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A Shortsighted Eye in the Sky

By PATRICK RADDEN KEEFE

Here is yet another indication that the government hasn't learned the lessons of Sept. 11. In December, the Senate Intelligence Committee voted for the second year in a row against the single largest item in the intelligence budget, with members calling it a wasteful misallocation of money that had not been adequately debated by Congress. Nevertheless, not only did the project — which is officially top secret, but has been widely reported to be the latest version of a $9.5 billion surveillance satellite system called Misty — again receive its financing from the Congressional appropriations committees, but at least one intelligence agency has also asked the Justice Department to investigate members of the Senate committee and their staffs for having the temerity to reveal to the press that the closed-door debate over it even took place.

The Misty controversy makes two things clear. First, over the course of the last three years of public criticism of the intelligence community, the two main agencies in charge of electronic intelligence — the National Reconnaissance Office and the National Security Agency — have demonstrated an uncanny knack for evading scrutiny by hiding behind the veil of government secrecy. And second, we seem doomed to repeat the mistakes of Sept. 11 by under-investing in analysts, linguists and spies, and relying too heavily on gathering intelligence by remote control.

Misty is supposed to be a "stealth" satellite system, designed to orbit undetected and photograph targets on Earth. But from its very inception two decades ago, the program was dubious. Photoreconnaissance satellites produce high-resolution images, but only during daylight and with clear skies. Moreover, the initial effort at stealthiness was unsuccessful: after the first Misty satellite was placed into orbit in 1990, it was spotted by amateur space observers in Canada and Europe. (A second version of the satellite was sent up in the late 1990's and is apparently still circling Earth.) Now Lockheed Martin and the National Reconnaissance Office are developing the third generation of Misty.

Senator Ron Wyden, Democrat of Oregon, called Misty "unnecessary, ineffective, over-budget, and too expensive." He said that several independent reviews have concluded that other programs already in existence or in development could produce the same intelligence at far less cost and technological risk.

And it should come as little surprise that a program of this sort is regarded as inefficient. Satellites provided an effective means of monitoring cold-war enemies, but where the

Soviets were a big and lumbering target, America's terrorist adversaries are small and fleet. A satellite that passes briefly overhead during its orbit may not be able to catch an arms deal in a village square or a convoy in the desert.

As for rogue countries like North Korea and Iran, they know the United States already has more than 100 military and intelligence satellites in orbit, and aren't going to be foolish enough to conduct suspicious activities in open sight. Their nuclear programs are underground and in buildings, because they assume that the United States is watching.

So, with no effective debate, Congress has approved a hugely expensive item that may not work, and at best will duplicate our current capacities and be ill suited to combating our enemies.

The Misty controversy brings up a larger problem: the secrecy shrouding electronic intelligence makes it impossible for Congressional committees, the press or the public to assess whether these systems are effective. The National Reconnaissance Office and the National Security Agency have been the elephants in the room during the recent intelligence debates. With an estimated $6 billion budget and 60,000 employees, the N.S.A. is much larger than the Central Intelligence Agency and the Federal Bureau of Investigation combined. Yet it, and the reconnaissance office, which has a budget estimated at $7 billion, were mentioned only in passing in the 9/11 commission report.

Of course some measure of secrecy is necessary in order for these agencies to function. If the enemy knows you are listening to his calls, he'll stop using the phone. But that legitimate strategic consideration has morphed into a kind of Beltway omertà. One example is the refusal of the government to make public the budgets of the intelligence agencies, or even to declassify the aggregate amount of money spent on intelligence each year. (The budget figures for the National Security Agency and the National Reconnaissance Office I gave above are estimates widely used in the press.) This is a transparent misuse of the get-out-of-jail-free card provided by classification. Lost in the shuffle is the constitutional requirement that "a regular statement and account of the receipts and expenditures of all public money shall be published from time to time."

One paradoxical lesson of the 9/11 commission report was that too much secrecy encourages inefficiency and mismanagement — that confidentiality can actually be bad for national security. The government's secrecy czar, J. William Leonard, director of the information security oversight office at the National Archives, has said that "secrecy comes at a price — sometimes a deadly price."

As a consequence of excessive secrecy, we have failed to heed another major lesson of Sept. 11: that our intelligence agencies have over-invested in risky new technologies and underfinanced more traditional human intelligence assets. An intelligence analyst costs less than $200,000 a year, including salary, retirement benefits and the computer on the desk. Yet we probably spend more on a single satellite program — Misty — than on all of our analytic capacities combined.

Three years after Sept. 11, the Central Intelligence Agency's directorate of operations had only 1,100 case officers posted overseas — that's fewer than there are F.B.I. agents posted to the New York City field office alone. The N.S.A. has hired some 1,300 new employees since 9/11, but this figure includes more polygraph operators than linguists and analysts.

Budget allocations are fundamentally a zero-sum game, and a windfall for one agency or program means cutbacks for another. None of the various post-mortems of Sept. 11 have concluded that what the intelligence community lacked was good satellites, and all are in agreement that what it did lack was warm bodies doing old-fashioned intelligence work. Yet as long as our agencies remain obsessed with high-tech surveillance, and the debate on the efficacy of spy technologies is curtailed in the name of secrecy, that is precisely the kind of work that will get shortchanged.

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