# Chapter 19 - Organizing for Intelligence Collection

## The nature of intelligence

### What are the INTs?

#### GEOINT

#### SIGINT

#### COMINT

#### TELINT

#### ELINT

#### HUMINT

##### What are particular problems with HUMINT?

#### OSINT

##### Why is the hottest area?

##### What are the pros and cons?

##### Are the rights conflicts?

### What is the raw material of intelligence?

### Why is redundancy so critical to effective intelligence?

### What is the stovepipe problem?

### What is the NSA getting when it scans a zillion phone calls?

### What do covert agents get in most cases?

### Why is it impossible to separate analysis from intelligence?

### Why is it impossible to separate politics and bias from analysis?

### What are the pros and cons of a single intelligence service in terms of analysis?

## The CIA

### What does the National Security Act of 1947 set as the responsibilities of the CIA?

### The Church Committee

#### What did the Church Committee find was the intent of Congress as to the domestic role of the CIA?

#### Which agency did Congress think would investigate domestically if there was a national security threat?

### Halkin v. Helms, 690 F.2d 977 (1982)

#### Who were the plaintiffs?

#### Who were the defendants?

#### What was Operation CHAOS?

#### How did CHAOS collect information?

#### How were international electronic communications tracked?

#### What is the discovery fight and what did the court rule?

### Notes

#### The 1947 Act - What does it mean to say that ‘‘the Agency shall have no police, subpoena, or law enforcement powers or internal security functions’’?

#### What do you suppose constitutes ‘‘foreign intelligence information not otherwise obtainable,’’ and how may the CIA or NSA collect ‘‘significant’’ foreign intelligence within the United States without violating the proscription against collecting information on the domestic activities of United States persons?

#### Was Operation CHAOS a valid CIA activity in the US?

#### What is the effect of not allowing discovery on plaintiffs' efforts to get legal redress from a potentially illegal activity?

#### How did the Intelligence Reform and Terrorism Prevention Act of 2004 define ‘‘national intelligence’’ and ‘‘intelligence related to national security’’?

#### Does this expand the domestic authority of the CIA?

#### The CIA responsibilities on page 532 limit HUMINT to outside the US. Does this mean the CIA can use other ways to collect intelligence within the US?

## The FBI

### Does the FBI have a legislative charter?

### Where is its authority found?

### Who did COINTELPRO operations target?

### Was this just intelligence gathering?

### What sort of covert actions were carried out?

### What were the long term goals of the operation against Black Nationalists?

### Why was the FBI worried about the New Left?

### How did these groups try to hamper FBI investigations?

### What actions were recommended against the New Left?

### What is the FBI enabling act?

### Where does its authority come from?

### Notes

#### What was the result in Hobson v. Wilson, 737 F.2d 1, 10 (D.C. Cir. 1984)?

##### Why was the result different from Halkin v. Helms?

##### Where do you think they got the information to prosecute their case?

#### Does any agency other than the FBI have authority to conduct physical searches inside the United States?

##### Is the answer the same for physical surveillance of U.S. persons within the United States?

##### Under what circumstances may the FBI engage in physical surveillance of a U.S. person abroad?

#### Does the Constitution require some predicate activity before the FBI may launch an investigation?

#### Would you infer such a requirement from statutes, or from Executive Order No. 12,333?

#### What is the value of supervisory approval in predicated investigations?

#### Is CIA or FBI infiltration of domestic organizations permitted by Executive Order No. 12,333?

##### Does an executive order create any legally enforceable rights?

##### Does it bind the President if he changes his mind or creates exceptions?

#### How do the Guidelines on the use of race by law enforcement agencies differ for national security investigations?

#### Are there constitutional limits on the use of race or religion in investigations?

#### What is MI5?

##### Should the US establish an MI5 to draw a clear line between intelligence and criminal investigations?

##### What would be the advantages?

##### The problems?

## The NSA

### What are the powers of the NSA as outlined in Executive Order No. 12,333?

#### What is the significance of this being an Executive Order?

### What are the issues of the NSA doing economic espionage to benefit US companies?

## Sharing Collected Intelligence

### We have already discussed this in general. We will return it later in the book.