UNIT CHARTER

Charter of U.S. Army Intelligence Support Activity (U)

1. (U) Purpose. To establish policies and procedures for the administration, operations, and oversight of the US Army Intelligence Support Activity (USAISA).

2. (U) References. See Annex A - References.

3. (U) Definitions. The definitions contained in references a.1, c.12, and c.26, Annex A, should be consulted to define terms in this Charter.

4. (U) Responsibilities:

a. The following responsibilities are established in addition to those approval and oversight responsibilities articulated in paragraphs 8 and 11, respectively.

(1) The Secretary of the Army (SA) exercises general supervision over all Army intelligence activities and special operations.

(2) The Army General Counsel (AGC) is the primary advisor to the SA with regard to all USAISA activities and administration which raise questions of legality and propriety. The AGC will review any future proposed changes to this Charter and any requests for exceptions to current policy.

(3) The Assistant Chief of Staff for Intelligence (ACSI) will:

(a) Exercise Army Staff responsibility for the intelligence support activities and administration of USAISA;

(b) Ensure that all USAISA personnel comply with this Charter and other directives and regulations governing USAISA activities;

(c) Report suspected violations and raise legal, propriety, and policy questions to the SA or the AGC;

(4) The Deputy Chief of Staff for Operations and Plans (DCSOPS) will:

[redacted]

(a) (U) Exercise Army Staff responsibility for the operational support activities of USAISA thru ACSI:

(b) (U) Report suspected violations and raise legal, propriety, an policy questions to the ACSI, the AGC, or the SA.

(5) (U) The Commander, USAISA will:

(a) (U) Ensure that the ACSI and DCSOPS are fully and currently informed on all aspects of USAISA;

(b) (U) Maintain a file documenting all activities and their written authorization;

(c) (U) Establish written operational and administrative controls over projects, case officers, operations, administration, logistics, funding, and support.

5. (U) Command Relationship: USAISA is a Field Operating Agency of Headquarters, Department of the Army under the operational control of the ACSI.

6. [redacted] (U) General Policies:

a. (U) All USAISA activities will be conducted in strict accordance with all applicable Federal statutes, Executive Orders, Executive Branch directives, DCI directives, and DOD, DIA, and DA policies and regulations. Requests for exceptions to policy will be submitted in accordance with applicable directives and regulations. All exceptions requiring SA waiver will be submitted through the AGC. Information relating to a US person will be collected, retained, or disseminated only as permitted by reference c.3 and c.26, Annex A, or by USSID 18. USAISA activities, especially those involving US persons, will be pursued in a responsible manner that is consistent with the Constitution and respectful of the principles upon which the United States was founded.

b. (U) USAISA will be directed to undertake activities only when other intelligence or operational support elements and resources are unavailable or inappropriate to accomplish the tasking.

c. (U) The Army will task USAISA to engage in "special activities" as defined in E.O. 12333 only:

d. (U) USAISA will engage only in those activities or functions which are authorized within this Charter.

(1) When expressly requested [redacted] and authorized by the SecDef and Secretary of the Army [redacted] conducted pursuant to an approved Presidential Finding; or

(2) When the President has determined that a particular special activity can best be carried out by DOD resources and the SecDef has tasked the Army with the mission and the Secretary of the Army has, in turn, tasked USAISA with the mission.

7. [redacted] Approval Authorities:

a. All USAISA operations will be submitted, coordinated, and approved in accordance with this paragraph and paragraph 9.c., below.

b. Operational Support. In accordance with paragraph 8.d., below, all operational support requested by DOD, JCS, DA, or non-DOD agencies will be forwarded to the ACSI and coordinated with the DCSOPS in accordance with internal Army Staff procedures.

c. Intelligence Collection:

(1) In accordance with paragraph 8.d., below, [redacted] operations will be developed and coordinated in strict compliance with DOD, DIA, and DCI directives.

(2) In accordance with paragraph 8.d. below, requests for SIGINT support will be submitted to and approved by the ACSI after coordination with the Director, NSA. NSA will exercise operational and technical control over USAISA SIGINT activities.

d. SA/CSA Review and Approval:

(1) The SA and the CSA will personally review and approve all requests for operational support or intelligence collection which the DCSOPS/ACSI determine may involve:

(a) A report to Congress pursuant to the War Powers Resolution (P.L. 93-148);

(b) Substantial risk of embarrassment to the United States, DOD, or DA;

(c) Substantial risk of physical harm to DA personnel or substantial loss of DA resources;

(d) Questions of policy of propriety;

(e) (U) The use of a prominent or notorious person;

(f) (U) An exception to policy or regulation requiring Secretariat or higher waiver;

(g) (U) Engagement in or support of activities undertaken pursuant to the authority of paragraph 7.c. above;

(h) (U) A US person as the target of, or (except for personnel assigned to USAISA) otherwise significantly involved in, the activity; or

(i) (U) Support to other agencies as required and governed by reference b.4., Annex A, [redacted]

(2) (U) All activities which require SA approval will be submitted through the AGC.

8. (S/NF) [redacted] Operational Guidelines.

a. (U) The ACSI will prepare, and coordinate with the DCSOPS, annual guidelines stating the operational objectives and geographical priorities of USAISA activities in furtherance of its missions. As part of the annual guidelines preparation process, the ACSI with DCSOPS coordination will review and evaluate past USAISA activities. These guidelines will be reviewed by the SA: Copies will be furnished to the Director of Central Intelligence, Deputy Under Secretary of Defense for Policy, and the Director, DIA.

b. (U) The use of US military personne[redacted] is authorized.

c. (U) USAISA will not accept from any organizaion any tasking that is not submitted to and approved by the ACSI. USAISA will not engage in any activity beyond the scope of a properly approved tasking without the express approval of the ACSI who shall evaluate any amended tasking pursuant to the provisions of paragraph 8, above.

d. (U) The Cdr, USAISA, will ensure that a training program is instituted and maintained. The Cdr, USAISA, will prepare an annual training program, including essential skills to be taught, costs to be incurred, facilities to be used, and submit it to the ACSI for approval prior to implementation of the program.

e. (U) An OACSI/ODCSOPS staff coordination element will be established in the Army Operations Center to coordinate all taskings of USAISA. This element will also provide staff supervision of USAISA and monitor its activities for the ACSI and DCSOPS.

5 USC 552 (b) (1)

f. (U) Intelligence Information Reports will be processed through DAMI-ISH. The preparer and approving official will be identified as the Chief; DAMI-ISH.

g. (U) USAISA will not establish or maintain any corporate proprietaries, unless authorized by law.

h. (U) Request for aircraft support will be submitted through the ACSI to the DCSOPS for action.

i. (U) USAISA is authorized to conduct liaison, as required, for coordination of mission related activities. ACSI will approve all liaison with foreign governments in accordance with applicable DCI and DOD directives and agreement.

9. [redacted] Administrative and Management.

a. Personnel:

(1) (U) Personnel administrative matters will be addressed in a separate agreement between the Cdr, MILPERCEN, and the Cdr, USAISA.

(2) (U) USAISA will maintain and administer an independent Military Personnel Office. Official military records of USAISA personnel will be secured through Department of Army Special Roster (DASR) procedures administered by USA Administrative Survey Detachment, INSCOM.

(3) (U) Personnel selection, testing, and recruitment will be in accordance with an ACSI approved cover plan.

(4) (U) The personnel strength of USAISA will be authorized in a classified Table of Distribution and Allowances (TDA) indicating spaces requiring SCI access.

(5) (U) Assigned civilian personnel will be administered by the US Army Administrative Survey Detachment, INSCOM.

b. Security/Cover:

(1) (U) Security, counterintelligence, and operational security (OPSEC) support will be provided by INSCOM. Support requirements will be coordinated through ACSI.

(2) (U) Cover support requirements will be coordinated with INSCOM.

(3) (U) USAISA will, as necessary, improve its operational security posture by [redacted] relocating the unit, and [redacted] plan for the organization and the individuals assigned. These changes will be approved by ACSI and coordinated with DCSOPS.

5 USC 552 (b) (1)

(4) (C) In accordance with the USAISA TDA, INSCOM will establish SCI billets without requiring individual justification. These billets will be managed by the Special Security Group, INSCOM.

c. Logistics and Procurement:

(1) (U) All procurements will be conducted through an appropriate procuring activity and will comply with the Defense Acquisition Regulations.

(2) (U) USAISA logistic and procurement activities will be managed through the appropriate offices at DARCOM and INSCOM and in accordance with their procedures and regulations.

(3) (U) USAISA will develop an Authority for Equipment for approval by the ACSI. All non-expendable property will then be placed on the Intelligence Property Book and accounted for in accordance with AR 381-143. Property accountability for any other property will be maintained in accordance with AR 735-5.

(4) [redacted]

(5) (U) USAISA will forward to OACSI for coordination, as appropriate, with ODCSOPS requirements for additional operational capabilities, logistical support, and equipment which are non-standard, or in support of quick reaction requirements. Acquisition or loan of property from other governmental agencies will be reviewed and approved by the ACSI. Equipment purchased or obtained for such purpose will be placed on the Intelligence Property Book and accounted for in accordance with AR 381-43.

(6) (U) Self-service supplies and other services will be purchased in accordance with the unit cover. Use of commercial supplies and services is authorized as required. The Cdr, USAISA, may approve expenditures less than $10,000. Expenditures over $10,000 will be approved by the ACSI.

(7) (U) Equipment maintenance support may be requested from DARCOM Special Projects. Repair of Intelligence property will be in accordance with AR 381-143.

(8) (U) Medical Supply Support will be coordinated through USAMMA.

(9) (U) USAISA may establish maintenance, fabrication, repair, and armory facilities. The establishment and operation of such facilities will be approved by the ACSI.

d. Fiscal Management:

(U) (1) All disbursement of funds will adhere to AR 381-143 and will be subject to audit on a quarterly basis by the Comptroller of the Army.

(U) (2) USAISA finance and accounting support will be provided by the INSCOM Resource Manager and Special Disbursing Officer.

(S) (3) Expenditures relating to [redacted] leads may not exceed $15,000 [redacted] without prior ACSI approval.

(S) (4) [redacted] reports will be prepared [redacted] will document expenses, and will be maintained in accordance with regulation.

5 USC 552 (b) (1)

e. Budget Review:

(U) (1) USAISA will be funded out of Program 3 funds. The ACSI will coordinate as necessary with DIA, NSA, and the DCI.

(U) (2) Unless otherwise authorized by law, no funds may be made available to USAISA through transfer, reprogramming, or other means for any intelligence or operational support activity other than as previously justified to Congress unless the DCI or the SecDef has notified the House and Senate Intelligence and Appropriations Committees of the intent to make such funds available for such activity. The SA shall be notified of each proposed notification to be instituted through the DCI of SecDef.

(U) (3) A semi-annual budget execution review will be conducted by the ACSI and DCSOPS or their designated representatives to ensure compliance with budget guidance, law, regulations, and adjust the USAISA to current priorities.

f. Administration:

(U) (1) The Cdr, USAISA, will be rated by the Director, Intelligence Systems, ACSI. The Senior Rater will be the ACSI. USAISA officer and enlisted efficiency reports will be handled in accordance with a published USAISA rating scheme.

(U) (2) Awards and decorations for USAISA personnel will be indorsed by the ACSI and handled through a Memorandum of Understanding with MILPERCEN.

(U) (3) Non-judicial and judicial punishments will be handled in accordance with the UCMJ and applicable Army regulations. Special Court Martial convening authority will be exercised by the Cdr, USAISA. General Courts-Martial convening authority will be exercised by the CG, INSCOM.

g. (U) Communications. USAISA is authorized to acquire and maintain state of art communication assets. Communication frequencies and channels may be coordinated directly with appropriate offices.

h. (U) Legal. The SJA, INSCOM will serve as the primary legal advisor to the USAISA for both its intelligence and operational support activities and its administration. Matters for which SA or AGC review is required pursuant to this Charter shall first be coordinated with and reviewed by the SJA, INSCOM.

i. (U) Research and Development:

(1) (U) USAISA is authorized to conduct research and development as necessary in support of its missions. R&D projects will be properly coordinated and approved by ACSI in coordination with the DCSOPS on an inidividual basis prior to the commitment or expenditure of funds. R&D projects will be coordinated with DIA, DARCOM, DARPA, INSCOM, or NSA, as appropriate.

10. (U) Oversight Responsibilities.

a. The SA/CSA will:

(1) (U) Receive from the ACSI a monthly report which shall have the concurrence of the DCSOPS on both the status of activities engaged in by USAISA and any significant administrative or fiscal problems.

(2) (U) Ensure that the AGC, DAIG, Comptroller of the Army, and other appropriate oversight offices have complete access to and assistance from USAISA in fulfilling their respective oversight functions.

b. The AGC will:

(1) (U) Provide legal and policy advice, as appropriate.

(2) (U) Conduct other oversight activities as assigned by the SA or as otherwise deemed necessary and appropriate by the AGC.

c. (U) The DAIG will ensure that all aspects of USAISA are inspected annually.

d. (U) The ACSI in coordination with the DCSOPS will:

(1) (U) Ensure that all activities of USAISA, as well as its administration, comply with all relevant statutes, policies, and procedures;

(2) (U) Ensure that all USAISA activities are coordinated and approved, within DA, DIA, DOD, DCI, and other members of the intelligence community, as appropriate.

(3) (c) Ensure, in coordination with OCLL, that all congressional committees having pertinent legislative or appropriation oversight responsibilities are kept fully and currently informed of USAISA activities in accordance with applicable statutes, Executive Orders, and DOD directives and regulations.

(4) (c) Ensure that the SA and the CSA are informed of all congressional notifications and of any significant responses to those notifications.

[redacted]