AIR FORCE INSTRUCTION 14-104
1 JULY 2000

Intelligence



## **OVERSIGHT OF INTELLIGENCE ACTIVITIES**

## COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This instruction gives the directive requirements for the conduct of United States (US) Air Force intelligence activities. It describes mandatory training requirements of intelligence and counterintelligence components conducting intelligence activities. It also details how to identify, investigate, and report procedures in the event of violations. This instruction implements Executive Order (EO) 12333 (part 2), DoD 5240.1-R, *Procedures Governing the Activities of DoD Intelligence Components That Affect United States Persons*; and AFPD 14-1, Intelligence Applications and Requirements Planning. Throughout this instruction, the term intelligence will pertain to both intelligence and counterintelligence units, activities, etc. This instruction does not apply to criminal investigation activities. See Attachment One for a glossary of references, abbreviations, acronyms, and terms. Maintain and dispose of records created as a result of prescribed processes in accordance with AFMAN 37-139, Records Disposition Schedule.

#### SUMMARY OF REVISIONS

## This document is substantially revised and must be completely reviewed.

This revision refines guidance concerning the scope of the Air Force intelligence oversight program (paragraph 3.), provides guidance concerning information warfare (paragraph 3.3.), directs yearly self-inspections for units that have not received an intelligence oversight evaluation during a given year (paragraph 6.3.), clarifies reporting procedures (paragraph 7.), charters the Air Force Intelligence Oversight Panel (paragraph 8.) and provides guidance concerning domestic imagery collection (paragraph 9.) and force protection (paragraph 10.). In addition, this revision provides a training primer (attachment 2) and inspection guidance (attachment 3).

**1. Purpose.** Intelligence oversight encompasses two fundamental concerns: obtaining the intelligence information required to protect national security and protecting individual rights guaranteed by the Constitution and the laws of the United States. The primary objective of the Intelligence Oversight Program is

to ensure that units and staff organizations conducting intelligence activities do not infringe on or violate the rights of US persons. However, it is important to note that the program applies to all intelligence activities whether they deal with US person information or not.

- **2.** Conduct of Intelligence Activities. Information concerning capabilities, intentions, and activities of foreign governments is essential in decision-making for national defense and foreign relations. The measures used to acquire such information must be responsive to the legitimate needs of the US Government, and must be conducted in a manner that abides by the legal and constitutional rights of US persons.
  - 2.1. This instruction directs all Air Force personnel working with data collected on US persons to be knowledgeable of, and adhere to, the restrictions and procedures in DoD 5240.1-R (see Index at attachment 2, Training Primer).
  - 2.2. This instruction neither authorizes any activity not previously authorized nor exempts anyone from any restrictions in DoD 5240.1-R.

## 3. Scope.

- 3.1. This instruction applies to all Air Force active duty, Air Force Reserve, and Air National Guard (when performing a federal function) intelligence units and staff organizations that could collect, analyze, process, retain, or disseminate intelligence information on US persons. It applies to all military and civilian personnel assigned or attached to those units on a permanent or temporary basis, regardless of specialty or job function. Also, it applies to contractors or consultants if they are involved in activities subject to the procedures in DoD 5240.1-R. For the Air Force Reserve, this AFI applies to Air Reserve Technicians, Individual Mobilization Augmentees, and other Air Force Reserve members assigned to intelligence units and staffs. For the Air National Guard (ANG), it applies to all ANG members in a Title 10 or Title 32 status assigned or attached to intelligence units or staffs.
- 3.2. This instruction also applies to non-intelligence units and staffs when they are used for intelligence purposes and to personnel doing intelligence work as an additional duty, even if those people are not assigned or attached to an intelligence unit or staff. The major command (MAJCOM), field operating agency (FOA), or ANG Senior Intelligence Officer determines applicability.
- 3.3. This instruction applies to Air Force units and staffs that conduct information warfare activities and are components of intelligence organizations. For example, the Air Force Information Warfare Center (AFIWC), which conducts information warfare activities, is a component of AIA. As such, this instruction applies to the AFIWC. It also applies to all intelligence units and staffs described in paragraph 3 above that support information warfare activities with products or services.
- 3.4. This instruction does not apply to criminal investigations conducted by the Air Force Office of Special Investigations (AFOSI). See AFI 71-101, *Criminal Investigations*.

## 4. Responsibilities.

- **4.1. Secretary of the Air Force, Inspector General (SAF/IG).** Chairs and is a voting member of the Air Force Intelligence Oversight Panel and provides quarterly reports to the Assistant to the Secretary of Defense, Intelligence Oversight (ATSD-IO). Has access to all material necessary to perform assigned intelligence oversight responsibilities.
- **4.2. Secretary of the Air Force, General Counsel (SAF/GC).** Legal counsel for all Air Force intelligence oversight issues. Provides advice to intelligence components on questions of legality or pro-

priety, as required. Voting member of Intelligence Oversight Panel. Has access to all material necessary to perform legal and intelligence oversight responsibilities.

- **4.3. Director of Intelligence, Surveillance, and Reconnaissance (AF/XOI).** Develops policy to ensure the proper supervision and control of Air Force intelligence activities. Coordinates with the ATSD-IO, the Air Force Inspector General, and the Air Force General Counsel on intelligence oversight matters. Voting member of the Intelligence Oversight Panel.
- **4.4.** MAJCOMs, Air National Guard, and those FOAs and Direct Report ing Units (DRU) that Perform Intelligence Activities as Defined in Paragraph 3. Establish and maintain intelligence oversight programs to effect intelligence oversight and ensure all personnel assigned or attached to their intelligence components receive training according to paragraph 5.0. Through their inspector general function, accomplish intelligence oversight inspections required by AFI 90-201. Through their functional staffs, accomplish Staff Assistance Visits (SAV) as determined appropriate by the MAJCOM, DRU, or FOA commander. Note that intelligence oversight inspections of ANG intelligence units and staffs will normally be conducted by the gaining command. However, they may also be inspected by the National Guard Bureau Inspector General when gaining command inspection resources are not sufficient or available.
- **4.5. Air Intelligence Agency (AIA).** Ensure appropriate AIA units comply with both the provisions of this instruction and those contained in all appropriate intelligence discipline-specific instructions.
- **4.6. AFOSI.** Ensure appropriate AFOSI units comply with both the provisions of this instruction and those contained in all appropriate counterintelligence discipline-specific instructions.
- **4.7.** Commanders. Designate primary and alternate intelligence oversight monitors and ensure training programs as specified in paragraph 5 and attachment 2 are conducted.

## 5. Training.

- **5.1. Initial Training.** Technical training centers will provide initial intelligence oversight training to all Air Force intelligence personnel as part of their technical training. Intelligence oversight monitors will provide intelligence oversight training to all personnel performing duties defined in paragraphs 3, **3.1.** and **3.2.** as part of their unit indoctrination. Training will cover, at a minimum, the matters set out in Attachment Two, Training Primer.
- **5.2. Annual Refresher Training.** Intelligence oversight monitors will provide annual refresher training to all Air Force personnel who are assigned or attached to Air Force intelligence components. This training will cover, at a minimum, the matters set out in Attachment Two, Training Primer. Units will keep records of personnel training. (The ATSD-IO web site (<a href="http://www.dtic.mil/atsdio/">http://www.dtic.mil/atsdio/</a>) is highly recommended as a source of training materials as well as the basic references governing intelligence oversight listed in para A3.1.4. See **attachment 2** for a primer on intelligence oversight training.)
- **6. Compliance Inspection Guidance** . Inspectors, SAV team members, and units will follow the guidance in Attachment Three of this AFI when assessing the adequacy of intelligence oversight programs.
  - 6.1. MAJCOM, FOA, and DRU inspectors general shall use **attachment 3** when accomplishing the compliance inspection item inspections required by AFI 90-201, Attachment Five.

- 6.2. Functional representatives shall use Attachment Three when accomplishing compliance-oriented SAVs.
- 6.3. Intelligence unit commanders who have not been evaluated in the current calendar year by ATSD-IO, MAJCOM, FOA, or DRU inspectors general, or functional staffs accomplishing compliance-oriented SAVs shall perform a self-inspection, using the checklist in Attachment Three in the final quarter of each calendar year. The results shall be forwarded to MAJCOM, FOA, or DRU inspectors general. The MAJCOM, FOA, and DRU inspectors general shall consolidate the results and provide a report to SAF/IGI no later than 5 Jan of the next calendar year. Results of ANG inspections will also be provided to the National Guard Bureau Inspector General.

## 7. Inquiries and Reporting.

- **7.1. Reporting Questionable Activities.** Air Force agencies, units, and personnel must report activities that may violate law, policy, intelligence oversight directives, or regulations as follows:
  - 7.1.1. Air Force agencies, units, and personnel must report to the Air Force General Counsel, the Air Force Inspector General, the DoD General Counsel and ATSD-IO. Use of the supervisory chain or chain of command is encouraged to facilitate such reports where feasible. Such reports will be expeditiously provided to the inspector general at the first level at which an inspector general is assigned and not associated with the questionable activity, with copies to the staff judge advocate and, unless the inspector general determines such reporting would not be appropriate, to senior intelligence officers at the same level.
  - 7.1.2. MAJCOMs/FOAs/DRUs will report to SAF/IG, providing information copies of report to SAF/GC and AF/XOI.
  - 7.1.3. SAF/IG and SAF/GC will report immediately to DoD General Counsel and the ATSD-IO questionable activities of a serious nature. These and the quarterly reports described in paragraph 7.3 below are exempt from Report Control Symbol (RCS) licensing procedures according to AFI 37-124, *The Information Collections and Reports Management Program; Controlling Internal, Public, and Interagency Air Force Information Collections.*
- **7.2. Inquiries.** Air Force agencies and units will inquire into and report any questionable activity that constitutes or is related to intelligence activity that may violate law, policy, intelligence oversight directives, or regulations, as paragraph 7.1 directs. Conduct all inquiries as quickly as possible. Officials responsible for inquiries may obtain additional assistance from within the component concerned or from other DoD components, when necessary, to complete inquiries in a timely manner. SAF/IG and SAF/GC must have all relevant information necessary in order to evaluate an inquiry, regardless of classification or compartmentation.
- **7.3. Submitting Quarterly Reports.** Each MAJCOM, FOA, or DRU Inspector General responsible for an Air Force organization or staff subject to this instruction must prepare quarterly inputs to SAF/IGI. Inputs are due at SAF/IGI five calendar days after the end of each quarter. SAF/IGI will consolidate all inputs into a quarterly report to ATSD-IO, which will be signed by SAF/IG, SAF/GC, and AF/XOI. Inputs must include:
  - 7.3.1. Questionable activities identified during the quarter and reference to any report previously made concerning them (see paragraph 7.1).
  - 7.3.2. Actions taken regarding such activities.

- 7.3.3. Significant oversight activities; e.g., intelligence oversight evaluations or inspections (provide results, unit, location, and inspection date). Include results of inspections conducted by any outside agency such as ATSD-IO (include unit, locations, and inspection date), and planned next-quarter intelligence oversight inspections (provide unit, location, and estimated inspection date). An explanation is required for any rating reported that is other than fully compliant. Suggestions to improve the intelligence oversight program are also encouraged.
- 7.3.4. On the report for the last quarter of each calendar year, the status of self-inspections conducted IAW paragraph **6.** above.
- 7.3.5. The MAJCOM, FOA, or DRU report for the last quarter of each calendar year shall include a list of the units and staffs for which the MAJCOM, FOA, or DRU has intelligence oversight and inspection requirements (specifying designation, subordination, and location).
- **8. Air Force Intelligence Oversight Panel.** The Panel consists of SAF/IG (chair), SAF/GC, and AF/XOI. Its functions are to review the legality and propriety of Air Force intelligence activities, review the adequacy of guidance for Air Force intelligence unit and staff intelligence oversight programs, and review the state of intelligence oversight activities, taking or recommending necessary actions, as appropriate.
- **9. Domestic Imagery.** Air Force intelligence components may, at times, need domestic imagery, either newly collected or previously archived, to perform their mission. Domestic imagery is defined as satellite and airborne imagery of any part of the United States, its territories, or possessions to a 12NM seaward limit of these land areas. Domestic imagery can be acquired from US government or commercial sources.
  - 9.1. Air Force intelligence components should submit requirements for US government domestic imagery through their chain of command to MAJCOM, DRU, or FOA headquarters which, in turn, will address the requirements IAW National Imagery and Mapping Agency policy directives (available on INTELINK and INTELINK-S).
  - 9.2. Air Force intelligence components can obtain domestic commercial imagery without higher level approval for valid mission purposes such as training or testing on federally owned and operated ranges, calibration-associated systems development activities, and domestic disaster relief operations. However, an internal memorandum for the record describing the purpose of the domestic collection should be retained on file. If in obtaining the imagery, a US person (e.g., private property) is targeted, then the rules and procedures, including approval chain, contained in DoD 5240-1.R must be followed.

## 10. Force Protection.

10.1. Commanders may not legally direct intelligence components to target or intentionally collect information for force protection purposes on US persons unless such persons have been identified by the DoD Director of Counterintelligence in a memo issued annually. However, during the conduct of routine liaison activities, intelligence components may receive information identifying US persons alleged to threaten DoD resources, installations, materiel, personnel, information, or activities. In this case, DoD intelligence components may act as a conduit for this information and must pass any threat information incidentally received in this manner to the threatened commander and the entity which has responsibility for countering the threat.

10.2. If the acquiring unit has reason to permanently retain the information under the provision of DoD 5240-1.R, Procedure 3, it must expeditiously, using chain of command if possible, request authority to do so from HQ USAF/XOI (info SAF/IG, SAF/GC). HQ/USAF/XOI will address the request with OSD/C3I and advise the unit and its chain of command regarding disposition of the information on US persons.

MARVIN R. ESMOND, Lieutenant General, USAF DCS, Air and Space Operations

#### **Attachment 1**

## GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

## References

Executive Order No. 12333, United States Intelligence Activities, December 4, 1981.

DoD Directive 5148.11, Assistant to the Secretary of Defense for Intelligence Oversight (ATSD-IO), July 1 1994

DoD Directive 5240.1, DoD Intelligence Activities, April 25 1988

DoD 5240.1-R, Procedures Governing the Activities of DoD Intelligence Components That Affect United States Persons, December 1982

AFI 37-124, The Information Collections and Reports Management Program: Controlling Internal, Public, and Interagency Air Force Information Collections, March 29 1994

AFI 71-101, Volume 1, Criminal Investigations, 1 December 1999

AFI 90-201, Inspector General Activities, 1 October 1999

National Imagery and Mapping Agency Imagery Policy Series, Section 6, *National Airborne Imagery Policy* and Section 9. Part B, *Domestic Imagery* 

## Abbreviations and Acronyms

AIA—Air Intelligence Agency

ANG—Air National Guard

**ATSD-IO**—Assistant to the Secretary of Defense, Intelligence Oversight

**DoD**—Department of Defense

**DRU**—Direct Reporting Unit

**EO**—Executive Order

**FOA**—Field Operating Agency

**MAJCOM**—Major Command

#### **Terms**

**Air Force Intelligence Component**—All personnel and activities of the organization of the HQ USAF Director, Intelligence, Surveillance, and Reconnaissance, counterintelligence units of the Air Force Office of Special Investigations, Air Intelligence Agency, and other organizations, staffs, and offices when used for foreign intelligence or counterintelligence activities to which EO 12333 (part 2) applies.

**Intelligence Activities**—Refers to all activities that DoD intelligence components are authorized to undertake pursuant to Executive Order 12333. Note that EO 12333 assigns the Services' intelligence components responsibility for: 1. "Collection, production, dissemination of military and military related foreign intelligence and counterintelligence, and information on the foreign aspects of narcotics production and trafficking." 2. "Monitoring of the development, procurement and management of

tactical intelligence systems and equipment and conducting related research, development, and test and evaluation activities."

**A United States Person**—A US citizen, an alien known by the DoD intelligence component concerned to be a permanent resident alien, an unincorporated association substantially composed of US citizens or permanent resident aliens, or a corporation incorporated in the United States unless it is directed and controlled by a foreign government or governments.

**Non-United States Person**—A corporation or corporate subsidiary incorporated abroad, even if partially or wholly owned by a corporation incorporated in the United States, is not a United States person. A person or organization outside the United States is presumed not to be a US person unless specific information to the contrary is obtained. An alien in the United States is presumed not to be a US person unless specific information to the contrary is obtained.

#### **Attachment 2**

### TRAINING PROGRAM PRIMER

- **A2.1. Introduction.** The material below is provided as a core curriculum for an intelligence unit or staff intelligence oversight program. It is intended to provide a common sense perspective on this important but often seemingly complex subject.
- **A2.2. Background.** Intelligence Oversight has become a commonly understood term referring to a group of laws, directives, and associated institutional bodies designed to ensure that US intelligence activities are conducted legally, properly and do not infringe on the rights of US persons. For the Air Force, there are two primary governing directives: DoD 5240.1-R, *Procedures Governing the Activities of DoD Intelligence Components That Affect US Persons*, Dec 82 and AFI 14-104, *Conduct of Intelligence Oversight*.
- **A2.3. Tenets** . Air Force intelligence personnel should be understand the following central tenets of the Air Force intelligence oversight program:
  - **A2.3.1.** Scope . The Air Force intelligence oversight program pertains to all personnel assigned or attached to intelligence units or staffs that could collect, analyze, process, retain, or disseminate intelligence on US persons. These include active, reserve, TDY and contractor personnel. See Terms in Attachment One, basic AFI for definition of US person.
  - **A2.3.2. Permissible Activities**. Air Force intelligence units and staffs can collect, retain, and disseminate intelligence on US persons provided they adhere to a very specific set of criteria and restrictions. Information that identifies a US person may be collected by a DoD intelligence component only if it is necessary to the conduct of a function assigned the collecting component and only if it falls within one of the thirteen categories listed under DoD 5240.1-R, Procedure 2. With this caveat, Information on US persons that is publicly available or information on US persons reasonably believed to be engaged in international terrorism are examples of the types of intelligence that can be collected, retained, and disseminated on US persons.
  - **A2.3.3.** Collection Techniques. There are very specific procedures and restrictions governing collecting intelligence on US persons by methods such as electronic surveillance or physical search or participation in activities of private organizations. (DoD 5240.1-R, Procedures 5-11)
  - **A2.3.4.** Law Enforcement Assistance. There are very specific procedures and restrictions on providing intelligence support to law enforcement agencies. (DoD 5240.1-R, Procedure 12)
  - **A2.3.5.** Questionable Activities. Intelligence oversight is much broader than just collecting, retaining and disseminating intelligence on US persons. Unit members or staff personnel are required to report "questionable activities," defined "as any conduct that constitutes, or is related to, an intelligence activity that may violate the law, any Executive Order or Presidential directive, including E.O. 12333, *United States Intelligence Activities*, or applicable DoD policy, including DoD 5240.1-R, *Procedures Governing the Activities of DoD Intelligence Components That Affect United States Persons."*
  - **A2.3.6. Reportin g.** Personnel assigned to intelligence units or staffs must report any possible intelligence oversight-associated violations or irregularities to the Air Force General Counsel, the Air Force Inspector General, the DoD General Counsel or ATSD-IO. Use of the supervisory chain or

- chain of command is encouraged to facilitate such reports where feasible. Such reports will be expeditiously provided to the inspector general at the first level at which an inspector general is assigned and not associated with the questionable activity, with copies to the staff judge advocate and, unless the inspector general determines such reporting would not be appropriate, senior intelligence officers at the same level. DoD 5240.1-R, Procedure 15. AFI above, paragraph 7.2.
- **A2.3.7. The Internet.** While much of the information posted on the Internet is publicly available, an intelligence professional acting in an official capacity still must have the official mission before collecting, retaining, or disseminating even publicly available information about US persons. Certain Internet-based activities are restricted by the rules requiring disclosure of an individual's intelligence organization affiliation. DoD 5240.1-R, Procedure 10 and 11.
- **A2.4. Reminder.** Even though most intelligence personnel are not "collectors," most do retain and disseminate intelligence. Some personnel, such as those working with domestic imagery collection or defensive information warfare programs may need a more in-depth understanding of select aspects of intelligence oversight rules and procedures. All are encouraged to periodically check the web site maintained by the Assistant to the SECDEF, Intelligence Oversight (http://www.dtic.mil/atsdio/) for soft copies of the basic intelligence oversight references, additional training aids, and other useful information.

# A2.5. Index - DoD 5240.1-R, Procedures Governing the Activities of DoD Intelligence that Affect United States Persons

- A2.5.1. Procedure 1- general provisions
- **A2.5.2. Procedure 2 collection of information about U.S. persons.** Note information that identifies a U.S. person may be collected only if it is necessary to the conduct of a function assigned to the collection component, and only if it falls within one of the categories listed in DoD 5240.1-R, Procedure 2.
- A2.5.3. Procedure 3 retention of information about U.S. persons
- A2.5.4. Procedure 4 dissemination of information about U.S. persons
- A2.5.5. Procedure 5 electronic surveillance
- A2.5.6. Procedure 6 concealed monitoring
- A2.5.7. Procedure 7 physical searches
- A2.5.8. Procedure 8 searches and examination of mail
- A2.5.9. Procedure 9 physical surveillance
- A2.5.10. Procedure 10 undisclosed participation in organizations
- A2.5.11. Procedure 11 contracting for goods and services without revealing the sponsorship by the intelligence component
- A2.5.12. Procedure 12 provision of assistance to law enforcement authorities
- **A2.5.13. Procedure 13 experimentation on human subjects for intelligence pur poses.** Note Procedures 5 13 contain detailed rules, prohibitions, and approval processes for specialized collection methods and techniques. The majority of Air Force intelligence units and staffs will never be required or authorized to conduct the activities described in these procedures, all of which require

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approval by specific higher level officials. Judge Advocate General or General Counsel authorities should be consulted on any matter pertaining to procedures 5 - 13.

# A2.5.14. Procedure 14 - employee conduct

**A2.5.15. Procedure 15 - identifying, investigating, and reporting questionable activities.** Note see discussion of "reporting" above, and in "questionable activities" and "reporting" provisions in basic AFI, paragraphs 7.1 and 7.2 above.

#### **Attachment 3**

## INSPECTION GUIDANCE

Inspectors, staff assistance visit (SAV) team members, and units should follow this checklist when assessing the adequacy of intelligence oversight programs. Failure of a critical item requires an "Unsatisfactory" rating for the unit intelligence oversight program.

## A3.1. Administrative.

- A3.1.1. Ensure the primary and alternate intelligence oversight monitors are appointed in writing. (NOTE: this is a non-critical item. If a unit is not compliant, provide a 10-day answerable action item to the unit to update their paperwork)
- A3.1.2. Ensure initial and annual training is accomplished and those records of training accomplished are available and current. (NOTE: This is a **critical item**. Failure occurs if more than 25% of the unit personnel are not current on their training)
- A3.1.3. Ensure initial and annual training lesson plans cover the minimum objectives outlined in Attachment Two. (NOTE: This is a non-critical item. If a unit is not compliant, the training lesson plan must be updated within 30 days of the inspection)
- A3.1.4. Ensure copies of DoD 5240.1-R, DoD 5148.11, and this instruction are available to the unit in hard or electronic copy. (NOTE: this is a non-critical item. If a unit is not compliant, provide a 10 day action item to the unit to correct the deficiency)

### A3.2. Functional.

- A3.2.1. Determine if unit members and staff personnel are aware of the applicability of intelligence oversight limitations to them. (NOTE: This item is a **critical item**. A minimum of 75 % of individuals must be aware of the meaning and limitations for this item to be satisfactory).
- A3.2.2. Determine if unit members and staff personnel are aware of the circumstances under which intelligence can be collected, retained, and disseminated on US persons (e.g., information obtained with consent). (NOTE: This is a **critical item**. A minimum of 75% of individuals must be aware that DoD 5240.1-R describes the circumstances under which information on US persons may be collected for this item to be satisfactory. See Attachment Two, Training Primer and DoD 5240.1-R, Procedure 2 for more details.)
- A3.2.3. Determine if unit members and staff personnel are aware that there are specific procedures and restrictions governing the collection of intelligence on US persons by methods such as electronic surveillance or physical surveillance. (NOTE: This is a **critical item**. A minimum of 75 % of individuals must be aware of the existence of such limitations and sources of information concerning them for this item to be satisfactory. See Attachment Two, Training Primer, Procedures 5-11 for more details.)
- A3.2.4. Determine if unit members and staff personnel are aware that there are specific procedures and restrictions on providing intelligence support to law enforcement agencies. (NOTE: This is a non-critical item. Individuals who are not aware of the general limitations will receive remedial training. See Attachment Two, Training Primer, Procedure 12 for more details.)

A3.2.5. Determine if unit members and staff personnel are aware that they are required to report "questionable activities" conducted by intelligence components that constitute possible violations of law, directive, or policy. Also determine if personnel are aware that using the chain of command for reporting "questionable activities" is encouraged where feasible. (NOTE: This is a **critical item**. A minimum of 75 % of individuals must be aware of the requirement to report "questionable activities" and also be aware that using the chain of command is the preferable reporting mechanism for this item to be satisfactory. See Attachment Two, Training Primer, paragraph A.2.3.6\_and Procedure 15 for more details.)

- A3.2.6. Determine if unit members and staff personnel understand that "US Person" pertains to associations, corporations, and resident aliens as well as US citizens. (NOTE: This is a **critical item**. A minimum of 75 % of individuals must be aware of the meaning and limitations for this item to be satisfactory. See Attachment One, section A1C, Terms for more details.)
- A3.2.7. Determine if unit member and staff personnel are aware of AFI 14-104 and DoD 5240.1-R as key intelligence oversight authorities. (NOTE: This is a non-critical item. Individuals who are not aware will receive remedial training.)