

IR 780: CIA'S NATIONAL CLANDESTINE SERVICE (NCS) AND ITS LEGAL MANDATE FROM THE GOVERNMENT OF THE UNITED STATES: ESPIONAGE, COUNTERINTELLIGENCE, COVERT ACTION, AND SPECIAL OPERATIONS

The NCS, now again the Directorate of Operations, spends 15 percent of the intelligence budget of the approximately total U.S. government's \$80 billion intelligence budget but receives about 95 percent of the public and private scrutiny. The NCS is the subject of countless works of visual and print fiction. It is the subject of an equal number of studies by academics and journalists. The legal mandate under U.S. law of the NCS to engage in espionage, to recruit counterintelligence sources, to carry out executive approved covert action, and to deploy special operations personnel is truly interesting, if not endlessly fascinating. The United States only established a foreign intelligence service during World War II. It was the last major power to do so. Many Americans to this day remain ambivalent about such a service engaged in recruiting agents using unknown "sources and methods" to steal information and to influence events on behalf of U.S. interests. Yet, after every major international event influencing the behavior of the U.S., the call by Congress is for more Human Intelligence collection (HUMINT) while the executive branch always considers and then often resorts to covert action as its preferable option.

This course—for graduate students only—will examine the mandate of the NCS. The course will begin with the laws governing the NCS, the organization of the NCS within the CIA, and the recruitment process and training for NCS case officers, collection management officers, support officers, targeting officers and staff. Subsequently, the course will examine the agent recruitment cycle, the various types of agents and the value of an intelligence source as well as the risks inherent in the exposure of sources. The skills learned in the recruitment cycle remain applicable in the conduct of liaison relationships with foreign intelligence systems. The course will then deal with presidential policy and congressional pressure to resort to covert action as an option in dealing with international problems. The counterintelligence mandate will be examined and how the NCS's mandate differs from that of the Federal Bureau of Investigation (FBI). The dexterous nature and capability of Special Operations will be examined. Finally, the course will consider and discuss the ethics of intelligence.

COURSE REQUIREMENTS: Each student will write a research paper on a member of the "spy's hall of fame." What motivated the espionage, what did the spy compromise, how was he handled, and how was the spy compromised. Each student will be expected to discuss the topic with me at the beginning of the project. There will be a presentation to the class. These papers will be due concurrent with the presentations. There will be a

final examination. Books on reserve are recommended only as additional background to the topic of operational intelligence.

BOOKS REQUIRED FOR PURCHASE:

Andrew, Christopher; *For the President's Eyes Only* (Harper Perennial) 1996

Allen, Michael; *Blinking Red* (Potomac Books) 2013

Johnson, William R.; *Thwarting Enemies at Home and Abroad* (Georgetown University Press) 2009

Olson, James M.; *Fair Play: The Moral Dilemmas of Spying* (Potomac Books) 2007

Royden, Barry; Tolkachev, A Worthy Successor to Penkovsky," *Studies in Intelligence*, Vol. 47, No. 3, 2003

Snider, L. Britt; *The Agency and the Hill: CIA's Relationship with Congress, 1946-2004* (Government Printing Office) 2008

Weiser, Benjamin; *A Secret Life: The Polish Officer, His Covert Mission, and the Price He Paid to Serve his Country* (Public Affairs) 2004

BOOKS ON RESERVE

Andrew, Christopher and Oleg Gordievsky; *KGB, the Insider Story* (HarperCollins) 1990

Barron, John; *Operation Solo: The FBI's Man in the Kremlin* (Regnery Publishing) 1996

Earley, Peter; *Confessions of a Spy: The Real Story of Aldrich Ames* (G. P. Putnam Sons) 1997

Holm, Richard; *The American Agent: My Life in the CIA* (St. Ermin's Press), 2003

Hood, William; *Mole: The True Story of the First Russian Intelligence Officer Recruited by CIA* (Norton) 1982

LeCarre, John; *The Spy who came in from the Cold* (Pocket Books) 1991)

Schechter, Jerold and Deriabin, Peter; *The Spy Who Saved the World* (Schribner's) 1992

Sims, Jennifer and Burton Gerber eds.; *Vaults, Mirrors & Masks: Rediscovering U.S. Counterintelligence* (Georgetown University Press) 2008

Schroen, Gary; *In First* (Ballantine Books) 2006 Wilford, Hugh; *The Mighty Wurlitzer: How the CIA Played America* (Harvard University Press) 2008

Weiner, Tim; *Legacy of Ashes: The History of the CIA* (Anchor Books) 2007

Wise, David; *Spy: The Inside Story of how the FBI's Robert Hansen Betrayed America* (Random House) 2002

Wise, David; *Cassidy's Run* (Random House) 2000

Wolf, Marcus; *Man Without a Face: The Autobiography of Communism's Great Spymaster* (Random House) 1997

GRADING: Students will be graded on the basis of the written work, class participation and the final and only examination. Students are expected to attend all classes. Papers should be properly annotated. Students who are forced to miss a class should advise me and arrange to acquire lecture notes. My office hours will be Mondays and Wednesdays from 1:30-4:30 p.m. and whenever we can meet.

NOTE: The last day to drop the course without a W is February 23. The last day to drop the course with a W is March 31.

ACADEMIC CONDUCT: Students are responsible for understanding and following the provisions of the CAS Academic Conduct Code. Copies of the Code are available on the CAS website. Cases of misconduct must be reported to the Dean's office. All class members are expected to maintain high standards of academic honesty and integrity. You are expected to provide citations in papers for all quotations, paraphrases, and ideas taken from any source other than your own original thoughts. Boston University has very strict standards for intellectual integrity, and punishment for plagiarism is severe, and can include permanent expulsion from the university.

Jan 23/25: **Introduction to the Course/ the National Clandestine Service:** Description of the course. What does the NCS do? Where does the NCS fit into the CIA, into the Intelligence Community and into the national security organs of the U.S. government? How is the NCS organized? Who is in the NCS? How does the NCS recruit its staff? How is the staff trained? Is it an elite organization? Who is the elite in an elite organization? How are they paid?

Jan 30/Feb 1: **The Official Case Officer and the Non-Official Cover Case Officer (NOC):** The officially covered Case Officer and the NOC officer are both case officers. How are the two types of case officers the same and how do they differ. How do officially covered case officers fit in with other U.S. government personnel? How are NOC officers recruited and trained? What is their usefulness? Will NOC officers become more useful in the future? How do NOC officers fit in with U.S. national

psychology? What is cover and why do you need cover? How does cover function? How do you find cover and are there difficulties in finding cover? What does backstopping for cover mean? How is the new world of cyberspace making it easier or more difficult to obtain cover? What are the psychological pressures of cover on officers and their families? What are the security problems of these case officers in an overseas environment?

Feb 6/8: The Collection Management Officer (CMO), the Special Operations Officer, Staff/Support Officers: The CMO is the most unique element in the NCS and theoretically an equal professional to case officers. What do CMOs do? What makes a good CMO and how is a good CMO different and similar to an NCS operations officer. Why are CMOs unique? CMOs prepare intelligence reporting for analysts. What is the role of the CMO in the relationship to finished intelligence? There are other avenues of career development for CMOs in addition to reports. Why is reporting so important in CIA? Why are Special Operations Officers recruited? What sorts of staff and support officers are hired into the NCS? What specialties do you find among the staff and support cadre? What types of personnel are not NCS but function to support the NCS? Personnel? Finance? Technical? Communications?

READINGS: Andrew, pp. 149-502. Donna D'Andrea and Joe Wippl, "The Collection Management Officer." Joe Wippl, "Views on Successful Espionage"

Feb 13/15: The History of the National Clandestine Service: What are the origins of the Clandestine Service? What did they take from other foreign services, what from the World War II Office of Strategic Services? What are the laws governing the National Clandestine Service? The history of the National Clandestine Service is often presented as the history of Covert Action. What role does the National Clandestine Service have in Covert Action: originator or implementer? These laws are a part of the legal framework of national security law. How have these laws developed over the past half century to reflect changing attitudes, changing times and the influence of events?

Feb 21/22: The Chief of Station and the Overseas CIA Station and the Work of the Clandestine Service: Human Intelligence (HUMINT): What is the function of an overseas field station? What is an Operational Directive (OD) for a field station? What are the authorities and the responsibilities of a Chief of Station (COS)? What are the responsibilities of the Deputy Chief of Station (DCOS)? Who makes up a small, medium or large field station? How does a field station interact with the ambassador, the Department of State, the military, the FBI and other agencies represented? What are the personnel problems and security problems in a field station? The first main responsibility of the Clandestine Service case officers is to recruit agents. How do case officers recruit agents? How are agent candidates chosen for recruitment? How do they meet candidates for recruitment? What is the case officer looking for in the recruitment of an agent? What kinds of agents are there: reporting, access, support, double? How are they different? Are there differences between recruiting by officially covered case officers and those of NOCS?

READINGS: Andrew, pp. 502-541, Snider, pp.125-257, Roydan, Barry “Tolkachev, A Worthy Successor to Penkovsky.”

27 Feb/1 Mar: **The Work of the Clandestine Service: Human Intelligence**

(HUMINT): The second main responsibility of the Clandestine Service case officers is handling agents. What does handling agents entail? How does one meet an agent? How does one communicate securely? What is the difference in operational climates from benign to hostile and how does this effect agent handling? How are walk-in volunteers to official American installations met? How are walk-ins handled? What happens to defectors with information of value to the U.S. government? How are they handled? How are agents paid? What is the relationship between an agent and a case officer? How are agents terminated? What are the responsibilities of the CIA to its agents when they are compromised?

READINGS: Weiser, pp. 1-139.

Mar 13/15: **The Work of the Clandestine Service: Human Intelligence (HUMINT):**

The third main responsibility of the Clandestine Service case officers is dealing with liaison. What does liaison mean? What can liaison offer to CIA and what does CIA offer to liaison? What are the differences between liaison services? What are the rules governing relations between liaison services? Are there differences between unilateral case officers and liaison case officers? How does the station interact with the local host government intelligence agencies to exchange information and/or engage in joint operational activity? Where do exchanges of information take place? How does the field station interact with other third country liaison services? What is the “special relationship” with the United Kingdom and the Commonwealth? Are there other “special relationships”? Are there only bilateral liaison relationships or also multilateral? What are the benefits, difficulties of each? Finally, what leverage does CIA have other services do not have?

READINGS: Weiser, pp. 140-339. Joe Wippl, “Liaison Relationships.”

Mar 20/22: **The Work of the Clandestine Service: Covert Action (CA):**

Since World War II, American presidents have continually ordered covert actions to further U.S. foreign policy objectives. What is covert action? What does “influence” mean and how does one achieve it? Under the National Security Act of 1947, what words in the Act give the President the authority to order covert action and the CIA the authority to implement covert action? What role did Members of Congress play in consenting and funding covert action programs during the first quarter century of covert action operations? In the mid-1970s, the National Security Act was amended to formalize Congressional Oversight of the CIA and the Intelligence Community. What does the law state on Oversight? Who makes up the committees and who makes up the staffs? What other agencies do the committees oversee and what challenges do they have in overseeing them? Why is overseeing the NCS and covert action the biggest challenge for Congress? What are the weakness and strengths of oversight?

READINGS: Snider, pp. 3-91, 254-311.

Mar 27/29: **The Work of the Clandestine Service: Covert Action (CA):** CA has many parts: weapons support, propaganda, political, sabotage, joint liaison programs with other countries. When did these policies succeed and when did they fail and why? How did the various Presidents view covert action? Can the influence of covert action even be measured? How do events influence the use of covert action? How do leaks in the press influence covert action or can covert action even remain covert? Why do some covert actions have bipartisan support in Congress while other actions do not? How does support for covert action change with time? Do other countries engage in covert action?

READINGS: Snider pp. 3-91, 254-311.

Apr 3/5: **The Work of the Clandestine Service: Counterintelligence (CI):** CI protects secret intelligence. It defends our intelligence from the operational activity of other intelligence services and seeks to penetrate other intelligence agencies to find out what their intelligence operations against us are. How are agents monitored (vetted) to ensure their loyalty to us? What are the means to accomplish this vetting: Assessment, Product, Investigation, Testing, Polygraph? How does CIA collect intelligence on other intelligence services? On partner services, on hostile services? What can a penetration of liaison accomplish? What are the drawbacks of a penetration of liaison? What is a double agent?

READINGS: Johnson, 91-174.

Apr 10/12: **The Work of the Clandestine Service: Counterintelligence (CI):** CI is also about maintaining the loyalty of the NCS workforce. Knowing how others engage in espionage can tempt and lead to betrayal. How does security keep penetrations by another service out of the workforce? How does security find security risks within the workforce? Why would an intelligence officer from a Western intelligence service betray that service when he/she could simply leave and find other work? What specific personal weaknesses would security check? How do national values (American, British, French et. al.) influence security clearances? The polygraph is central to U.S. counterintelligence. Should it be? Why is it such an American instrument? Does the polygraph do more good than harm?

READINGS: Allen, 1-91.

Apr 19/24: **The Work of the Clandestine Service: Special Activities (SA):** Special Activities of the NCS are paramilitary initiatives combined with case officer skills. What types of background are required for this group of case officers? How are they trained and how are they deployed? What makes SA effective in comparison to a military elite group? Where have they been engaged in the past and where in the present?

READINGS: Allen, 92-179.

Apr 26/May 1: **The Ethics of the NCS:** HUMINT, CA and CI all have an ethical aspect to them when conducted by a government based on democracy, rule of law and human rights. The Chinese philosopher Sun Tzu argues espionage is not only better than war but can avoid war or win war while the German philosopher Kant argues it is always bad policy. Every country has an intelligence organization. Should the U.S. have a secret intelligence agency like the NCS? Does U.S. power and influence give it more moral leeway in the way of rights to have an NCS and what that NCS can do? What moral limits are placed on the NCS by the customs and views of the U.S. population? How does the law governing intelligence operations influence NCS's ethical perceptions? How does one deal ethically with agents? What do we owe agents and others who assist the U.S.?

READINGS: Olson, pp.1-123.

May 3: **Congress and the National Clandestine Service:** How does Congress attempt to influence the way in which the NCS works and collects information? What have been the ups and downs of their efforts to control the NCS? Is Congress supportive or a burden on the work of the NCS? Does the NCS and Congress have a relationship and what is the nature of that relationship?