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Intelligence Estimates: How Useful to Congress?

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Summary

National Intelligence Estimates (NIEs) are often of considerable interest to many Members of Congress. They represent the most formal assessment of a given issue by the U.S. Intelligence Community and address issues of major national security importance which may require congressional action. The intelligence process and its assessment are, however, not an exact science and, on occasion, NIEs have proved unreliable because they were based on insufficient evidence or contained faulty analysis. This was demonstrated in the NIE produced in 2002 on Iraqi Weapons of Mass Destruction, parts of which were significantly inaccurate. In addition, NIEs can provide insights into the likely effects of certain policy approaches, but they are not usually made to take into account the details of planned U.S. diplomatic, economic, military, or legislative initiatives.

In the past, Congress was not a principal consumer of NIEs but now appears increasingly interested in obtaining NIEs on key security issues despite or perhaps because of the experience with the 2002 Iraq NIE. The FY2007 Defense Authorization Act (P.L. 109-364) specifically requests a comprehensive NIE on Iran. Some observers assert, however, that public discussion on specific NIEs may not adequately reflect the process by which they are prepared or their inherent limitations. This report will not be updated.

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Background: The Intelligence Community's Most Authoritative Products

National Intelligence Estimates (NIEs) represent the highest and most formal level of strategic analysis by the U.S. Intelligence Community. They are by definition forward-looking; as one participant in the estimative process has written, "Estimates are not predictions of the future. They are considered judgments as to the likely course of events regarding an issue of importance to the nation. Sometimes, more than one outcome may be estimated."[1] NIEs focus on foreign developments; they are not net assessments that directly compare U.S. and foreign capabilities and plans.

The responsibility for producing NIEs rests on the National Intelligence Council (NIC), an entity within the Office of the Director of National Intelligence (DNI).[2] The NIC consists of senior analysts from the Intelligence Community and substantive experts from the public and private sector. Draft estimates are coordinated by senior officials of all intelligence agencies in a process that can be quite lengthy. Thereafter, NIEs are formally considered by the heads of relevant intelligence agencies and the DNI. The National Security Act requires that NIEs include, "whenever the Council considers appropriate, alternate views held by elements of the intelligence community."[3] Thus they may contain text, or "footnotes," that pose

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[1] Mark M. Lowenthal, *Intelligence: From Secrets to Policy* (Washington, DC: CQ Press, 2000), p. 88.

[2] For background on the NIC and the National Intelligence Officers, see [http://www.dni.gov/nic/NIC_home.html]. The NIC was established by Director of Central Intelligence (DCI) Stansfield Turner in 1979; a statutory basis was included in the Intelligence Authorization Act for FY1993 (P.L. 102-496, 106 Stat. 3191). Though composed of analysts from various government agencies and the public and private sector, the NIC has always depended heavily on CIA analysts for research and drafting NIEs. The NIC originally reported to the DCI in his role as head of the Intelligence Community, but the Intelligence Reform and Terrorism Prevention Act of 2004 (P.L. 108-458) transferred the NIC to the newly created Office of the DNI. Many, if not most, current NIOs are not CIA career analysts and some observers believe that CIA's preeminent analytical role has diminished. Nevertheless, CIA has the broadest analytical coverage of any agency and the largest number of analysts and is likely to be heavily involved in the preparation of future NIEs.

[3] 50 U.S.C. 403-3(b)(2)(A).

alternative views from the judgments in the NIE. The conclusions of NIEs, however, are understood to reflect the official position of the DNI.[4]

In drafting NIEs, analysts marshal evidence from all sources available to the Intelligence Community–human intelligence, signals intelligence, overhead surveillance, and others including the exploitation of open sources (foreign media and, increasingly, websites). The lengthy drafting and coordination process includes participation by agency analysts and occasionally outside experts with varying perspectives. At their best, NIEs provide a careful assessment of an international situation based on extensive collection and careful analysis that provides policymakers with insights into the opportunities and risks that the United States will face.

In general, NIEs on topics that involve sensitive collection or analysis of trends that are largely unknown to outside experts are the most valuable. On the other hand, NIEs addressing broad topics as the future of democracy in the Middle East or the likely evolution of China in the next 20 years may not necessarily yield more accurate conclusions or more perceptive insights than the work of leading academic experts. Some observers argue that intelligence estimates that deal with such topics inevitably suffer from the absence of scrutiny by the wide and disparate community of scholars that challenges and debates conclusions of scholarly works in the open literature and ultimately has an important influence on public opinion. Most NIEs, on the other hand, describe the environment in which national security policy choices will likely be made in the foreseeable future, with analysis incorporating information that is not available to the general public.

At a minimum, NIEs require that differences among analysts be confronted and described. This is an important contribution as policymakers need to know what is known by the Intelligence Community and what remains unknown and what conclusions drawn by the government's most experienced analysts.

Historically, some NIEs have been essential to national security policymaking. During the Cold War, NIEs on Soviet strategic forces provided an agreed-upon set of figures that were an integral part of plans for U.S. force structures and negotiations of a series of arms control treaties.[5] U.S. policymaking, however, occasionally is

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[4] Yet according to Robert Gates, then Deputy Director of Central Intelligence, writing in 1987: "More than once, the late Director [of Central Intelligence] William Casey (and probably his predecessors) approved an estimate with which he disagreed personally, and separately conveyed his personal view to policymakers." Robert Gates, "The CIA and American Foreign Policy," *Foreign Affairs*, Winter 1987/1988, p. 227.

[5] In an oft-reported comment in 1967 President Lyndon Johnson stated, "I wouldn't want to be quoted on this but we've spent 35 or 40 billion dollars on the space program. And if nothing else had come out of it except the knowledge we've gained from space photography, it would be worth 10 times what the whole program has cost. Because tonight we know how many missiles the enemy has and, it turned out, our guesses were way off. We were doing things we didn't need to do. We were building things we didn't need to build. We were harboring fears we didn't need to harbor." Quoted in *Eye in the Sky: the Story of the Corona Spy Satellites*, ed. by Dwayne A. Day, John M. Logsdon, and Brian Latell (Washington: Smithsonian Institution Press, 1998), p. 1. NIEs on the Soviet capabilities (continued...)

based on directives by Presidents or senior officials that have not been coordinated throughout the executive branch or with Congress. Some policy makers assume that their own long experience and extensive personal contacts gives them better insights than even the most senior intelligence officials. In considering major new initiatives, there can be an obsessive concern with the potential for leaks that limits discussion to a very small circle of advisers and excludes much of the Intelligence Community which is independent of political appointees.

There are other inherent limitations to the NIE process. NIEs are often prepared on broad issues that may involve not just foreign states or international groups but also the influence of U.S. policy or the interplay of U.S. with foreign actors. Although some NIEs will address the implications of several broad policy options, detailed treatments of plans have traditionally been defined as beyond the cognizance of intelligence agencies. In many cases, other agencies will have little inclination to share sensitive planning with the substantial number of intelligence analysts involved in the preparation of NIEs. In other cases, U.S. plans will depend more on future initiatives such as legislation that intelligence analysts would be unable to predict with accuracy.

Intelligence agencies are committed — by statute[6] and as a matter of professional integrity — to prepare analyses that are unbiased and nonpartisan. At times the bureaucratic process that produces NIEs can shape the conclusions in ways that reflect agency perspectives; this can be the case, for instance, when intelligence judgments about threat environments have significant implication for U.S. military force structure. Moreover, if NIEs are tied too closely and too publicly to public debates there is a concern that intelligence agencies will either be inclined to emphasize evidence supporting an Administration's preferred policy options or avoid controversial issues.[7]

Furthermore, it has been argued that NIEs are not necessarily the most important contribution of intelligence agencies, which produce thousands of assessments of varying complexity in a given year. A 9/11 Commission staff statement noted: "Some officials, including Deputy DCI [Director of Central Intelligence] John McLaughlin, are skeptical about the importance of comprehensive estimates. McLaughlin has been in charge of the estimate process. He told us such estimates are time-consuming to prepare. Judgments are watered down in negotiations.

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[5] (...continued)
have been declassified and published in *Intentions and Capabilities: Estimates on Soviet Strategic Forces, 1950-1983*, ed. by Donald P. Steury (Washington: Center for the Study of Intelligence, 1996).

[6] 50 U.S.C. 403-3(a)(2).

[7] When an Administration is in the process of choosing a policy option there can also be a temptation for intelligence analysts to become advocates; Robert Gates claims that "Far from kowtowing to policymakers, there is sometimes a strong impulse on the part of intelligence officers to show that a policy or decision is misguided or wrong, to poke an analytical finger in the policy eye. Policymakers know this and understandably resent it. To protect the independence of the analyst while keeping such impulses in check is one of the toughest jobs of intelligence agency managers." "The CIA and Foreign Policy," p. 221.

Conclusions may duplicate those already circulated in more specific papers."[8] A review of intelligence on Iraq by senior intelligence officials undertaken for the then-DCI in mid-2004 noted:

> NIEs rarely represent new analysis or bring to bear more expertise than already exists in analytic offices; indeed, drafters of NIEs are usually the same analysts from whose work the NIE is drawn. Little independent knowledge or informed outside opinion is incorporated in estimative products. The preparation of an NIE therefore consists primarily of compiling judgments from previous products and debating points of disagreement....
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> The fundamental question is whether National Intelligence Estimates add value to the existing body of analytic work. Historically, with few exceptions, NIEs have not carried great weight in policy deliberations although customers have often used them to promote their own agendas.[9]

Congress as a Consumer of NIEs

Pursuant to the National Security Act, NIEs are prepared "for the Government," not just executive branch officials.[10] Accordingly, NIEs are forwarded to the two congressional intelligence agencies (the Senate Select Committee on Intelligence (SSCI) and the House Permanent Select Committee on Intelligence (HPSCI))–and, on occasion, other congressional committees.[11] Use of NIEs by committees will vary. The two intelligence committees oversee the activities of all intelligence agencies, including their analytical efforts, and thus they review NIEs on a continuing basis.

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[8] National Commission on Terrorist Attacks Upon the United States [the 9/11 Commission], *The Performance of the Intelligence Community*, Staff Statement No. 11, p.5. The drafters of the staff statement noted, however, that other officials "stress the importance of such estimates as a process that surfaces and clarifies disagreements. Through coordination and vetting views, the Community comes to collective understanding of the nature of the threat it faces–what is known, unknown, and a discussion of how to close these gaps." Ibid.

[9] Central Intelligence Agency, "Intelligence and Analysis on Iraq: Issues for the Intelligence Community;" July 29, 2004. (The document was the third in a series of reports by the Kerr Group (Richard Kerr, Thomas Wolfe, Rebecca Donegan, and Aris Pappas) to support an internal evaluation of intelligence analysis associated with the war on Iraq. It is available on the CIA website at [https://www.cia.gov/csi/studies/vol49no3/html_files/Collection_Analysis_Iraq_5.htm].) Some observers believe that the Intelligence Community's greatest contribution may lie in the area of specialized studies or short-term reports that are based on information that only intelligence agencies have acquired and that needs to be analyzed and disseminated within a relatively short time frame. Such analytical products do not, in most cases, provide the basis for an entirely new policy but can have an important influence on the development of policy (or military campaigns). They can contribute invaluable new information and analysis that will shape the policymaking process.

[10] 50 U.S.C. 403-3(b)(2)(A).

[11] L. Britt Snider, "Sharing Secrets with Lawmakers: Congress as a User of Intelligence," Central Intelligence Agency, Center for the Study of Intelligence, February 1997, p. 24. Snider's monograph although published in 1997 remains the most authoritative analysis of the use of intelligence by the Congress.

Other committees — especially the armed services and international relations committees — may, along with the intelligence committees, be especially interested in NIEs that deal with issues that directly affect upcoming U.S. foreign and military decisions.

Although usually NIEs have been produced at the request of executive branch officials and have been used primarily by executive branch policy makers, NIEs have at times been the subject of considerable congressional interest.[12] As will be noted below, two recent NIEs have received considerable congressional attention.

Some observers suggest that NIEs could better support congressional deliberations if they were the subject of further hearings by relevant committees. More extensive hearings by relevant committees would provide opportunities for Members to assess the validity of the information on which the NIEs were based and the extent of support for conclusions reached by the drafters of the NIE although there would inevitably be concerns about enlarging the number of persons exposed to highly sensitive intelligence, especially detailed discussion of intelligence sources and methods. Other observers caution, in addition, that making sensitive NIEs the subjects of congressional hearings, especially when an important vote is approaching, could focus media attention on intelligence judgments that are only part of a complex decision-making process. There is a concern that hearings have the potential to undermine the statutory mandate that national intelligence be objective and "independent of political considerations.[13]" It is also possible that the mechanics of an NIE might be misinterpreted, especially the ways in which main and alternate views are set forth and that debate could result in "cherry picking" views that are congenial to one position or another.

NIE production schedules could also be more closely coordinated with the Legislative Branch to ensure that the Intelligence Community addresses major topics on which Congress expects to consider legislation. On the other hand, some observers argue that Congress might draw up lists of NIEs that would overly tax limited analytical resources and infringe on the President's authority to direct the work of the Intelligence Community.

The influence of intelligence assessments on congressional debates offers cautionary lessons. In late 1990, intelligence assessments (albeit not an NIE) concluded that Operation Desert Storm (that became the Persian Gulf War of 1991) would last at least 6 months and cause many casualties.

> Largely on the basis of these dire predictions several Senators on the SSCI–including its chairman, David L. Boren of Oklahoma–as well as the Armed

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[12] For a discussion of extended controversy in 1959 over estimates of Soviet missiles, see David M. Barrett, *The CIA & Congress: the Untold Story from Truman to Kennedy* (Lawrence, KS: University Press of Kansas, 2005), pp. 323-330. In another instance in 1980 Senator Moynihan discussed press disclosures of NIEs regarding an NIE dealing with the strategic balance between the United States and the Soviet Union. *Congressional Record*, May 15, 1980, pp. 11371-11372.

[13] 50 U.S.C. 403-3(a)(2).

> Services Committee Chairman, Sam Nunn of Georgia, ultimately voted against the resolution authorizing the President to send troops to the Gulf. Later, when it turned out that coalition forces achieved immediate air superiority and the ground war ended in a matter of days with relatively few American casualties, the Senators who had voted in the negative were understandably upset. Some had lost considerable political support in their home states as a result of their votes. Senator Nunn later said the vote not only had hurt his credibility as chairman of the SASC [Senate Armed Services Committee] but also had removed any thoughts he might have had about running for President, knowing that his vote would have been a "major debating point" in any election campaign. After all, they were Senators supposedly "in the know" and yet appeared to have egregiously misread the situation. Most felt "sandbagged" by the Intelligence Community.[14]

A former staffer was quoted as saying that "the real problem for the committee was that it was never given "blue team" information [information on U.S. military capabilities]. It was never advised, for example, that stealth aircraft were to be used. It was never provided an assessment of our forces versus theirs."[15]

The 2002 NIE on Iraqi WMD

Intelligence analysis is inherently an intellectual activity that requires knowledge, judgment, and a degree of intuition. These qualities are usually not quantifiable nor can they be simply mandated. Erroneous estimates can occur and have occurred in recent years. The history of the Iraq NIE prepared in 2002, *Iraq's Continuing Programs for Weapons of Mass Destruction*, is instructive in this regard. The fact that Iraq had had WMD in the past and had previously used them both against Iran and regime opponents within Iraq was well known. That Iraq had violated agreements made after the conclusion of Desert Storm in 1991 and expelled international inspectors in 1998 was also incontestable. It was also evident that Saddam Hussein's regime had demonstrated no eagerness to comply with more recent mandates of the U.N. and to cooperate with U.N. inspectors.

Because, however, much of the public debate focused on Iraq's then-current WMD capabilities, the leadership of the Senate Intelligence Committee asked for an NIE "on the status of Iraq's programs to develop weapons of mass destruction and delivery system, the status of the Iraqi military forces, including their readiness and willingness to fight, the effects a U.S.-led attack on Iraq would have on its neighbors, and Saddam Hussein's likely response to a U.S. military campaign designed to effect regime change in Iraq."[16] The NIE was requested on an immediate basis. Operating under intense pressure, the NIE was drafted and made available to Congress 4 weeks

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[14] Snider, "Sharing Secrets with Lawmakers," p. 49. Arguably, a full-scale NIE may have been more reliable.

[15] Quoted in ibid., p. 50.

[16] S.Rept. 108-301, p. 12.

later, on October 1, 2002.[17] An unclassified White Paper, containing many of the NIE's judgments, was issued shortly thereafter.[18]

In large measure the NIE reinforced judgments that had previously been made in earlier intelligence products. The NIE maintained:

> Iraq has continued its weapons of mass destruction (WMD) programs in defiance of U.N. resolutions and restrictions. Baghdad has chemical and biological weapons as well as missiles with ranges in excess of U.N. restrictions; if left unchecked, it will probably have a nuclear weapon during this decade.
>
> Baghdad hides large portions of Iraq's WMD efforts. Revelations after the Gulf war starkly demonstrate the extensive efforts undertaken by Iraq to deny information.[19]

There was a consensus of all agencies that the Iraqis were determined to reconstitute their WMD programs and had made some progress in this effort. This judgment was pervasive among intelligence analysts in this country and abroad (indeed even some senior Iraqi military leaders believed Iraq had WMDs). In setting forth the evidence for WMD reconstitution, however, the NIE relied on evidence and analysis that was subsequently determined to be deficient. To a large extent the judgment that Iraq had begun reconstituting its nuclear capabilities depended on information regarding aluminum tubes that most, but not all, agencies judged to be designed for a uranium enrichment effort. There was a fairly wide agreement that Saddam Hussein planned to reconstitute the WMD programs once Iraq got out from under the sanctions regime.

In retrospect, few would deny that Saddam Hussein had not relinquished his ultimate goal of having viable WMD capabilities and his failure to comply with U.N. obligations regarding inspections, but it is clear that the Intelligence Community did not adequately flag the inherent uncertainties of the evidence supporting Iraq's WMD capabilities in mid-2002.[20] Intelligence agencies had provided copious information

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[17] A summary was later made public in July 2003; at [http://www.dni.gov/nic/special_keyjudgements.html].

[18] The White Paper is available at [https://www.cia.gov/cia/reports/iraq_wmd/Iraq_Oct_2002.pdf].

[19] Director of Central Intelligence, *Iraq's Weapons of Mass Destruction Programs*, October 2002, p. 1.

[20] Significantly, the NIE did not offer a contrarian case that Saddam Hussein did not have an active WMD program underway and was bluffing. As far as is known, no one in the Intelligence Community made the assessment that Iraq had only minimal WMD capabilities. Apparently no one asked the question posed by Joseph Nye, a former chairman of the National Intelligence Council: "What would it take for this estimate to be dramatically wrong? What could cause a radically different outcome?" Nye noted: "Experts often resist this exercise. Since they know their country or region and have already presented all the plausible scenarios, why waste any effort on scenarios that are by definition highly unlikely? The answer is that such questions help to alert the policymakers to low-probability but high-impact contingencies against which they might plan. It also informs intelligence agencies (continued...)

about Iraqi WMD programs, but ultimately did not reach accurate conclusions. In part, this failure resulted from the difficulty of the target, but it is apparent in retrospect that intelligence officials provided Congress with an over-generalized estimate that relied heavily on widely-accepted judgments (a tendency that has been described as "cognitive bias"), highly limited collection from human sources (and some of this reporting was wrong), and did not offer a better sense of the ambiguities and limitations of the available evidence. In particular, in this view, the Intelligence Community conveyed a sense of dynamism in regard to Iraqi WMD programs that was not justified by evidence available.

This NIE has been much debated. The Senate Intelligence Committee has reported two extensive, and highly critical, assessments of the NIE.[21] In 2004 the Committee concluded that:

> Most of the major key judgments in the Intelligence Community's October 2002 National Intelligence Estimate (NIE), *Iraq's Continuing Programs for Weapons of Mass Destruction*, either overstated, or were not supported by, the underlying intelligence reporting. A series of failures, particularly in analytic trade craft, led to the mischaracterization of the intelligence.[22]

Subsequently, the Commission on the Capabilities of the United States Regarding Weapons of Mass Destruction, headed by Laurence Silberman and former Senator Charles Robb also devoted attention to the NIE's shortcomings.[23]

After the collapse of the Saddam Hussein regime, the Iraq Survey Team, composed of experts from various U.S. agencies looked at all evidence available on the ground in Iraq and did not find evidence that Iraq had an active WMD effort. They did agree that there was a likelihood of reconstitution once sanctions were lifted. The Iraq Survey Team concluded that Saddam Hussein saw many benefits to an ongoing WMD program but was primarily concerned with seeing sanctions lifted. The Team concluded that Saddam Hussein viewed Iran as Iraq's principal enemy in the region and that he believed WMD were necessary to counter Iran.[24]

An important question is the extent to which the faulty NIE influenced the congressional vote on the legislation that was enacted as the Authorization for Use of Military Force against Iraq (P.L. 107-243). The NIE made firm judgments about

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[20] (...continued)
about obscure indicators about which they should be collecting information." Joseph S. Nye, Jr., "Peering into the Future," *Foreign Affairs*, July-August 1994, p. 89.

[21] U.S. Congress, 108th Congress, 2d session, Senate, Select Committee on Intelligence, *U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq*, S.Rept. 108-301, July 9, 2004; 109th Congress, 2d session, *Postwar Findings About Iraq's WMD Programs and Links to Terrorism and How They Compare with Prewar Assessments*, September 8, 2006.

[22] S.Rept. 108-301, p. 14.

[23] See the report of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, March 31, 2005.

[24] See *Comprehensive Report of the Special Advisor to the DCI on Iraq's WMD with Addendums*, September 2004, Vol. I, pp. 1, 29.

Iraq's *continuing* WMD programs, its links to terrorists, etc., and these judgments were reflected in the legislation.[25]

P.L. 107-243 did not, however, focus solely on WMD; it emphasized a long pattern of Iraqi violations of U.N. resolutions and its "brutal repression of its civilian population thereby threatening international peace and security in the regions." It also cited Iraq's support of terrorist organizations that "threaten the lives and security of United States citizens."[26] A problem for the Intelligence Community was the heavy emphasis on WMD programs in the public debate prior to congressional consideration of the resolution that tended to obscure other factors that were not dependent on technical analyses of highly limited evidence.[27]

NIE on Trends in Global Terrorism, 2006

Also instructive is the more recent NIE, *Trends in Global Terrorism: Implications for the United States*, prepared in April 2006 with the key judgments officially released in September 2006[28] after several accounts had appeared in the media. The NIE's key judgments reflect the Intelligence Community's conclusion that the global jihadist movement "is spreading and adapting to counterterrorism efforts." The jihadists, the NIE concludes, "will use improvised explosive devices and suicide attacks focused primarily on soft targets to implement their asymmetric warfare strategy, and that they will attempt to conduct sustained terrorist attacks in urban environments." Much public commentary on the NIE was directed towards its conclusions that the "Iraq conflict has become the 'cause celebre' for jihadists,

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[25] One clause of P.L. 107-243 argued that Iraq "remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations." Another clause stated: "Whereas Iraq's demonstrated capability and willingness to use weapons of mass destruction, the risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify action by the United States to defend itself."

[26] In addition to WMD concerns, there has been ongoing controversy on the planning for stabilizing Iraq once Saddam Hussein's military had been overcome and the regime removed; intelligence officials have maintained that estimates of the difficulties involved in this effort were accurate and were detailed prior to the commencement of hostilities. See "Intelligence and Analysis on Iraq," p. 2; also, Paul R. Pillar, "Intelligence, Policy, and the War in Iraq," *Foreign Affairs*, March/April 2006.

[27] See CRS Report RS21696, *U.S. Intelligence and Policymaking: the Iraq Experience*, by Richard A. Best Jr.

[28] Office of the Director of National Intelligence, "Declassified Key Judgments of the National Intelligence Estimate 'Trends in Global Terrorism: Implications for the United States' dated April 2006," [http://odni.gov/press_releases/Declassified_NIE_Key_Judgments.pdf].

breeding a deep resentment of U.S. involvement in the Muslim world and cultivating supporters for the global jihadist movement."

The detailed analysis that supported these conclusions has not been made public, but it worth noting that the NIE does give some generalized attention to policy approaches for the United States and its allies that could affect the future of jihadist terrorism.[29] The NIE refers to the possibility of "greater pluralism and more responsive political systems in Muslim majority nations," and the possibility that jihadists in Iraq will be perceived as having failed. It maintains that countering jihadists will require "coordinated multilateral efforts that go well beyond operations to capture or kill terrorist leaders." [30]

These brief references hardly exhaust the factors that will affect trends in global terrorism over the next decade. The NIE did not apparently address the question that has been the focus of much outside academic analysis — the overall religious and philosophical challenge by radical Islam to Western values. Arguably, a dialogue between Western intellectuals and Islamic leaders could be part of the equation.

The conclusions of this NIE may suggest a number of possible responses. Although NIEs can lay out in general terms the possible ramifications of different options, some observers believe that neither the drafters of the NIE nor the Intelligence Community as a whole should be viewed as best placed to propose alternative approaches for U.S. policy makers. Intelligence analysts can provide tentative assessments of the potential effect of various U.S. initiatives, but, according to this perspective, the full range of options will have to be developed elsewhere. Ultimately, policies are frequently based not only on an appreciation of the international environment and the threat, but also on the capabilities of the United States and its allies and budgetary and political constraints that they face. These latter factors are not the responsibilities of intelligence analysts.

Conclusion: Useful Products if Limitations Appreciated

Congress is and will continue to be an important consumer of national intelligence, but there are concerns that heavy emphasis on mandating NIEs may not assist the legislative process to the extent that some anticipate. NIEs can provide the Intelligence Community's best evidence and analysis on key issues of national security and can highlight areas where information is lacking, but they usually require lengthy preparation and coordination before they can be disseminated. The example of the NIE on Iraqi WMD suggests that compressing the production schedule can be counterproductive. Moreover, conclusions of NIEs may not be informed by knowledge of initiatives planned or underway by others in the executive or legislative

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[29] The NIE notes "vulnerabilities in the jihadist movement have emerged that, if fully exposed and exploited, could begin to slow the spread of the movement."

[30] Ibid.

branches. A more public role for NIEs in debates on national security policy issues could obscure their inherent limitations and distort the discussion of the policy issues.

In some cases, Congress may find intelligence assessments or briefings prepared in a less structured way and within tighter time constraints better serve its legislative needs than formal NIEs. The creation of the Office of the DNI provides a focal point from which the analytical capabilities of all intelligence agencies can be brought to bear on given issues, even ones that are narrowly focused. It is considered likely that a combination of NIEs on some topics, supplemented by more limited assessments supported by an ongoing dialogue with intelligence analysts, may provide the most effective support to the legislative process.

NIEs are only one element of the national security decision-making process. They can outline the effects of various policy approaches in general terms, but it is unlikely that they will become the vehicles for detailed consideration of options that depend on the interrelationships of executive branch and congressional decisionmaking. NIEs will arguably be most useful when they provide a thorough assessment of a given international situation, laying out different perspectives among analysts, and providing a realistic indication of the limitations of the evidence available.