



DEPARTMENT OF THE ARMY
HEADQUARTERS, EIGHTH ARMY
UNIT #15236
APO AP 96271-5236

EACG (600)

16 FEB 2021

MEMORANDUM FOR All Eighth Army Assigned Soldiers and Civilians

SUBJECT: Eighth Army Command Policy Letter #36, Intelligence Oversight

1. References:

- a. Executive Order (EO) 12333, United States Intelligence Activities, 4 December 1981, as amended by EO 13284 (2003), EO 13355 (2004) and EO 13470 (2008) (U)
- b. Presidential Policy Directive (PPD-28), 17 January 2014 (U//FOUO) and classified annex (S//NF)
- c. National Security Council Intelligence Directive No. 6 (NSCID 6), "Signals Intelligence," 17 February 1972 (S)
- d. Department of Defense Directive (DoDD) 5240.01, DoD Intelligence Activities, 27 August 2007 (U) (Incorporating Change 2, 22 March 2019)
- e. DoDD 5148.13, Intelligence Oversight, 26 April 2017 (U)
- f. DoD 5240.1-R, Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons, 7 December 1982 (U). (Incorporating Change 2, 22 March 2019)
- g. Directive-Type Memorandum (DTM)-08-011 Intelligence Oversight Policy Guidance, 3 July 27, 2012 (U)
- h. DTM-08-052 DoD Guidance for Reporting Questionable Intelligence Activities, 23 Aug 2016 (U)
- i. Chairman of Joint Chiefs of Staff (CJCS) Instruction 5901.01C, Joint Staff Inspector General Responsibilities, Procedures and Oversight Functions, 6 Nov 2015 (U)
- j. Army Regulation (AR) 381-10, U.S. Army Intelligence Activities, 3 May 2007 (U)
- k. Department of the Army (DA) G2 Intelligence Oversight Assessment/Inspection Checklist, April 2015 (U)

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I. DA G2, Memorandum, DAMI-CDC, SUBJECT: Implementing Guidance for Intelligence Oversight, 15 August 2016 (U)

2. Purpose. This policy establishes procedures, applicability, and responsibilities for the oversight of intelligence activities within Eighth Army (8A). This policy, along with the references cited above, describes and defines U.S. Department of the Army (DA) policy regarding the collection, retention, and dissemination of intelligence information on U.S. persons.

3. Applicability. This policy, cited references, and AR 381-10 apply to all DA Civilians, contractor employees, and military personnel conducting intelligence activities within 8A. It applies to all 8A staff elements, all Major Subordinate Commands (MSCs), and all units under the operational control (OPCON) of 8A which conduct intelligence activities.

4. Responsibilities

a. 8A G2.

(1) Appoint a primary and alternate 8A Intelligence Oversight (IO) Officer commensurate in rank and responsibility to ensure the propriety of command intelligence activities.

(2) Approve certain procedures as listed in AR 381-10 and other applicable regulations or policies for intelligence elements assigned or OPCON to 8A when those elements have an authorized function requiring use of those procedures.

(3) Notify U.S. Intelligence and Security Command (INSCOM) G2X when Military Intelligence Brigade (T) personnel will execute CI investigation collection techniques under 8A's approval authority.

(4) Include IO in Organizational Inspection Programs (OIP) and designate an IO Officer(s) to conduct annual courtesy Staff Assistance Visits (SAVs) and inspections of 8A intelligence activities/components, as required.

(5) Establish a review process to ensure U.S. person information is collected and retained IAW AR 381-10 and Department of the Army G2 Memorandum, Implementing Guidance for Intelligence Oversight, before files are transferred to the Investigative Records Repository and before information is incorporated in intelligence databases.

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(6) Establish an annual review process for all intelligence files to ensure that U.S. person information retained in such files and databases is necessary for an assigned intelligence function.

(7) Establish a review process to ensure U.S. person information incorporated in intelligence databases is maintained in accordance with the Army Records Information Management System (ARIMS) and AR 381-10, Chapters 1-2.

b. Commanders of 8A MSCs conducting intelligence activities.

(1) Ensure all assigned or attached personnel conducting intelligence activities are fully aware of and comply with U.S. law, policy, and applicable regulations.

(2) Ensure unit personnel and contractor employees receive the required training described in AR 381-10, paragraph 14-1 as a part of unit training programs.

(3) Designate intelligence professionals in the intelligence operational chain to function as the organization's IO Officer and alternate IO Officer. Such individuals should hold the appropriate security clearance and have complete access to all information necessary to carry out responsibilities.

(4) Implement an annual file review process to ensure U.S. person information is collected and retained IAW AR 381-10 and DoD 5240.1-R before files are transferred to the Investigative Records Repository and before information is incorporated in intelligence databases.

(5) Implement an annual review process to ensure U.S. person information incorporated into intelligence databases is maintained IAW ARIMS.

c. All 8A and MSC IO Officers.

(1) Provide IO Officer and alternate(s) appointment orders to the 8A IO Officer for record no later than 31 October annually or 30 days after a new IO Officer or alternate is appointed.

(2) Create and maintain an IO Standard Operating Procedure tailored to the unit mission.

(3) Maintain a physical or electronic resource containing all applicable IO regulations, policies, and directives.

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(4) Maintain a record of the most recent IO SAV(s) and inspection(s) for two years.

(5) Ensure all personnel involved in intelligence activities are trained within 30 days of assignment and annually thereafter. Training will be documented in the organization's IO Training Book and the records maintained for three (3) years.

(6) Conduct an annual review of intelligence files and databases to specifically review U.S. person information to determine whether retention is still necessary for an assigned function. Document the review via Memorandum for Record (MFR) and provide a copy to the 8A IO Officer once the action is completed. Annual review records will be maintained in the unit IO Training Book for three (3) years.

(7) Report all suspected incidents of questionable intelligence activity (QIA) to the 8A IO Officer immediately. Per AR 381-10, individuals are encouraged to report QIA through command or inspector general (IG) channels to the Inspector General (TIG) Senior Army Inspector General (SAIG-IO). Individuals may also report directly to TIG SAIG-IO, the Deputy Chief of Staff, G-2 (DAMI-CDC), the Army General Counsel (AGC), the Assistant Secretary of Defense for Intelligence Oversight (ATSD-IO) or the DoD General Counsel. Regardless of which reporting channel is used, the report must reach SAIG-IO no later than five days from discovery. TIG will provide initial and final notifications of QIA to the Office of the Deputy Chief of Staff (ODCS) G-2 (DAMI-CDC) and the AGC. In any event, the 8A IO Officer will be informed of all reports of QIA from 8A MSC IO Officers for situational awareness. See AR 381-10, chapter 15 for additional information regarding reporting criteria, requirements, timelines, and required status updates. In the case of a possible compromise, the Procedure 15 inquiry can be consolidated with the AR 380-5 inquiry, as long as the inquiry answers all relevant questions for both regulations regarding IO.

(8) Ensure subordinate intelligence activities/components have an established and effective IO program and comply with U.S. law, policy, and applicable regulations.

d. 501st Military Intelligence Brigade. Provide notification to the 8A IO Officer of all reports of QIA prior to, or in conjunction with, submission to the INSCOM IO Officer.

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5. The Point of Contact for this policy is the 8A IO Officer at 315-755-2110.



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EIGHTH ARMY OFFICE OF THE INSPECTOR GENERAL

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