



## **PROFESSIONALISM TRUMPS PARTISANSHIP: LESSONS LEARNED ON HOW WE CONTINUALLY UPDATE OUR PRACTICE OF OBJECTIVITY AS ANALYSTS**

**Date:** November 15, 2023

*Disclaimer: This briefing note contains the encapsulation of views presented by the speaker and does not exclusively represent the views of the Canadian Association for Security and Intelligence Studies.*

### **KEY EVENTS**

On November 15, 2023, Dr. Barry Zulauf presented *Professionalism Trumps Partisanship: Lessons Learned on How We Continually Update Our Practice of Objectivity as Analysts* for this year's West Coast Security Conference. The key points discussed were how legal standards for intelligence tradecraft were instituted in the following the 9/11 attacks and flawed WMD intelligence in Iraq; the enactment of the Intelligence Reform and Terrorism Prevention Act (IRTPA) to establish clear, unbiased standards and aid in objectivity; and recent attempts to politicize intelligence, particularly regarding foreign election interference.

### **NATURE OF DISCUSSION**

Despite established legal frameworks and standards aimed at promoting objective, thorough, and politically independent intelligence analysis in the US, the 2020 election revealed persistent challenges in maintaining unbiased and accurate intelligence work. These challenges occur in spite of specific tradecraft standards for practitioners put in place by the 9/11 Commission and the WMD Commission. These incidents highlight the necessity of a unified approach to intelligence objectivity and underscore the need for practitioners and intelligence organizations to continually examine and update their practices of objectivity.

## BACKGROUND

### Presentation

In the US practitioners are required by law to follow certain standards of tradecraft, largely due to reviews of intelligence operations following the events of 9/11 and the Iraq War. The 9/11 Commission examined intelligence failures owing to the lack of a common set of standards between law enforcement and national security communities. Although each organization had their own standards, a lack of common language—when talking to each other and decision-makers—resulted in a lack of clarity when conveying the credibility and the substance of information.

The Iraq crisis gave rise to the Commission on Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, focusing on the tradecraft and the assessments put forth regarding the presence of WMDs in Iraq. The community relied heavily on a single source of human intelligence which turned out to have outdated information and did not appropriately convey the questionable nature of the information. There was political pressure from the Bush Administration to come up with a justification for going to war in Iraq; it could be argued that the Administration was going to seek authorization for military force to go to war anyway. It could also be argued, however, that the intelligence community did not push back hard enough in terms of letting the Administration know that the intelligence did not support such acts.

The Intelligence Reform and Terrorism Prevention Act (IRTPA) was created in response to these events. It separated leadership of the intelligence community from the leadership of the CIA, created the Office of the Director of National Intelligence and created the National Counterintelligence Office, among other organizations. More importantly, said Dr. Zulauf, this act established a set of standards to which all intelligence needs to adhere. They are as follows:

Section 1017 mandated “...ensuring that, as appropriate, elements of the intelligence community conduct alternative analysis.” This, according to Dr. Zulauf, entails being honest about possible explanations and ensuring that analysts do not start with an answer and only look for evidence to support that answer. Rather, intelligence should be gathered on multiple possible explanations and theories should be tested. Only then should practitioners go forward with a solution that’s supported by data.

Section 1019 talks about tradecraft products and states that practitioners must ensure intelligence products are “timely, objective, independent of political considerations, based upon all sources of available intelligence and employ the standards of proper analytic tradecraft.” This clause encourages practitioners to divorce themselves from biases and produce objective analyses.

Finally, section 1020 requires the appointment of an analytic ombudsman to “counsel, conduct arbitration, offer recommendations and, as appropriate, initiate inquiries into real or perceived problems of analytic tradecraft or politicization, biased reporting or lack of objectivity in analysis.” Collectively, these clauses ensure that objectivity is woven throughout analytic standards in law. British, Canadian and Australian lawmakers and intelligence communities are now using the IRTPA as a framework to create their own intelligence standards.

In 2015, the Intelligence Community Directive (ICD) simplified and re-issued these sets of standards for objectivity, timeliness, independence of political considerations, and consideration of all available sources of intelligence. The ICD mandates that practitioners incorporate proper standards of analytic tradecraft, which include properly describing the quality and credibility of underlying sources, properly expressing and explaining uncertainties in major analytic judgements, properly distinguishing between underlying intelligence and the assumptions and judgements of analysts and incorporating analysis of alternative scenarios.

In 2020, in the midst of the presidential election, it came to Dr. Zulauf’s attention as the Analytic Ombudsman for the Intelligence Community that there were attempts to modify and politicize intelligence dealing with Russian and Chinese influence on the election. This was a violation of the tradecraft standards set out by the aforementioned legislation. Sometimes, this manifested itself in analysts being put under pressure by organizational powers to change their analytic results. This attempt to change analytic results demonstrated political interference by appointed leaders, according to Dr. Zulauf.

Some of the factors posited to have influenced this interference include the polarization and hyper-partisanship of American society, which individuals within the intelligence community internalized and reacted to. There was advancing intelligence of Russian interference, yet the President at the time was vocal about his rejection of such intelligence. The administration at the time, however, was open to hearing intelligence about Chinese interference. This translated into intelligence products pointing to Russian interference being slowed down or even in some cases, halted entirely, partly because top

intelligence leaders knew that the President would not be receptive to such information.

On the other hand, information about similar activities by Chinese actors was more widely accepted, however some analysts did not want that information to go forward. One analyst was quoted as saying “I don’t want my intelligence going to the White House where it will be used by that vulgarian in the Oval Office to support policies against China with which I personally disagree.” Dr. Zulauf went on to point out the various errors in this way of thinking — intelligence belongs to the community, not a single analyst, and further, while analysts are entitled to like or dislike particular leaders, they are not entitled to allow that to alter the intelligence products that they put forward.

In both of the above cases, practitioners were attempting to substitute their personal political views for analytic conclusions. Further, there were cases of organizational power being used to alter conclusions. Analysts who were sent to joint centers were put under pressure by their former organizations to create products that fit with particular narratives. Dr. Zulauf suggests that this was an attempt by some U.S. intelligence offices to control the conclusions of tradecraft products.

This structural instability was brought to the attention of the ombudsman at the time, Dr. Zulauf, who created a report and subsequently a brief for the intelligence community as a whole. At that point, he received a letter from the Senate to appear before the Senate Select Committee on Intelligence (SSC(I)). At that point, he had to tell the Director of National Intelligence, John Ratcliffe, that it was clear Mr. Ratcliffe was involved in the modification of intelligence to suit political narratives. Dr. Zulauf was sure it wouldn't be well received; he had a resignation letter typed for the discussion. However, after Dr. Zulauf explained the tradecraft situation as well as the laws it contravened, Mr. Ratcliffe recognized the importance of Dr. Zulauf’s report going before the Senate and even volunteered to assist him if he encountered any pushback.

The intelligence community responded to this report by changing procedures and removing numerous involved employees from positions of responsibility. Later, when the Biden Administration took power, Dr. Zulauf was thanked for his service and assured that such integrity was highly valued. Ultimately, this story illustrates a best-case scenario for these types of failures in the intelligence community.

## KEY POINTS OF DISCUSSION

- In the U.S., legal standards for intelligence tradecraft were instituted due to failures in the 9/11 attacks and flawed WMD intelligence in Iraq.
- The IRTPA was enacted to establish clear, unbiased standards and an analytic ombudsman to ensure objectivity.
- Despite 2015's Intelligence Community Directive reinforcing these standards, 2020 saw attempts to politicize intelligence, particularly regarding foreign election interference.
- The politicization was addressed by the Analytic Ombudsman, Dr. Zulauf, who reported the issues, leading to procedural changes and affirming the commitment to unbiased intelligence.

## FURTHER READING

Zulauf, B. (2021, January 8). Read the ombudsman report on politicization of intelligence on foreign election threats. *Washington Post*. <https://www.washingtonpost.com/context/read-the-ombudsman-report-on-politicization-of-intelligence-on-foreign-election-threats/5f75b8c6-4ccb-4a09-982a-b8b027856bdf/>

Zulauf, B. (2021, September). Safeguarding Objectivity in Intelligence Analysis. *Unclassified Extracts from Studies in Intelligence*, 65(3). <https://www.cia.gov/resources/csi/studies-in-intelligence/volume-65-no-3-september-2021-special-issue/from-a-former-odni-ombudsperson-perspective-safeguarding-objectivity-in-intelligence-analysis/>



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