On 21 May, Dennis C. Blair announced his resignation from the post of Director of National Intelligence (DNI) at the end of sixteen hectic months of service.

In a statement addressed to the intelligence community, the DNI expressed his ‘profound regret’ over having to leave his duties. As Mr. Blair’s statement reveals, this decision does not truly reflect a personal choice; rather it was the wish of President Barack Obama to part company with an assistant who did not meet his expectations.

The sixteen months that Mr. Blair headed the American intelligence community were marked by many failures of agencies theoretically under his authority. One of the most remarkable examples was the failed attack on an Amsterdam-Detroit flight on 25 December 2009, during which a young Nigerian, Umar Farouk Abdulmutallab, tried to blow up an airliner shortly before landing in the United States. In the view of President Obama, this attack should have been thwarted by the competent services, who possessed all the necessary information. Other episodes, like the attack on the military base at Fort Hood or the failed attack on Times Square, also drew attention to the work of the American intelligence services.

If, in view of the incidents which have punctuated Dennis Blair’s term in office, the decision made by President Obama appears legitimate, one may nonetheless wonder if it is likely to solve the problems highlighted by the sixteen months gone by when Blair headed the intelligence community. In fact, given the errors of Mr. Blair, a question arises over the role played by the White House in the management of intelligence activities and the relevance of the reform adopted in 2004 to respond to the failures of 11 September 2001.

1. The hectic term in office of Dennis Blair

All during his presidential campaign, Barack Obama wanted to distance himself from the policies of the Bush Administration, particularly in matters affecting national security and

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2 Karen DeYoung, Michael A. Fletcher, ‘Attempt to bomb airliner could have been prevented, Obama says,’ The Washington Post, 6 January 2010. http://www.washingtonpost.com/wp-dyn/content/article/2010/01/05/AR2010010501741.html
those linked to intelligence. Not long after his election, the President-elect recalled his intention to put an end to the controversial policies of the Bush Administration concerning detention of individuals suspected of terrorism. In this context, Mr. Obama named retired Admiral Dennis Blair, former chief of the Pacific Command (PACOM), to the post of DNI and Leon Panetta, former Congressman and White House Chief of Staff under Bill Clinton, to the post of Director of the CIA (Central Intelligence Agency). Though these two choices illustrated perfectly the policy which the President intended to conduct, it was not long before the new DNI provided grist for the critics who criticised Mr. Obama's lack of pragmatism.

Many blunders

In fact, during his hearing before the Senate Select Committee on Intelligence prior to his confirmation, Dennis Blair deviated from the official line of the new administration. When asked about waterboarding, the candidate for the post of DNI appeared hesitant and refused to liken this practice to torture, thereby contradicting Eric Holder, the candidate for the post of Attorney General. This dissension did not fail to interest the Democratic Senators, including Carl Levin, Chairman of the Armed Forces Committee, who said he was ‘troubled’ by the answers of Mr. Blair.4

Some of the initial decisions of the new DNI were also strongly criticised, such as his naming Charles ‘Chas’ Freeman to head the National Intelligence Council (NIC), an institution charged with the task of preparing classified documents presenting a collective and consensual opinion of all the intelligence agencies on a specific subject (National Intelligence Estimate, NIE). This choice was challenged, especially by Republican Congressmen. A specialist on Asia, Mr. Freeman was the source of controversial statements on the ‘slowness’ of the response of Chinese authorities during the events of Tienanmen Square in 1989.5 A virulent critic of Israeli policy, this former ambassador to Saudi Arabia also believed that the terrorist threat weighing on the United States was a consequence of the ‘brutal oppression of the Palestinians by the Israeli occupation.’ 6 In light of the outcry unleashed by the announcement of his nomination and the revelation of links with the Saudi regime, Mr. Freeman withdrew his name from consideration for the post of chairman of the NIC. Dennis Blair, who had energetically defended his choice, accepted this decision with ‘profound regret.’ 7 The incident nonetheless raised the first question marks about the choices of the DNI.

This was all the more so given that this polemic was followed by a new one over Admiral Blair’s nomination of the former Director of the CIA John Deutch to head a group of experts charged with the task of studying secret programmes concerning satellites used by the intelligence community. In fact, after his departure from the Agency in 1996, several hundred pages of classified documents were discovered on his personal computer. Mr. Deutch was in consequence deprived of the clearance required to access classified information and an investigation was initiated. He nevertheless benefited from an amnesty granted by President Clinton several days before his departure from the White House and was given a new security clearance.

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clearance in 2007 by then Director of the CIA General Michael Hayden. The nomination still surprised many people in Washington, especially CIA Director Leon Panetta. When asked about it by Congressmen, Mr. Panetta shared his sense of surprise and announced he wanted ‘to discuss this with Admiral Blair in order to understand what he had in mind.’ The Republican Christopher Bond, Deputy Chairman of the Senate Select Committee on Intelligence, this decision constituted an ‘affront.’

Other blunders of the DNI were revealed in the press, in particular when he surprised people by the decision of the Obama Administration not to have Umar Farouk Abdulmutallab interrogated by a unit specially created for this type of situation. The DNI also created a surprise when he let it be known in February that an American citizen, a certain Anwar al-Awlaqi could have been on a CIA list of persons to assassinate.

**Systemic breakdowns**

The most striking event of Admiral Blair’s tenure at the head of the intelligence community is without question the **failed attack on the Amsterdam Detroit flight on 25 December 2009**, which revealed something more than the responsibility of one man: the dysfunctional nature of the system. Several days after the incident, President Obama, relying on the initial facts of an inquest to determine what errors had been committed, explained that the agencies had the elements necessary to thwart the attack but they did not succeed in ‘integrating and understanding the intelligence’ in their possession. The President considered this incident purely and simply ‘unacceptable.’

It is true that **the systemic failures revealed by the attempted attack of 25 December are all the more disturbing because they tend to recall** ‘the inability to assemble the pieces of a puzzle and to transmit information to the persons concerned within the time desired.’ Several days after the attack, we learned that the NSA (National Security Agency), the agency charged with the task of collecting signals intelligence, had intercepted conversations between directors of al-Qaeda in Yemen mentioning the use of a Nigerian national to commit an attack while at the same time the father of Abdulmutallab had alerted the American authorities in Nigeria to the radicalisation of his son and of his presence in Yemen.

These similarities have been confirmed by the investigation carried out by the Senate Select Committee on Intelligence. Its declassified conclusions published on 18 May mention ‘**system failures in the whole intelligence community**, which prevented the detection of the threat represented by Abdulmutallab.’

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12 Karen DeYoung, Michael A. Fletcher, ‘Attempt to bomb airliner could have been prevented, Obama says,’ op cit.
(NCTC) created in 2004 in response to the attacks of 11 September to analyse all the intelligence on terrorism in the possession of the governmental agencies and to coordinate their activities in this domain is particularly implicated. However, the fourteen functional failures revealed by the Senators do not spare any of the principal intelligence agencies. One notes meanwhile that the personal responsibility of the DNI in this setback was not mentioned at all.

Reacting to the publication of these conclusions, Admiral Blair, whose resignation had not yet been requested by President Obama, recognised the existence of ‘institutional and technological barriers’ which hindered the sharing of information within the intelligence community. He added that since the failed attack a unit charged with assuring the monitoring of specific threats had been created within the NCTC.\(^{16}\)

\[2. \text{ The choices of the White House} \]

Confronted with these difficulties, the boss of American intelligence services could only count on limited support from the White House. Relations between Mr. Obama and the DNI, who is theoretically the adviser to the President on matters of intelligence, seemed in fact to be rather distant. Though he was close to the Clinton family, Admiral Blair had not had occasion to develop personal ties to the President. The two men had been able to rub shoulders occasionally in the Senate when Barack Obama was a Congressman, but Admiral Blair had not figured among the close advisers of the Democratic candidate during the presidential campaign.\(^{17}\) The action of the DNI had clearly suffered from this absence of personal ties with the President while other leaders of the intelligence community were able to profit from their closeness to the occupant of the White House to short circuit Admiral Blair.

\[\text{♦ The desire of the White House to circumvent traditional bureaucracy} \]

John O. Brennan, former adviser to candidate Obama on questions of security has thus emerged as one of the most influential members of the administration in preparing policy in the domains of intelligence and counter-terrorism. Once approached to be named head of the CIA, he was forced to withdraw his candidature due to the posts he occupied at the CIA under the Bush Administration. Indeed, Barack Obama wanted all means to differentiate himself from his predecessor on the question of intelligence, all of which considerably complicated his task when he had to set up his team. Mr. Brennan was finally named to the post of Deputy National Security Adviser in charge of domestic security and counter-terrorism.

Illustrating the way he enjoyed the President’s confidence, Mr. Brennan emerged as the principal spokesman of the Obama Administration in questions of terrorism and intelligence. He was the one sent to appear on various television programmes in the midst of the polemic following the failed attack of Detroit to defend the policy of the Obama Administration against critics emanating notably from the Republican camp.\(^{18}\) Furthermore, the President charged Mr. Brennan with shedding light on the negligence of the intelligence agencies which enabled Umar Farouk Abdulmutallab to board a plane headed for the United States with


The action of Mr. Brennan, who thus replaced Admiral Blair, illustrates one of the principal characteristics of the Obama Administration, namely extreme centralisation of decision-making tools in the White House with a view to circumventing the traditional bureaucracy. This mode of operations of the Obama Administration, which can recall the habits of the White House under Richard Nixon, was at the source of tensions between Messrs. Brennan and Blair.

The marginalisation of the DNI was also confirmed by his opposition to the White House on the question of deepening cooperation with French intelligence services. Admiral Blair wanted the United States to sign a ‘non-espionage’ pact with France. The presidency wished to avoid constraining alliances and so did not want to formalise this rapprochement.

* The White House decides in favour of the CIA

In parallel, in the institutional rivalry between the DNI and the Director of the CIA who, since the reform of 2004, replaced him as the boss of the intelligence community, Admiral Blair was not assisted by the White House. In order to establish his authority and that of his post, in May 2009 Dennis Blair wrote a directive announcing that he was going to use his powers to name the representative of the intelligence community in the various American embassies abroad. The next day, Mr. Panetta asked employees of the Agency to ignore the message from DNI, reminding them that the CIA was responsible for intelligence activities of the American government abroad. Though it is true that naming new persons could alter the established ties and confidence, the DNI was nevertheless acting within his role by making this announcement since it fell entirely within the framework of his prerogatives as boss of the intelligence community. This decision brings to mind one taken by the first DNI, John Negroponte, who, several weeks after taking office, addressed a memorandum to the directors of local CIA posts abroad to signal to them that they represented him and worked for him.

In this battle arbitrated by the National Security Adviser James Jones, then by Vice President Joe Biden, the White House decided in the autumn of 2009 in favour of the CIA and its Director. One can easily imagine that the contacts of Mr. Panetta in Washington and particularly within the close circle of President Obama were no strangers to this victory of the boss of the CIA over an adversary who is his hierarchical superior: Mr. Panetta is in fact very close to the White House Chief of Staff, Rahm Emanuel, with whom he worked under the Clinton Administration. It is also said that the name of Mr. Emanuel was whispered to the future President by Mr. Panetta.

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His heavy weight supporters, especially in the Congress, were not sufficient for the DNI to avoid the humiliation which the decision of the White House represented. This test of strength initiated by Admiral Blair was nonetheless instructive. Furious with Mr. Panetta and over what he considered an act of insubordination, Admiral Blair now knew that he could not count on the support of the President and of his advisers, who preferred direct access, without intermediaries, to those carrying out the Administration’s policies. Moreover, by considerably weakening the authority of the DNI, the White House rendered his task impossible, which predetermined the end of his tenure in office several months later.

3. The problems with the post of the DNI

Even as the resignation of Mr. Blair revealed his personal responsibility and the consequences of the policy of the White House in matters of intelligence, it has the merit of drawing attention once again to an essential problem: the limits of the post of DNI.

“A response to the attacks of 11 September

The reform of 2004, which took concrete form in the promulgation of the Intelligence Reform and Terrorism Prevention Act\(^26\) (IRTPA), was largely inspired by the statements and recommendations presented by several commissions of experts and Congressmen who identified the negligence of the governmental agencies which led to the attacks of 11 September 2001. **One of the principal points brought out by the work of the commissions was the lack of coordination of the activities of the various intelligence agencies.** These lacunae were associated with the lack of authority of the boss of the intelligence community at the time, the DCI (Director of Central Intelligence) and the multiplicity of his functions. In fact, in parallel with this role, the DCI was also Director of the CIA and principal adviser of the President in intelligence matters. According to the 9/11 Commission, ‘no recent DCI could effectively fulfill these three’\(^27\) missions. One must say that it was the management of the community which suffered the most from this excess of prerogatives. It was thus proposed to separate the remit of the DCI by creating a post of Director of Intelligence, charged with managing the community, and a post of Director of the CIA.

This is what the IRTPA confirmed by creating the post of DNI, a central piece of the new arrangement intended to reinforce coordination of intelligence activities. **According to the law, he has the responsibility in his capacity of boss of the intelligence services for setting the objectives and the priorities for the whole community in order that the activities of collection, analysis and dissemination be conducted in an integrated manner and within the time wished.** He must also counsel the President on questions of intelligence, and present to him or assist in the presentation of a daily briefing which is made up of analyses of the main developments bearing on national security.

In order to be able to fulfill this role of orchestra conductor, **the IRTPA entrusted to the DNI the powers of managing, particularly supervising, the preparation of the intelligence budget.** However, he only has a consultative power as regards the military agencies of the Pentagon. The law also provides that the DNI should be involved in the process of nominating the directors of the agencies and that he can transfer staff within the


intelligence community. This should allow him to create national centres of intelligence consisting of persons coming from the entire intelligence community and charged with supplying analyses on precise topics. This is the model that was used to create the NCTC in the domain of counter-terrorism.

A post with a vague remit and insufficient powers

The creation of this new post, often described by its detractors as an ‘additional bureaucratic level,’ did not arouse enthusiasm in intelligence circles if one can judge by the difficulties President Bush encountered trying to find the first DNI. He finally chose the career diplomat John Negroponte, who was named after many influential personalities like the former Director of the CIA Robert Gates declined the presidential offer. Gates had not supported the creation of the post of DNI during the debate which preceded the vote on the IRTPA.28 He feared that that future legislation would not allow the DNI to direct the intelligence community with the necessary authority and that he might be weakened before heavy weight agencies like the CIA and the Department of Defense.

The concerns of Mr. Gates were subsequently validated because Mr. Negroponte had great difficulty imposing his will, notably on the Pentagon and its influential boss, Donald Rumsfeld. In effect, the DNI was at a disadvantage against Mr. Rumsfeld who refused to recognise that Mr. Negroponte had any authority whatsoever over the intelligence agencies of the Department of Defense. Things were simpler with the CIA because of the support which the White House gave to the DNI. Nevertheless, the decision of Mr. Negroponte to leave his post in 2007 in order to busy himself with Iraqi matters at the Department of State and deal with the sectarian tensions issue, said a lot about his experience at the head of the intelligence community.

The term in office of his successor, Admiral Mike McConnell, was a bit simpler due to the support of the White House and the favourable environment which he enjoyed. The CIA was directed at this time by General Michael Hayden, a former assistant of Mr. Negroponte when he was the DNI, and the Pentagon was now under the responsibility of Robert Gates who, though he had been a critic of the reform of 2004, had denounced the overly large place taken by the Department of Defense in intelligence activities under his predecessor.

While these two first mandates revealed the institutional weakness of the DNI and his limited powers, they also demonstrated that these shortcomings could be partly compensated by strong support from the White House. The sixteen months of Admiral Blair at the head of the community have confirmed that without support of the Executive, the task of the DNI was impossible. He is supposed to exercise an authority over the agencies but he does not have any coercive tool to succeed at it. He thus depends on the good will of subordinates who are more powerful than he and concerned to protect their influence and their prerogatives. As the academic Amy Zegart explains, the reform of 2004 has, ‘instead of enhancing coordination and centralisation,’ triggered ‘a scramble for turf that has left the Secretary of Defense with greater power, the Director of National Intelligence with little, and the intelligence community even more disjointed.’29

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4. Conclusion

The term in office of Dennis Blair as head of the intelligence community, which did not last as long as he had wished, has nevertheless been rich in lessons. Aside from the personal, very questionable errors of the DNI, his mandate has confirmed the limits of the IRTPA, the law on intelligence which was the most ambitious since 1947 and the National Security Act.

A large part of the relative failure of this reform can be attributed to the legislation which entrusts the DNI with assignments without giving him the power or the resources to carry them out. In this respect, the mandate of Admiral Blair is rather comparable to those of his two predecessors. The difficulties which Admiral Blair encountered when he tried to impose his authority over the CIA are rather similar to those of John Negroponte as he faced hostility from Secretary of Defense Donald Rumsfeld, who wanted to protect the prerogatives of the Pentagon in the domain of intelligence.

We nonetheless note that the dysfunctional elements present in the seed of the IRTPA were accentuated by the management of the White House and its tendency to circumvent the traditional bureaucracy. Indeed, whereas President Bush and his team tried to help the DNI to impose his will on the Pentagon, the aides of Mr. Obama decided to short-circuit the boss of the intelligence community in order to deal directly with the agencies. The DNI was thus completely marginalised to the benefit of John Brennan and Leon Panetta, who both enjoyed better access to the President.

In view of the weakness of the post and the way the White House operates, we can legitimately wonder if the successor to Admiral Blair has any chance whatsoever of succeeding. The Obama Administration has experienced great difficulty finding someone having the skills required and above all the desire to serve in this post which has had three heads in the five years of its existence. Leon Panetta and the former Republican Senator Chuck Hagel reportedly declined the offer. Retired General James R. Clapper Jr., presently director of intelligence activities at the Pentagon, has finally been named by President Obama despite the reservations of many Congressmen.

Though one may expect the arrival of a new Director will make it possible to reduce tensions, the conditions have still not come together in a way that assures his activities will be crowned with success. It would be appropriate to clarify this post to ensure that the missions of the DNI are appropriate to his resources. This could involve either a reduction of his role or an increase in his powers vis-à-vis the agencies. We note that ever since the Second World War, the main reforms adopted to respond to failures of the intelligence services such as Pearl Harbor or 11 September have ended in an increase of centralisation and a reinforcement of the coordination of intelligence activities of the American government. This route is also prioritised by the Presidential Intelligence Advisory Board (PIAB), a body providing advice to the President in the matter of intelligence, in a report submitted just several days before the announcement of

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the departure of Admiral Blair. It remains to be seen if the political powers will manage to accept their responsibility and proceed with the necessary adjustments before some new large scale failure renders this inescapable.

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