Case Archive

# Chapter 5: The Executive Branch

## From the Front Lines of Executive Branch Organization

Just before Thanksgiving in 2004, Secretary of Defense Donald Rumsfeld found himself at pains to say, “I support the president’s position.” His statement was, to many, a necessary clarification. A few days earlier, what seemed to be the final step toward reforming the nation’s intelligence services, and the product of months of hard legislative work, had fallen apart on Capitol Hill. Congressional proponents of the measure argued that Rumsfeld had worked behind the scenes to kill the bill, even though President Bush had come out in favor of it. Indeed, after the bill stalled in Congress,Rumsfeld told reporters, “Without question, I favor reform of the intelligence community, as the president does, and I have a feeling that they’re [Congress] close” to a resolution.[[1]](#endnote-1) And he explained that he stood with Bush on the reform plan.

 But many observers weren’t so sure. In a tough editorial, the *New York Times* concluded, “Despite Mr. Rumsfeld’s denials, it seems obvious that he lobbied against the president’s stated policy.” He found allies among the majority Republicans in the House, and what looked like a sure thing disintegrated at the last minute.[[2]](#endnote-2)

 Republican members of Congress were furious with Rumsfeld. “He spoke publicly for the bill, but trashed it when he met with members [of Congress],” said Rep. Christopher Shays (R-CT). “Maybe he’s on board, but he’s sending mixed signals.” Another Republican, Sen. Pat Roberts (KS) reported opposition from the White House, “despite what the president has said.”[[3]](#endnote-3) Many key Republicans had championed the bill after having been told that the president supported it. They were upset at the mixed signals—and by a sense that Rumsfeld seemed to be pulling the rug out from underneath them at the critical moment.

 The intelligence reform proposal had ridden a wild rollercoaster over the previous six months. In its report, released just as the presidential campaign was rolling into full steam during the summer, the 9/11 Commission had made creating a single position to coordinate the nation’s intelligence the centerpiece of its recommendations. The commission passionately argued,

We know that the quality of the people is more important than the quality of the wiring diagrams. Some of the saddest aspects of the 9/11 story are the outstanding efforts of so many individual officials straining, often without success, against the boundaries of the possible. Good people can overcome bad structures. They should not have to.

The United States has the resources and the people. The government should combine them more effectively, achieving unity of effort.[[4]](#endnote-4)

 In fact, the 9/11 Commission’s recommendations tore a page from the classics of public administration literature. “Unity of effort,” effective coordination, the importance of getting the structure right—all of these points echo the teachings of executive branch organization experts over the past century. It was a perfect echo of the Brownlow Committee’s approach to strengthening the ability of the government to coordinate policy.

At the core of the Commission’s recommendations was its contention that the nation’s intelligence systems needed to “*integrate* all sources of information to see the enemy as a whole.”[[5]](#endnote-5) But pulling the information together would not be enough, the Commission concluded. Indeed, “National intelligence is still organized around the collection disciplines of the home agencies, not the joint mission.” As a result, “No one component holds all the relevant information,” thus making it impossible to “connect the dots”—to weave together all the information into a clear, coordinated picture.[[6]](#endnote-6) The head of the Central Intelligence Agency had too many jobs: running the CIA, managing “the loose confederation of agencies that is the intelligence community,” and serving as the government’s chief intelligence analyst. And, “With so much to do, the DCI [Director of Central Intelligence] often has not used even the authority he has.”[[7]](#endnote-7)

How to solve the problem? The Commission concluded that the nation should replace the Director of Central Intelligence with a new National Intelligence Director, with the responsibility to oversee the collection of intelligence and manage the agencies that contribute to it. The Commission envisioned a coordinator with real clout, including the authority to hire and fire top intelligence officials and the ability to shape the nation’s intelligence budget. The power would encompass work then done by the CIA, the Defense Department’s various (and powerful) intelligence agencies, and domestic intelligence agencies (including the FBI and the Department of Homeland Security).

The conventional wisdom about most high-level blue-ribbon commissions is that, after a fancy ceremony at which they present their findings, their reports sit and gather dust. That wasn’t the case for the 9/11 Commission. Even before the Commission gave its report to President Bush, its members developed a very sophisticated strategy to sell its findings. They negotiated a highly unusual deal to get the report into bookstores on the morning the report was released. They developed a media strategy, in which the Commission’s members fanned out across the talk shows and newspapers to make the case for their findings. President Bush was basing a large part of his reelection campaign on the need to fight terror. His Democratic opponent, John Kerry, contended that Bush wasn’t doing enough.

The Commission’s strategy, and the politics of the presidential campaign, made it hard for either candidate to sidestep the Commission’s findings, especially about the need to reorganize the nation’s intelligence community. First Kerry and then Bush publicly endorsed the findings.

Senior defense officials, especially members of the Joint Chiefs of Staff and Defense Secretary Rumsfeld, made little secret of their dislike for the plan. Over the previous decade, the Defense Department had built its own highly sophisticated intelligence system. Relying on satellites with remarkable ability to zero in on key sites, defense officials had little interest in relying on other agencies for key information needed for fighting wars and defending the nation—or for sharing the department’s information with other agencies. Even before the Commission released its report, DOD officials were working to kill the recommendation for a National Intelligence Director. That, they concluded, would only weaken the Defense Department in the tough battle over controlling—and financing—the collection and analysis of intelligence.

When the proposal came up for a final vote in November 2004, two key Republican committee chairs in the House, Duncan Hunter (chair of the Armed Services Committee) and James Sensenbrenner, Jr. (chair of the Judiciary Committee), blocked a vote. They agreed with the Pentagon’s assessment that changing the intelligence structure in the middle of a war was a bad idea. And they argued that creating a national intelligence director would interfere with the flow of intelligence from satellites to the front-line troops who needed it.

Bush had been on the phone with congressional Republicans from Chile, where he was meeting with that nation’s leaders. He said he urged the bill’s passage. Rumsfeld denied he had gone behind the president’s back to try to kill the bill. Critics, however, suggested that Bush hadn’t really tried that hard to swing Republican votes and that he had allowed Rumsfeld and other senior Pentagon officials to stir up trouble behind the scenes. Members of Congress were unsure about just how much Bush wanted the reform measure to pass—and how much of his political capital he was willing to spend to get it.

Bush and Rumsfeld both said that they remained committed to the Commission’s proposals. They both pledged to work for a new compromise, even though Congress was racing toward adjournment.

## Questions to Consider

1. How do the 9/11 Commission’s recommendations fit with the basic theories of organizing the executive branch?

2. What are the advantages—and limits—of reorganization as a strategy of improving the coordination of government information, policy, and implementation?

3. Consider the role that Congress played in shaping this debate—and the influence of senior administration officials. What does this say about the politics of organizational structuring and restructuring?

4. Do you believe that the Commission’s recommendations were good ideas? Why or why not?

1. “Rumsfeld Supports President on Intelligence Reform,” <I>CNN.com</I> (November 24, 2004), at http://www.cnn.com/2004/ALLPOLITICS/11/23/congress.intelligence/index.html. [↑](#endnote-ref-1)
2. Editorial, “A Truly Lame Duck,” <I>New York Times</I> (November 23, 2004), p. A24. [↑](#endnote-ref-2)
3. Reuters, “Mixed Signs Cast Doubt on Bush’s Spy Reform Push” (November 25, 2004), at http://www.nytimes.com/reuters/politics/politics-security-bush.html?oref=login. [↑](#endnote-ref-3)
4. National Commission on Terrorist Attacks Upon the United States, <I>The 9/11 Commission Report</I> (New York: Norton, 2004), p. 399. [↑](#endnote-ref-4)
5. Ibid., p. 401. [↑](#endnote-ref-5)
6. Ibid., p. 408. [↑](#endnote-ref-6)
7. Ibid., p. 409. [↑](#endnote-ref-7)