

# How Security Agencies Control Change: Executive Power and the Quest for Autonomy in the FBI and CIA

Patrick S. Roberts

© Springer Science + Business Media, LLC 2009

**Abstract** The US Federal Bureau of Investigation and the Central Intelligence Agency gain autonomy when they exercise executive power, performing tasks that are so urgent, secretive, or forceful that they cannot be anticipated by law. The FBI exhibited a clear instance of autonomy when, with a view to its long term responsibilities, it resisted remaking itself as a counterterrorism agency to the degree that politicians requested. The second case, involving the CIA, produced more mixed results. The agency appeared to exhibit autonomy by exercising its powerful security tasks, including control over information and covert operations, and by resisting a consensus for major organizational change. Nevertheless, its large number of administrative and analytical rather than executive tasks prevented the agency from developing the coherent, independent perspective necessary for a high degree of true autonomy.

**Keywords** Intelligence · National security · Public administration · Policy history · Autonomy · Organizational change

Why, despite notorious intelligence failures and many serious proposals for reform, did the US Federal Bureau of Investigation and the Central Intelligence Agency retained the same basic mission and organizational structure from the 1970s until at least 2001? Why were both able to resist major reorganization and, when resistance proved impossible, able to ensure that reforms gave them more authority rather than less? The Federal Bureau of Investigation and the Central Intelligence Agency both remained static compared to other agencies during the same period because they possessed enough bureaucratic autonomy to resist major change. Autonomy refers to an agency's ability to craft and implement a perspective independent of elected

---

P. S. Roberts (✉)

Center for Public Administration and Policy, School of Public and International Affairs, Virginia Tech, 104 Draper Road, Blacksburg, VA 24060, USA  
e-mail: [patrickroberts@vt.edu](mailto:patrickroberts@vt.edu)  
URL: <http://filebox.vt.edu/users/robertsp/>

politicians and other agencies. This paper begins by defining autonomy and describing how executive power confers autonomy on agencies charged with security responsibilities.

Following the definition, two cases examine the power and limits of executive-based autonomy, a phenomenon at work in many contemporary constitutionally democratic states. In the two cases presented here, the FBI and CIA gain autonomy when they exercise executive power, performing tasks that are so urgent, secretive, or forceful that they cannot be anticipated by law. Politicians sometimes influence *how* these security agencies perform their missions but, because of the power of security tasks, they less often dictate *what* they do. The FBI exhibited a clear instance of autonomy when, with a view to its long-term responsibilities, it resisted remaking itself as a counterterrorism agency to the degree that politicians requested. The second case, involving the CIA, produced more mixed results. The agency appeared to exhibit autonomy by exercising its powerful security tasks, including control over information and covert operations, and by resisting a broad agreement for major organizational change. Nevertheless, its large number of administrative and analytical rather than executive tasks prevented the agency from developing the coherent, independent perspective that is part of full autonomy. The analytic organizations of the CIA had neither the reputation nor the executive authority to produce full autonomy. Though they are different in many respects (and the FBI is older), both agencies have had difficulty reorienting to better integrate domestic and international intelligence-gathering functions.

### The autonomy of executive power

In its most common usage, autonomy refers to an agency's relative capacity to act independently of its political superiors or bureaucratic equals and shape its political environment (Barnett and Finnemore 2004, 13, 364-65; Carpenter 2001; Khademian 1996).<sup>1</sup> It is the sustained discretion over time of a public organization in policy and especially structural-organizational matters. Pure, unfettered autonomy is the "stuff of deities, not political actors" and yet almost all public organizations exercise some independence from politicians and other agencies (Carpenter 2000, 18).<sup>2</sup> Herbert Emmerich (1971, 17) captured the essence of autonomy when he noted that "[t]here is a persistent, universal drive in the executive establishment for freedom from managerial control and policy direction." Autonomy is not an absolute or binary quality but rather a kind of power that some agencies exercise more frequently and more convincingly than others. Autonomy is a relative, not absolute, quality, and in

<sup>1</sup> Barnett and Finnemore define autonomy as multiple periods in which an institution acts independently, though not antly, of its political superiors. Daniel Carpenter notes that autonomy occurs when agencies "can bring their political legitimacy to bear upon the very laws that give them power." These laws, though, still constrain the agency

<sup>2</sup> Carpenter defines bureaucratic power, and specifically "autonomy," as those occasions in which "elected authorities see it as in their interest to either (1) defer to an agency's wishes for new policy or (2) grant a wide range of discretion to an administrative agency over an extended period of time." See Daniel P. Carpenter, "State Building through Reputation Building: Coalitions of Esteem and Program Innovation in the National Postal System, 1883-1913," *Studies in American Political Development* 14 (2000), 124

its fullest dimension involves responding to only those environmental and political pressures that advantage an agency. What is advantageous, however, is relative to the agency's history, culture, and context and need not be budget maximizing.

Some agencies exercise autonomy rarely, if at all. The Department of Housing and Urban Development routinely shifts its policies in response to new presidential administrations and changing patterns of congressional oversight. The National Security Council, located in the White House, nearly always acts according to the wishes of the president, with the possible exception of a few periods in which maverick personalities were at the helm. Other agencies, however, pursue an independent perspective over a long period and shape their environments.

This paper proposes that autonomy operates through at least two processes involving either reputation or executive power (though both processes may be at work in a single agency). Daniel Carpenter's study of progressive era state-building defines reputation as the "evolving belief" among politicians and the public, and especially organized interests, in the ability of an agency to anticipate and solve problems (Carpenter 2001). Among contemporary agencies, the Federal Emergency Management Agency cultivated a reputation for all-hazards disaster management at the height of its powers before it was merged into the Department of Homeland Security.

This study concentrates on the latter, the cultivation of autonomy that stems from the exercise of executive power. Understanding the nature of executive power requires a brief detour into the history of political philosophy before returning to the question of what powers are truly executive and who exercises them. Executive power has antecedents in monarchs and tribal leaders, but it becomes fully intelligible only with the creation of a body that makes law and a system of law independent of the person or body assigned to carry out law. Republican architects from Machiavelli to Publius recognized that a single lawmaker and enforcer could be given to caprice or tyranny. Democratic legislatures were also insufficient because they were unstable, lacked expertise, and fell prey to demagoguery (*Federalist* 9, 47, 72, 76).<sup>3</sup> As a solution to these problems, architects of republican government separated the executive power from the legislative. At its most basic, executive power refers to those powers held by everyone in the imagined state of nature, a situation without government. The essential and most contested powers in the state of nature are the powers needed for self-preservation and protecting the goods one needs to prosper. Because the state of nature is so unpleasant, unproductive, and dangerous, philosophers reason, the essential powers to ensure self-preservation should be taken out of the hands of individuals and placed in the hands of an executive disciplined by but separate from the laws (Locke 1988; Mansfield 1989). The executive assumes responsibility for meting out justice among citizens and for pursuing the interests of the state in a world of nations whose mutual obligations resemble those in the imagined state of nature.

<sup>3</sup> Publius was concerned about legislative more than executive tyranny. The *Federalist* quotes Montesquieu as saying that "There can be no liberty where the legislative and executive powers are united in the same person, or body of magistrates." (*Federalist* 47). The *Federalist* is cited according to the paper number, which remains the same across editions

The most cogent interpreter of the United States' system of government, the three authors of the *Federalist* collectively known as Publius, lists several characteristics that define executive power. At its most basic, executive power in a liberal society includes all of the things necessary for the preservation of the state that cannot be anticipated by law in advance. Executive power includes the “necessities of war” and the “sword of the community” hearkening back to the right to self-preservation in the state of nature. In addition, it includes “the declared or the known sentiments of the legislative department,” which implies that these sentiments may not be written as formal law (*Federalist* 48 and 78). The legislature meets only occasionally, but the executive must be “always in session” so that it can meet unexpected threats.

The *Federalist* demands that the executive possess the powers of “decision, activity, secrecy, and dispatch,” and, above all, “energy,” which implies a combination of coercive power and speed, disciplined by law (*Federalist* 70). Energy in the executive serves to restrain the legislative power, which Publius assumed was the body most given to tyranny, and to meet exigencies unforeseen by law. As a piece of journalism, the *Federalist* aimed to influence public opinion to support a strong unitary executive rather than a council of weak magistrates. Publius arrives at the most fundamental reason for seeking a strong and independent executive power after summarizing the history of ancient republics that fell because of dissent from within and raiders from without (*Federalist* 70). Energy in the executive is needed above all to meet threats to the “existence of all government” posed by armed attack and violent dissent (*Federalist* 70).

The contemporary state looks far different than the one envisioned in the *Federalist*, and yet the categories used to describe the functions of government are derived from the framework of the Constitution and its chief interpreters. Today, the CIA, FBI, Secret Service, and military branches are given the responsibility for acting in ways that the law cannot predict in order to meet vital threats to national existence by foreign armies and terrorists. To meet armed threats, security agencies have a variety of tools, from the license to use coercive force to the power of secrecy and information control. The deepest roots of these tools lie in the liberal state's conception of executive power, which lodges the powers of coercion and information control in bodies separate from the legislative and judicial powers and the body of law they produce, ready to act whenever a vital threat to the nation arises. An agency's size, age, and resources contribute to the degree of autonomy it enjoys, but all security agencies possess at least some autonomy because of the nature of their mission in the liberal state.

### **Changing understandings of autonomy**

Long before autonomy became a central concern for social scientists, students of public organizations offered explanations for the intractability of government agencies. Many of these explanations apply in part to the FBI and CIA but, as this paper shows, are incomplete because they do not appreciate how executive authority simultaneously offers great power and poses great difficulties for public organizations. Most social science analysis of organizational intractability claims that

particular variables such as legal mandates, ties to interest groups or administrative expertise support autonomy. In contrast, my analysis considers the process by which security agencies exercise bureaucratic autonomy. I also examine why some autonomous agencies possess the variables that lead to autonomy. Security agencies in particular are given vague legal mandates or unique expertise in, for example, spying because executive power demands the performance of tasks that are in tension with fundamental legal and constitutional rights.

Existing literature on bureaucratic intransigence takes a different, though illuminating, approach to the problem. In an influential account of bureaucratic stasis, Paul Light explains that the “thickening” of government over the past 50 years makes successful reforms unlikely (Light 1995, 64). Reform after reform adds new layers of oversight. When a particular reform runs its course, however, its policy and organizational structures remain, adding new layers on top. As a result, high-level administrators are insulated from the day-to-day operation of the bureaucracy, and accountability becomes so diffuse that a single sweeping reform is impossible.

Many times, proposed reforms are contradictory including procedures to, alternately, build market incentives, increase congressional oversight, add to the bureaucracy’s responsiveness to the president, and increase the public’s involvement in administrative decision-making. Some reforms strengthen the hand of the president while others give power to congressional committees and still others improve the hold of interest groups; each favors a different master. “The quest for the perfect way of structuring and managing government has gone on as long as there has been a government,” writes social scientist Guy Peters, “always to end in disappointment” (Peters 1996, vii, 22).

The intelligence bureaucracy, in particular, is rife with divisions and tradeoffs that complicate efforts to enact a single reform that would make all major stakeholders better off. The requirements for collecting intelligence, for example, are different than those for dissemination. Tasks are further divisible by geography, function and process (Hammond 2005).<sup>4</sup> The sheer complexity of the intelligence bureaucracy produces a “structural conservatism” on the part of intelligence policy makers, political scientist Thomas Hammond argues, and leaves no clearly superior alternative superior to the status quo.

Each of these explanations proposes that complexity stands in the way of reform. Large organizations with many moving parts are more difficult to reform than smaller, more focused ones because their work is more difficult to understand and more costly to change (Williamson 1981; Zolo 1992).<sup>5</sup> The “complexity” explanations support the argument that the tasks of intelligence analysis and secret operations make accountability and reform especially difficult. This paper will take up this line of argument later.

<sup>4</sup> Hammond notes, following Heimann, that reducing the chances of one type of error may increase the chances of another. In other words, reducing the probability of doing something that should not have been done increases the probability of not doing something that should have been done. See C. F. Larry Heimann, *Acceptable Risks* (Ann Arbor: University of Michigan Press, 1997)

<sup>5</sup> Complex organizations pose high transaction costs

Complexity and the “thickening” of the bureaucracy alone cannot explain the FBI and CIA’s intransigence, however. The FBI, with 26,000 employees, is not substantially larger or more intricate than some private firms or public organizations that successfully undergo reforms. The Coast Guard, the Air Force, which are both larger, have been commended for swiftly adapting to new missions while not neglecting their former responsibilities (Frydl 2006; Barzelay and Campbell 2003). These large organizations have managed to change their complex missions to suit new environments.

### Components of autonomy in the FBI and CIA

Major components	Implications	<i>FBI</i>	<i>CIA</i>
Executive power		X	X
	Tools of secrecy	X	X
	Information control	X	X
	Coercive force	X	X
	Decentralized structure	X	X
	Deference given to mission	X	X
Clarity of purpose		X	
	Legitimacy of leadership	X	
	Consistent constituency	X	
	Tasks with clear, measureable goals	X	

A full treatment of executive-based autonomy in security organizations would make distinctions among military organizations and between military and intelligence organizations. The concepts in this paper address only core security agencies, but the theory of executive-based autonomy would predict that smaller security agencies with executive purposes, such as the Bureau of Alcohol, Tobacco, Firearms and Explosives, would exercise some autonomy. It is likely that such a small agency with a limited jurisdiction would exercise autonomy primarily at the tactical level, where agents would have to decide whether to use force against potential criminals. Perhaps future work can explore the differences among security agencies in greater depth.

To illuminate the process of executive-based autonomy, this paper examines two instances of security agency intractability. There are several ways to identify full autonomy. Bureaucratic autonomy occurs when, over a long period of time, an agency crafts an independent perspective and resists the preferences of politicians or other agencies. Two features distinguish autonomy from thickening or other explanations for why agencies resist change. To qualify as autonomous, an agency must succeed in forming and advancing its preferences against those of politicians. In Mark Wilson’s (2006, 65) terms, it must “outmaneuver elected officials.” Therefore, autonomy demands more than deliberate discretion because it requires an assertion from the agency (Huber and Shipan 2002). If only a portion of an agency succeeds, then only that portion exercises autonomy. In addition, autonomous

agencies shape their environments and, at times, contradict the preferences of elected politicians.

The case of the FBI illustrates the power of executive-based autonomy in the face of ill-conceived political pressure whereas the CIA offers a mixed case. Despite pressure to the contrary, the FBI maintained its focus on law enforcement because its former missions remained urgent and because intelligence tasks are particularly difficult for a public organization. The CIA, meanwhile, struggled with intelligence tasks. The agency's constellation of security responsibilities gives it extraordinary power while, at the same time, intelligence tasks make major structural reform difficult. In particular, the secrecy of intelligence collection and analysis and the expansion of the agency's clientele frustrate the CIA's ability to adapt to a changing environment. Ultimately, the agency fails to develop the coherent independent perspective that is crucial to the exercise of autonomy. Despite the differences, executive-based autonomy provides the best explanation for why these agencies are so difficult to change from the outside. These episodes reveal both the power and limits of one source of bureaucratic autonomy.

### **The FBI and recent counterterrorism**

The FBI—the investigative arm of the Justice Department and technically the lead federal agency for counterterrorism—suffered criticism for scandal, inefficiency, and law enforcement failures during the terrorist attacks of 2001. Still, it managed to *increase* its authority despite criticism from the press and from expert commissions as well as negative ratings in public polls. A 2001 Gallup poll showed that only 38% of those polled had confidence in the bureau compared with 60% who had confidence in their local police (Senate Hearing 2001). Contrary to theories that predict that autonomy flows from a good reputation, the often-criticized agency rebuffed politicians' commands to transform itself into a counterterrorism agency and continued to devote most of its resources to its former missions of combating white collar and drug crimes. The agency's independent perspective about what it should be doing and its successful resistance to the wishes and direct commands of politicians demonstrate a relatively high degree of autonomy.

The FBI gained autonomy in large part because its security responsibilities permitted it a great deal of control over information and led to a decentralized structure. The agency's compartmentalization allows it to meet the needs of prosecutors' offices, which each have different demands. San Antonio needs agents with expertise in drug crimes and immigration from Spanish-speaking countries, while New York needs more agents with knowledge of terrorist networks. All bureaus, however, need agents who will employ a great deal of tactical and even strategic independence in meeting changing threats. The earliest decisions to gather and coordinate knowledge on terrorist networks occurred at the local level, though political pressure eventually led the bureau's leadership to echo these concerns (Naftali 2005, 230-31).

For many tasks, the FBI has few bureaucratic competitors. The agency routinely engages in turf wars with the ATF, Coast Guard, and state and local police, but, for controlling the drug trade, combating corruption and investigating specialized yet

complex interstate crimes, the bureau is without peer. Though the agency drew criticism for particular failures or scandal, its function remains central to the United States' political system. Military and security services emerged in the US to take actions against enemies not permitted against ordinary citizens. To do so effectively against strategic and often protean threats required building security agencies with decentralized structures and a great deal of both tactical and strategic independence. Agencies with these features emerged early in American history, as the country grew to include regions with diverse needs. The earliest national police forces, such as Allen Pinkerton's company, were private and less accountable to the public than even the most autonomous federal agencies. The lack of accountability posed problems that were ameliorated though not eliminated with the creation of the FBI (Eggen 2006).<sup>6</sup>

The FBI's extraordinary power is best appreciated against the backdrop of its sinking reputation following the terrorist attacks of 2001. Members of Congress as well as pundits and experts bashed the agency for its poor counterterrorism performance and failure to identify and track suspected terrorists. Sen. Arlen Specter (R-Pa.) captured the mood of Congress when he blamed the agency for intelligence failure. "The FBI is not adequate to provide the American people with intelligence," he told the press. "This failure goes right to the top" (New 2003). Experts, too, rendered a verdict that echoed throughout the media: the FBI was ill-equipped for counterterrorism (Hill 2002).<sup>7</sup> Among other missteps, the Arizona field office issued a prescient report about flight training by Muslims that was ignored by supervisors in Washington, DC; when Minneapolis agents asked for a search warrant to examine the laptop computer of Zacarias Moussaoui (the alleged 20<sup>th</sup> hijacker), supervisors in Washington, DC, rejected multiple requests, despite reports from French intelligence connecting him to Islamic radicals (Shane and Lewis 2006). FBI director Louis Freeh implored the bureau to focus on counterterrorism, but there were only two analysts in the entire agency following bin Laden when his men struck the United States (Clarke 2003).<sup>8</sup>

Though the FBI has some control over its responsibilities, the agency is forever at the mercy of events. Before 2001, the agency was simply not structured to make counterterrorism a priority, in part because of past abuses of its investigatory power. In the 1970s, Church and Pike committees blamed the FBI for overzealous investigations of alleged subversives—socialists, civil rights advocates, or artists—

<sup>6</sup> The FBI's origins date to the creation of a "special agent force" in 1908

<sup>7</sup> In addition, three congressional staff members (interviewed in person from 2003-04) said that the FBI was so bad that it should be abolished though they conceded that it was not likely that the FBI would be shut down. Informal conversation with other current and former staffers suggests that this sentiment is widely shared.

Other critical evaluations of the FBI can be found in: Office of the Inspector General, "A Review of the Federal Bureau of Investigation's Counterterrorism Program," Report No. 02-38, September 2002, available at [www.fas.org/irp/agency/doj/oig/fbi02sum.html](http://www.fas.org/irp/agency/doj/oig/fbi02sum.html); U.S. Department of Justice Office of the Inspector General, "A Review of the FBI's Actions in Connection With Allegations Raised By Contract Linguist Sibel Edmonds," UNCLASSIFIED SUMMARY, Office of the Inspector General Office of Oversight and Review January 2005, available at [www.fas.org/irp/agency/doj/oig/sedmonds.html](http://www.fas.org/irp/agency/doj/oig/sedmonds.html)

<sup>8</sup> The FBI director put bin Laden on the FBI's 10 most wanted list on June 7, 1999 but the focus on terrorism did not reach all—or most—parts of the agency. Former National Coordinator for Counterterrorism Richard Clarke said that when he visited FBI field offices to increase their focus on al Qaeda, "I got sort of blank looks of 'what is al Qa'ida?'"

who turned out to be less harmful than expected (Andrew 1996; Select Committee on Intelligence 1977, 170-78). A decade later, thousands of federal agents were assigned to the “war on drugs,” not to terrorism, and legal constraints and career incentives disposed agents to think in prosecutorial rather than preventative terms—in part a reaction to abuses during J. Edgar Hoover’s freewheeling tenure. Agents, in short, were rewarded for producing evidence that would stand up in court and lead to convictions and for generating measurable results that could be presented to Congress. The bureau evinced a periodic interest in terrorism but the decentralized structure of FBI meant that counterterrorism expertise was regional and never really reshaped the organization. The New York field office, for example, developed substantial but localized counterterrorism expertise during the 1980s (Intelligence 2002).

The bureau’s law enforcement responsibilities give its field offices extraordinary autonomy. The FBI works with state and local police to investigate complex crimes with the goal of bringing evidence to court. Its ultimate clients are prosecutors’ offices scattered around the country, each with different needs but, collectively, with a stable demand for expertise in violations of more than 200 categories of federal law. Despite criticism of the bureau from other quarters, state and local prosecutors’ offices are generally pleased with the FBI. State and local police, for all their competition with the bureau, appreciate the advanced tactical and firearms training the FBI provides. Client demands shape what the FBI does in the face of criticism from the White House, Congress, and experts. At the same time, the FBI has chosen its clients well, selecting ones who demand tasks the bureau can easily perform.

Like any security agency, the FBI has a great deal of control over information when, for example, it surveils purported criminals or collects evidence for prosecution. The fragmented bureau system adds to its control. The bureau’s cases, plans, and priorities are not stored in a single repository in Washington but instead reside in field offices scattered throughout the country. This decentralization makes comprehensive reform led by politicians difficult because outsiders cannot easily grasp or plan what the FBI does. The patterns and expectations of the bureau staff, combined with, in the aggregate, a steady demand for skills from prosecutors, compose the agency’s culture. After 2001, FBI leadership preserved this culture against strong pressure from politicians to transform the bureau into a counterterrorism agency.

The political pressure for change reached a boiling point in spring 2002, and Robert Mueller responded by announcing a ballyhooed overhaul of the bureau to place terrorism front and center. He rewrote the agency’s mission statement making “protect the United States from terrorist attack” the FBI’s first priority ([www.fbi.gov/priorities/priorities.htm](http://www.fbi.gov/priorities/priorities.htm)). The changes were not entirely rhetorical: the bureau centralized its counterterrorism programs after years in which the New York office took the lead, created joint terrorism task forces in all field offices, improved counterterrorism analytical training, and moved 518 field agents (out of 11,000) from criminal investigation to counterterrorism with plans to hire even more (Intelligence 2002, 3).

The flurry of activity earned praise for Mueller and the bureau, and the FBI seemed to respond in textbook fashion; a crisis led political leaders to demand change and the agency followed their cues. What actually happened, however speaks to the power of rhetoric over policy change and, ultimately, of bureaucratic autonomy. The FBI increased its *authority* to become the primary agency for defending against terrorism in the US while it devoted most of its *activity* to white

collar crimes and the drug war. The agency opened new field offices abroad and worked with the Justice Department and Congress to clarify laws giving it authority over an expanding set of terrorism-related crimes. Figure 1 gives a glimpse of the FBI's new focus on terrorism following 2001.

Quantitative measures of what the agency actually does show changes after 9–11, but these are relatively minor ones given the bureau's other responsibilities. In FY 2001, the bureau recommended prosecution against 39,060 people and by FY 2003 referrals had declined only slightly to 34,008. The FBI had not, in fact, moved hordes of agents to terrorism investigations, which would produce fewer referrals for prosecution. Terrorism referrals increased slightly from 16 in December 2000 to 115 in December 2003 but still made up a tiny fraction of total activity (GAO 2003).<sup>9</sup> The number of employees in jobs related to counterterrorism increased only modestly, aside from Mueller's dramatic public announcement that he was moving 518 agents to counterterrorism.<sup>10</sup> The FBI recognized that it is responsible for many crimes that occur with a greater frequency than terrorism and it refused to abandon its old missions. By 2006, only 33 of 12,000 FBI agents had even a limited proficiency in Arabic, and none of them worked in the sections of the bureau that investigate terrorism, suggesting that the bureau has not substantially invested in counterterrorism intelligence (Carpenter 2001).

In the end, the FBI increased its authority—and therefore its autonomy—in the face of assaults on its reputation. The Patriot Act gave the bureau the power to subpoena business documents and transactions from a broad range of businesses without first requesting a judge's approval (Eggen 2003; Singel 2003). After September 11, the agency also gained legal authority in cases dealing with bombs and explosives that were formerly the domain of the Bureau of Alcohol, Tobacco, Firearms, and Explosives as well as control over financial investigations formerly performed by Treasury and Customs (Katz and Devon 2003).<sup>11</sup> What's more, the FBI resisted

<sup>9</sup> It could be that there are simply few prosecutable offenders in the US. If true, then the FBI must seek measures for success other than the number of convictions. The GAO found that federal prosecutors exaggerated their number of terrorism convictions in fiscal year 2002 by wrongly classifying three of four cases as "international terrorism."

<sup>10</sup> In FY 2001 there were 1,013 "intelligence" employees, in the first quarter of 2004 there were 1,164. Those FBI employees classified as language specialist increased modestly, from 390 in FY 2001 to 411 in FY 2004. The small number of individuals specializing in cryptanalysis — code making and code breaking — declined from 23 to 15 at the end of the first quarter of 2004. Data from The Transactional Records Access Clearinghouse, Syracuse University, [trac.syr.edu/tracfbi/findings/aboutFBI/keyFindings.html](http://trac.syr.edu/tracfbi/findings/aboutFBI/keyFindings.html), accessed March, 2005.

One apparent indication of the pre 9/11 concern about terrorism of the FBI under former President Clinton was the sharp increase in "intelligence officers" hired by the FBI in the 1990s. From FY 1992 to 2000, this category of FBI employee increased from 224 to 1,027 or 357%. (From what is known, an intelligence officer's duties are to analyze disparate pieces of information and connect the dots. Curiously, however, recent quarterly data indicate that from December 2000 to December 2001 the number of intelligence officers employed by the bureau actually had declined by 5%)

<sup>11</sup> The FBI took over responsibility for some terrorism financing investigations from the former Customs agency through a memorandum of understanding which was negotiated by the White House. Myles Ambrose (2003), former Customs commissioner under Richard Nixon, worries that the FBI is ill-equipped to effectively perform its new duties. "The average gent is much more concerned about narcotics and money laundering than about seeing if someone is cheating on quota or evaluation issues. There's much more glamour there, however that's [quota and evaluation] a major issue in the American economy." For another critical view of the FBI's accumulation of power, see Rita Katz and Josh Devon, "Perilous Power Play: FBI vs. Homeland Security," *National Review Online*, May 27, 2003

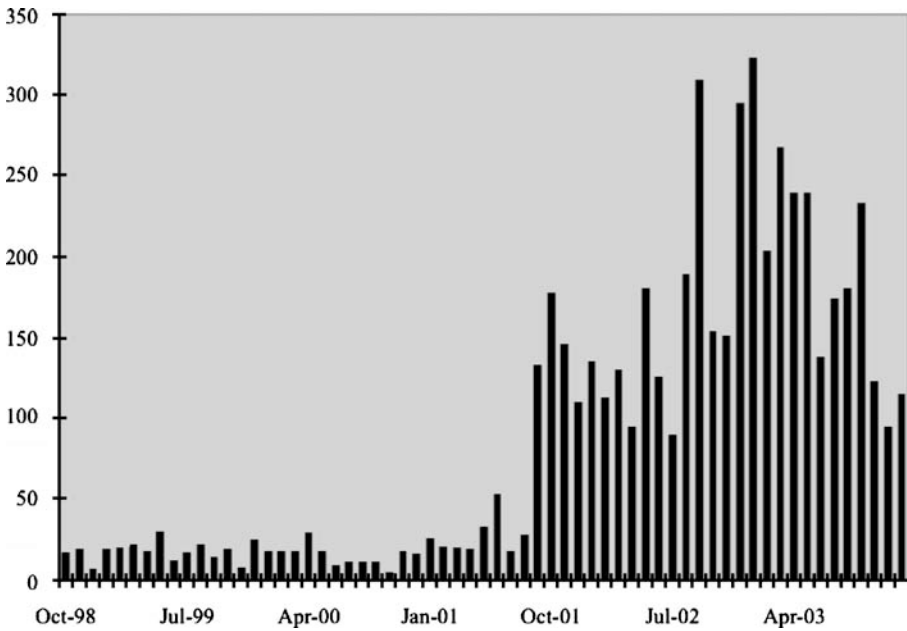


Fig. 1 Number of FBI Internal Security/Terrorism Referrals for Prosecution by Month Before and After 2001. Source: Syracuse University’s Transactional Records Access Clearinghouse, ([www.trac.syr.edu](http://www.trac.syr.edu))

political pressure to be abolished or radically reorganized around the mission of counterterrorism. Whether the bureau’s independence will last remains an open question. The FBI has merit as a law enforcement agency but it has never demonstrated its ability to effectively and efficiently gather intelligence because the latter responsibility requires different skills than the former. As of 2009, the Director of National Intelligence had authority, in consultation with the FBI director, to choose the bureau’s intelligence chief. The larger reorganization of the intelligence community may yet influence the FBI.

Reputation cannot be the source of the FBI’s autonomy since the bureau had a relatively poor reputation among experts and among the public compared to other agencies even as it increased its authority after 9–11 and resisted a major overhaul imposed from the outside. Particular features—a fragmented system of powerful field divisions responsible to prosecutors’ offices, bureaucratic politics, tactical and strategic independence, control over information, a director who commands attention, and a broad legal mandate—contributed to autonomy. Collectively, these features flow from the expectations of executive power in the American constitutional system in a large republic.

At the end of the day, the FBI’s autonomy may have saved it from over-investing in counterterrorism. It is by no means clear that the bureau can develop appropriate resources on its own to pursue counterterrorism and intelligence gathering. The law enforcement and intelligence cultures are broadly similar but the day-to-day skills required are worlds apart. Intelligence agencies collect and analyze data without giving as much attention to legal requirements because they have no intent to pursue

prosecution; intelligence collectors might even seek to convert a source into a double agent. Intelligence requires lengthy surveillance and data collection that might not produce tangible results immediately. Law enforcement, in contrast, demands scrupulous attention to the legal standards for evidence collection and offers a measurable outcome—referrals for prosecution. Though both intelligence gathering and law enforcement are extensions of executive power, they require different skills and different institutional homes.

The case of the FBI provides a model for how bureaucratic autonomy might operate. A crisis and the resulting short-term pressures lead politicians to demand radical change without taking the time to analyze the best course of action. Public pressure runs high in a crisis, and politicians need to do something, anything, to placate the media and interest groups. The bureaucracy, meanwhile, feels the same pressure and responds in a much more measured, informed and prudent manner than elected politicians call for. The FBI was neither static in its counterterrorism programs before 9–11—it had participated in an innovative counterterrorism fusion center for a decade—nor after when it devoted more resources to working with state and local law enforcement officials in counterterrorist operations. Had the FBI ignored the terrorist threat entirely, it would have risked a loss of funding or authority and its director would have risked ruining his career. If the bureau were to become a “prisoner of myth” like the Tennessee Valley Authority, it would have clung to past practices even when these no longer met present concerns (Hargrove 1994). As it happened the bureau had a clear picture of its diverse portfolio of responsibilities and took far more modest steps toward becoming a counterterrorism agency than the radical measures politicians initially demanded.

### **The CIA in a post-cold war world**

At first glance, the CIA’s organizational intractability over the past two decades appears to be another instance of an autonomous agency drawing on the tools of executive power in order to assert its preferences against those of politicians, experts, and other agencies. Upon closer examination, however, the agency’s complex and contradictory security tasks make it difficult for the CIA to develop a coherent perspective and achieve as much autonomy as the FBI. The same security tasks that give the CIA extraordinary power also complicate efforts at major structural reform.

Because the CIA case is unusually complex, it requires more detailed analysis than the FBI case. The analysis begins with an account of the CIA’s recalcitrance in the face of broad agreement. It continues with a summary of the prevailing wisdom for why the CIA is so difficult to reform and considers why executive-based autonomy provides a more complete explanation. The examination of the CIA concludes with an analysis of how secrecy, a market niche, and an insular analysis process complicate the agency’s exercise of full autonomy.

Previous research on bureaucracy suggests that security agencies are particularly resistant to change (Durant 2007; Feaver 2003; Warwick 1975; Zegart 1999, 2007). The Goldwater-Nichols Act of 1986, which centralized military operational authority in the Joint Chiefs of Staff, provides the most prominent exception to the rule. To a large degree, however, the impetus for change came from the services themselves. A

series of operational failures including the botched attempt to rescue hostages in Iran, the bombing of the Marine barracks in Lebanon, and the disorganized invasion of Grenada convinced military leaders that something had to be done to improve coordination (Rudgers 2000).

As expected, the CIA has proven similarly intractable; as in Goldwater-Nichols, it ceded authority to a supervisory organization, the Director of National Intelligence, only after a major intelligence failure. Even that change, as this paper shows, did not immediately sap the agency's authority. Continuity, rather than change, has been the hallmark of the CIA's last few decades, despite a reputation that has been mixed at best.

Throughout the 1990s, politicians and experts advocated a variety of reforms, all aimed at improving the CIA's ability to function in a post-Cold War environment. The CIA, however, stood against the broad agreement in the expert community; few of these reforms, as described below, were enacted. From 1992 to 1996, Congress twice attempted and then aborted major intelligence reforms. During the same period, four major studies recommended change: a presidential panel initiated by Congress; a House Intelligence Committee study, the Aspin-Brown Commission; a Council on Foreign Relations task force; and a 20th Century fund report (Zegart 2005).<sup>12</sup> After 1998, the policy community focused on terrorism and the proliferation of nuclear and other highly destructive weapons. Three major studies counseled reform—the Bremer Commission, the Gilmore Panel, and the Hart-Rudman Commission (Best 2004; US House 1996; Pincus 1996; Weiner 1996b; Community 1996; CRCUSIC 1996; Johnson 2004; Smith and Pincus 1996; Weiner 1996a).<sup>13</sup> These seven studies and many minor ones conducted over a span of decades agreed on how to reform at least five major areas.

First, all of the studies bemoaned the lack of organization and coordination in the intelligence community and proposed greater centralization as a solution. Almost all suggested separating the position of Director of Central Intelligence from the CIA director, giving the CIA more power over the intelligence community, or creating an intelligence “czar” with comprehensive budgetary and organizational authority. The DCI was originally created to coordinate efforts across intelligence agencies, but in reality the director controls only 15% of the intelligence budget (the Secretary of Defense controlled the rest) and had little direct authority over the agenda of agencies other than the CIA (Darling 1990, 188; Zegart 1999).<sup>14</sup>

The idea for separating the DCI from the CIA has been around for years and was part of the Pike Committee's proposals in 1975; efforts to create an intelligence czar appeared repeatedly, too, for example in CIA Director Stansfield Turner's advice to President Carter and again in a 1993 bill by Oklahoma Democrats Dave McCurdy

<sup>12</sup> Amy Zegart (2005) reviews these commissions and comes to slightly different conclusions

<sup>13</sup> These are known, more formally, as the National Commission on Terrorism, The Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, and the US Commission on National Security in the 21st Century. In addition, the National Performance Review issued a report analyzing the intelligence community

<sup>14</sup> Regardless of the changing legal relationship between the DCI and the president, the Director of Central Intelligence served at the pleasure of the president. That arrangement turned the Director and his staff into the president's “personal information service at the center of the Government” according to Arthur B. Darling's observation in 1953. Any independence on the part of the CIA, then, is all the more remarkable

and David L. Boren, chair of the Senate Select Committee on Intelligence (Ransom 1993; Boren 1990, 1992; Congress 1992; Risen and Johnston 2002). The exact reasons why none of these bills became law are particular to each case; in general, though, resistance from the intelligence community and congressional committees protective of their authority was enough to defeat reform.

The second source of agreement centered around the need to expand and improve human intelligence. One study, the 20th Century Fund Report, advocated deemphasizing human sources, but the rest called for strengthening the CIA's ability to gather human intelligence. Two studies, the Bremer Commission and the Gilmore Panel, supported repeal of the 1995 guidelines that required the approval of CIA headquarters before anyone with criminal backgrounds or human rights abuses in his past could be recruited. Other reports did not go that far but instead recommended reviewing the guidelines for recruiting clandestine operatives. The House Intelligence Committee recommended that the CIA leadership devote its "full time and attention to the Agency's sensitive human source collection and operational missions" (Congress 1994; US House 1996; Intelligence 1994; Pincus 1992).

Third, each of the studies advocated reform of the intelligence personnel system. Specific recommendations varied, but most agreed on the need for the intelligence community to develop greater flexibility and expertise.<sup>15</sup> Intelligence agencies were technically exempt from many civil service rules but poor performers were rarely fired. Regulations provided for agents to do a "tour of duty" in other agencies but such cross-training rarely occurred, and the Aspin-Brown Commission found that intelligence agency rules "hinder, rather than promote, their operation as part of a 'Community'" (USINT 1996). Having analysts and case officers work in multiple agencies during their careers, just as some military officers do, would enhance individual expertise and build valuable networks among agencies (Zegart 2005).<sup>16</sup> The reports also agreed that the intelligence agencies needed to develop diverse capacities for a post-Cold War world, improving their employees' training in science, technology, and languages.

A fourth source of agreement was on the need for budget disclosure. All of the commissions agreed that more historical intelligence budget data should be released to the public, while some studies advocated complete disclosure. As far back as 1975 the Pike Committee suggested that the intelligence budget was too large and recommended that it be subject to greater scrutiny from Congress and from the public (Smist 1990, 313–15).

Fifth, the studies recommended organizing intelligence missions according to issue areas such as terrorism or business espionage. In doing so, the agencies were to move away from process-oriented covert operations that were often ineffective at best (Codevilla 1992). A 15-member task force chaired by Harvard's Richard E. Neustadt recommended establishing "clear criteria for assessing proposed covert actions and [for] effective institutions for both implementing and monitoring such activities" (Goodman and Berkowitz 1992; Ignatius 1991; Hilsman 1995). Of

<sup>15</sup> The Hart-Rudman Commission had a broad mandate and recommended a network of scientific and mathematical training at all schooling levels in order to improve US national security

<sup>16</sup> Zegart emphasizes the need for intelligence officers to temporarily rotate through various agencies in the intelligence community. See Zegart (2005, 102-103)

course, organizing some missions by issue area was only a partial solution. Political scientist Thomas Hammond (2005) points out the organizational suboptimality of organizing the intelligence community *only* according to function. Such a project would require too many political compromises to be practicable and, more importantly, organizing everything by function would weaken the intelligence community's missions that are furthered by organizing according to other principles such as geography or process. The most sober intelligence reformers, however, proposed organizing only some missions according to function. Reformers believed that these areas had either been corrupted by an excessive focus on process or geography or been ignored altogether. In one issue area, terrorism, regional offices sometimes failed to make connections about terrorist activities across geographic areas. Intelligence agencies made their greatest organizational strides in counterterrorism when they created "fusion centers" to collect, analyze and disseminate information (Naftali 2005, 180–183).

All five recommendations share a common fate—they would either fail to substantially reduce the power of the CIA or be ignored. Specifically, the first three were adopted in ways that could increase the CIA's autonomy while the last two were never enacted. The effects of the creation of the DNI are still unclear; so far, the DNI is positioned to act as a manager over relatively autonomous units, just as a university president oversees various departments. More resources for human intelligence will expand the power of the CIA, which controls its human assets and the information they produce. Personnel reforms, if done properly, should increase the expertise and capacity of the agency. Budget disclosure and substantially greater reorganization according to issue areas had not been accomplished by fall 2006. Even while the CIA's poor reputation endured among the public and among policy elites, the agency resisted major reorganization from the outside and many of the reforms it undertook increased the agency's authority (Jeffreys-Jones 2002; Loeb 2001).<sup>17</sup>

The 2002 Congressional Joint Inquiry into 9–11 and the 9–11 Commission provided similar counsel: reduce structural barriers to joint intelligence work across agencies; create "joint mission centers"; reduce secrecy so as to ease information sharing across agencies; give more power to the CIA director or to an intelligence "czar" to develop a national intelligence budget; increase staffing levels and quality in agencies such as the CIA's Directorate of Intelligence; and provide greater public disclosure of intelligence information and budgets. This litany for reform has been read before, a fact that distressed Sen. Bob Graham, former chairman of the Senate Intelligence Committee, who in 2004 declared on the Senate floor that "A large number of the problems identified by the [congressional] joint inquiry [into September 11] and a series of commissions which preceded the joint inquiry have not been addressed" (Graham 2004; Leverett 2004).<sup>18</sup> There is no guarantee that,

<sup>17</sup> President Bush issued National Security Presidential Directive 5, dated 5/9/01, to call for a comprehensive review of the nation's intelligence capabilities. Gen. Brent Scowcroft, who helped lead the NSPD-5, issued a still-classified report summarizing the review to the White House, but there is no indication that President Bush ever acted on the findings

<sup>18</sup> Critics pointed out that even by 2004 the agency's reforms had only crept along at best. Flynt Leverett, a former CIA senior analyst and NSC official, noted that the agency had not addressed the problem of "jointness" or working on issues across organizational divisions

had the CIA adopted these recommendations for reform, the agency would have been able to meet the challenges of terrorism or prevent the attacks of 9–11. Nevertheless, the fact that commissions in 2002 and 2003 recommended some of the same reforms that experts pressed for years and even decades before shows that there was an enduring broad agreement outside the agency on the proper direction for reform.

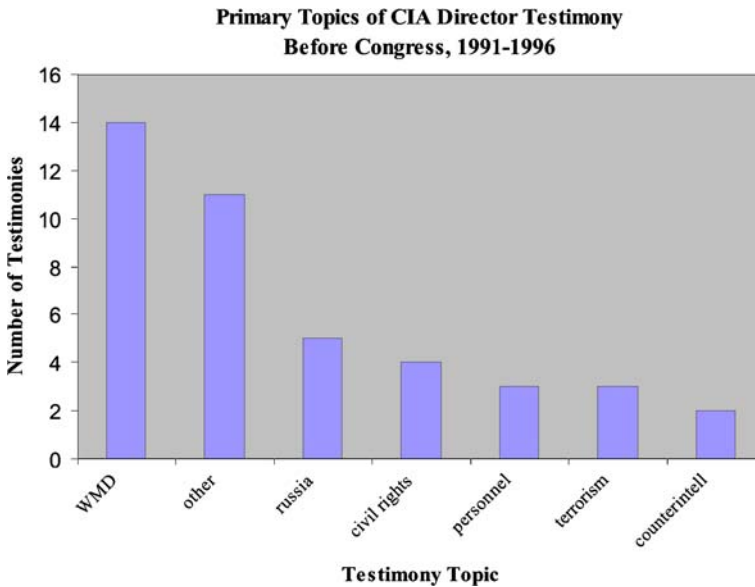
## CIA priorities

Blue ribbon commissions reached strong agreement on five areas of organizational reform, and some commissions (political scientist Amy Zegart (2006) estimates one-third) advocated a greater focus on counterterrorism. Was it the CIA's fault that these recommendations were never enacted, or might the CIA have actually agreed with the proposals, only to have them blocked by bureaucratic inertia? In fact, the best measures of the CIA's priorities show that the agency pursued its own goals. Two measures of the agency's priorities during the 1990s—CIA director congressional testimony and the agency's annual worldwide threat assessment—show that it pursued priorities other than those recommended by blue ribbon commissions. In the early 1990s, the agency primarily focused on threats from state actors, though later that decade the agency recognized the importance of “transnational” issues including environmental and health disasters, commercial espionage and terrorism (Matthew 2000).

Congress formally controls the topics of its hearings, but it gives the CIA director great latitude in choosing the subject of his testimony which, during the period studied, typically concerned the CIA's priorities. To some degree the agency responded to congressional requests, but the CIA also shaped what members of Congress would request since the agency provided Congress with information about major worldwide threats and about the resources the CIA would need to address these threats. Aside from the media taken as a whole, the CIA is probably Congress' most influential *single* institutional source for an evaluation of worldwide threats.

Concerns about weapons proliferation, especially to hostile states, dominated CIA director testimony before Congress during the end of the Cold War, from 1991 to 1996. During this period the agency was under scrutiny from the outside and yet it made its preferences clear. The greatest threats, according to testimony, would come from the spread of mass casualty weapons to hostile states, especially the states of the former Soviet Union. To identify the agency's priorities, the testimony of CIA directors from 1991 through 1996 was coded according to its primary topic, as shown in Fig. 2 (the period includes the directorships of Robert Gates, James Woolsey, and John Deutch). This period was an important time of reorientation after Cold War threats had receded. Topics were coded if one subject was clearly identified as the agency's first priority; barring such identification the issue occupying the majority of the testimony was coded.

During this period the director gave testimony primarily about NCBR weapons proliferation fourteen times. In addition, Russia was the primary subject four times, often in connection to proliferation. Terrorism was the main topic of three hearings



**Fig. 2** Source: Public Testimony, US Congress, GPO 1992–1997. Also available via Lexis-Nexis

and had a prominent secondary role in at least six others. In almost every instance, though, terrorism was discussed in connection to the spread of mass casualty weapons to hostile states. In addition to these concerns, the CIA addressed traditional issues of personnel practices and organizational reform as well as new duties. Gates noted that the agency’s duties expanded far beyond what they had been in the past to include “new requirements relating to, among other things, environmental, natural resource and health issues, indicating that the intelligence community has a wider range of customers than ever, with interests that extend beyond traditional national security concerns” (Gates 1992). In some of its reports, the agency provided comprehensive analysis of a region written more like an academic journal article than a traditional CIA analysis. In the process, the agency innovated to serve new customers, but it also may have directed resources and attention away from other threats, including terrorism.

The CIA not only extended its reach into new policy areas, it also campaigned against some of the blue ribbon commissions’ proposed reforms, albeit quietly. In a hearing on the Aspin-Brown recommendations, Woolsey declined to endorse the proposal for a strengthened and independent DCI, saying that “I believe the director of central intelligence has most of the authorities that he or she needs” (Woolsey 1995). Woolsey pointedly opposed Aspin-Brown’s recommendations for reorganization—many of which were made by prior commissions and would be made again—and requested that Congress cease criticism of the agency, and thus calls for reform, and support the intelligence community by granting it more resources (Woolsey 1995; Komarow 1994). Woolsey said:

I do not intend at present to propose extensive new organizational changes for the intelligence community beyond the two proposal that have already been

presented [for space management and a national imagery agencies]. ... Mr. Chairman, I believe it's time to stop criticism of the past few years and to encourage this vital activity. I intend to do so. With the support of the president, the Congress and the public, I believe that all of the men and women of today's intelligence community are up to the task of building the intelligence community of the future. We should all remember what Samuel Johnson said: "The future is purchased by the present."

By law, the many commissions and investigations studying the CIA could have put forward proposals that would be enacted in a bill to reorganize the intelligence agencies on the scale of the 1986 Goldwater-Nichols Act. In practice, however, it was unlikely that Congress would adopt the blue ribbon recommendations because of the difficulty of passing sweeping reforms. The number of veto points makes radical reorganization unlikely, except in a period of crisis such as the one following 9–11. Major legislative reform is particularly unlikely for intelligence and defense agencies because of the disarray of their opponents and the unusual level of deference members of Congress accord them. The CIA had a poor reputation among members of Congress, but its critics had different areas of concern: Republicans tended to bemoan poor counterintelligence while Democrats tended to worry about proliferation (at least in the early 1990s) and civil rights abuses. Furthermore, the agency had powerful defenders in Congress, such as Sen. John Warner, whose district included CIA headquarters. In addition, despite public criticism, members of Congress often deferred to the agency in organizational matters because, after all, intelligence was essential, even if controversial. Even feisty Daniel Patrick Moynihan (1991) backed away from his 1991 statement that the CIA should be dismantled and instead recommended a host of reforms.

The experience of blue ribbon commissions and special investigations focused on intelligence illustrates the CIA's power. These commissions are too weak to be fonts of legislation though they do an admirable job of educating their members and the public. Recognizing the futility of hoping for major legislation, during the 1990s commissioners thought they might persuade the relevant agencies to make changes on their own. Harold Brown, co-chair of the Aspin-Brown inquiry, sounded a bit like King Canute calling for the waves to cease when he rejected a proposal to strengthen the DCI's authority and hoped that the intelligence community would better cooperate on its own (even if it meant ceding turf): "I would not want to write this into legislation, but," he added, "rather urge the secretary of defense to make those changes" (Johnson 2004). A senior staffer on the Aspin-Brown commission remarked to a colleague that the investigation was all about "gaining time"—if commissioners wanted to change the practice of intelligence they would need time to change the priorities of the CIA.

Chairman Les Aspin insisted that his commission's first priority should be to set the CIA's agenda, noting that "We've got to establish intelligence targeting priorities" (Johnson 2004). How did his and other commissions fare in setting the agenda? The CIA's worldwide threat assessment, issued each February, provides the best overview of the agency's priorities for the coming year. From 1996, when the Aspin Commission ended its work, to 2001 the proliferation of weapons of mass

destruction was at the top of the list as either the first or second priority (CIA 2005). The Aspin Commission did not appear to have influenced the agency's threat assessment, nor did it succeed in fostering the organizational changes that were at the heart of its recommendations.

According to the agency's threat assessments, CIA was especially concerned about the possibility of weapons in the hands of rogue nations and the uncertain "metamorphosis" of Russia and China into great powers (Deutch 1996). State-sponsored threats were the most immediate concern in 1996, though in subsequent years terrorism was listed as a serious concern as part of a host of other "transnational" issues including drugs, weapons trade and disease. By 2001, however, CIA director Tenet sounded an alarm over terrorism after a host of deadly attacks worldwide. He warned that "State sponsored terrorism appears to have declined over the past 5 years, but transnational groups—with decentralized leadership that makes them harder to identify and disrupt—are emerging" (Tenet 2001). Tenet named Osama bin Laden as the "most immediate and serious threat." Bin Laden had been directly linked to the bombing of the USS Cole in Yemen four months before and the bombing of the US embassies in Nairobi, Kenya and Dar es Salaam, Tanzania, which killed 224 people in 1998.

The CIA was neither blind nor unaware of the threat posed by international terrorists. The threat was only one among many, however. Before the attacks in Africa and the bombing of the USS Cole, terrorism had most often been seen as a subset of the larger problem of the proliferation of NCBR weapons into the hands of hostile states. Some within the agency saw the potential for other forms of terrorism—even for airplanes to be used as bombs—but these leads were never fully pursued or acted upon (Johnson 2004).<sup>19</sup> The agency took on a host of other new concerns during the 1990s; in 1992 at the urging of Sen. Al Gore the agency established an Environmental Task Force to gather information on environmental problems. At the same time, old problems had not disappeared. Even with the dissolution of the Soviet Union, Russia might still make a powerful adversary, and in 1996 the CIA's deputy director for intelligence assured the Boston Committee on Foreign Relations that Russia would "continue to be a high priority for the United States and for my analysts" (Gannon 1996).

Amid threats, new and old, the CIA, along with other intelligence and defense agencies, resisted reformers' attempts to better integrate all sources of intelligence. Following the expert agreement and lessening the fragmentation of the intelligence community might not have prevented the attacks of 2001, but it would likely have allowed the agency to more easily shift money and expertise to address new and changing threats. The 9–11 Commission agreed, and some of the recommendations of commissions in the 1990s and earlier were adopted after 2001.

<sup>19</sup> Johnson notes that an Aspin-Brown staffer preparing a report on counterterrorism learned that a CIA official anticipated the use of airplanes as weapons. "Aerial terrorism seems likely at some point," a CIA counterterrorism specialist informed the aide—"filling an airplane with explosives and dive-bombing a target."

## Sources of autonomy in the CIA

The CIA has multiple sources of autonomy in the respect accorded its mission, the tools of secrecy and coercive power (collectively, “information control”), and a decentralized structure. These tools flow from the demands of the agency’s responsibility for exercising executive power by defending the nation against attack. Other core security agencies, such as the FBI and the military services, wield the same tools of executive power.

The CIA’s analytic mission, however, poses obstacles to full autonomy not faced to the same degree by other agencies. The jobs of human intelligence collection and, especially, intelligence analysis are so difficult that they stymie academics and private forecasters as well as civil servants. The amount of raw intelligence data waiting for analysis has increased as new channels of communication open, but humans’ capability for interpreting it, and for cultivating an environment in which people are rewarded for thinking against the grain and where cognitive groupthink becomes less likely, have not improved. The inherent difficulty of intelligence analysis coupled with increasing demands on analysts gives the CIA a large degree of independence from concerted efforts at reform because the analysis process is seemingly impenetrable. This independence of process, however, does not foster full autonomy because it frustrates the CIA’s ability to develop an independent perspective about what it should be doing. The following factors flow from the CIA’s tools of executive power and contribute to independence but, curiously, not to the highest degree of autonomy, which would require that the CIA develop an independent perspective and control debate over reform.

*Respect given to the CIA’s mission* The CIA’s clientele in the White House, Congress, and other agencies, especially the Department of Defense, value the agency’s expertise. Many studies have confirmed the importance of expertise in generating autonomy (Huber and Shipan 2002). The CIA’s expertise, however, is not valued simply for its technical skill or arcane knowledge. Rather, politicians and the public think that what the CIA does—spycraft and intelligence analysis—is essential to national survival. The tools of coercive force and secrecy command respect because the public and members of Congress deem the CIA’s missions important. Private groups such as gangs or organized crime that wield the same tools do not command the same degree of respect as the CIA. Congressman Charles Grassley (2002) captured this sentiment when he noted that when CIA officials meet with the intelligence committee “Everyone just melts in their presence.” This is the nature of executive power in a liberal society: it commands respect because without its ability to meet challenges to the existence of the state, liberal society might disintegrate. At the same time, executive power is not immune to criticism when it violates norms and values upheld by other institutions.

The heightened respect accorded intelligence and spycraft gives the CIA director extraordinary tools, including the ability to “go public” to advance his position to a degree impossible for, say, a Secretary of Housing and Urban Development.<sup>20</sup> Other

<sup>20</sup> A Housing and Urban Development Secretary with a personal reputation that preceded the office would be an exception to this rule. Former member of Congress and professional football player Jack Kemp had some success in attracting sympathetic media coverage of his idea for creating urban “enterprise zones.”

agency leaders might garner media attention because of their personal reputations achieved outside of the agency, but the CIA director, like the Secretary of Defense or the FBI director, commands attention because of the responsibilities associated with the office. Though a powerful tool, “going public” suggests that an agency leader lacks legitimacy in government, otherwise he or she would not need to make extraordinary appeals to the public for support.

After calls for reform following 2001, CIA leaders “went public” to oppose some of the more radical proposals for organizational reform. The agency faced the same pressures to remake itself for counterterrorism as those that confronted the FBI, but the CIA took a more confrontational position, publicly opposing elected politicians. When Senate Intelligence Committee Chairman Pat Roberts offered a sweeping plan in 2004 that would transfer sections of the CIA to the direct control of a new national intelligence director, intelligence officials went public with their criticism. One official told *Government Executive* that “Having brickbats lobbed at it [Roberts’ plan] is not an adequate response to this proposal. It deserves a wrecking ball” (Nartker 2004). Roberts was not a progressive firebrand but a senior Senator known for adopting intelligence proposals that favored a strong president (Editorial 2006). Acting CIA Director John McLaughlin, a career CIA official trained to exercise secrecy and discretion, wrote op-eds and took to the airwaves to defend the agency from encroachment. He told “Fox News Sunday” that the idea for creating an intelligence czar was not productive and “it doesn’t relate particularly to the world I live in” (FoxNews 2004). Because the CIA’s analysis and covert operations responsibilities command so much attention, agency leaders had no trouble using the media to gain support from the public, even though the agency has no natural domestic constituency.

*The power of information control* The CIA’s clandestine operations have always commanded autonomy because they are by definition hidden from view. In an influential 1949 essay, Willmoore Kendall uses the term “autonomy” to describe the inherent discretion of clandestine operations, and no less than intelligence legend Sherman Kent makes the same assumption about the power of secrecy. “This kind of mis-collection would be far less likely to occur,” Kent writes of the missteps of intelligence gathering, “if the operation were not free to steer its own course behind the fog of its own security regulations” (Kendall 1949; Kent 1949).

The agency steered its own course in sensational episodes such as the Bay of Pigs, but it also used secrecy to assert its perspective in more mundane matters. The tasks required for routine intelligence collection defy extensive oversight and control and require independence, secrecy, operational and organizational speed and agility, and a long time horizon for success. Close political oversight over daily tasks would compromise secrecy, slow and hinder operations, and threaten to substitute short-term political tactics for long-term strategy. Case officers (the term agents prefer to “spies”) tend to work alone, focus on operations rather than the big picture, and be risk-takers and improvisers—all qualities that frustrate control at the individual level (Baer 2005; Lord 2003, 169–179). Even the routine secrecy employed in decisions about budget and management frustrate oversight. One congressional staffer charged with shepherding intelligence reform through Congress said, in exasperation, that “Intelligence is a hall of mirrors, you never know what you are looking at and you never know if it is real” (Staffer 2004).

Secrecy matters most when the agency uses its control over information to resist political oversight and to reward friends and punish opponents. To take a recent example, the agency twice went against its usual code of secrecy when it allowed two employees, Joseph Wilson and Michael Scheuer, to speak publicly about their work and criticize the Bush administration's foreign policy, with which many CIA leaders disagreed (Scheuer 2004; Johnson 2005). In addition, the CIA runs clandestine intelligence gathering and analysis operations funded through "black budgets" or classified programs that have limited congressional oversight (Wood 2005).<sup>21</sup> By not informing congressional appropriations committees about CIA-run secret prisons in Eastern Europe, for example, the agency was able to control prison operations that would have been forbidden had their existence been made public (Obey 2006).<sup>22</sup>

*Constraints of the analysis process* The process of analysis within the CIA—its missions, tasks, and culture—contributes to the agency's resistance to attempts at major reform while also preventing the agency from exercising full autonomy. The analysis process is so complex and difficult to grasp, even for those inside the agency, that achieving consensus on a single, sweeping package of reforms is unlikely. The agency's resistance, its stickiness, does not amount to full autonomy because it prevents the CIA from developing a coherent, independent perspective on what it should be doing.

The CIA participates in all phases of the intelligence process, from identifying which problems deserve further investigation to performing intelligence collection and analysis and intervening in security matters. Intelligence data come in several forms, from foreign news outlets, satellite imagery, coded messages from other governments and terrorist groups and from personal communication to CIA agents abroad. After agents or, increasingly, computers collect the information, analysts pull together diverse sources to find patterns and determine what they might mean for US interests. The agency answers questions posed by the president, the National Security Council, and the Department of Defense, among others, and through at least 2007 provides two high profile products, the President's Daily Brief and the more widely distributed Senior Executive Intelligence Brief (Hill 2002, 14).

The CIA fulfills one necessary but not sufficient criterion for autonomy because it possesses unique information that it uses to shape its environment. The CIA presents policymakers with the agency's view of the world that, while not politicized in the crude sense of the term, offers information culled and interpreted through the agency's lens. It is not true, as Colin Powell infamously asserted before the UN Security Council on the eve of war with Iraq, that in intelligence "the facts speak for themselves" (Powell 2003). The CIA's process of analysis favors some kinds of information over others, and this information influences policymakers' views of the

<sup>21</sup> Because of the required special clearances, the Pentagon and Congress "typically exercise less oversight" on these programs than ones detailed in the open, according to Steven M. Kosiak of the Center for Strategic and Budgetary Assessments

<sup>22</sup> In a House discussion of a proposed amendment to prohibit "cruel, degrading and inhuman treatment" of enemy detainees, Rep. David Obey said that "We are told that not a single member of the Appropriations Committee and not a single member of the staff have been told by the CIA that that had been going on"

world (“the pictures in their heads” in Walter Lippman’s phrase) and of the government’s priorities for intelligence. Studies of bureaucratic autonomy confirm that agencies with a high degree of expertise possess more autonomy than those without but the CIA’s access to politicians gives it an especially high degree of autonomy that other expert but less influential agencies such as the State Department’s intelligence arm lack (Bawn 1995).<sup>23</sup>

Housing both analysis and operations branches within the same agency complicates efforts at reform because the cultures of the two branches are distinct. The division between analysis and operations and the lack of analytic professional training constrain the agency’s ability to engage in self-correcting behavior and to develop an independent perspective. At times, analysis and operations do not speak the same language or, when they do, it is a shared argot of name-calling. One CIA officer told the Joint Congressional Inquiry into September 11 that he did not like “to take direction from the ladies from the Directorate of Intelligence” (Congress 2002, 64). Analysts have a lower status within the agency and yet their products are most likely to influence policymakers’ views and shape the agency’s environment. Because the agency’s lowest status branch is its most influential, the agency does not resemble a simple hierarchy.

Even leaving aside the operations divisions, the diversity of roles, missions, and tasks makes it difficult for a single CIA employee to understand what the rest of the analysis branch does (Cooper 2005). A signals intelligence analyst attempting to trace a terrorist’s cell phone call performs a far different task than an analyst drafting an intelligence estimate on the Indian nuclear program based on both publicly available and classified information. Any attempt by the agency to define a single mission obscures the gulf between the skills required for different kinds of analysis. Since it is almost impossible, at present, to judge relative success and failure among different kinds of analysis, the CIA cannot easily determine what it does best. In contrast, the FBI knows that it can succeed when it assists prosecutors’ offices with complex crimes. Aligning missions with capacities and resources is key to strategic planning and a high degree of autonomy (even if only for a brief period) (Behn 2001). FEMA, after its reorganization in 1993, focused its tasks on the few missions it was good at, such as speeding recovery dollars to disaster stricken areas, but it avoided missions for which it was not equipped, such as counterterrorism.

In more recent years, the CIA has been beset by reforms to either fix its perceived failure to issue adequate warnings before September 11, 2001, or repair the poor interpretation of its intelligence data about Iraqi NCBW weapons. As Richard Betts (2007-08, 585) puts it, “In one case, warning was insufficient; in the other, excessive.” Wherever true fault lies, the agency has been subject to so many reforms and reorganizations, including the creation of the Director of National Intelligence superstructure and a shuffle of the agency’s leadership led by former director Porter Goss that it is difficult to measure the effectiveness of any single reform. The CIA’s missions and leadership are less static than they were before 2001, and the agency is less static than the FBI, which seems to have found an accommodation between its counterterrorism missions and other duties.

<sup>23</sup> I refer to the State Department’s Bureau of Intelligence and Research

## Analysis and comparison

Why was the CIA unable to develop an independent perspective when a similar agency, the FBI, had much more success? The FBI was able to use the tools of executive power to resist short-term political pressures to focus on counterterrorism to the detriment of its other missions (Naftali 2005).<sup>24</sup> This represents what some proponents of bureaucratic autonomy claim as the ideal, a bureaucracy that eschews short-term rewards in favor of serving the long-term public interest. The CIA repeatedly resisted a broad agreement for structural reform, but its behavior does not meet the criteria for a relatively high degree of bureaucratic autonomy because the agency failed to develop a coherent idea about what its missions should be. The agency pursued the status quo and, at times, greater resources and authority but never a coherent set of timely missions. Each time an agency director proposed sweeping reforms, the complexity and urgency of foreign intelligence collection and analysis stood in the way. Though the CIA and FBI differ in age and history, two differences in particular explain variation in autonomy and resistance to reform in general: the more complicated nature of the CIA's tasks and the instability of the CIA's clientele.<sup>25</sup>

The CIA's tasks are not only complex and difficult; they are more boundedly rational than the FBI's. The CIA performs its intelligence tasks with very limited information about the true state of the world. In many cases, policymakers ask the agency not only to predict behaviors but to predict the mental states of foreign leaders. The CIA has far more limited information about new threats posed by transnational groups, disease, and environmental catastrophe than it did about the Soviet threat, in which information was concentrated in a predictable bureaucratic structure. In addition, the causal relationships among emerging threats are unclear. Scholars debate, for instance, whether Western occupation, conflicting values, or economic insecurity motivates terrorism. Were the nature of these threats more clear, politicians could restructure an agency to address them along rational or hierarchical lines (Barnard 1956). In a field with so much uncertainty, however, neither politicians nor agency leaders have clear solutions, which makes the status quo relatively attractive.

The CIA's job is qualitatively more difficult than the FBI's. Covert operations abroad have an unknown chance of success because they are run so infrequently under such varied conditions. The FBI's law enforcement duties, in contrast, are performed thousands of times across the country, year after year, with minor variations. One drug bust may not be exactly like all the others but each is similar enough that the FBI can predict the training, resources, and procedures needed to address the drug trade.

Bureaucracies are best at predictable tasks. Predictability also makes political control easier. The Social Security Administration lacks autonomy in part because its goals of distributing checks quickly and without error can easily be measured. The

<sup>24</sup> Naftali (2005) shows how the bureau made remarkable strides in monitoring potential terrorists, though it needed to improve information sharing

<sup>25</sup> Zegart (1999) claims that the CIA was designed to fail by military services in competition with the agency

concepts of “efficiency” and “performance,” however, do not translate to the CIA’s line of work. Intelligence collection and analysis require more guesswork and intuition than most other bureaucratic tasks, and thus intelligence tasks are difficult to observe from the outside. Models of organizations that work in other bureaucracies are not easily applied to the CIA. When the CIA falls prey to measuring success only in terms of quantifiable results—when it celebrates an increase in the number of reports it produces or when its analysts are rewarded only when their recommendations are reflected in the PDB—the agency substitutes measures of process for more important measures of outcome. The CIA’s work is best measured by the percentage of correct predictions made and disasters averted or, even better, by its comprehension of the processes that drive threats to national security.

Aside from the greater complexity of the CIA’s job compared to the FBI’s, the agency’s diverse and changing clientele makes crafting an independent perspective difficult. The CIA’s primary clients are the president, the National Security Agency, congressional committees, and the Department of Defense. The president and the staff of the National Security Council, however, change frequently and lack expertise. They either do not know what they want or they frequently change their policy preferences. During his campaign for president, George W. Bush pledged that the United States would not become involved in nation-building but since then nation-building in Iraq and Afghanistan came to define his presidency.

In contrast to the CIA, the most autonomous agencies have a stable and expert clientele.<sup>26</sup> The Department of Defense serves the president and key congressional committees steeped in the culture of the agency. As a result, Defense shapes its policy environment and the missions and tasks it is required to do to a large degree (Barzelay and Campbell 2003; Kaplan 2006). Multiple clients, however, can in the aggregate lend as much or more predictability and stability to an agency’s mission than a single client can. For instance, the FBI’s chief customers are prosecutors’ offices around the country. While individual prosecutors might change, the bulk of them know what they want and have consistent requests over time. Bureaucracies deal well with predictability, and the FBI remains, for all the recent criticism, perhaps the best police force in the world because it matches resources with prosecutors’ offices’ demands for evidence that will stand up in court.

The same reason that the FBI performs so well—its ability to handle predictable tasks on a large scale—makes it ill-suited to be the lead agency in counterterrorism. Former FBI Assistant Director for Counterterrorism Dale Watson “explained that special agents in charge of FBI field offices focused more on convicting than on disrupting” (Congress 2002, 224). For most of its history, the FBI lacked an effective training program for intelligence analysis, and a January 2002 internal FBI study found that 66% of the FBI’s 1200 “Intelligence Research Specialists” (strategic analysts) were unqualified. This problem was compounded by the fact that newly-assigned strategic and operational analysts received little counterterrorism training upon assuming their positions (Congress 2002, 65).<sup>27</sup>

<sup>26</sup> The Department of Defense provides the CIA with one stable and expert client; as a result the CIA’s battlefield intelligence has been generally well-regarded and effective

<sup>27</sup> The FBI cannot close training camps abroad, and putting the FBI in charge of stopping Al Qaeda is in the words of one FBI agent “like telling the FBI after pearl harbor, ‘go to Tokyo and arrest the Emperor.’” From (Congress 2002, 224)

Autonomy allows agencies to protect their most valuable missions and tasks from political interference. For high-performing agencies, autonomy is an essential tool for preserving functions important in the long term from short-term incentives that would direct resources elsewhere. Too much autonomy, however, poses a danger when mixed with an organization's tendency to maximize its power and authority. Autonomous agencies can develop a capacity for certain missions that, as in the case of the FBI, leaves them without the resources to perform other missions. Policymakers should not be too quick to assume that an autonomous and often successful and powerful agency can easily succeed at new missions.

### **Lessons learned from understanding the process of executive-based autonomy**

This paper's earlier argument about the importance of executive power is meant to suggest that executive power in the American system grants some agencies the responsibility for defense against enemies which requires certain powers of control over information, decentralized decision-making, and coercive force. The CIA possesses all of these, but the missions the agency carries out are more complex than those of some other executive agencies. In particular, the FBI and FEMA achieved autonomy with missions of, respectively, ferreting out data for prosecuting crimes and responding to major disasters. In each of these instances, the agencies' outcomes were more easily measured and their clients more easily identified than in the CIA's case.

Understanding the roots of security agencies' autonomy in executive power should guide political leaders as they consider how to govern using a vast bureaucracy. Executive-based autonomy is written into the American constitutional regime, and it will always exist to some degree (Mansfield 1989). The recent experience of the FBI and CIA suggests, upon closer inspection, that the challenge is not simply to restrain these agencies and subject them to political control but to encourage them to become more open to innovation and communication. Political leaders are not always correct in their judgments, especially in technical matters, nor are they always clear in their directions. Rather than add more layers of oversight, agencies should have clear, narrow goals. A more effective means of increasing accountability while still permitting autonomy may be to focus agencies around well-defined missions within which the agencies have great latitude.

While executive tasks confer power on organizations, these same organizations may not have enough coherence to advance a single perspective about what they should be doing. The CIA's great variety of challenging tasks makes it difficult for the agency to shape its environment to any particular end. The agency draws power from its decentralized structure, coercive authority, and control over information, but these elements have not been combined into a single agency perspective.

Tracing the tools of autonomy in security agencies to executive power sheds light on the construction of the American regime. Agencies that protect the nation against armed attacks wield powerful tools. The Constitution is designed to restrain the power of the executive even as it recognizes the necessity to act where the law is silent or ambiguous in order to meet vital threats to the nation. Today, however, vital threats appear in less easily identifiable forms than foreign invaders and domestic

terrorists. The political left claims that environmental degradation puts the earth in grave danger, and the political right worries that cultural and moral decay pose a threat to civilization. At the very least, all sides should agree that the threat of nuclear strikes poses a danger to civilization and yet the agencies responsible for securing nuclear stockpiles are subject to variable resources and authority depending upon the sometimes narrow agendas of politicians. Future research should consider whether to structure the American regime to permit more autonomy to agencies that address non-conventional national threats.

In the end, bureaucratic autonomy appears powerful yet fragile. Federal agencies now exercise much of the executive power originally lodged in the office of the president who, at the nation's founding, was also a general. These agencies exercise power not only because of the diffusion of government power into the bureaucracy but because of the tools associated with executive responsibilities. At the same time, executive power runs up against organizational obstacles that make it difficult for an agency charged with opaque and difficult-to-measure tasks to develop the independent perspective that characterizes autonomy.

**Acknowledgements** The author would like to thank Justin Abold, Lynn Eden, Charles Perrow, the participants in the research workshop of the Center for International Security and Cooperation at Stanford University, and this journal's anonymous reviewers for helpful comments and criticism in the preparation of this manuscript.

## References

- Ambrose, Myles. 2003. Phone interview. September 9.
- Andrew, C. 1996. *For the President's Eyes Only*. New York: Harper.
- Baer, R. 2005. *See No Evil*. New York: Random House.
- Barnard, C. 1956. *The Functions of the Executive*. Cambridge, MA: Harvard University Press.
- Barnett, M., & Finnemore, M. 2004. *Rules for the World*: Cornell University Press.
- Barzelay, M., & Campbell, C. 2003. *Preparing for the Future: Strategic Planning in the U.S. Air Force*. Brookings Institution: Washington, D.C.
- Bawn, K. 1995. Political control versus expertise: congressional choices about administrative procedures. *The American Political Science Review*, 89: 62–73. doi:10.2307/2083075.
- Behn, R. 2001. *Rethinking Democratic Accountability*. Washington, DC: Brookings.
- Best, Jr., R. A. 2004. "Proposals for Intelligence Reorganization, 1949–2004." ed. C. R. Service: Library of Congress.
- Betts, R. K. 2007-08. Two faces of intelligence failure: September 11 and Iraq's missing WMD. *Political Science Quarterly*, 112: 585–606.
- Boren, D. L. 1990. "New World, New CIA." *New York Times*, June 17, E21.
- Boren, D. L. 1992. The intelligence community: how crucial? *Foreign Affairs (Council on Foreign Relations)*, 71: 52–62.
- Carpenter, D. P. 2000. State building through reputation building: coalitions of esteem and program innovation in the national postal system, 1883–1913. *Studies in American Political Development*, 14: 121–155.
- Carpenter, D. P. 2001. *The Forging of Bureaucratic Autonomy*. Princeton, N.J.: Princeton University Press.
- CIA 2005. "World-Wide Threat Assessments" and "Global Intelligence Challenges," speeches available from 1996–2001 at: <https://www.cia.gov/news-information/speeches-testimony/>, last accessed, 11/08/2005.
- Clarke, R. 2003. "[www.cbsnews.com/stories/2003/07/25/attack/main565058.shtml](http://www.cbsnews.com/stories/2003/07/25/attack/main565058.shtml)".
- Codevilla, A. 1992. *Informing Statecraft*. New York: Free Press.
- Community, Commission on the Roles and Capabilities of the United States Intelligence 1996. *An Appraisal of U.S. Intelligence. Preparing for the 21st Century*. Washington, DC: Commission on the Roles and Capabilities of the United States Intelligence Community.

- Congress, U.S. 1992. "To Reorganize the United States Intelligence Community, and for other purposes."
- Congress, U.S. 1994. "Intelligence Authorization Act for FY 1995." ed. H. P. S. C. o. Intelligence.
- Congress, U.S. 2002. "Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001." US Senate Select Committee on Intelligence and US House Permanent Select Committee on Intelligence.
- Cooper, J. R. 2005. *Curing Analytic Pathologies: Pathways to Improved Intelligence Analysis*. Washington DC: Center for the Study of Intelligence.
- CRCUSIC 1996. *An Appraisal of U.S. Intelligence. Preparing for the 21st Century*. Washington, DC: Commission on the Roles and Capabilities of the United States Intelligence Community.
- Darling, A. B. 1990. *The Central Intelligence Agency*. University Park: Pennsylvania State University Press.
- Deutch, J. 1996. Worldwide Threat Assessment Brief. Testimony to the Select Committee on Intelligence. 22 February. Available at: [https://www.cia.gov/news-information/speeches-testimony/1996/dci\\_speech\\_022296.html](https://www.cia.gov/news-information/speeches-testimony/1996/dci_speech_022296.html). Last Accessed: 24 February 2009.
- Durant, R. 2007. *The Greening of the US Military*. Washington, DC: Georgetown University Press.
- Editorial 2006. "Doing the President's Dirty Work." *New York Times*, February 17, 2006.
- Eggen, D. 2003. "Congress Expands FBI Spying Power." *Wired*.
- Eggen, D. 2006. "33 of 12,000 Have Some Proficiency." *Washington Post*:A1, October 11, 2006.
- Emmerich, H. 1971. *Federal Organization and Administrative Management*. University of Alabama Press.
- Feaver, P. D. 2003. *Armed Servants: Agency, Oversight, and Civil-Military Relations*. Cambridge: Harvard University Press.
- FoxNews 2004. [cited July 18, 2004. Available from <http://www.foxnews.com/story/0,2933,126115,00.html>].
- Frydl, K. J. 2006. Kidnapping and US state development. *Studies in American Political Development*, 20: 18–44. (Spring 2006).
- Gannon, J. C. 1996. Challenges of Intelligence Reform: The Case of Russia. Paper read at Speech to the Boston Committee on Foreign Relations, July 10, 1996, at Boston, MA.
- GAO 2003. "Better Management Oversight and Internal Controls Needed to Ensure Accuracy of Terrorism-Related Statistics." ed. G. A. Office.
- Gates, R. 1992. "Testimony on Intelligence Reorganization." *Joint Hearing of the House and Senate Select Committees on Intelligence*. 102nd Congress, 2nd session. 1 April.
- Goodman, A. E., & Berkowitz, B. D. 1992. *The Need to Know: The Report of the Twentieth Century Fund Task Force on Covert Action and American Democracy*. New York: Twentieth Century Fund.
- Graham, B. 2004. *Bob Graham, Congressional Record (Senate), February 3, 2004, S385–S388*.
- Grassley, C. 2002. *Christian Science Monitor*, June 26, 2002.
- Hammond, T. 2005. "Why Is the Intelligence Community so Difficult to Redesign?" In *Midwest Political Science Association Annual Meeting*. Chicago.
- Hargrove, E. 1994. *Prisoners of Myth: The Leadership of the Tennessee Valley Authority, 1933–1990*. Princeton, NJ: Princeton University Press.
- Hill, E. 2002. "Joint Inquiry Staff Statement, Part I." Testimony to the Senate Select Committee on Intelligence (SSCI) and House Permanent Select Committee on Intelligence (HPSCI). *The Intelligence Community's Knowledge of the September 11 Hijackers Prior to September 11, 2001*. September 20, 2002.
- Hilsman, R. 1995. Does the CIA still have a role. *Foreign Affairs (Council on Foreign Relations)*, 74(5): 104–116.
- Huber, J. D., & Shipan, C. R. 2002. *Deliberate Discretion: The Institutional Foundations of Bureaucratic Autonomy*. New York: Cambridge University Press.
- Ignatius, D. 1991. "Openness Is the Secret to Democracy." *Washington Post National Weekly Edition*, 30 Sep.-6 Oct, 24–5.
- Intelligence, House and Senate Select Committees on. 2002a. "Counterterrorism Organizations within the Intelligence Community." ed. Report by the Joint Inquiry Into the Terrorist Attacks of September 11, 107th Cong, 2nd sess., 2. December 2002.
- Intelligence, House Permanent Select Committee on 1994. "Intelligence Authorization Act for FY 1995." Jeffreys-Jones, R. 2002. *Cloak and Dollar*. New Haven, CT: Yale University Press.
- Johnson, L. K. 2004. The Aspin-Brown intelligence inquiry: behind the closed doors of a blue ribbon commission. *Studies in Intelligence*, 48(3): 1–20.
- Johnson, S. 2005. "Three Years of the Condor." *The Daily Standard*. November 8, 2005, available at: <http://www.weeklystandard.com/Content/Public/Articles/000/000/006/327jhrs.asp>, last accessed June 10, 2007.
- Kaplan, F. 2006. "Rumsfeld Surrenders." *Slate*, February 3, 2006.
- Katz, R., & Devon, J. 2003. "Perilous Power Play: FBI vs. Homeland Security." *National Review Online*.

- Kendall, W. 1949. The Function of Intelligence. *World Politics*, 1: 542–552. doi:10.2307/2008837.
- Kent, S. 1949. *Strategic Intelligence*. Princeton, NJ: Princeton University Press.
- Khademian, A. M. 1996. *Checking on banks: autonomy and accountability in three federal agencies*. Washington, D.C.: Brookings Institution.
- Komarow, S. 1994. “In Turnabout, the CIA Finds Itself under a Microscope.” *USA Today*, 15 July 1994.
- Leverett, F. 2004. “Force Spies to Work Together.” *New York Times*, 7/9/04.
- Light, P. 1995. *Thickening Government*. Washington, D.C: Brookings Institution.
- Locke, J. 1988. “Two Treatises on Government.” ed. P. Laslett. Cambridge, UK: Cambridge University Press.
- Loeb, V. 2001. “U.S. Intelligence Efforts to Get Major Review.” *Washington Post*, 5/12/01.
- Lord, C. 2003. *The Modern Prince: What Leaders Need to Know Now*. Harrisonburg, VA: Yale University Press.
- Mansfield, H. C. Jr. 1989. *Taming the Prince*. Baltimore, MD: Johns Hopkins University Press.
- Matthew, R. A. 2000. The environment as a national security issue. *Journal of Policy History*, 12(1): 101–122. doi:10.1353/jph.2000.0007.
- Moynihan, D. P. 1991. “Do We Still Need the C.I.A? The State Dept. Can Do the Job.” *New York Times*, 19 May 1991, E17.
- Naftali, T. J. 2005. *Blind Spot*. New York, NY: Basic Books.
- Nartker, M. 2004. “Senate Chairman unveils intelligence reform proposal.” *Government Executive*, August 23, 2004.
- New, W. 2003. “Bipartisan group of senators bashes FBI, files oversight bill.” *National Journal’s Technology Daily*, February 25, 2003.
- Obey, D. 2006. “Military Quality of Life and Veterans Affairs Appropriations Act.”
- Peters, B. G. 1996. *The Future of Governing*. Lawrence, KS: University Press of Kansas.
- Pincus, W. 1992. “Panels Continue Impasse on Intelligence.” *Washington Post*, June 7, 1996, A2.
- Pincus, W. 1996. “Untangling the Spy Network’s Webs: Rep. Combest Wants CIA Clandestine Operations Separate and NRO Split.” *Washington Post*, March 5, 1996, A13.
- Powell, C. 2003. “Iraq: Failing to Disarm,” US Secretary of State Colin Powell’s Presentation to the UN Security Council, February 5, 2003, available at <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB80/wmd28.pdf>, last accessed February 24, 2009.
- Ransom, C. J. 1993. New boxes for old tools? Considerations on reorganizing U.S. intelligence. *The Ohio Journal of Economics and Politics*, 8(1): 1–10.
- Risen, J., & Johnston, D. 2002. “Lawmakers Want Cabinet Post for an Intelligence Director.” *New York Times*, 8 Dec. 2002.
- Rudgers, D. R. 2000. *Creating the Secret State: The Origins of the Central Intelligence Agency, 1943–1947*. Lawrence, KS: University Press of Kansas.
- Scheuer, M. 2004. *Imperial Hubris*. Dulles, VA: Potomac Books.
- Select Committee on Intelligence, CIA 1977. *The Pike Report*. Nottingham: Spokesman Books.
- Senate Judiciary Committee Hearing 2001. *Oversight: Restoring Confidence in the FBI*. Statement of Patrick Leahy. June 20, 2001.
- Shane, S., & Lewis, N. A. 2006. “At Sept. 11 Trial, Tale of Missteps and Management.” *New York Times*, March 31, 2006.
- Singel, R. 2003. “Congress Expands FBI Spying Power.” *Wired*.
- Smist, F. J. 1990. *Congress Oversees the United States Intelligence Community, 1947–1989*. Knoxville, TN: University of Tennessee Press.
- Smith, J. R., & Pincus, W. 1996. “Expert Panel Wants Intelligence Director to Hold More Power.” *Washington Post*, March 1, 1996, A15.
- Staffer, F. C. 2004. Personal Interview, December 16 2004, Washington DC.
- Tenet, G. 2001. Senate Select Committee on Intelligence. *Wordwide Threat 2001: National Security in a Changing World*. 7 February 2001. Available at: [https://www.cia.gov/news-information/speeches-testimony/2001/UNCLASWWT\\_02072001.html](https://www.cia.gov/news-information/speeches-testimony/2001/UNCLASWWT_02072001.html). Last Accessed: 24 February 2009.
- US House 1996. “IC21 - Intelligence Community in the 21st Century.” ed. P. S. C. o I. House of Representative.
- USINT 1996. “An Appraisal of U.S. Intelligence. Preparing for the 21st Century.” Washington, DC: Commission on the Roles and Capabilities of the United States Intelligence Community.
- Warwick, D. P. 1975. *A Theory of Public Bureaucracy: Politics, Personality, and Organization in the State Department*. Cambridge, MA: Harvard University Press.
- Weiner, T. 1996a. “Commission Recommends Streamlined Spy Agencies.” *New York Times*, March 1, 1996, A13.

- Weiner, T. 1996b. "Proposal Would Reorganize U.S. Intelligence Agencies." *New York Times*, March 5, 1996.
- Williamson, O. E. 1981. The economics of organization: the transaction cost approach. *American Journal of Sociology*, 87(3): 548–577. doi:10.1086/227496.
- Wilson, M. R. 2006. "The politics of procurement: military origins of bureaucratic autonomy." *Journal of Policy History*.
- Wood, D. 2005a. "Pentagon's 'Black Budget' Veils Contracting Shenanigans." *Newhouse News Service*, November 30, 2005.
- Woolsey, J. 1995. "Intelligence in the 21st Century." Testimony before the House Permanent Select Committee on Intelligence. US House. 104th Congress. 1st sess. 19 December.
- Zegart, A. B. 1999. *Flawed by Design: The Evolution of the CIA, JCS, and JSC*. Stanford, CA: Stanford University Press.
- Zegart, A. B. 2005. September 11 and the adaptation failure of US intelligence agencies. *International Security*, 29(4): 78–111. doi:10.1162/isec.2005.29.4.78.
- Zegart, A. B. 2006. An empirical analysis of failed intelligence reforms before September 11. *Political Science Quarterly*, 121: 33–60.
- Zegart, A. B. 2007. *Spying Blind. The CIA, the FBI, and the Origins of 9/11*. Princeton: Princeton University Press.
- Zolo, D. 1992. *Democracy and Complexity*. State College, PA: Pennsylvania State University Press.

**Patrick S. Roberts** is an assistant professor in the Center for Public Administration and Policy in the School of Public and International Affairs at Virginia Tech. His Ph.D. is in government from the University of Virginia and he has held postdoctoral fellowships at Harvard and Stanford universities. Patrick has published articles on disaster and security organizations in a number of scholarly and popular journals.