

VOLUME 2B, CHAPTER 16: “INTELLIGENCE PROGRAMS/ACTIVITIES”**SUMMARY OF MAJOR CHANGES**

All changes are denoted by **blue font**.

Substantive revisions are denoted by an * symbol preceding the section, paragraph, table, or figure that includes the revision.

Unless otherwise noted, chapters referenced are contained in this volume.

Hyperlinks are denoted by **bold, italic, blue, and underlined font**.

The previous version dated July 2010 is archived.

PARAGRAPH	EXPLANATION OF CHANGE/REVISION	PURPOSE
All	This chapter is certified as current.	Current

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CHAPTER 16

INTELLIGENCE PROGRAMS/ACTIVITIES

1601 GENERAL

160101. Purpose

A. This chapter provides instructions applicable to budget formulation, implementation, and congressional justification for Intelligence Program Aggregation.

B. The following Program Aggregations are covered in this chapter:

1. - National Intelligence Program (NIP) – Defense elements
2. - Military Intelligence Program (MIP)

160102. Definitions and Classification

General guidance with regard to classification of budget material is presented in Volume 2A, Chapter 1. Volume 2B, Chapter 16 provides additional specific guidance with regard to the material required for the Intelligence Program Aggregation.

A. National Intelligence Program (NIP)

The NIP provides integrated intelligence that covers broad aspects of national policy and national security. The portion of the NIP contained in the Department of Defense (DoD) Budget contributes substantially to meeting Defense intelligence requirements, but also contains programs/activities in support of elements of the United State Government outside the DoD.

B. NIP Classification

1. Classification of US Intelligence budget information is determined by the Director of National Intelligence (DNI) pursuant to Executive Order 12958, Section 1.5(c), Executive Order 12333, Section 1.5(g), and the DNI's authorities under the National Security Act of 1947.

2. NIP Budget Resource Information in all DoD databases shall be classified as shown below unless other specific NIP program guidance in effect requires higher classification.

a. Information which, standing alone or in aggregate, reveals any Program Element total of the funding or manpower requirements of any program in the NIP will be classified SECRET.

b. Information that permits the disclosure of any Program Element total or the funding or manpower requirements of any program in the NIP, for example, through a subtractive process, will be classified SECRET.

c. Information which, standing alone or in aggregate, reveals overall DoD Component funding or manpower levels of the NIP or its programs will be classified SECRET.

d. However, as an exception to this guidance, NIP budget information for military construction and family housing for defense agencies shall be maintained and presented as unclassified.

e. Whenever NIP funding and manpower resource detail is combined with other unclassified programs in such a way as to effectively mask the NIP resource Program Element total, such combined resource Program Element total may be treated as unclassified.

f. Requests for clarification of the foregoing classification guidance should be forwarded to OUSD (I). Questions of application will be coordinated with the Office of the Director of National Intelligence and responses will be disseminated to all interested DoD components.

C. Military Intelligence Program (MIP)

The term “Military Intelligence Program” refers to programs, projects, or activities that support the Secretary of Defense’s intelligence and counterintelligence, and related responsibilities as outlined in DoD Directive 5205.12. The term excludes capabilities, programs, projects, and activities in the NIP.

D. MIP Classification

1. Military Intelligence Program Information

a. Total DoD funding for MIP is SECRET.

b. Individual Program Elements and line items may be classified or unclassified according to content, unless disclosure of such a total would allow derivation of classified totals.

c. Although many MIP projects are unclassified, totals for DoD MIP are classified SECRET. Since intelligence project resource data will be sorted and used in a number of different ways, it is essential that OUSD (I) has current and specific security classification guidance in order to avoid inadvertent, unauthorized disclosure of classified information. Services and Agencies reporting MIP resource data are directed to provide the security classification guidance for each project along with a citation of the source of classification. In addition, include any other security classification guidance unique to the

organization that may be pertinent. Some examples might include the classification of information revealing the name of the organization with the resource, or classification of the information revealing the location with the name of the organization, etc. Normally, the project or program security classification guidance is included in a formal security classification guide approved by an original classification authority in accordance with DoD Regulation 5200.1, Information Security Program. (If you are uncertain about where to obtain the security classification guidance for your project, see your servicing security office for assistance).

1602 SUBMISSION

160201. NIP Submission Requirements

A. NIP (Special Program Codes (SPC) 329, 330, 331, 333, 334, 335, and 336) Congressional Budget Justification Books (CJB) justification books will be prepared and provided in accordance with separate guidance provided by the Office of the Director of National Intelligence (ODNI). Any Decision Documents affecting elements of the NIP must be coordinated with the ODNI, OUSD(C) and OUSD (I). The OUSD (C)'s Investment Directorate will ensure that the DNI Chief Financial Officer has an opportunity to review and provide comments on such documents.

B. The Components will follow the National Intelligence (NIP) Military Personnel Resources Programming and Budgeting Policies and Procedures when developing NIP military personnel cost estimates for the budget submission.

C. One hardcopy and CD disk of NIP program and budget materials prescribed by the DNI will be delivered by the ODNI to Under Secretary of Defense (Comptroller) (Program/Budget), Investment Directorate, Room 3C749, Pentagon, at the same time they are delivered to the Office of Management and Budget (OMB).

160202. MIP Submission Requirements

A. In accordance with DoD FMR Vol 2A and 2B, Chapters 3, 4 and 5 each Military Department and Defense Agency with MIP (SPC 365) resources will prepare all DoD justification materials (i.e., R-2, P-40, O-5, etc.) for each appropriation, to include DIA, NGA, and NSA. OSD classified exhibits (SECRET) will be combined as a classified Defense-wide volume. Classified justification materials (R-2, P-40, O-5, etc.) materials will contain sufficient detail needed to fully justify the classified portion of the request, without the use of supplemental justification materials. All other Army, Navy, Marine Corps, Air Force, National Reconnaissance Office (NRO), and Defense-Wide classified exhibits will be reviewed by OUSD (C) prior to releasing to OMB.

B. Submit three hardcopies of your classified R-2 or P-40 directly to OUSD(C), Investment Directorate, Pentagon, Room 3C749, at the same time as the unclassified details.

C. Complementary MIP Congressional Justification Books (CJB) guidance will be provided by the Office of the Under Secretary of Defense (Intelligence) (OUSD (I)). The CJB is a functional aggregation of the MIP portion of the DoD request, containing program justification and resource highlights that must be consistent with and directly auditable to all DoD justification materials (i.e., R-2, P-40, O-5, etc.) and any other DoD justification books that address the same resources.

D. OUSD(I) will deliver three final MIP copies of all volumes and one compact disk (CD) directly to OUSD (C), Investment Directorate, Pentagon, Room 3C749.

160203. Crosswalk Requirements

The MIP and NIP justification books will continue to incorporate an IC project to program element (Research, Development, Test, and Evaluation (RDT&E)), line item (Procurement (PROC)), or Subactivity Group (SAG) (Operation and Maintenance (O&M)) crosswalk exhibit at the R-1, P-1, and O-1 respectively. This is necessary to help satisfy continuous congressional budget reconciliation and visibility requirements.

1603 BUDGET RECONCILIATION DATA

Congressional Oversight Committees have requested the Under Secretary of Defense (Comptroller) and Director, Cost Assessment and Program Evaluation Office (CAPE), in consultation with the Under Secretary of Defense for Intelligence, to create and maintain whole, distinct program elements [RDT&E PEs, PROC line items, O&M SAGs] within each component of the Intelligence Community (IC) to address IC resources and manpower. Services and Agencies must continue to show steady, measureable progress toward achieving these fully-captured MIP data elements for all appropriations.

160301. NIP

The NIP lines will maintain whole [pure] NIP budget line resources identified by SPCs 329, 330, 331, 333, 334, 335, and 336.

160302. MIP

The MIP lines will maintain whole [pure] MIP budget line resources identified by SPC 365.

1604 APPEAL PROCESS ON CONGRESSIONAL ACTIONS

160401. Purpose

This Section provides specific guidance for preparation of classified appeals to congressional committees on intelligence programs.

160402. Classified Appeals.

A. Oversight. The House Permanent Select Committee on Intelligence (HPSCI), the Senate Select Committee on Intelligence (SSCI), the House Appropriations Committee (HAC), and the Senate Appropriations Committee (SAC) have oversight jurisdiction over the NIP. The NIP appeals will be delivered to the HPSCI, SSCI, HAC, and the SAC. Appeals affecting the MIP will be delivered to the House Armed Services Committee (HASC), Senate Armed Services Committee (SASC), HAC, and SAC.

B. Classified appeals may supplement actions included in the overall Defense Appeal where security considerations have dictated a less than complete justification. Classified appeals will be prepared at the appropriate level of classification necessary to fully explain and justify the action.

1. The DNI will prepare and submit, in consultation with the OUSD(C) and OUSD(I), separate classified appeals for the NIP to the congressional committees with intelligence oversight. The appeals format and content will be determined by the DNI.

2. The OUSD(I), in consultation with the OUSD(C) and the DNI/Chief Financial Officer, will prepare classified appeals for the MIP to the congressional committees with intelligence oversight. Unclassified MIP appeals will follow normal procedures per additional guidance.

C. Classified Appeals will be completely consistent with the Secretary of Defense's policy direction as articulated by the USD(Comptroller) and, in the case of appeals to legislative provisions, also as articulated by the Office or the General Counsel and the Deputy Secretary of Defense. All such appeals will be coordinated with the Comptroller and OMB prior to release.