

**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. Results and corrective actions will be reported in accordance with paragraph [7.3.4](#).

**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, DODD 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.)

A3.1.5. Ensure units 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, perform a self-inspection, using the checklist in Attachment Three in the final quarter of each calendar year. Ensure results are forwarded to MAJCOM, FOA, or DRU inspector general.

(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 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, and DOD 5240.1-R, 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 **critical item**. A minimum of 75 % of individuals must be aware of the existence of such limitations for this item to be satisfactory. See Attachment Two, and DOD 5240.1-R, 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, and DOD 5240.1-R, 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, 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.)