THE IMPLICATIONS OF THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT FOR U.S. BUREAUCRACIES

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ABSTRACT

The United States faces a constantly evolving threat from terrorist organizations and individuals who wish to do harm to its assets and citizens. In 2004, as a response to the 9/11 attacks, the structural organization of the agencies that comprise the U.S. Intelligence Community was changed under the Intelligence Reform and Terrorism Prevention Act. The goal of the transformation was to enhance the ability and effectiveness of those that are supposed to maintain national security. Coordination and information sharing between the agencies in the IC is essential to ensure that the relevant actors have the knowledge and authority necessary to give warning, take action, and adequately inform policy makers.

Many of the agencies in the Intelligence Community share overlapping responsibilities, yet also have their own unique and specific purposes. They fall under several different cabinet level departments, and must accommodate widely varied leadership structures and policy guidelines. However, in accordance with the Intelligence Reform and Terrorism Prevention Act the Intelligence Community has been directed to operate under the authority of the Director of National Intelligence. Based on the community’s current organizational structure derived from the IRTPA, this paper evaluates if and how the Director of National Intelligence and the Intelligence Community will be
successful in enhancing cohesion. The findings illustrate that, because of the structure and
the authority granted to the Director, adequate coordination among agencies is unlikely.
Furthermore, this paper shows that designing a policy that focuses on and empowers
middle managers will provide the ideal solution. A solution in which a synthesis of top-
down and bottom-up approaches to policy implementation is the most practical model.
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<td>Central Intelligence Agency</td>
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<td>COMINT</td>
<td>Communications Intelligence</td>
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<td>DCIA</td>
<td>Director of the Central Intelligence Agency</td>
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<td>DCI</td>
<td>Director of Central Intelligence</td>
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<td>DEA</td>
<td>Drug Enforcement Agency</td>
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<td>DHS OIA</td>
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NSC  National Security Council
ODNI  Office of the Director of National Intelligence
SIGINT  Signal Intelligence
TTIC  Terrorist Threat Integration Center
INTRODUCTION

The United States faces a constantly evolving threat from terrorist organizations and individuals who wish to do harm to its assets and citizens. The Central Intelligence Agency (CIA), the Federal Bureau of Investigation (FBI), and the Defense Intelligence Agency (DIA) are a few of the organizations that are tasked with coordinating their efforts in order to preserve the safety of Americans. In 2004, as a response to the 9/11 attacks, the structural organization of the agencies that comprise the larger Intelligence Community (IC) was changed under the Intelligence Reform and Terrorism Prevention Act. The goal of the transformation was to enhance the ability and effectiveness of those that are supposed to maintain national security. However, there have been several recent incidents that serve as examples of the vulnerability that still exists.

For instance, in 2012, two American citizens, Dzhokhar and Tamerlan Tsarnaev, were successful in detonating improvised explosive devices (IEDs) that killed three people and injured over 200 more at the Boston Marathon. Notably, one year prior to the Boston Marathon bombing, FBI counter-terrorism officials had been asked by an unspecified foreign government to investigate claims of Tamerlan’s association with radical Islamist organizations and affiliations with “underground groups.”1 However, after conducting interviews with Tamerlan and

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his family, the FBI reported no evidence of terrorism to the foreign government.\textsuperscript{2}

While the Boston Marathon Bombing pales in comparison to the magnitude of 9/11, it serves, along with the attack in Benghazi, Libya and the recent Wikileaks issues, as evidence of what could be considered intelligence failures.

Coordination and information sharing between the agencies in the IC is essential to ensure that the relevant actors have the knowledge and authority necessary to give warning, take action, and adequately inform policy makers. Many of the agencies in the IC many share overlapping responsibilities, yet also have their own unique and specific purposes. They fall under several different cabinet level departments, and must accommodate widely varied leadership structures and policy guidelines. However, in accordance with the Intelligence Reform and Terrorism Prevention Act (IRTPA) the entire IC is supposed to operate under the authority of a Director of National Intelligence (DNI).

The purpose of this thesis is to understand the abilities of IC through the implications of the IRTPA. In other words, does the reorganization of the IC, under the stipulations of the IRTPA, provide the most effective organization for managing the members of the community? The focus is not solely on the policy itself, but on what the policy tries to achieve and its overall outcome. The central authority of the DNI was intended to improve coordination so that events like 9/11 could be prevented and intelligence organizations could be made more adaptable to evolving situations. This thesis will answer the question of whether or not the IRTPA is capable of providing such a solution.

\textsuperscript{2} Ibid.
In order to gain a holistic understanding of the IC, we need to understand the processes by which the IC makes decisions and operates. However, this is an inherently closed off arena and very little is made available for scrutiny regarding the details of their inner-workings. What we can extrapolate is the structure of the IC, the practical structure loosely created by the IRTPA. In the interest of providing the necessary background, the first section of the paper covers a brief history of the IC and discusses how the IRTPA came to be. Additionally, section one explains the problems inherent in the policy and reviews how those problems manifest themselves. Finally, section one includes a discussion of the previous structure of the IC, and the current structure drawn from the implications of the IRTPA.

Section two entails a literature review of the basic themes in academic research on the IC. This section provides the reader with an understanding of the topics and arguments made in scholarly research regarding intelligence organizations and some of the politics surrounding their policies. More importantly, however, section two demonstrates that the established field of research on intelligence organizations is not well-developed. There is a great deal of room for a systematic application of public administration research and political science to the specific problems faced by the IC.

Section three reviews the field of policy implementation as it pertains to the IRTPA and the IC. Specifically, within the literature pertaining to the re-organization of the intelligence community, there is a lack, if not complete absence of, discussion on pertinent theories of policy implementation in general. Therefore, section three relates important concepts in the field of policy implementation to the
specific role of the DNI and the structure of the IC. The three basic viewpoints on
implementation include: (1) the top-down approach in which central authorities
are relied upon to implement policies and serve as an easily identifiable location for
accountability; (2) the bottom-up approach in which considerations of ground level
implementation, mid to low level employees, and their interactions are the focus;
and (3) a synthesis of both approaches. The IRTPA currently falls into the top-
down category and places the responsibility to re-organize the intelligence
community, remove obstacles between agencies, foster a change in bureaucratic
culture, and greatly enhance their ability predict and remove threats to American
interests squarely on the shoulders of the DNI. Additionally, section three draws on
the ideas and conclusions presented in Charles Lindblom’s “The Science of Muddling
Through” to show that because of the structure of the intelligence community,
creating a new central leader is not the most effective tool for coordinating the
efforts of the IC.

The fourth section of the paper provides conclusions and implications in
regard to the reorganization that occurred under the IRTPA. Based on the
community’s current organizational structure derived from the IRTPA, this paper
evaluates if and how the IC will be successful in enhancing cohesion. The findings
illustrate that, because of the structure and the authority granted to the DNI,
adequate coordination among agencies is unlikely. Furthermore, this paper shows
that designing a policy that focuses on and empowers middle managers will provide

3 Paul A. Sabatier, Top-down and Bottom-up Approaches to Implementation Research: A Critical
the ideal solution. A solution in which a synthesis of top-down and bottom-up approaches to policy implementation is the most practical model.
THE INTELLIGENCE COMMUNITY AND THE IRTPA

Prior to the enactment of the IRTPA, the last major policy-driven change to the organization of the intelligence community occurred with the National Security Act of 1947 and creation of the Central Intelligence Agency in order to compensate for issues like the attack on Pearl Harbor.¹ Seventeen separate agencies and departments now comprise the U.S. Intelligence Community (See figure 2.1). The components of the IC following the National Security Act and up to 2004, at least in their capacity to collect and analyze intelligence, were loosely under the direction of the Director of the Central Intelligence (DCI) (See figure 2.2). In accordance with the National Security Act, the DCI was charged with the following three main duties: (1) “Serve as head of the United States Intelligence Community”; (2) “Act as the principal advisor to the President for intelligence matters related to the national security”; and (3) “serve as the head of the Central Intelligence Agency.”² The number of agencies and departments that were considered part of the Intelligence Community varied, but gradually increased over the course of the 57-year period building up to the IRTPA.

While the DCI had direct access to the President in an advising capacity and was supposed to be the head of the IC in general, the Secretary of Defense exercised substantial control over the largest portion of the IC. The National Security Agency, the Defense Intelligence Agency, and the military intelligence departments are just a

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² George Tenet, Director of Central Intelligence Directive 1/1, 1998.
http://www.fas.org/irp/offdocs/dcid1-1.htm
few of the very large organizations that fell under the budgetary and functional control of the Department of Defense, and were largely outside the practical field of influence for the DCI. Lowenthal provides several charts that show the budgetary and functional structure of the Intelligence Community prior to the IRTPA, and each of the charts demonstrate the vast amount of control that the Department of Defense had in general (See figures 2.3 and 2.4).

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6 Ibid, 24-25
(Figure 2.1) Current agencies and departments that make up the Intelligence Community. ⁷

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(Figure 2.2) Organizational View of Intelligence Community Prior to IRTPA

(Figure 2.3) Budgetary View of Intelligence Community Prior to IRTPA

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8 Mark M. Lowenthal, Intelligence: From Secrets to Policy. CQ Press (2011)
(Figure 2.4) Functional View of Intelligence Community Prior to IRTPA\textsuperscript{10}

It is important to note the differences in Lowenthal’s diagrams. One can see that in the ‘Organizational’ view, the DCI is set up on the same playing field with cabinet level leadership. However, in the ‘Budgetary’ view, the DCI is shown to have direct lines of control over only the CIA and ‘Community Management Staff’ while having no control over Department of Defense entities. Additionally, the DCI is placed under the budgetary control of the National Security Council (NSC), of which the Secretary of Defense is a member. In the ‘Functional’ view of the IC, the DCI is placed beneath cabinet level leadership and the direct lines of control emphasize the importance of each cabinet department in the grand scheme. Suffice it to say that

\textsuperscript{9} Ibid.
\textsuperscript{10} Ibid.
establishing effective control over organizations that contributed large amounts of intelligence to the DCI was a real problem.

In 2002, President Bush, with the approval of Congress, chartered the 9/11 Commission to investigate and report on what happened on that day, and how such a large scale act of terrorism could occur. The Commission produced a report making approximately 44 recommendations for reform and improvement of the Intelligence Community. Based upon their recommendations, federal legislators began to debate and draft the bill that would bring about the desired changes. In the early stages of consideration of ways in which events like 9/11 could be prevented, several options were debated. On September 23, 2004, Senators Collins, Lieberman, Feinstein, Graham, Rockefeller, Wyden, McCain, McConnel, and Reid presented a bill in which a National Intelligence Director would formulate a budget for the National Intelligence Program, present it to the President, and be allowed to allocate funds to departments that fall under the Departments of Defense, Homeland Security, Justice, Treasury, and Energy.11 Perhaps the creation of a new head of the IC, formally detached from the CIA, was intended to compensate for issues stemming from turf wars between the DCI and the leaders of the intelligence organizations that were under Cabinet level leadership. In any case, legislators recognized the problem and proposed a top-down model that would rely on a powerful central authority to coordinate the efforts of the disparate and varied members of the IC. Senator Collins outlined the position as such:

“The director will have broad authority to unify and strengthen our intelligence community's efforts and to eliminate barriers that impede the coordination of intelligence activities. He or she will set standards for information sharing and classification across the intelligence community and develop an integrated, coordinated communications network. His responsibility will be to turn the stovepipes that separate our intelligence community into conduits that promote cooperation. Along with this responsibility will come strong authority to direct budgetary and personnel resources where they are needed most.”

Senator Lieberman added to this sentiment, arguing that the 9/11 Commission showed that "our intelligence community is like an army without a commanding officer, a football team with no quarterback."

In crafting a bill that would reform the IC, the focus was almost solely on centralizing authority. With the assumption that the problems occurring with ground-level coordination among agencies were accurately understood, legislators sought to give control to a new director in a new bureaucracy—a director that would be able to comprehensively overhaul a loosely connected web of agencies and sub-agencies. In the initial proposal, it was argued that they were not simply creating a new layer of bureaucracy, but that they were bringing together and providing structure for a group of organizations in need of just that. The real threat of terrorism had been something relatively uncommon in the U.S., so legislators sought

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12 Ibid, 9701.
13 Ibid, 9704.
14 Ibid, 9702.
to pinpoint accountability and create a workable structure in the IC.\textsuperscript{15} To provide a direct example of interagency communication problems from the legislative history of the IRTPA, Senator Lieberman notes the following specific finding of the 9/11 Commission.

The National Security Agency (NSA) is tasked with compiling and analyzing signal intelligence (SIGINT). SIGINT is “all communications intelligence (COMINT), electronic intelligence (ELINT) and foreign instrumentation signals intelligence (FISINT)”\textsuperscript{16} or in broad, simple terms, any medium of electronic communication. The NSA had been monitoring communications of two individuals suspected of potential terrorist activities and came to the conclusion that “something nefarious might be afoot.”\textsuperscript{17} However, it was asserted that the NSA did not act because their presumed duty was to respond to requests for information, not to conduct intelligence investigations. Concurrently, the CIA had been monitoring the same two individuals and concluded that they were likely to come to the U.S., yet the Immigration and Naturalization Service was not made aware of the situation. The two individuals that each agency had marked as potential terrorists entered the U.S. and played a part in the 9/11 attack.\textsuperscript{18} The initial legislative history and the 9/11 Commission highlight several instances of communication and coordination.

\textsuperscript{15} Ibid, 9704.
\textsuperscript{18} Ibid, 9705-9706.
inadequacies similar to this example, and much of the discussion revolves around the creation of a new central intelligence authority.

However, in the following months, as other Senators, Cabinet members, and agency/department heads became more familiar with the implications of the proposed bill, many points of concern and amendments were presented. Some Senators noted the resemblance of power in the new DNI to the former DCI. It was argued that the DNI and his/her deputy must be given the authority to expedite personnel dismissal procedures. The process was claimed to last up to a year, a period in which the employee “remained in sensitive positions while adverse personnel action is initiated.” The proposed amendment that intended to mitigate this issue stated the DNI or the DNI’s deputies could “terminate the employment of any officer or employee of the National Intelligence Authority whenever the Director considers the termination of employment of such officer or employee necessary or advisable in the interests of the United States.”

In order to empower a new DNI to create a workable method of reorganizing and creating new joint organizations within the IC personnel, transfers and enhanced interagency knowledge were essential. Many issues and deliberations took place akin to the previously mentioned amendment concerning what sort of authority the DNI would be given to pick and choose employees from agencies that fell under his/her purview. However, one of the more problematic issues arose in

20 Ibid, 10199.
21 Ibid, 10198.
the context of how much power the DNI would have in budget formulation and allocation. Initially, proposals seemed to give a much greater influence to the DNI than was previously afforded to the DCI, and the bulk of the political approval of such budgets rested with the Executive Department. The late Senator Robert Byrd presented an argument that attempted, on its surface, to remove the ability of the DNI to have predominant control over the budget of the IC. Byrd’s assertion was that such a vast control of the enormous intelligence program budget by a bureaucrat would undermine the tenets of the Constitution. In reading Byrd’s proposed amendment, it can easily be inferred that his actual goal was to simply slow the process of debate over how to reform the IC.

Byrd argued that the Senate was acting hastily and rushing the passage of a massive reform without fully understanding the implications. He equated the hurried efforts to the previous decisions for the U.S. to become involved in the war in Iraq, and create the Department of Homeland Security, neither of which he supported. Byrd was presenting issues that can be tied to Charles Lindblom’s general theory, in that our policy makers and bureaucrats are not equipped to holistically understand the implications of such a vast policy on an intricate web of established bureaucracies. This is not to say that budgetary control issues did not plague the DCI prior to the IRTPA. One of the most important aspects of

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23 Ibid.
24 Ibid.
reorganizing the IC concerned the fact the Secretary of Defense controlled 80% of the intelligence budget, yet the DCI was charged with coordinating the efforts of DOD intelligence organizations.\textsuperscript{26} Senator Collins augmented this position, stating that “CIA Director John McLaughlin told me it can take as long as 5 months for him to reprogram funds.”\textsuperscript{27} It is not unreasonable to assume that such a period of time and lack of overall control would hinder the ability of intelligence leadership to adjust their focus on new issues and coordinate new efforts across agencies.

Under the IRTPA, the DNI is charged with developing the National Intelligence Program budget and allocating that budget “through” the leaders of each organization within the IC.\textsuperscript{28} The intended organizational structure of the IC relies on the DNI as a new and empowered leader, obtaining much of that power via control over budget development. Yet, the statutory language states that the DNI must initially allocate funds “through the heads of the departments and agencies within the intelligence community.”\textsuperscript{29} Without direct authority over the primary allocation of funds throughout the disparate members of the IC, the DNI does not have an adequate level of control. In an effort to bolster the DNI’s budgetary power, the IRTPA authorizes the authority to reallocate or reprogram up to $150,000,000 from most intelligence organizations as long as the amount does not exceed 5% of the total budget for that organization.\textsuperscript{30} The stipulation is that any reallocation or

\textsuperscript{27} Susan Collins, Ibid.
\textsuperscript{28} Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108-458, 118 Stat. 3645
\textsuperscript{29} Ibid.
\textsuperscript{30} Ibid, 118 Stat. 3647.
reprogramming of funds must be done “with the concurrence of the head of the department involved.” Again, the ability to reprogram a maximum of only 5% of an individual IC organization’s budget is not a great deal of power. The fact that the DNI must do so with the ‘concurrence’ departmental leaders adds to the potential for friction.

The same type of statutory design is in place regarding the ability of the DNI to transfer personnel to new intelligence initiatives. However, the DNI has much greater force in this area given that he/she does not have to gain the approval of department heads from which employees are taken. Initially, a large staffing concern came with the creation of the Office of the Director of National Intelligence (ODNI). The ODNI contains close to 1500 people, and since many of them came from pre-existing intelligence organizations, it is not hard to imagine that if the DNI were able to simply remove them, a turf war would arise. Aside from the staffing of the ODNI, another newly mandated initiative was the National Counter Terrorism Center (NCTC).

The DNI established the NCTC in order to foster a more closely coordinated organization that could communicate and develop a unified accessible network of information concerning terrorist threats. In order to do this, the DNI had to remove valuable members of other well-developed and successful counter-terrorism programs. The leaders of the organizations under which they fell argued that the DNI was beyond its authority because it was created to be the “coordinator of

31 Ibid.
intelligence activities, not the manager of specific intelligence activities within
gencies.” However, the 9/11 Commission asserted that the CIA’s Terrorist Threat
Integration Center (TTIC) and Counterterrorist Center, combined with the DOD’s
Defense Intelligence Agency, the Department of Homeland Security, and the FBI’s
Terrorist Screening Center, were simply excessive. The Report states that the “U.S.
Government cannot afford so much duplication of effort. There are not enough
experts to go around.”

Perhaps more importantly, while the explicit recommendation of the 9/11
Commission was to create the NCTC in order to eliminate duplication, the CIA
retained their two counter-terrorism centers. Certainly some duplication of
information about potential terrorist threats can be valuable. Yet throughout the
9/11 Commission Report, it is maintained that different, and at times, contradictory
intelligence about the same threats was a major factor in the inability to predict the
attacks that occurred. The DNI faces the task of determining how to coordinate
duplicative information gathering/dissemination efforts among agencies that are
not under his/her direct control. Moreover, such coordination must be done so that
decision makers are not overloaded with information; rather, they are provided
with enough information to make justified and adequate plans.

The IRTPA necessarily creates a problematic organizational structure in the
IC, especially concerning budget control and the issue of authority in designing
methods of integration for information sources. Figure 2.5 illustrates the current
structure of the IC with respect to legitimate control over the complex set of

33 Ibid.
intelligence organizations. To summarize the basic implications of the diagram, the solid lines signify either direct departmental control or direct authority under policies other than the IRTPA, and the broken lines signify indirect control under the stipulations and design of the IRTPA. Importantly, one can see that the DNI only has direct lines of authority to the CIA and NCTC. The DNI does not have direct control over many of the organizations that conduct the bulk of the analytical work in the IC. Namely, the DIA, NSA, National Geo-Spatial Intelligence Agency (NGSA), and National Reconnaissance Office (NRO).\(^{35}\)

While the DNI does have some authority over budget development, he/she does not have meaningful control over how the budget is directly allocated or how it is reallocated in order to adjust to new threats. Also, the authority of the DNI can certainly come into question regarding the transfer of personnel or the realignment of duties within the IC. One can surmise that cabinet level leadership or well-established deputy directors and department leaders could challenge the DNI based on statutory ambiguities and simple turf wars. Four years after the enactment of the IRTPA the DNI, Vice Admiral Mike McConnell highlighted the disconnect in general authority over IC members stating: “I’m in a situation where it’s someone in a different department with a different set of personnel standards and a different set of hiring and firing policies and so on. So it’s not that I can give direct orders to

someone else’s organization. There’s a cabinet secretary between me and the process.”

Figure 2.5. The Authority Structure of the U.S. Intelligence Community under the IRTPA.
The chart above provides a general picture of current control problems and shows what the IRTPA looks like in terms of authority allocation. As very little analysis of the IRTPA is possible it is not feasible to evaluate specific processes within the IC. However, some research has been done regarding the IC more generally. Academics and IC Officials alike have produced analyses of basic principles and theories that pertain to the IC. The following section reviews the work that has been produced concerning the subject. More specifically, some common themes and variables are presented in order to illustrate the extent to which academia has studied the IC.
INTELLIGENCE COMMUNITY LITERATURE REVIEW

The scholarly research on intelligence bureaucracy is sparse, which is surely due to the fact that they are, by necessity, inaccessible organizations that cannot publish much of their work or allow external analysis of their decision making processes. Moreover, when the intelligence bureaucracies and their reports are made available to scrutiny or discussed at length, it is usually because of a perceived failure. This is problematic for empirical research given that the majority of potentially valuable material on the successes of the intelligence community cannot be analyzed in thorough comparison. Scholars have asserted that there is not a legitimate theory of intelligence, and have argued that such a research agenda could improve intelligence production, consumption, and efficiency.37 Following the implementation of IRTPA and the creation of the ODNI to oversee the intelligence community, the Deputy Director of the ODNI sought increased contribution from academia. The issues were conceptualized for discussion as desiring “to lay the intellectual foundations for revolutionary change in the world of intelligence by challenging the continuing validity of our assumptions about it; and to bridge the divide that has long separated intelligence scholars and practitioners.”38 In direct response to this effort, several practitioners and academicians discussed the potential value of theory in terms of secrecy, intelligence definition, actors involved,

38 Gregory F. Treverton, Seth G. Jones, Steven Boraz, and Phillip Lipsky, Toward a Theory of Intelligence, Rand Corporation, 2006, iii.
differences between types of actors (foreign or domestic), and influence regarding psychology and policy.\textsuperscript{39}

In addition to the discussion on how to go about theorizing, it has been argued that a general intelligence theory does not have a practical place in intelligence studies. Philip Davies, a prolific writer on modern intelligence issues, hypothesizes that the “development of intelligence theory and intelligence coordination are inversely correlated.” Davies argues that focusing on a theory of intelligence is unnecessary, impractical, and would likely cause unpredictable problems in the future. He is also one of many that oppose the idea of a revolution in intelligence reform and promotes a process akin to Charles Lindblom’s ‘incremental’ approach to reform. Furthermore, Davies recommends empirical research in the effort to discern broad trends, while recognizing that such research would not amount theory development. Perhaps more importantly, this concept leaves the door open to the idea that ‘successive limited comparisons’ and analyses of the complicated tasks faced by the different agencies comprising the intelligence community could be effective in identifying useful explanations for the future.

Another highly prolific and often cited scholar, Richard Betts, argues that there is not a lack of intelligence theory. Among his widely cited works, in an article explaining that intelligence failure is unavoidable, he offers the following perspective:

\textsuperscript{39}Treverton et al., 2006, III.
“It is more accurate to say that we lack a positive or normative theory of intelligence. Negative or descriptive theory---the empirical understanding of how intelligence systems make mistakes---is well developed. The distinction is significant because there is little evidence that either scholars or practitioners have succeeded in translating such knowledge into reforms that measurably reduce failure. Development of a normative theory of intelligence has been inhibited because the lessons of hindsight do not guarantee improvement in foresight, and hypothetical solutions to failure only occasionally produce improvement in practice.”

The literature on the development of intelligence theory is not abundant, but the potential for further research is promising, given that the intelligence community seems to be placing increasing value on external scholarly input. Notably, Davies, cited above in opposition to a general theory of intelligence, has argued that a theory of intelligence culture could be beneficial to our understanding of “how national intelligence systems work [and] also how intelligence failures occur in those systems.” Davies makes the case that relatively little has been in done in comparative research on intelligence. He sets the British and U.S. bureaucracies against one another, and draws the basic conclusion that their bureaucratic structures have important similarities, but their cultures are producing very different results. He asserts that the American culture is one of agency competition and turf war creating a range of conflicting information for policy makers. In the

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British system, Davies posits that there is dominance of power by one organization, and a lack of competing analysis leading to problems of groupthink.42

The types of organizational culture issues that Davies speaks of are important areas of focus in the majority of the current literature on the intelligence bureaucracies. The organizational culture in these agencies seems to be a central topic of the criticisms levied by the congressional commissions that produced evidence in support of re-organizing the intelligence community. Each of the two commissions cites problems of collection/analysis, information sharing, failures of imagination and adaptation, and entrenchment in antiquated thinking and process.43 These are characteristics common in critiques of government bureaucracies and their personnel. Max Weber, Robert Merton, and Anthony Downs are some of the most notable theorists that identify the systematic manifestations of similar problems in bureaucratic organizations.

Upon review of the reports by both congressional commissions that critiqued the U.S. intelligence system, it is quite easy to conceptualize the problems as intelligence failures, with several scholars elaborating on the subject. Amy Zegart identifies the problem as one chiefly concerning organizational structure, and supports the idea that the intelligence community must be reorganized such that a single leading body can assimilate intelligence reports from across the spectrum.44

Zegart also argues that resistance to change has become a critical problem that is embedded in the organizational culture of the major intelligence agencies. However, it is apparent that the construction of the ODNI and the centralization that Zegart mentions has been set up through the IRTPA such that it reproduces some of the problems present when the Director of the CIA served dually as the Director of Intelligence. Issues such as bureaucratic rivalry, agency turf wars, and duplication of roles are still prevalent, and follow the description of the problems within bureaucracies and the traits of entrenched bureaucrats found in theoretical public administration literature.45

In regard to the IRTPA, several scholars confirm the need for reform, yet present a more cautious approach. Thomas Mahnken, staff member of the WMD Commission, seems to temper the spirited voice for reform found in the commission report by later arguing that while reform is absolutely necessary, the risks of change need to be carefully considered. More specifically, he posits that cultural changes are truly important and that they will take a great deal of time to foster.46 The first Director of National Intelligence, John Negroponte, echoes this idea in his critique of the IRTPA implementation process. Negroponte states that “in evaluating the intelligence community’s performance, we must always be cognizant of its limits. Intelligence is not a substitute for sound diplomatic and defense policy.”47 Negroponte also suggests that the intelligence community may not be the sole place

46 Thomas Mahnken. Spies and Bureaucrats: Getting Intelligence Right, Public Interest 81 (2005): 42.
for blame. Many other scholars have challenged the idea that the commission reports are adequate and make the proper recommendations for policy makers. Among the many critics, Robert Jervis and Mark Lowenthal present widely cited arguments. Jervis asserts that the reliability of the commission reports is questionable. The issue of politicization of the intelligence community by those that favored an intervention in Iraqi politics is argued to be relevant, given that policy makers determined that the “Select Committee on Intelligence (SSCI) was able to proceed only on the basis of an agreement that this question would be put off to the second phase of the inquiry.”48 It may be important to note that an official inquiry into this issue did not ever take place.

Jervis offers further insight into the idea that the commission reports did not adhere to the standard of good research. He theorizes that assertions of intelligence failure were not systematically compared to any other types of intelligence efforts, and that the intelligence officers that produced the ‘bad’ information were not authorized to publically present a counter argument. Additionally, Jervis takes issue with the accusations of failure in imagination leading to antiquated thought processes. He asserts that intelligence officers are trained specifically to avoid subjective supposition. More importantly, “there are few limits on what can be imagined, and those who urge the community to be more imaginative have said little about how this should be done in a sensible way and how the IC should test the

alternatives."\(^{49}\) It is reasonable to consider that on some occasions, it may pay off to follow imaginative alternative possibilities, but the majority of the time it is likely better to rely on proven information. Among many others, Jervis seems to argue that given the incentive of policy makers to place blame on the intelligence community, and the incentive of the intelligence community to remain silent and secretive, the credibility of the assertion that there needs to be significant organizational reform is not adequately justified.

Mark Lowenthal, in his widely cited and comprehensive book on U.S. Intelligence, notes a tendency for presidents to make partisan appointments to the leadership of the intelligence community.\(^{50}\) While it is imperative for the intelligence officer to remain objective and comprehensive in their analysis, the fact that they serve a political agenda makes such a task difficult.\(^{51}\) In the face of criticism, the intelligence community is especially vulnerable to producing ‘relevant’ information in order to please policy makers. President Bush appointed Porter Goss to be the Director of Central Intelligence during the effort to reform the intelligence community. Goss brought several other appointees to fill high-level leadership roles, and as a result, “over 20 top career managers left,” many publically citing fundamental disagreements over change implementation.\(^{52}\) Such a dramatic exit of top officials in a short period of time is the type of problem that Mahnken mentioned

\(^{49}\) Ibid.
\(^{50}\) Mark M. Lowenthal, Intelligence: From Secrets to Policy. CQ Press (2011): 123-125.
\(^{51}\) Ibid.
as being so important to avoid. In any case, dramatic turmoil in an organization responsible for vital information on national security could dangerously compromise public safety.

The literature on the IC is valuable in that it provides a stepping off point for further study and highlights important problems and their magnitude. Perhaps, more importantly, it illustrates that there has been practically no empirical or specific study on the effect of structure in the IC. In order to provide some background and direction to further research it is necessary to review the pertinent literature on policy implementation. The following section illustrates the relevant theories within the field of policy implementation and relates them to specific problems regarding the IRTPA and the IC.
POLICY IMPLEMENTATION

The available literature addressing intelligence reform scarcely, if ever, mentions research on policy implementation. Since the formulation and implementation of the IRTPA falls within this realm, it is necessary to review what the broader field can offer. Moreover, as theory is usually the foundation, or at least implicit, in academic research on the basic purposes of an organization, it may be valuable to begin by reviewing what has been done on policy implementation theory. One of the most notable scholars in the field and within Public Administration research more generally, Laurence O’Toole, has published several articles that address the value of theory in the world of practical policy implementation. When he began his comprehensive review of the study of policy implementation, O’Toole argued “few well developed recommendations have been put forward by researchers, and a number of proposals are contradictory. Almost no evidence or analysis of utilization in this field has been produced.”53 A common sentiment seems to be along the lines of what the prominent scholar, Richard Elmore, asserts in that “when we look to the most influential implementation studies for guidance about how to anticipate implementation problems, we find advice that is desultory and strategically vague.”54

Despite a seemingly widespread lack of confidence in the value of theoretical efforts, O’Toole remarks in a more recent article “to be primarily critical of theorists

for not having solved the theory-practice challenge for policy implementation is to blame analysts for the nature of the challenge itself.”55 This very same criticism was leveled against analysts in the intelligence community and their ‘failure’ to give specific warning of the 9/11 attack. It was argued that “[t]he need for precision puts analysts in the unenviable position of having to isolate genuine warning signs (the signal) from large amounts of meaningless information (the background noise).”56 Perhaps more importantly, there is abundant evidence that a variety of intelligence agencies and officials provided strong, specific warnings to a large audience of policy makers on multiple occasions.57

Another issue that O’Toole emphasizes is that the attempt to directly apply implementation theory to specific practical concerns is not feasible given that those responsible for policy implementation serve at many different levels, face a variety of different problems, and require diverse types of analysis.58 While he recognizes that theory cannot be formulated such that it will reliably serve in a predictive capacity, O’Toole offers several methods by which theory can be directly beneficial to practitioners. First, he asserts that theory can bring together the wide array of literature and elucidate areas in which there is consensus on which practitioners may be able to rely. Second, it is argued that research on implementation can single out “points of disagreement” and empirically test for results that would be beneficial. Third, O’Toole posits that different theories may enable success in

57 Ibid, 196-203.
58 O’Toole, 2004, 312.
different types of implementation and that no single theory needs to be upheld as
the magic bullet. Fourth, the combination of pertinent aspects of disparate theories
may apply to different times in the implementation process.

While the broad ideas and predictive concepts that accompany theories are
typically favored by the practical world, O'Toole echoes the work of L.E. Lynn in
asserting that “heuristic use of certain types of theoretical formulation can offer
implementation managers help, nontrivially and sometimes counterintuitively.”
Lynn promoted the benefits of studying and thoroughly understanding different
theoretical approaches so that when faced with complicated implementation
problems, managers would have the analytical tools to effectively deal with a variety
of issues. In more simple terms, “training in heuristics...is the way to stock and
condition the mind for its intuitive, creative work.”59 The heuristics that they are
speaking of are described as “analytical models – in the plural, as in repertoire
rather than magic bullet.”60 It is certainly recognized that none of the following
recommended theoretical skills will carry a manager through the litany of problems
faced in implementation. The author simply speculates that they will help the
manager face complicated challenges.

For O'Toole, the ‘short list’ starts with reversible logic.61 Richard Elmore’s
concept of “backward mapping,” utilized as an example by O'Toole, is in essence
reversible logic. Elmore expounds upon the concept, stating:

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59 Laurence Lynn, Public Management as Art, Science, and Profession, 1996, 107; Quoted in L. O'Toole
2004, 321.
60 L. O'Toole 2004, 321.
61 Ibid, 321-322.
It begins not with a statement of intent, but with a statement of the specific behavior at the lowest level of the implementation process that generates the need for a policy. Only after that behavior is described does the analysis presume to state an objective; the objective is first stated as a set of organizational operations and then as a set of effects, or outcomes, that will result from these operations. Having established a relatively precise target at the lowest level of the system, the analysis backs up through the structure of implementing agencies, asking at each level two questions: What is the ability of this unit to affect the behavior that is the target of the policy? And what resources does this unit require in order to have that effect? In the final stage of analysis the analyst or policymaker describes a policy that directs resources at the organizational units likely to have the greatest effect.62

Perhaps this is the type ‘targeting’ that scholars and legislators might be able to use when describing some of the problems in the intelligence community. Basic, lower level aspects of information gathering, storing, and sharing are shown to have become problematic products of adversarial organizational cultures among ‘competing’ agencies within the IC.63 If some of the basic problems in the IC stem from poor information sharing systems and/or analysis that is not done adequately at the lower levels, then perhaps backward mapping fits this particular issue in the intelligence reform debate.

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Second on the list of heuristics is game theory. The formal mathematical modeling that is found in game theory allows the results of interactions among target actors to be predicted. In very simple terms, by formalizing interactions into an equation the idea is that what one actor does or could do has a direct effect on what a counterpart does or could do and vice versa over a series of iterations. As O’Toole points out, the “archetypal case of such a result is, of course, the classic Prisoners’ Dilemma, a pattern that may be relatively common in settings where efforts are being made to convert policy into action among a collection of different parties.”64 The utility of adapting these circumstances to policy implementation is that a manager can attempt to create productive scenarios for parties that, in any other case, would make decisions that will not result in the best outcome for either side (See figure 3.1). For instance, a mid-level manager in the IC could focus on an information sharing issue between two counter-terrorism entities like the NCTC and the CIA’s TTIC. O’Toole notes the obvious problem here, in that game theory is only useful when specific types of implementation interactions are already in place.65

(Figure 3.1) Prisoner’s Dilemma Diagram

64 L. O’Toole, 2004, 323.
65 Ibid, 322.
The third heuristic that O’Toole presents is a fairly intuitive concept that is formalized such that it can make implementation tools easier to use. Contextual interaction theory attempts to organize the “ways that target group characteristics themselves shape the kinds of instruments that are likely to be adopted by governments, as well as the more complex interaction patterns that might be seen when targets are multiple and complex.” The basic idea here is that instead of focusing too much on the implementation of a particular aspect of a policy, the individual traits and type of interaction between each actor, implementer, and target, are taken into greater account. In this case, certain things can be emphasized or deemphasized so that the style or method of implementation is best suited to each particular group. The author asserts that the central characteristics to be considered are the actors’ “objectives, information, and power.” Beyond these, it is easier to conceptualize the influence of the numerous other potential influences on the success of implementation. O’Toole remarks that “external circumstances, including, for instance, features of policy instruments, are conceived of as working through (and perhaps modifying) the core circumstances.” This simplification of the intricacies found in implementation efforts helps make better sense of overly complicated problems. Additionally, contextual interaction theory draws on aspects of the two most dominant theories in implementation research.

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66 Ibid, 325.
67 Ibid, 325.
68 Ibid, 326.
In their book *Implementing Public Policy*, Hill and Hupe illustrate the basic views on implementation as being top-down or bottom-up.\textsuperscript{69} Intuitively, top-down refers to implementation conducted from the top of a centralized hierarchy and bottom-up, the reverse. It is commonly held that Wildavsky and Pressman produced the most influential seminal work in implementation studies. Their book, *Implementation*, contains a detailed chronicle and analysis of a failed economic development policy in Oakland, California. Their view, presented in the lengthy extended title, is rather revealing given that part of it contains the statement; “Why It’s Amazing That Federal Programs Work At All.”\textsuperscript{70} In their work, the authors argue that “if action depends on a number of links in an implementation chain, then the degree of co-operation between agencies required to make those links has to be very close to a hundred percent if a situation is not to occur in which a number of small deficits cumulatively create a large shortfall.”\textsuperscript{71} In this case, it is asserted that if implementation efforts need such a high percentage of cooperation that nearly all interactions would need to have been predicted before anything was commenced. Since this is not possible, the chances that unpredictable large failures will occur and render the policy ineffective are very high.\textsuperscript{72} Especially given that policy implementation across Federal agencies, like the IC, involve extraordinarily complex organizations and networks of interaction. The authors’ view on complexity is expressed well through a cartoon sketch of a Rube Goldberg pencil sharpener design that they include in the text (See figure 3.2).

\textsuperscript{70} Jeffrey L. Pressman and Aaron Wildavsky, Implementation, (1984): Title Page.
\textsuperscript{71} M. Hill and P. Hupe, 44.
\textsuperscript{72} J. Pressman and A. Wildavsky, 92.
From the work of Pressman and Wildavsky, it can be implied that a completely top-down model is unworkable given that no central authority can accommodate such complexity and unpredictability. This means that they believe that a top-down policy creates organizational direction, and without understanding the nuances of that direction, a policy is too unreliable. Elmore’s backward mapping may be the opposite of the top-down model, and it is evident that within the IRTPA, the main directives are examples of top-down, ‘forward mapping’.
Hogwood and Gunn promote a top-down model of implementation and offer a set of criteria that policy makers must ensure in order to achieve goals.73 The authors list a lengthy set of criteria and several seem to be particularly relevant for the IC. One criterion is that “the relationship between cause and effect is direct and that there are few, if any, intervening links.”74 While this is only possible in a perfect world, it is not difficult to see that the DNI is tasked with generating cause and effect across a spectrum of organizations that fall under entirely separate parent departments which have a great deal of possible “intervening links.” A second important criterion asserts that in the effort to achieve specific policy goals, it must be “possible to specify, in complete detail and perfect sequence, the tasks to be performed by each participant.”75 A third and related criteria infers that within the top-down model, the central authority must be able to gain and monitor compliance in all aspects of the mission.76 Again, the previous two issues are only possible in a perfect world, but the DNI is tasked with ensuring both criteria in organizations that are not under his/her immediate or official control.

While the top-down model is probably the optimal choice in implementation, it would likely only be practical in a very simple and streamlined organization. There remain other considerations that also present a detriment to the practicality of a top-down model. Michael Lipsky provides something of a foundation for bottom-up approaches in his book Street-Level Bureaucracy. In the case of the IC,

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74 Ibid.
75 Ibid.
76 Ibid, 51.
the operational collectors and lower-level analysts of information would be some examples of important street-level bureaucrats. In basic and summarized terms, Lipsky argues that civil servants seek public jobs presumably with some sense of passion or desire to serve. However, because the nature of work in a large bureaucracy may be far removed from what lower-level bureaucrats see as meaningful public service, they begin to develop negative traits that can hinder effective management. Lipsky states that “huge caseloads and inadequate resources combine with the uncertainties of method and the unpredictability of clients to defeat their aspirations as service workers.”77 In order to compensate for this, it is argued that “street-level bureaucrats develop methods of processing people in a relatively routine and stereotyped way. They adjust their work habits to reflect lower expectations of themselves and their clients.”78 This is important to consider because as central authorities in top-down models become stronger and exert increasing power over the ground-level employees, the probability that they will try to simplify their roles in order to maintain some sense of control over their own service rises at the overall detriment to the organization. This problem may be especially pertinent if the central authority does not have direct day-to-day lines of management established.

While the importance of ground level interaction and the employees that deal directly with the basic functions of an organization are paramount, one cannot deny that some central authority must have a degree of control. In this light, Paul

Sabatier offers one of several models that synthesize the two approaches. Sabatier promotes an “advocacy coalition framework.”\textsuperscript{79} He offers the following summary:

“In short, the synthesis adopts the bottom-uppers’ unit of analysis - a whole variety of public and private actors involved with a policy problem - as well as their concerns with understanding the perspectives and strategies of all major categories of actors (not simply program proponents). It then combines this starting point with top-downers' concerns with the manner in which socio-economic conditions and legal instruments constrain behavior. It applies this synthesized perspective to the analysis of policy change over periods of a decade or more.”\textsuperscript{80}

Sabatier’s point is valuable in regard to the IRTPA and the structure of the IC. Sabatier acknowledges the bottom-up concern of varied and numerous lower level actors and their importance within the implementation of a policy. He also promotes the necessity of a central leader’s ability to influence general conditions and adjust overarching policies so that the more abstract policy goals remain paramount.

Charles Lindblom proposed a method of viewing policy implementation that is based on “muddling through” problems. While this may sound unsystematic, it is in fact a system in which decisions are made acknowledging the fact that no one in the chain of implementation can fully understand the implications of their decisions. It is a way of viewing policy decisions that relies on the validity of previously

\textsuperscript{79} Paul Sabatier, (1986): 38.  
\textsuperscript{80} Ibid, 39.
existing organizations and past experiences. He argued that neither bureaucrats nor policy makers are able to comprehend the totality of any situation or organization in terms of designing a policy that could account for anything close to the actual number of possible outcomes. Therefore, the focus should be placed on the interactions and variables that they can realistically assess. Importantly, the risks involved with abrupt change in the intelligence community combined with the criticisms of re-structuring the intelligence community are relevant to the ideas expressed in Lindblom’s article. To support this argument in simple terms, Lindblom states “the claim is valid that effective rational coordination of federal administration, if possible to achieve at all, would require an agreed set of values.” He posits that such a set of values is varied and effectively irreconcilable across individual and organizational differences. More specifically, Lindblom asserts that in the holistic or “root” method of formulating policy decisions the “exclusion of factors is accidental, unsystematic, and not defensible by any argument so far developed.” On the other hand, in the incremental or “branch” method, something close to the opposite is true.

The policy making and implementation process is not finite, it is a process that evolves and adapts to changing demands. In the case of the IRTPA, the demand seemed to be that structure and coordination were needed in the IC. However, the IC is very large and spans across many different organizations. Lindblom notes the importance of the differences between IC agencies in the following analogy:

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“The relevance of the policy chain of succession is even more clear when an American tries to discuss, say, antitrust policy with a Swiss, for the chains of policy in the two countries are strikingly different and the two individuals consequently have organized their knowledge in quite different ways. If this phenomenon is a barrier to communication, an understanding of it promises an enrichment of intellectual interaction in policy formulation. Once the source of difference is understood, it will sometimes be stimulating for an administrator to seek out a policy analyst whose recent experience is with a policy chain different from his own.”82

This analogy is relevant because, in the IC, when attempting to coordinate efforts amongst operational level bureaucrats, there are certainly a wide variety of perceptions.

An intelligence analyst in the CIA will likely have different knowledge and another perspective on any given problem than an analyst from the DIA. However, if for instance, an information sharing policy problem can be handled by a middle manager that understands the nuances of inter-agency relationships, then the likelihood of success is high. The same could be said for interactions occurring between any number of the 17 members of the IC. One of Lindblom’s main points is that no policy maker or central authority can first understand all the types of interactions or possible relationships and subsequently design a policy that attempts to accommodate them. The appreciation for a diversity of views within the IC is essential given the inherent separation between organizations and the

82 Ibid, 88
complicated nature of their work. From this idea, it is easy to see the importance and practical value of a middle manager that has moderate policy decision-making authority and also understands the ground-level interactions that take place within their individual realm.

Following Lindblom’s assertion that incrementalism is the most practical approach and should be given real attention, it is valuable to note his position on what actually happens day-to-day. He argues that bureaucrats traditionally do not have the convenience of thinking in terms of a holistic approach to accomplish their policy goals. Moreover, “their prescribed functions and constraints—the politically or legally possible—restrict their attention to relatively few alternative policies among the countless alternatives that might be imagined.”83 So, in effect, incrementalism is what happens de facto, yet in the IC it is done under the conflicting intent of the IRTPA. Lindblom describes this difficult task stating that the administrator must “practice what few preach.” In this case, the IRTPA preaches a comprehensive top-down overhaul stemming from the DNI but does not provide adequately for that power. The mid and lower level administrators are left to figure out how to accomplish policy goals on their own and amongst each other. It is the mid-level employees that have the most advantageous and realistic position for attaining policy goals.

IMPLICATIONS AND CONCLUSIONS

While the changes in organization that the IRTPA mandated do not constitute complete re-structuring, it is apparent that there were some major changes based on “root” method, top-down analysis. In regard to the CIA, Senator John McCain, a member of the WMD Commission and proponent of major reform, “said he believed that Mr. Goss should do ‘whatever is necessary’ to clean house at the agency.”

While the IRTPA did not mandate such a massive change in the CIA at the hand of someone other than the DNI, it appears to have occurred anyway and possibly in ways that could be detrimental to the effectiveness of the community it intended to improve. Obviously, slow change and temporary maintenance of the status quo is better than increased weakness or unnecessary expense brought on by drastic reform. Richard Betts coldly remarks that “the awful truth is that even the best intelligence systems will have big failures. The terrorists that intelligence must uncover and track are not inert objects; they are living, conniving strategists [...] and once in a while they will inevitably get through.”

Perhaps Jervis’s criticism of the analysis in the WMD Commission’s report and Davies’s proposal that an intelligence theory is untenable relate to Lindblom’s concept in a more meaningful way. In the effort to change the intelligence community so that future “failures” are mitigated, it may be futile to attempt to comprehensively understand and craft policy for the exceedingly intricate issues

that are hypothesized to be causes. Holistically analyzing the possible consequences of policy alternatives across the intelligence community, nation, and world is no doubt an incredibly difficult task laden with implicit theory and value. Instead, legislators and administrators could alter perspectives and “proceed to isolate probable differences by examining the differences in consequences associated with past differences in policies, a feasible program because [they] can take their observations from a long sequence of incremental changes Such an approach may allow for a more systematic, analytical method of addressing issues that still remain in the IRTPA. For instance, Senator Rockefeller, during the nomination of Michael McConnell to be DNI in 2007, provided the following statement regarding management concerns:

“[… ] It is less clear whether the structure of the DNI office is ideal to accomplish its mission---hence a work in progress. We did not pull the technological collection agencies out of the Defense Department and did not give the DNI direct authority over the main collection or analytical components of the community. We gave the DNI the authority to build the national intelligence budget, but we left the execution of the budget with the agencies.”86

In addition to the budget issues mentioned by Rockefeller, the DNI does not have control over approximately $18.6 billion allocated for the Military Intelligence Program.87 Given that the requested budget for the National Intelligence Program

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86 John D. Rockefeller, Nomination of Vice Admiral Michael McConnell to be Director of National Intelligence, Select Committee on Intelligence United States Senate, (2007): 3.
was $52.2 billion, it is obvious that the DNI lacks fiscal control over a very large portion of the overall intelligence budget. Without that control, it would surely be difficult to effectively coordinate the collection efforts of the DIA and the individual service branch intelligence organizations.

Clarifying the specific processes taking place in the IC is impossible. Their day-to-day practices are classified and simply not available for academic analysis. If information about the details of their work is unclassified, it is often censored to a degree, or so far removed from the present that the information is obsolete. This thesis was limited by that very fact and therefore is limited in its scope. It does not provide a specific or empirical study of processes within the IC. Additionally, this thesis cannot speak to the specific problems of coordination that exist between intelligence agencies. However, the structure of the IC is fundamental to the implementation of the IRTPA and this thesis does provide a stepping off point for further research. It illustrates the structure and authority problems created under the stipulations of the IRTPA and draws a general picture of the legitimate control that currently exists.

It is evident that unless approaches to policy implementation are synthesized, the IC will not fulfill the policy goals or its overall mission as necessary. Since it is not feasible to give discretion and coordination authority to lower level officials, the focus must be on middle managers. The middle management officials are truly in the position to accomplish a synthesis of top-down and bottom-up approaches. Given that neither approach is practical in the IC by itself, the policy has to be designed to accommodate their importance. In essence, it simply does not make
sense to think that a loosely tied together Intelligence Community, beneath rigidly separated branches of government, could be effectively brought together under a policy like the IRTPA.
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