learn 1 simple trick, discovered by a mom, that dentists DON'T want you to know.

www.consumertiptoday.com

[Herniated Disc Solutions](#)

Effective Arthroscopic Outpatient Procedures-Get Your Life Back!

www.LaserSpineInstitute.com

[Mom's Whitening Trick?](#)

Learn the trick to turn yellow teeth white for under \$5.

HoustonPost.org/Health_Tips

[Buy a link here](#)