



MC-130J Commando II from 9<sup>th</sup> Special Operations Squadron airdrops Maritime Craft Aerial Delivery System over Gulf of Mexico during training exercise, November 12, 2015 (U.S. Air Force/Matthew Plew)

# Covert Action as an Intelligence Subcomponent of the Information Instrument

By Charles Pasquale and Laura Johnson

Covert action (CA) has long played an important role in supporting and advancing U.S. national security and foreign policy objectives, but broad misunderstandings in both concept and application frequently lead discussants to conflate and confuse

---

Dr. Charles Pasquale was the Central Intelligence Agency Director Representative to the National War College from 2016–2019 and is an Adjunct Professorial Lecturer at American University. Dr. Laura Johnson is an Adjunct Professor with the Catholic University of America and Director of Analysis at FOG Data Science.

it with military operations and the *military* instrument of power (referring to the common, yet flawed, DIME typology of diplomatic, information, military, and economic instruments). Despite obvious areas of overlap with other instruments, CA is more appropriately understood as a tool within the *intelligence* subcomponent of the *information* instrument. While some might view this as a semantic distinction without a difference, CA's complexity, political and operational sensitivity, and oversight requirements increase the

importance of understanding the tool in the intelligence context.

The term *intelligence* itself is open to interpretation. One general description is of the activities and products associated with collecting, analyzing, producing, disseminating, and using information to ultimately support policy objectives. It may also include the various Intelligence Community (IC) organizations and a range of other functions. Intelligence regularly plays an important role in helping leaders to fill knowledge gaps and make better decisions, but there is much more to it than may be evident to a casual

observer or consumer. In addition to the associated processes and institutions, intelligence is both an *instrument* to wield and an underlying *elemental* component that enables, empowers, and supports other efforts with context and perspective. It is more than just a nebulous “knowledge ether” that exists in the background as a mystical fount of knowledge that decisionmakers can dip into for insight. Intelligence—including CA—involves a deliberate process of actively prioritizing information needs, tasking, direction, and evaluation that requires a cadre of professionals who understand its structures, authorities, capabilities, and limitations.

### Covert Action

U.S. statute defines *covert action*, in part, as one or more U.S. Government activities undertaken “to influence political, economic, or military conditions abroad, where it is intended that the [government’s] role will not be apparent or acknowledged publicly.”<sup>1</sup> The House Permanent Select Committee on Intelligence (HPSCI) and Senate Select Committee on Intelligence (SSCI) have sole CA congressional oversight responsibility. And unlike during the Kennedy and Reagan eras, CA is now developed, authorized, and overseen within a specific formalized process.

In 2017, then-Director of the Central Intelligence Agency (D/CIA) Mike Pompeo publicly reaffirmed this point when he stated that, despite what we may see in the movies, “we do not pursue covert action on a whim without approval or accountability. There is a comprehensive process that starts with the President and consists of many levels of legal and policy review and reexamination. . . . When it comes to covert action, there is oversight and accountability every step of the way.”<sup>2</sup> The current situation did not develop automatically or organically, however; it evolved largely in response to hard learned lessons, such as those associated with the Iran-Contra scandal in the 1980s.

The legal process for initiating CA requires two key components. The first is a written “finding,” which the President of the United States must personally authorize. It may not (with

some exceptions) be retroactive and must specify the action(s) to be undertaken, which government entities are directed to participate, and whether any third parties will be used.<sup>3</sup> The second is “timely” notification to the congressional intelligence committees, although notification may be restricted to just a few congressional leaders if sensitivity is required.<sup>4</sup> Within these components, the CA also must “support identifiable [U.S.] foreign policy objectives” and be *found* “important to U.S. national security.” Statute further requires the President to establish a written response plan for every CA in the event of its unauthorized public disclosure,<sup>5</sup> and it prevents any government funds from being expended for CA without a formal finding.<sup>6</sup> The National Security Council (NSC) is the highest-ranking executive branch component involved in supporting CA, although it has no authority to conduct such operations.<sup>7</sup>

Significantly, CA-related statute specifically excludes those actions *primarily* intended to collect intelligence or to conduct *traditional* military, diplomatic, counterintelligence, or government law enforcement activities, among other things.<sup>8</sup> None of this is to say, however, that operators cannot collect intelligence during the course of a covert action.

Both HPSCI and SSCI consider intelligence and its related activities to include covert or clandestine activities affecting U.S. relations with a foreign government, political group, party, military force, movement, or other association.<sup>9</sup> But poor understanding of a critical distinction between “covert” and “clandestine” activity—described below—blurs the line and creates additional confusion for many.

### Clandestine Operations

Much of the IC’s and Department of Defense’s (DOD’s) work is clandestine, although only a relatively small portion fits into the category of CA. “Covert” activity hides the true affiliation or relationship of the primary person or organization behind the action (that is, the *identity* of the *sponsor*), but the activity may be generally observable. In contrast, “clandestine” activity hides the activity itself (that is, the *existence* of

the *operation*).<sup>10</sup> So “covert” conceals the actor, but “clandestine” conceals the action. There is also an unfortunate tendency to use “covert” as an adjective to describe activities that are not specifically “overt” (done or shown openly); loosely referring to “secret” activity as “covert” only perpetuates misunderstanding of what constitutes CA.

It is worth noting that, while this article presents CA in a U.S. context, some of the general concepts may also apply to similar actions taken by foreign counterparts. Other intelligence services—particularly those with a competent external function—are also likely to have the tools, techniques, relationships, and authorities to plan and execute CA without their government’s “fingerprints.” However, they do not necessarily have the same statutory definitions, requirements, restrictions, or oversight.

### Intelligence and the Military in Title 50 Covert Action: Combined but Distinct

Compounding the above, a related point of confusion lies with the Title 10/Title 50 distinction and discourse, which often inaccurately tries to draw clear lines between military and intelligence activity; in reality, the two overlap (this *does not*, however, constitute Title 60). Whereas Title 10 is exclusively related to the “Armed Forces,” Title 50 “War and National Defense” includes all intelligence activities and many military operations.

Although CA was originally implemented as a Central Intelligence Agency (CIA)-specific mission area, press reporting increasingly alludes to military special operations forces (SOF) conducting these operations. But while this idea is becoming increasingly ingrained in common perception, partly because of the aforementioned loose use of terminology, the distinction is less clear cut than it might appear. As Andru Wall notes:

[U.S.] SOF [personnel] *typically work closely with CIA personnel while conducting unconventional warfare, although the relationship tends to be informal and focused more on mutual support. . . . The*

*relationship is one of cooperation in pursuit of mutual objectives rather than a formal superior-subordinate relationship. . . . This is an important distinction that directly answers whether the unconventional warfare mission is a military operation or intelligence activity.*<sup>11</sup>

This type of complex operating environment—involving both civilian IC and military operators under similar statutory authorizations—may blur the distinctions between types of activity, who is supporting, and who is leading. This is where statutory distinctions become increasingly important.

Not only does the military have some Title 50 roles, but some Title 10 authorities may also appear outwardly similar to CA—albeit without the required Presidential finding or congressional oversight. For example, Title 10 currently allows the Secretary of Defense to expend up to \$100 million in any fiscal year to support “foreign forces, irregular forces, groups, or individuals who are supporting or facilitating ongoing [U.S. SOF] operations to combat terrorism.”<sup>12</sup> (Prior to the 2005 National Defense Authorization Act, SOF reportedly relied on CIA funding for these operations.<sup>13</sup>) But these are not covert actions, which the legislation specifically excludes among the provided authorities;<sup>14</sup> rather, they are more consistent with traditional SOF unconventional warfare, although some of them probably would share many common characteristics were they conducted under CA intelligence authorities.

Similarly, Title 10 gives the U.S. Special Operations Command (USSOCOM) commander the responsibility and authority to conduct all affairs relating to special operations activities, which include “such other activities as may be specified by the President or the Secretary of Defense.”<sup>15</sup> However, it *explicitly does not* constitute authority for DOD to conduct any action that “if conducted as an intelligence activity, would require a notice to [SSCI and HPSCI].”<sup>16</sup> Although CA would clearly fall within that requirement, some critics worry the criteria are actually designed to expand DOD activities while avoiding the additional oversight.<sup>17</sup>

The CIA has historically been—and available public reporting suggests that it remains—the leading entity for CA operations, even when they include U.S. military SOF personnel who may be temporarily placed under CIA authorities, guidance, and direction. Although statute technically *allows* the President to designate any agency to conduct CA,<sup>18</sup> doing so is not necessarily feasible, and the same intelligence oversight requirements and restrictions would apply in any event. CA is a core mission area for the CIA, which arguably has unique institutional processes, structures, and experience to carry it out. Secrecy is difficult enough to maintain in ordinary operational conditions; CA sensitivities exponentially magnify this challenge and therefore require extraordinary structural elements to be in place and functioning.

The widely publicized raid that captured and killed Osama bin Laden presents a useful example of military resources being used in an operation officially under the direction and control of a civilian intelligence agency and under CA authorities and congressional intelligence committee oversight. President George W. Bush in 2001 reportedly had issued a finding specifically to target and kill bin Laden,<sup>19</sup> and President Barack Obama, shortly after taking office in 2009, reportedly directed then–CIA Director Leon Panetta “to make the killing or capture of bin Laden the top priority of our war against al-Qaeda.”<sup>20</sup> Panetta has since publicly stated that he officially commanded the overall May 2011 bin Laden raid from the CIA as a Title 50 covert operation, even while then–Joint Special Operations Command commander, Admiral Bill McRaven, executed operational-level control of the mission from Afghanistan.<sup>21</sup> Nick Rasmussen, director of the National Counterterrorism Center, recounted 5 years after the operation:

*During the raid itself, I clearly recall the role that Admiral McRaven played from Jalalabad, Afghanistan. In addition to carrying out his command and control function with his team, he was piped in via secure video conference to provide updates to the CIA and the assembled officials at*

*the White House Situation Room, including the President. As the Department of Defense operators would move down their checklist, we heard McRaven’s voice as each operational or geographical mark or milestone was hit.*<sup>22</sup>

It is unclear whether the U.S. Government originally intended to acknowledge the bin Laden operation after the fact. Had one of the “stealth” helicopters not crashed in the Abbottabad compound, leaving clear traces of U.S. involvement, it is plausible that the operators could have gotten in and out without leaving America’s “fingerprints,” thereby maintaining plausible deniability. This is a clear example of using Title 50 CA authorities under the CIA’s direction and control, while using military forces as the action arm.<sup>23</sup> (As a side note, readers should not conflate Panetta’s overall “direction and control” of the covert action with Admiral McRaven’s “command and control” of the military forces on the ground and in the air.)

The following additional examples help to illustrate how CA had been used in the mid-1990s and early 2000s with varying degrees of success (or failure) against Saddam Hussein’s regime in Iraq to create psychological conditions for regime change, insert teams to conduct counterterrorist and counter-regime operations, and develop indigenous opposition militia groups. But because CA details largely remain shrouded in secrecy, this article’s authors take no position on the veracity of these examples—they are primarily to show how covert operations *may* play out in practice and to highlight some potential challenges associated with CA as a strategic tool.

### **Selected Examples from Iraq Covert Action Cases**

Although the U.S.-led coalition soundly defeated Iraq in the 1990–1991 Gulf War and devastated its infrastructure and army, Saddam remained a meddling dictator with an apparent penchant for weapons of mass destruction. President George H.W. Bush was unwilling to take down the Iraqi regime in the Gulf War because—as he wrote in his



memoir several years later—the human and political costs of removing Saddam would have been incalculable. Had he gone to Baghdad following the dislodgment of Iraq from Kuwait:

*the coalition would have instantly collapsed. . . . [It] would have destroyed the precedent of international response to aggression we hoped to establish. Had we gone the invasion route, the United States could conceivably still be an occupying power in a bitterly hostile land. It would have been a dramatically different—and perhaps barren—outcome.<sup>24</sup>*

Instead of pushing to Baghdad, the President reportedly issued a finding that authorized the CIA to spend up to \$100 million to covertly “create the conditions” that would lead to Iraqi regime change from within using two main lines of effort: overseeing a propaganda campaign and creating an opposition movement in Iraq.

**Third-Party Propaganda.** The CIA reportedly contracted the Rendon Group (TRG)—a private strategic communications and public affairs company—to set up a propaganda office in London.<sup>25</sup> TRG’s work included planting false stories in the foreign press about Saddam to highlight his atrocities and undermine his legitimacy; this supposedly was easy to do, as he was a frequent perpetrator of real atrocities, and the best lies tend to have a modicum of truth. But TRG supposedly supplied misinformation to unwitting British journalists, who then published it in London press stories that occasionally filtered back into the U.S. media. Because CA statutes prohibit actions “intended to influence United States political processes, public opinion, policies, or media,”<sup>26</sup> the CIA reportedly criticized this unintended “blowback” aspect and took additional steps to prevent domestic U.S. circulation.<sup>27</sup>

Seeking a contractor to expand its propaganda operations *inside* Iraq to bring down the regime,<sup>28</sup> TRG engaged Dr. Ahmed Chalabi, a London-based Iraqi exile who came from an elite Shiite family that fled Iraq in 1958;<sup>29</sup> he also held a doctorate in mathematics from



Celebrations in Times Square after death of Osama bin Laden, May 2, 2011 (Courtesy John Pesavento)

the University of Chicago<sup>30</sup> and had developed significant Washington, DC, political connections.<sup>31</sup> TRG funded Chalabi to create the conditions in Iraq that would bring down Saddam, but, according to author James Bamford, “Chalabi [himself] was a creature of American propaganda to a large degree. TRG basically created his organization, the Iraqi National Congress [INC], and put Chalabi in charge.”<sup>32</sup>

The INC reportedly set up a print shop in the Kurdish governorate of Salahuddin and ran a disinformation campaign, creating fake versions of Iraqi newspapers filled with stories of regime abuses. Robert Baer—a former CIA officer who reportedly worked with Chalabi—compared this to “something like a spy novel . . . people were scanning Iraqi intelligence documents into computers, and doing disinformation . . . [and] forgeries . . . to bring down Saddam.”<sup>33</sup> But without publicly available assessments of the propaganda’s effectiveness, it is unclear to what degree the results met the desired policy outcomes.

**Third-Party Support to Opposition Forces.** A second part of Chalabi’s mission included building an indigenous

opposition force to bring down the Iraqi regime.<sup>34</sup> Although he had no military training or service, Chalabi and the INC created a 1,000-man militia to fight the Iraqi military, which he incorrectly claimed was extremely weak, stating it was like “a leaking warehouse of gas, and all we had to do was light a match,” according to Baer.<sup>35</sup> In addition to the militia, Chalabi attempted to increase the size of his own opposition alliance by bribing non-Kurdish, Mosul-based tribal leaders who agreed to support the INC’s rebellion. Press reporting indicates that he may also have partnered with Iranian intelligence officers to conduct a separate coordinated operation in southern Iraq.<sup>36</sup>

In March 1995, Chalabi launched the attack, reportedly against Baer’s advance warnings and recommendation to abort the operation because the plot had leaked and the United States would not provide backup if he went ahead. Iraqi forces killed many of Chalabi’s men, and most of the rest deserted as the bribed tribal leaders sat out the operation and Iran withheld support.<sup>37</sup> The failure ultimately ended what remained of Chalabi’s relationship with the CIA, but the Iraq Liberation Act of 1998 called for Iraqi regime change as an

overt U.S. strategic objective, meaning the INC's actions no longer had to be covert; DOD and the Department of State were then free to openly support Chalabi and others in the INC.<sup>38</sup>

#### *First-Party Counterterrorism*

**Operations.** In contrast to working wholly through intermediaries, other purported CA missions have directly involved CIA paramilitary officers in the planning, preparing, and conducting operations.<sup>39</sup> According to press, President George W. Bush in the days following the 9/11 attacks signed a counterterrorism (CT) CA finding that empowered the CIA to create and deploy paramilitary teams to hunt and kill designated terrorists anywhere in the world as part of the war on terror.<sup>40</sup> This was especially applicable to Iraq in the summer of 2002, as the administration presumably had been considering war with that country for its alleged complicity with al Qaeda. The below examples are partly based on one self-described CIA CT operator's published description of his deployment to Northern Iraq in advance of the 2003 Iraq War.<sup>41</sup>

In July 2002, a CIA CT team reportedly entered Northern Iraq and linked up with supportive Kurdish Peshmerga fighters to find and kill terrorists.<sup>42</sup> They soon found roughly 1,000 members of Ansar al-Islam and al Qaeda encamped in the ungoverned northern Kurdistan part of Iraq along the border with Iran, where hundreds of al Qaeda had sought safe haven after the coalition offensive in Afghanistan.<sup>43</sup> Although the CIA team was eager to capture or kill the terrorists, CIA headquarters reportedly did not provide the necessary support to proceed. Unable to conduct the CA offensive, the team instead collected and reported on the groups, interrogated the Peshmerga's captives, destroyed key infrastructure in preparation for war, and built a broad human intelligence network throughout Kurdish-controlled Iraq. This resulted in a trove of raw intelligence that the team sent back to Washington for analysis, and reflected the tangential intelligence collection that falls outside primary statutory authorities for CA.<sup>44</sup>

**First-Party CA Support to Indigenous Paramilitary Forces.** The same finding

noted above<sup>45</sup> also reportedly authorized the CIA team to support an Iraqi Arab paramilitary insurgency group—"the Scorpions"—that was trained to conduct psychological and other operations throughout Iraq. This reportedly was part of the U.S. policy of regime change.<sup>46</sup> Former D/CIA George Tenet wrote in his memoir that the group was to conduct sabotage and raids to destabilize Iraq prior to the 2003 war.<sup>47</sup> The CIA team reportedly vetted the men for suitability before moving them through Turkey to the United States for CIA training, but accounts differ about the Scorpions' operational capability and effectiveness—one press report indicated that the war's quick conclusion minimized the initial mission,<sup>48</sup> but others refer to the group's inherent lack of skill and capability<sup>49</sup>—leaving an open question as to how planners in Washington perceived the value of such a specialized indigenous team.<sup>50</sup>

#### **Not the Same by Any Other Name**

Some may argue that CA is incompatible with the information instrument, which tends to reflect the soft-power side of national statecraft, or that "covert" simply describes a way of doing things, applied to whatever instrument is being used that way. But it is not that simple, and the above statutory and operational examples show that the essence of CA is not whether it involves pamphlets or paramilitary forces, but to what extent information is withheld or obfuscated about the sponsor. Each of the DIME instruments can be applied overtly, clandestinely, or covertly, but their individual characteristics are *secondary to information* when applied in a CA context.

National governments *overtly* use public diplomacy and public affairs to directly engage foreign and domestic populations, convey diplomatic messages and intentions, and shape their opinions. But these are different from the *covert* informational activities described in the Iraq examples because TRG and the INC manipulated foreign and Iraqi perceptions of Saddam's regime through false information *to achieve an objective on*

*behalf of the U.S. Government while concealing its role.* Similarly, the Scorpions, as a symbol of Iraqi resistance, may have had a powerful psychological effect on those Iraqis who saw hope for an indigenous uprising, even though the group was a U.S.-manufactured proxy instead of a function of the Iraqi people's will.

Returning to the DIME typology, it is important to remember that in CA, the nature of the tool used *does not supersede the information aspect.* Some CAs described above (for example, propaganda efforts) clearly align with the "i." But while other examples included applying negotiation skills to engage the Peshmerga (aligning with the "d"), using force to kill terrorists and blow up infrastructure (aligning with the "m"), and wielding large sums of cash to achieve desired influence effects (aligning with the "e"), none of these existed in a vacuum. This is a question of fit as well as function; each of these examples existed within the framework of one or more CA findings, and because CA exists under congressional intelligence oversight and regularly relies on intelligence assets, it remains first and foremost tied to the "i" instrument of national power. CA can therefore never be *solely* any of the others. Rather, it may be useful to think of DIME instruments in CA operations as creating a hybrid, such as "information-military" is similar to the "political-military" and "political-economic" hyphenated compound terms that are commonly used in security discourse.

The realities noted above have significant implications for applying the DIME construct to intelligence and information, whether overt, clandestine, or covert. Strategists, operators, and educators must be vigilant not only in remembering that CA is rooted in intelligence as a subcomponent of the information instrument, but also in comprehending what constitutes CA, why it is a useful instrument in the strategist's toolkit, and how to weigh the associated costs and risks.

Because covert action's functional mechanism is to deliberately manipulate information and knowledge about the actors involved in an activity, it falls squarely within the information

instrument. Moreover, because its oversight function falls to congressional intelligence committees, it is more specifically within the intelligence sub-component of information. *This remains a distinction with a difference.* JFQ

## Notes

<sup>1</sup> Title 50, *U.S. Code, War and National Defense*, § 3093(e).

<sup>2</sup> Central Intelligence Agency (CIA), “Director Pompeo Delivers Remarks at CSIS,” April 13, 2017, available at <[www.cia.gov/news-information/speeches-testimony/2017-speeches-testimony/pompeo-delivers-remarks-at-csis.html](http://www.cia.gov/news-information/speeches-testimony/2017-speeches-testimony/pompeo-delivers-remarks-at-csis.html)>.

<sup>3</sup> Title 50, *U.S. Code, War and National Defense*, § 3093(a).

<sup>4</sup> *Ibid.* See Title 50, *U.S. Code, War and National Defense*, § 3093(a)(1); see also Title 50, *U.S. Code*, § 3093(c)(2).

<sup>5</sup> Title 50, *U.S. Code, War and National Defense*, § 3093(h).

<sup>6</sup> *Ibid.*, § 3094(c).

<sup>7</sup> Executive Order (EO) 12333, “United States Intelligence Activities,” December 4, 1981, as amended by EOs 13284 (2003), 13355 (2004), and 13470 (2008). United States Intelligence Agencies (2008); see especially, Section 1.2, “The National Security Council.”

<sup>8</sup> Title 50, *U.S. Code, War and National Defense*, § 3093(c).

<sup>9</sup> “Permanent Select Committee on Intelligence,” Rule X, 11[j][1], in *Rules of the House of Representatives*, 114<sup>th</sup> Cong. 1<sup>st</sup> sess., (2015), 16, available at <<http://clerk.house.gov/legislative/house-rules.pdf>>.

<sup>10</sup> Joint Counterterrorism Assessment Team, “Terminology (Covert),” in *Intelligence Guide for First Responders* (Washington, DC: Office of the Director of National Intelligence, 2014), 46, available at <[www.dni.gov/files/NCTC/documents/features\\_documents/Intelligence\\_Guide\\_for\\_First\\_Responders.pdf](http://www.dni.gov/files/NCTC/documents/features_documents/Intelligence_Guide_for_First_Responders.pdf)>.

<sup>11</sup> Andru E. Wall, “Demystifying the Title 10–Title 50 Debate,” *Harvard National Security Journal* 3 (2011), 115, available at <<http://harvardnsj.org/wp-content/uploads/2012/01/Vol-3-Wall.pdf>>.

<sup>12</sup> Title 10, *U.S. Code, Armed Forces*, § 127e(a). This expenditure requires concurrence of the relevant chief of mission, by statute.

<sup>13</sup> Richard A. Best, Jr., and Andrew Feickert, *Special Operations Forces (SOF) and CIA Paramilitary Operations: Issues for Congress*, RS22017 (Washington, DC: Congressional Research Service, December 6, 2006), 4, available at <<http://fas.org/sgp/crs/intel/RS22017.pdf>>.

<sup>14</sup> Title 10, *U.S. Code, Armed Forces*, § 127e(f); see also *Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005*,

Pub. L. No. 108-375, 118 Stat. 1811 (2004), available at <[www.congress.gov/108/plaws/publ375/PLAW-108publ375.pdf](http://www.congress.gov/108/plaws/publ375/PLAW-108publ375.pdf)>.

<sup>15</sup> Title 10, *U.S. Code, Armed Forces*, § 167(e).

<sup>16</sup> Title 10, *U.S. Code, Armed Forces*, § 127e(a).

<sup>17</sup> Jennifer D. Kibbe, “Conducting Shadow Wars,” *Journal of National Security Law & Policy* 5, no. 2 (January 24, 2012), 373–392, available at <<http://jnsplp.com/2012/01/24/conducting-shadow-wars/>>.

<sup>18</sup> EO 12333, “United States Intelligence Activities,” § 1.7(a)(4).

<sup>19</sup> Bob Woodward, “CIA Told to Do ‘Whatever Necessary’ to Kill bin Laden,” *Washington Post*, October 21, 2001, available at <[www.washingtonpost.com/wp-dyn/content/article/2007/11/18/AR20071118006655.html](http://www.washingtonpost.com/wp-dyn/content/article/2007/11/18/AR20071118006655.html)>.

<sup>20</sup> “President Obama on Death of Osama bin Laden,” video, 9.29, The White House, available at <<https://obamawhitehouse.archives.gov/blog/2011/05/02/osama-bin-laden-dead>>.

<sup>21</sup> “CIA Chief Panetta: Obama Made ‘Gutsy’ Decision on Bin Laden Raid,” video, 11:28, PBS News Hour, May 3, 2011, available at <[www.pbs.org/newshour/bb/terrorism-jan-june11-panetta\\_05-03/](http://www.pbs.org/newshour/bb/terrorism-jan-june11-panetta_05-03/)>.

<sup>22</sup> Nick Rasmussen, “The Weight of One Mission: Recounting the Death of Usama Bin Laden, Five Years Later,” The White House, May 2, 2016, available at <<https://obamawhitehouse.archives.gov/blog/2016/05/02/weight-one-mission-recounting-death-usama-bin-laden-five-years-later>>.

<sup>23</sup> For an excellent discussion of the increased role of the military in covert action, see Kibbe, “Conducting Shadow Wars.”

<sup>24</sup> George H.W. Bush and Brent Scowcroft, *A World Transformed* (New York: Knopf, 1998), 489.

<sup>25</sup> Jane Mayer, “The Manipulator,” *The New Yorker*, June 7, 2004, available at <[www.newyorker.com/magazine/2004/06/07/the-manipulator](http://www.newyorker.com/magazine/2004/06/07/the-manipulator)>; see Seymour M. Hersh, “The Debate Within,” *The New Yorker*, March 11, 2002, available at <[www.newyorker.com/magazine/2002/03/11/the-debate-within](http://www.newyorker.com/magazine/2002/03/11/the-debate-within)>; see also Peter Rost, “How a Public Relations Firm Helped Start the War,” *Huffington Post*, December 6, 2017, available at <[www.huffingtonpost.com/dr-peter-rost/how-a-public-relations-fi\\_b\\_22912.html](http://www.huffingtonpost.com/dr-peter-rost/how-a-public-relations-fi_b_22912.html)>.

<sup>26</sup> Title 50, *U.S. Code, War and National Defense*, § 3093(f).

<sup>27</sup> Mayer, “The Manipulator.”

<sup>28</sup> “Events Leading Up to the 2003 Invasion of Iraq,” History Commons; see especially “June 1992,” available at <[www.historycommons.org/timeline.jsp?timeline=complete\\_timeline\\_of\\_the\\_2003\\_invasion\\_of\\_iraq&complete\\_timeline\\_of\\_the\\_2003\\_invasion\\_of\\_iraq\\_in\\_the\\_1980s\\_and\\_1990s=&startpos=100](http://www.historycommons.org/timeline.jsp?timeline=complete_timeline_of_the_2003_invasion_of_iraq&complete_timeline_of_the_2003_invasion_of_iraq_in_the_1980s_and_1990s=&startpos=100)>.

<sup>29</sup> Mayer, “The Manipulator.”

<sup>30</sup> Dan Murphy, “Discredited Iraqi Ally Regroups,” *Christian Science Monitor*, June 15, 2004, available at <[www.csmonitor.com/2004/0615/p01s04-woiq.html](http://www.csmonitor.com/2004/0615/p01s04-woiq.html)>.

<sup>31</sup> Robert Dreyfuss, “Tinker, Banker, NeoCon, Spy,” *The American Prospect*, October 23, 2002, available at <<http://prospect.org/article/tinker-banker-neocon-spy>>.

<sup>32</sup> “Buying the War,” *Bill Moyers Journal*, PBS, April 25, 2007, available at <[www.pbs.org/moyers/journal/btw/transcript1.html](http://www.pbs.org/moyers/journal/btw/transcript1.html)>.

<sup>33</sup> See Mayer, “The Manipulator.”

<sup>34</sup> “Events Leading Up to the 2003 Invasion of Iraq.”

<sup>35</sup> Mayer, “The Manipulator.”

<sup>36</sup> Andrew Cockburn, “What He Did as a Catspaw for Teheran: How He Nearly Bankrupted Jordan; the Billions He Stands to Make Out of the New Iraq,” *Counterpunch.org*, May 20, 2004, available at <[www.counterpunch.org/2004/05/20/what-he-did-as-a-catspaw-for-teheran-how-he-nearly-bankrupted-jordan-the-billions-he-stands-to-make-out-of-the-new-iraq/](http://www.counterpunch.org/2004/05/20/what-he-did-as-a-catspaw-for-teheran-how-he-nearly-bankrupted-jordan-the-billions-he-stands-to-make-out-of-the-new-iraq/)>.

<sup>37</sup> *Ibid.*

<sup>38</sup> Dreyfuss, “Tinker, Banker, NeoCon, Spy.”

<sup>39</sup> The book used for this example—Mike Tucker and Charles S. Faddis, *Operation Hotel California: The Clandestine War Inside Iraq* (Guilford, CT: The Lyons Press, 2009)—contains information that the CIA reviewed and cleared as not disclosing classified information, but the authors’ claims are unconfirmed. They are included here for illustrative purposes only.

<sup>40</sup> Dana Priest, “Covert CIA Program Withstands New Furor,” *Washington Post*, December 30, 2005, available at <[www.washingtonpost.com/wp-dyn/content/article/2005/12/29/AR2005122901585.html](http://www.washingtonpost.com/wp-dyn/content/article/2005/12/29/AR2005122901585.html)>. Priest sourced the information about the CIA paramilitary teams to “a dozen current and former intelligence officials and congressional and executive branch sources.”

<sup>41</sup> Tucker and Faddis, *Operation Hotel California*, 4–9, 24–27, 35–48.

<sup>42</sup> *Ibid.*, xiv, xxii.

<sup>43</sup> *Ibid.*, 1–2, 10.

<sup>44</sup> *Ibid.*, 3–24.

<sup>45</sup> Priest, “Covert CIA Program Withstands New Furor.”

<sup>46</sup> Dana Priest and Josh White, “Before the War, CIA Reportedly Trained a Team of Iraqis to Aid U.S.,” *Washington Post*, August 3, 2005, available at <[www.washingtonpost.com/wp-dyn/content/article/2005/08/02/AR2005080201579.html](http://www.washingtonpost.com/wp-dyn/content/article/2005/08/02/AR2005080201579.html)>.

<sup>47</sup> George Tenet and Bill Harlow, *At the Center of the Storm: My Years at the CIA* (New York: HarperCollins, 2007), 388–389.

<sup>48</sup> Tucker and Faddis, *Operation Hotel California*, 44.

<sup>49</sup> *Ibid.*, 36–48.

<sup>50</sup> *Ibid.*, 33–48.