

108TH CONGRESS  
2D SESSION

# S. 2778

To amend title 10, United States Code, to provide for the establishment of a unified combatant command for military intelligence, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 8, 2004

Mr. CHAMBLISS introduced the following bill; which was read twice and referred to the Select Committee on Intelligence

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## A BILL

To amend title 10, United States Code, to provide for the establishment of a unified combatant command for military intelligence, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. UNIFIED COMBATANT COMMAND FOR MILI-**  
4 **TARY INTELLIGENCE.**

5 (a) IN GENERAL.—Chapter 6 of title 10, United  
6 States Code, is amended by inserting after section 167a  
7 the following new section:

1   **“§ 167b. Unified combatant command for military in-**  
2                           **telligence**

3           “(a) ESTABLISHMENT.—(1) With the advice and as-  
4   sistance of the Chairman of the Joint Chiefs of Staff, the  
5   President, through the Secretary of Defense, shall estab-  
6   lish under section 161 of this title a unified combatant  
7   command for military intelligence (hereinafter in this sec-  
8   tion referred to as the ‘military intelligence command’).

9           “(2) The principle functions of the military intel-  
10   ligence command are—

11           “(A) to coordinate all military intelligence ac-  
12   tivities;

13           “(B) to develop new military intelligence collec-  
14   tion capabilities; and

15           “(C) to represent the Department of Defense in  
16   the intelligence community under the National Intel-  
17   ligence Director.

18           “(b) ASSIGNMENT OF FORCES AND CIVILIAN PER-  
19   SONNEL.—(1) Unless otherwise directed by the Secretary  
20   of Defense, all active and reserve military intelligence  
21   forces of the armed forces within the elements of the De-  
22   partment of Defense referred to in subsection (i)(2) shall  
23   be assigned to the military intelligence command.

24           “(2) Unless otherwise directed by the Secretary of  
25   Defense, the civilian personnel of the elements of the De-

1 partment of Defense referred to in subsection (i)(2) shall  
2 be under the military intelligence command.

3 “(c) GRADE OF COMMANDER.—The commander of  
4 the military intelligence command shall hold the grade of  
5 general or, in the case of an officer of the Navy, admiral  
6 while serving in that position, without vacating his perma-  
7 nent grade. The commander of such command shall be ap-  
8 pointed by the President, by and with the consent of the  
9 Senate, for service in that position.

10 “(d) DUTIES OF COMMANDER.—Unless otherwise di-  
11 rected by the President or the Secretary of Defense, the  
12 commander of the military intelligence command shall—

13 “(1) carry out intelligence collection and anal-  
14 ysis activities in response to requests from the Na-  
15 tional Intelligence Director; and

16 “(2) serve as the principle advisor to the Sec-  
17 retary of Defense, the Chairman of the Joint Chiefs  
18 of Staff, and the National Intelligence Director on  
19 all matters relating to military intelligence.

20 “(e) AUTHORITY OF COMMANDER.—(1) In addition  
21 to the authority prescribed in section 164(c) of this title,  
22 the commander of the military intelligence command shall  
23 be responsible for, and shall have the authority to conduct,  
24 all affairs of the command relating to military intelligence  
25 activities.

1       “(2) The commander of the military intelligence com-  
2       mand shall be responsible for, and shall have the authority  
3       to conduct, the following functions relating to military in-  
4       telligence activities:

5               “(A) Developing strategy, doctrine, and tactics.

6               “(B) Preparing and submitting to the Secretary  
7       of Defense and the National Intelligence Director  
8       recommendations and budget proposals for military  
9       intelligence forces and activities.

10              “(C) Exercising authority, direction, and con-  
11       trol over the expenditure of funds for personnel and  
12       activities assigned to the command.

13              “(D) Training military and civilian personnel  
14       assigned to or under the command.

15              “(E) Conducting specialized courses of instruc-  
16       tion for military and civilian personnel assigned to  
17       or under the command.

18              “(F) Validating requirements.

19              “(G) Establishing priorities for military intel-  
20       ligence in harmony with national priorities estab-  
21       lished by the National Intelligence Director and ap-  
22       proved by the President.

23              “(H) Ensuring the interoperability of intel-  
24       ligence sharing within the Department of Defense

1       and within the intelligence community as a whole, as  
2       directed by the National Intelligence Director.

3           “(I) Formulating and submitting requirements  
4       to other commanders of the unified combatant com-  
5       mands to support military intelligence activities.

6           “(J) Recommending to the Secretary of De-  
7       fense individuals to head the components of the com-  
8       mand.

9       “(3) The commander of the military intelligence com-  
10     mand shall be responsible for—

11           “(A) ensuring that the military intelligence re-  
12       quirements of the other unified combatant com-  
13       manders are satisfied; and

14           “(B) responding to intelligence requirements  
15       levied by the National Intelligence Director.

16       “(4)(A) The commander of the military intelligence  
17     command shall be responsible for, and shall have the au-  
18     thority to conduct the development and acquisition of spe-  
19     cialized technical intelligence capabilities.

20       “(B) Subject to the authority, direction, and control  
21     of the Secretary of Defense, the commander of the com-  
22     mand, in carrying out the function under subparagraph  
23     (A), shall have authority to exercise the functions of the  
24     head of an agency under chapter 137 of this title.

1       “(f) INSPECTOR GENERAL.—The staff of the com-  
2 mander of the military intelligence command shall include  
3 an inspector general who shall conduct internal audits and  
4 inspections of purchasing and contracting actions through  
5 the command and such other inspector general functions  
6 as may be assigned.

7       “(g) BUDGET.—(1) The Secretary of Defense and the  
8 National Intelligence Director shall jointly consult on the  
9 budget of the military intelligence command before sub-  
10 mitting the budget to the President.

11       “(2) In addition to the activities of a combatant com-  
12 mander for which funding may be requested under section  
13 166(b) of this title, the budget proposal for the military  
14 intelligence command shall include requests for funding  
15 for—

16               “(A) development and acquisition of military in-  
17 telligence collection systems; and

18               “(B) acquisition of other material, supplies, or  
19 services that are peculiar to military intelligence ac-  
20 tivities.

21       “(h) REGULATIONS.—The Secretary of Defense shall  
22 prescribe regulations for the activities of the military intel-  
23 ligence command. The regulations shall include authoriza-  
24 tion for the commander of the command to provide for

1 operational security of military intelligence forces, civilian  
2 personnel, and activities.

3 “(i) IDENTIFICATION OF MILITARY INTELLIGENCE  
4 FORCES.—(1) For purposes of this section, military intel-  
5 ligence forces are the following:

6 “(A) The forces of the elements of the Depart-  
7 ment of Defense referred to in paragraph (2) that  
8 carry out military intelligence activities.

9 “(B) Any other forces of the armed forces that  
10 are designated as military intelligence forces by the  
11 Secretary of Defense.

12 “(2) The elements of the Department of Defense re-  
13 ferred to in this paragraph are as follows:

14 “(A) The Defense Intelligence Agency.

15 “(B) The National Security Agency.

16 “(C) The National Geospatial-Intelligence  
17 Agency.

18 “(D) The National Reconnaissance Office.

19 “(E) Any intelligence activities or units of the  
20 military departments designated by the Secretary of  
21 Defense for purposes of this section.

22 “(j) MILITARY INTELLIGENCE ACTIVITIES.—For  
23 purposes of this section, military intelligence activities in-  
24 clude each of the following insofar as it relates to military  
25 intelligence:

1 “(1) Intelligence collection.

2 “(2) Intelligence analysis.

3 “(3) Intelligence information management.

4 “(4) Intelligence workforce planning.

5 “(5) Such other activities as may be specified  
6 by the President or the Secretary of Defense.”.

7 “(k) INTELLIGENCE COMMUNITY DEFINED.—In this  
8 section, the term ‘intelligence community’ means the ele-  
9 ments of the intelligence community listed or designated  
10 under section 3(4) of the National Security Act of 1947  
11 (50 U.S.C. 401a(4)).”.

12 (2) The table of sections at the beginning of that  
13 chapter is amended by inserting after the item relating  
14 to section 167a the following new item:

“167b. Unified combatant command for military intelligence.”.

15 (b) CONSULTATION WITH NATIONAL INTELLIGENCE  
16 DIRECTOR ON HEADS OF COMPONENTS OF COMMAND.—  
17 The Secretary of Defense shall consult with the National  
18 Intelligence Director on any recommendations made by  
19 the commander of the military intelligence command  
20 under section 167b(e)(2)(J) of title 10, United States  
21 Code (as added by subsection (a)), regarding the heads  
22 of the components of the military intelligence command  
23 before transmitting such recommendations to the Presi-  
24 dent.

