



FACT SHEET:

The Conference Report and Intelligence Support for Military Operations

1. The proposed reforms do NOT change the chain of command for control of national intelligence assets.

The warfighter today can call upon real-time intelligence support from the military services (like the Air Force), from his joint forces command (like CENTCOM), and from national agencies (like the signals intelligence analyzed by NSA).

- The bill does not affect support relationships between combat units and military services (like the Air Force).
- The bill does not affect support relationships between combat units and the joint forces command to which they are assigned (like CENTCOM). It would not affect CENTCOM's management of the assets assigned to that command. So, for example, the bill would have no effect at all on the support relationship between the soldier in the field and a JSTARS aircraft or Predator UAV assigned to CENTCOM's intelligence component, its J-2.
- Assets, like satellites, that are run by national agencies are managed for the benefit of the whole US government. That is why these are called "national" agencies. The chain of command for operational decisions about those assets therefore goes outside of DOD under the status quo.
- Under President Bush's executive order (August 2004), DCI Goss has the duty to set the requirements and priorities for collection by these agencies. The DCI also has the authority to "resolve conflicts in the tasking of national collection assets"
- Under the conference report these same authorities simply move from the DCI to the DNI, for "resolving conflicts in collection requirements and in the tasking of national collection assets of the elements of the intelligence community."

At the operational level, the job of getting national assets in support of the warfighter is managed by the unified combatant commands with the help of the Joint Staff's J-2 and the J-2's National Military Joint Intelligence Center.

None of the current practices for the allocation of national assets would change as the focal point for national coordination moves from the DCI to the DNI.

2. The specific concerns articulated by JCS Chairman General Myers in his letter of October 21st were addressed in the conference report.

General Myers' letter of October 21st (attached) did not register any concerns about the chain of command in operational intelligence support for the warfighter.

General Myers focused only on budget matters, where he specifically requested that:

- a) "the budgets of the combat support agencies should come up from the agencies through the Secretary of Defense to the National Intelligence Director"; and
- b) "it is likewise important that the appropriations are passed from the National Intelligence Director through the Department to the combat support agencies."

This latter point, on "this vital flow," is the one – the only one – singled out for a "recommendation that this critical provision be preserved in the conference."

It was.

- In the conference report, the appropriations do not go to the National Intelligence Director. The appropriations for national intelligence go through the heads of the relevant departments.
- With the help of OMB, the DNI can direct allotment or allocation of these funds, but the flow of funds goes through the department to (in DOD's case) the combat support agencies:

"Department comptrollers or appropriate budget execution officers shall allot, allocate, reprogram, or transfer funds appropriated for the National Intelligence Program in an expeditious manner."

- *Thus the conference report accepted the recommendation of General Myers for how to direct the flow of funds.*

Even on the issue of budget preparation, the conference report addressed the concern raised by General Myers.

- In the conference report, the budgets from the combat support agencies come up through the Secretary of Defense. If the combat support agencies are not national intelligence agencies and are covered under the appropriations for joint military intelligence or for tactical intelligence and related activities, the proposed DNI participates with the Secretary of Defense in developing the final budget for them. For these combat support agencies *the authority of the Secretary of Defense remains exactly as it is now.*
- If the combat support agencies are also national intelligence agencies (which is the case for the National Security Agency, the National Geospatial Intelligence Agency, and the National Reconnaissance Office), the proposed DNI would develop and determine the national intelligence program budget “based on budget proposals provided ... by the heads of agencies and organizations within the intelligence community and the heads of their respective departments and, as appropriate, after obtaining the advice of the Joint Intelligence Community Council.”
- Thus, in the conference report, the Secretary of Defense has input into budget preparation for these national agencies both directly and through his participation in the proposed Joint Intelligence Community Council.

3. The Commission considered DOD concerns in the preparation of its recommendations.

- Commissioners and Commission staff discussed DOD concerns about intelligence reorganization with Secretary Rumsfeld, Under Secretary of Defense for Intelligence Cambone, Director of the National Security Agency General Hayden, the Director of the National Geospatial Intelligence Agency General Clapper, and many others. General Hayden and General Clapper have spent their careers in providing military intelligence support for the warfighter.
- Commissioners and/or Commission staff made three investigative visits to HQ Central Command and HQ Special Operations Command. They interviewed officers at HQ Northern Command and HQ Joint Special Operations Command. They interviewed users of intelligence in the field, in Afghanistan and Pakistan.

4. A Better Structure Enables Better Management.

- The Commission never took the view that reorganization solves all problems. A better structure enables better management.
- Numerous specific management reforms are needed, in areas such as
 - human intelligence collection;
 - common standards for information technology and network capabilities;
 - more efficient use of available experts;

- improved language skills;
 - standardized processing of raw intelligence; and
 - better all-source analysis.
- What we found is that these and other management reforms falter in an unmanageable intelligence community. A better structure makes it more likely that such urgent management reforms will succeed.

APPENDIX: Letter from Gen. Richard Myers to HASC Chairman Hunter



CHAIRMAN OF THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20318-9999

October 21, 2004

The Honorable Duncan Hunter
Chairman, Armed Services Committee
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman,

As we discussed during our recent telephone conversation, I know that you and the conferees are discussing intelligence reform and the intelligence budget process. This is a vitally important subject as we look at the effectiveness of the intelligence provided by our combat support agencies. It is my belief that the responsibilities of the Secretary of Defense for the operation of these agencies, including budget preparation and execution, should be addressed as the conferees proceed to a final bill. In this regard the budgets of the combat support agencies should come up from the agencies through the Secretary of Defense to the National Intelligence Director, ensuring that required warfighting capabilities are accommodated and rationalized and ensuring that the Secretary meets his obligations. For appropriations, it is likewise important that the appropriations are passed from the National Intelligence Director through the Department to the combat support agencies. It is my understanding that the House bill maintains this vital flow through the Secretary of Defense to the combat support agencies. It is my recommendation that this critical provision be preserved in the conference.

The combat support agencies provide critical combat intelligence capabilities important to the day to day operations of our armed forces, including, of course, combat operations. Establishing the budget process in this manner would allow the combat support agencies to continue their outstanding support to the warfighters, our on-going counterterrorism efforts, and the men and women of our nation's armed forces serving in harm's way.

Sincerely,

ORIGINAL SIGNED

RICHARD B. MYERS
Chairman
Joint Chiefs of Staff

cc: Conferees