



Updated January 29, 2020

# Defense Primer: Under Secretary of Defense for Intelligence and Security

The Under Secretary of Defense for Intelligence and Security (USD(I&S)) is a civilian official, appointed by the President and confirmed by the Senate, who reports directly to the Secretary of Defense and is the Principal Staff Assistant and advisor to the Secretary and Deputy Secretary of Defense on intelligence, counterintelligence (CI), security, sensitive activities, and other intelligence-related matters. On behalf of the Secretary, the USD(I&S) also exercises authority, direction, and control over Department of Defense (DOD) intelligence and security agencies, field activities, policy, processes, procedures, and products.

The title “USD(I&S)” reflects a recent change. To give greater emphasis to the importance and scope of the USD(I&S)’s security responsibilities, including primary federal government responsibility for conducting background investigations (consistent with Executive Order 13869), Congress redesignated the position of Under Secretary of Defense for Intelligence (USD(I)) as the Under Secretary of Defense for Intelligence and Security (USD(I&S)) in the National Defense Authorization Act (NDAA) for Fiscal Year 2020 (Section 1621 of P.L. 116-92).

As the head of the defense intelligence and security enterprise, the USD(I&S) has responsibility for a significant portion of the personnel and funding supporting the Intelligence Community (IC) overall. The USD(I&S) and staff, however, are not themselves statutory elements of the IC. Title 50 U.S. Code §3003 lists the 17 organizational elements of the IC, 2 of which are independent—the Office of the Director of National Intelligence (ODNI) and Central Intelligence Agency—and 15 of which are components of 6 separate departments of the federal government. The eight IC elements within the DOD comprise the defense intelligence and security enterprise overseen by the USD(I&S). They include the Defense Intelligence Agency (DIA), National Geospatial Intelligence Agency (NGA), National Security Agency (NSA), National Reconnaissance Office (NRO), and the four intelligence components of the military services. These elements, in turn, support the Joint Staff and Combatant Commands with the personnel and expertise that enable their component joint intelligence organizations.

## Origin of the USD(I) Position

Leadership of DOD intelligence-related functions within the Office of the Secretary of Defense (OSD) has been realigned multiple times over the course of DOD’s history. The most recent development came when Congress established the USD(I) position in the aftermath of the 9/11 terror attacks, in response to a request by then-Secretary of Defense Donald Rumsfeld.

DOD asserted that in exercising delegated oversight over the DOD’s intelligence, CI, and security functions, the

position would “provide the Secretary of Defense with the flexibility he requires to respond to heightened demands on the [DOD] to support the President’s efforts to prevent and respond to acts of terrorism against the United States.” The legislative language establishing the position of USD(I) was included under Section 901 of the National Defense Authorization Act for Fiscal Year 2003 (P.L. 107-314), which was codified as Section 137 of Title 10, *United States Code*.

## USD(I&S)s to Date

- Stephen A. Cambone (March 2003-December 2006)
- James R. Clapper (April 2007-August 2010)
- Michael G. Vickers (March 2011-April 2015)
- Marcel Lettre (December 2015-January 2017)
- Todd Lowery (acting) (January 2017-June 2017)
- Kari Bingen (acting) (June 2017-December 2017)
- Joseph D. Kernan (December 2017-present)

## Origin of “Dual-Hatted” Role for USD(I&S)

In May 2007, the Secretary of Defense and the Director of National Intelligence (DNI) signed a Memorandum of Agreement (MOA) to establish a dual role for the USD(I). In a news release announcing the issuance of the MOA, then-USD(I) James Clapper indicated that the creation of a Director of Defense Intelligence (DDI) position was intended to “strengthen the relationship between the DNI and the DOD ... [and] to facilitate staff interaction and promote synchronization.” Under the “dual-hatting” arrangement, the incumbent acts as the USD(I&S) within the OSD, and acts as the DDI within the ODNI.

The DNI and the USD(I&S) together coordinate a number of interagency activities designed to facilitate the integration of national- and tactical-level intelligence activities. When acting as DDI, the USD(I&S) reports directly to the DNI and serves as his or her principal advisor regarding defense intelligence. The USD(I&S) ensures defense intelligence is coordinated and aligned with IC programs and priorities, and address strategic, tactical, or operational requirements supporting military strategy and operations. The USD(I&S) and staff, therefore, provide strategic direction and oversight of the defense products and services derived from the collection, processing, evaluation, and analysis of information concerning foreign nations, hostile or potentially hostile forces or elements, or areas of actual or potential military operations.

## Roles and Responsibilities of the USD(I&S)

DOD Directive 5143.01 of April 22, 2015, establishes the responsibilities, functions, relationships, and authorities of

the USD(I&S) within DOD, as defined by law, executive order, and DOD policy, including those responsibilities and authorities delegated from the Secretary of Defense to the USD(I&S). Per DOD Directive 5143.01, the USD(I&S)'s major responsibilities and functions include

- serving as DDI and principal advisor to the DNI on defense intelligence, as well as facilitating the integration of defense intelligence and DOD support with IC activities;
- advising the Secretary of Defense and the Deputy Secretary of Defense regarding defense intelligence, CI, security, sensitive activities, and other intelligence-related matters;
- on behalf of the Secretary of Defense, exercising authority, direction, control, and oversight over the activities of the DIA, the NGA, the NRO, the NSA/Central Security Service (CSS), and the Defense Counterintelligence and Security Agency (DCSA);
- ensuring DOD IC elements are responsive to the intelligence needs of operational military forces generally;
- developing and overseeing implementation of DOD policy, strategy, programs, and guidance on all intelligence, surveillance, and reconnaissance (ISR) manned and unmanned activities (including cyberspace activities);
- providing strategic direction and oversight of defense human intelligence collection operations to ensure they are organized and postured to support DOD and IC missions and priorities;
- providing strategic oversight and direction of defense technical collection capabilities and performance, to include signals intelligence, geospatial intelligence, and measurement and signature intelligence;
- reviewing and advocating for the intelligence capabilities of the Joint Intelligence Operations Centers and the service intelligence centers, in coordination with the Combatant Commands and military departments;
- ensuring defense intelligence analysis is aligned with IC and DOD analytical concepts, methodologies, and tradecraft standards;
- establishing and maintaining defense intelligence and counterintelligence relationships with foreign defense intelligence entities in coordination with the Under Secretary of Defense for Policy (USD(P)), and in consultation with Combatant Commanders, as appropriate;
- providing strategic direction and oversight of implementation of CI policy, programs, guidance, training, ensuring they are responsive to validated DOD and national CI priorities;
- providing strategic direction and oversight of defense security programs and capabilities, including Defense Counterintelligence and Security Agency-led activities to protect the supply chain and conduct personnel background investigations and security clearance adjudications; and
- providing strategic guidance and oversight of the DOD program for the acquisition and exploitation of foreign materiel.

Other major responsibilities and functions of the USD(I&S) include acting as the Program Executive for the Military

Intelligence Program (MIP) and managing the MIP through the DOD Planning, Programming, Budgeting, and Execution (PPBE) process. The USD(I&S) also has acquisition authority for intelligence, CI, and security-related technologies, systems, and equipment, and exercises oversight of personnel and manpower issues for defense intelligence positions.

#### Program Executive of the MIP

IC spending is usually understood as the sum of two separate budget programs: (1) the National Intelligence Program (NIP), which covers IC-wide programs, projects, and activities oriented toward the strategic needs of decision-makers; and (2) the MIP, which funds defense intelligence activities intended to support tactical military operations and priorities. The DNI manages the NIP budget through the IC budget process (Intelligence Planning, Programming, Budgeting and Evaluation Process, or IPPBE). The USD(I&S) manages the MIP and its accompanying budget separately through the DOD's PPBE process. The DNI and USD(I&S) thus coordinate and integrate the two programs within the constraints of two separate budget processes.

- For FY2019, the aggregate amount of funds appropriated for the NIP and MIP totaled \$81.7 billion (\$60.2 billion in NIP funds and \$21.5 billion in MIP funds).
- For FY2020, the aggregate amount of funds for the NIP and MIP totals \$85.7 billion (\$62.8 billion in NIP funds and \$22.9 billion in MIP funds).

#### Relevant Statutes

Title 10, *U.S. Code*, §137

#### CRS Products

CRS In Focus IF10524, *Defense Primer: Budgeting for National and Defense Intelligence*

CRS In Focus IF10525, *Defense Primer: National and Defense Intelligence*

CRS In Focus IF10574, *Defense Primer: Intelligence Support to Military Operations*

CRS Report R45175, *Covert Action and Clandestine Activities of the Intelligence Community: Selected Definitions in Brief*

#### Other Resources

DOD Directive 5143.01, *Under Secretary of Defense for Intelligence*, Change 1 effective April 22, 2015.

Executive Order 12333, *U.S. Intelligence Activities*, as amended.

Michael McConnell, DNI, and Robert Gates, Secretary of Defense, *Memorandum of Agreement*, May 2007.

**Michael E. DeVine**, Analyst in Intelligence and National Security

IF10523

## Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.