

Fix—Not Nix—The ODNI

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Why Does America have an ODNI?

During times of crisis, the President relies on the Pentagon, the FBI, and the CIA for information on—and help in solving—the nation’s toughest national security problems. Yet rarely, if ever, has the current president or his predecessor turned to the organization that nominally heads America’s multi-billion dollar Intelligence Community, the deeply flawed Office of the Director of National Intelligence (ODNI). Why?

The ODNI’s problems are structural, created by faulty language contained within the 2004 Intelligence Reform and Terrorism Prevention Act (IRPTA). The 9/11 Commission found the failure to share intelligence across agencies was a contributing factor to the failure to predict and prevent those attacks—hence, they recommended creating the ODNI. But the Commissioners didn’t stop at intelligence sharing. They thought the nation’s top intelligence official should direct all national collection assets, move money between agencies, and set national intelligence priorities.

This view kicked off a vigorous debate as some defenders of the existing system resisted creating the DNI, while others viewed it as an opportunity to reopen old bureaucratic turf battles. The rapid Congressional consideration produced legislation reflecting a hastily and poorly designed compromise between these different factions that places the ODNI at the head of the intelligence community, but without control of the budgets or the people.

The ODNI has seen four leaders come and go since 2005: each has reorganized the office and each has been criticized as just another layer of bureaucracy. To this day, the ODNI seems impotent and adrift. How can this organization be fixed?

Some argue the ODNI should have more direct control and budgetary authority over other intelligence agencies, in effect, creating an overarching “Department of Intelligence.”¹ Others suggest the ODNI should be completely dismantled and dismembered, leaving the other intelligence bureaucracies to their own devices.²

We suggest there is a more pragmatic approach between these competing perspectives. On one hand, creating a single Intelligence Department that controls all collection and analytical functions would radically shift billions of dollars around the Intelligence Community, while severing actual intelligence functions from mission-focused agencies. This approach would create an intelligence community without a clearly defined mission, while obliging other agencies to duplicate intelligence capabilities to perform their work. On the other hand, completely disassembling the ODNI would most likely be both time-consuming and politically unfeasible. And it would waste an asset that, for better or worse, has been developing for seven years.

Therefore, we believe that fixing, not nixing, the ODNI is the most realistic, pragmatic path forward.

Since intelligence gathering and analysis ultimately supports operations personnel and policymakers, it cannot be completely divorced from those missions. At the same time, intelligence needs to be integrated and coordinated to ensure nothing is missed and that operations are effective. Congress should take steps to reform the ODNI into a much more focused, effective organization. By doing so, the ODNI may finally provide utility to the U.S. national security infrastructure, remove an unnecessary layer of management, and become a better investment of taxpayer money.

What’s Wrong With the ODNI...

While the ODNI’s mission is to “Forge an intelligence community that delivers the most insightful intelligence possible,” its efforts often fall short of the mark.

The ODNI's main problem stems from hamstringing compromises that Congress struck in order to pass the legislation. In the months and years following 9/11, America's leaders had a clear mission—prevent another terrorist attack. At the time, the 9/11 Commission's assumption that all intelligence should be united into a single national mission seemed reasonable.

Therefore, the 236-page IRTPA was drafted quickly to ensure fast Congressional passage.³ However, the principal committees responsible for the bill's final language did not thoroughly consider the implications of the largest reorganization of the Intelligence Community since the end of World War II. The resulting legislation was full of unworkable compromises.

For example, IRTPA stated the ODNI has responsibility for “overseeing and directing” the national intelligence budget, but in reality the ODNI *does not actually control how the money is spent*. Because of this diluted power, the other agencies and departments that make up the Intelligence Community continue to more or less function as they did prior to the ODNI's creation. As Tom Ridge discovered when he led a budget-less Homeland Security office inside the White House, without control of the money, a director or “czar” has no real authority to enact change.⁴

IRTPA also made the DNI the “principal adviser to the president” on intelligence matters. This was surprising since the 9/11 Commission believed the intelligence community was already “too complex and secret” for one person to manage.⁵ In any event, the DNI has limited ability to deeply understand any particular topic, since he has few intelligence analysts actually working for him. In addition, the ODNI's information is completely derived from other agencies—such as the CIA, FBI, and the Pentagon.

The ODNI already knows it has systemic problems. For instance, a declassified 2008 ODNI Inspector General report noted the office often failed to live up to its own mission.⁶ The report concluded that the majority of ODNI employees,

including many senior officials, were “unable to articulate a clear understanding of the ODNI's mission, roles and responsibilities.” The report also found other agencies were laboring under “duplicative taskings and conflicting messages,” which undermined the ODNI’s credibility and fueled assertions that the ODNI is just an ‘additional layer of bureaucracy.’” Sadly, there is little evidence of significant improvement since then.

...And Four Ways Policymakers Could Reform It

The nation faces threats from multiple sources and in many ways our intelligence agencies are our first line of defense against them. Fixing the ODNI should start with the assumption that intelligence supports agencies’ missions and is not an end in itself. The ODNI should facilitate the coordination—but not control of—intelligence.

In order to re-frame the ODNI’s mission, Congress should enact legislation providing the ODNI a more focused mission without creating an additional layer of bureaucracy. We offer a number of options for Congress to consider:

1) Create a cadre of “super analysts.”

The ODNI could focus on one of its chief missions, the National Intelligence Council, to serve as a prestigious, semi-public think tank by employing and empowering the top analysts from across government. The major difference would be these elite government experts would have access to all relevant classified information, but would be free to generate their own conclusions unchained from the time-consuming coordination requirements imposed by other intelligence agencies.

2) Increase the ODNI’s Audit and Internal Oversight Capabilities.

The ODNI could serve as an overarching Intelligence Community Inspector General and ‘redundancy manager,’ tasked with examining and identifying bloated or unnecessary cross-agency intelligence programs. In addition

to an IG, the Pentagon has an analogous analysis function, the office of Acquisition Resources and Analysis, which reviews programs to ensure efficient outcomes. The ODNI could conduct a similar function when a program falls between two agencies.

3) Create an Intelligence “Best Practices” Center.

The ODNI could function as a research laboratory and clearinghouse where intelligence ‘best practices’ could be researched and implemented across the Community. In this regard, the ODNI could improve the business of intelligence collection and analysis by reviewing intelligence failures (and successes) and produce critical ‘lessons learned’ reports, similar to the efforts of the Center for Army Lessons Learned (CALL) at the U.S. Army Combined Arms Center.⁷

Another option would be to subsume the ODNI under the President’s Intelligence Advisory Board (PIAB). PIAB is a high-level organization that develops solutions for difficult intelligence problems and evaluates intelligence failures.⁸ The DNI could serve as the chair of the PIAB, providing that organization with a dedicated staff that could recommend and improve advice on pressing intelligence matters to the President.

4) Serve as a Referee for Internal Government Intelligence Battles.

The ODNI could serve as a neutral arbiter in inter-agency turf battles over missions, priorities, and resources. For example, if CIA and the Pentagon worked at cross-purposes over a particular mission, the ODNI could intervene and find a solution amenable to both parties without escalating this inter-governmental squabble to the White House.

Conclusion

It’s clear the ODNI’s current structure is unworkable as its flaws stem from the organization’s founding. Instead of allowing DNIs to continue reshuffling the lines of authority within the organization, Congress and the Administration should rethink the office’s entire purpose, and revisit the

legislation to ensure the organization provides value and clarity for the Intelligence Community—and not more confusion and red tape.

END NOTES

1. United States, Congress, Senate, Select Committee on Intelligence, “Statutory Authorities of the Director of National Intelligence,” 110th Congress, 2nd Session, February 14, 2008, p. 623. Accessed July 18, 2011. Available at: <http://www.gpo.gov/fdsys/pkg/CHRG-110shrg48099/pdf/CHRG-110shrg48099.pdf>; See also Josh Rogin, “Bond: John Brennan is the Real DNI,” Blog, *Foreign Policy – The Cable*, July 21, 2011. Accessed July 18, 2011. Available at: http://thecable.foreignpolicy.com/posts/2010/07/21/bond_john_brennan_is_the_real_dni.
2. John Bolton, “Let's Take Bureaucracy Out of Intelligence,” *The Wall Street Journal*, January 10, 2010. Accessed July 19, 2011. Available at: <http://online.wsj.com/article/SB10001424052748704500104574650381937137314.html>.
3. “Intelligence Reform and Terrorism Prevention Act of 2004,” Public Law, December 17, 2004. Accessed August 30, 2011. Available at: <http://www.gpo.gov/fdsys/pkg/PLAW-108publ458/pdf/PLAW-108publ458.pdf>.
4. Richard S. Dunham, “Tom Ridge's Bureaucratic Battlefield,” Bloomberg *Businessweek*, February 11, 2002. Accessed on August 5, 2011. Available at: http://www.businessweek.com/bwdaily/dnflash/feb2002/nf20020211_2565.htm.
5. The 9/11 Commission, *The 9/11 Commission Report*, W.W. Norton and Co., New York City, NY, 2004, p. 410, Print.

- 6.** United States, Office of the Director of National Intelligence, Office of the Inspector General, “Critical Intelligence Community Management Challenges,” Report, November 12, 2008, p. 2. Accessed August 30, 2011. Available at: <http://www.fas.org/irp/news/2009/04/odni-ig-1108.pdf>.
- 7.** “Center for Army Lessons Learned,” United States Army Combined Arms Center, Accessed July 25, 2011. Available at: <http://usacac.army.mil/cac2/call/index.asp>.
- 8.** United States, Executive Office of the President, The White House, “President’s Intelligence Advisory Board and Intelligence Oversight Board,” Accessed July 25, 2011. Available at: <http://www.whitehouse.gov/administration/eop/pia>
[b](#).