



Department of Defense INSTRUCTION

NUMBER O-5100.94
September 27, 2011

USD(I)

SUBJECT: Oversight, Coordination, Assessment, and Reporting of DoD Intelligence and Intelligence-Related Sensitive Activities

References: See Enclosure 1

1. **PURPOSE.** This Instruction:

a. Establishes policy, assigns responsibilities, and outlines procedures for oversight, coordination, assessment, and reporting of DoD intelligence and intelligence-related sensitive activities as authorized by DoD Directives (DoDDs) 5143.01 and 5240.01 (References (a) and (b)) and in accordance with the guidance in DoDDs S-5105.61, 5111.1, 5111.03, 5111.10, 5148.11, S-5200.37, S-5210.36 (References (c) through (i)), and DoD Instruction (DoDI) S-5240.12 (Reference (j)).

b. Incorporates and cancels the Under Secretary of Defense for Intelligence (USD(I)) Memorandum (Reference (k)).

2. **APPLICABILITY.** This Instruction applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (hereinafter referred to collectively as the "DoD Components").

3. **DEFINITION.** See Glossary.

4. **POLICY.** It is DoD policy that the planning, execution, and termination of DoD intelligence and intelligence-related sensitive activities shall be reported to the USD(I) as directed in Enclosure 2 to support congressional and DoD oversight requirements.

5. **RESPONSIBILITIES.** See Enclosure 2.

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6. INFORMATION REQUIREMENTS. The reporting requirements in this Instruction are exempt from licensing according to paragraphs C4.4.1., C4.4.7., and C4.4.8. of DoD 8910.1-M (Reference (1)).

7. RELEASABILITY. RESTRICTED. This Instruction is approved for restricted release. It is available to users with Common Access Card authorization on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

8. EFFECTIVE DATE. This Instruction is effective upon its publication to the DoD Issuances Website.



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Under Secretary of Defense
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Enclosures

1. References
2. Responsibilities

Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence (USD(I)),
November 23, 2005
- (b) DoD Directive 5240.01, "DoD Intelligence Activities," August 27, 2007
- (c) DoD Directive S-5105.61, "DoD Cover and Cover Support Activities (U)," May 6, 2010
- (d) DoD Directive 5111.1, "Under Secretary of Defense for Policy (USD(P)),
December 8, 1999
- (e) DoD Directive 5111.03, "Principal Deputy Under Secretary of Defense for Policy
(PDUSD(P)),
January 8, 2009
- (f) DoD Directive 5111.10, "Assistant Secretary of Defense for Special Operations and Low-
Intensity Conflict and Interdependent Capabilities (ASD(SO/LIC&IC)),
March 22, 1995
- (g) DoD Directive 5148.11, "Assistant to the Secretary of Defense for Intelligence Oversight
(ATSD(IO)),
September 20, 2010
- (h) DoD Directive S-5200.37, "Management and Execution of Defense Human Intelligence
(HUMINT) (U),
February 9, 2009
- (i) DoD Directive S-5210.36, "Provision of DoD Sensitive Support to DoD Components and
Other Departments and Agencies of the U.S. Government (U),
November 6, 2008
- (j) DoD Instruction S-5240.12, "Intelligence Commercial Activities (ICAs) (U),
April 21,
2010
- (k) Under Secretary of Defense for Intelligence Memorandum, "Visibility, Review, and
Reporting of Intelligence/Intelligence-Related Sensitive Activities (U),
July 22, 2009
(hereby cancelled)
- (l) DoD 8910.1-M, "Department of Defense Procedures for Management of Information
Requirements," June 30, 1998
- (m) Section 8062 of Public Law 112-10, "Department of Defense and Full-Year Continuing
Appropriations Act, 2011," April 15, 2011, and similar annually recurring provisions, if
enacted in subsequent years, and the accompanying matters in the Classified Annex for any
such year
- (n) DoD Instruction S-5240.09, "Offensive Counterintelligence Operations (OFCO) (U),
October 29, 2008
- (o) DoD Instruction S-5200.42, "Defense Human Intelligence (HUMINT) and Related
Intelligence Activities (U),
December 8, 2009

ENCLOSURE 2

RESPONSIBILITIES

1. USD(I). The USD(I) shall provide a quarterly report to the congressional intelligence, appropriations, and armed services committees, including the information required by section 8062 of Public Law 112-10 (Reference (m)); DoD oversight and senior Executive Branch officials; and designated leaders of the Intelligence Community. This report is commonly referred to as the “Clandestine Quarterly Activities Report” (CQ) and is comprised of information from DoD Components regarding intelligence and intelligence-related sensitive activities conducted during the previous fiscal quarter.

2. DEPUTY UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE AND SECURITY (DUSD(I&S)). The DUSD(I&S), under the authority, direction, and control of the USD(I), shall:

a. Develop and coordinate policy and oversee policy implementation for DoD intelligence and intelligence-related sensitive activities in accordance with References (a), (b), (c), and this Instruction.

b. Coordinate with the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and Interdependent Capabilities (ASD(SO/LIC&IC)) for sensitive special operations CQ submissions and other staff actions related to intelligence and intelligence-related sensitive activities.

c. Coordinate with the Joint Staff Deputy Director for Special Operations and Counterterrorism (J37) for staff actions related to intelligence and intelligence-related sensitive activities.

d. Review and edit CQ submissions, to include the counterintelligence (CI) and human intelligence (HUMINT) CQ submissions from the Defense CI and HUMINT Center (DCHC); compile and distribute the CQ to meet congressional and DoD requirements.

e. Assess the effectiveness of activities in the CQ and provide recommendations to senior leaders.

f. Monitor all ongoing and planned DoD intelligence and intelligence-related sensitive activities.

g. Conduct oversight reviews of DoD cover programs in accordance with Reference (c) and participate in oversight reviews of other DoD intelligence and intelligence-related sensitive activities.

h. Establish procedures to fulfill the duties and responsibilities outlined in this Instruction that facilitate reviews across classification compartments.

i. Develop and maintain the automated architecture and processes to archive, rapidly retrieve, and coordinate information related to DoD intelligence and intelligence-related sensitive activities.

j. Develop and coordinate agreements with other U.S. Government agencies to facilitate DoD intelligence and intelligence-related sensitive activities.

k. Implement procedures to allow Office of the Under Secretary of Defense for Intelligence (OUSD(I)) functional directorates to review and comment on CQ submissions as part of the editing process.

3. DIRECTOR, DEFENSE INTELLIGENCE AGENCY (DIA). The Director, DIA, under the authority, direction, and control of USD(I) and through the Director, DCHC, shall:

a. Compile and review DoD Component CI and HUMINT CQ submissions.

b. Forward a consolidated CQ submission for the preceding fiscal quarter simultaneously to the OUSD(I) Sensitive Activities Directorate and the OUSD(I) HUMINT and CI Directorate not later than February 8, May 8, August 8, and November 8, respectively. Submit reports in the format outlined in the appendix to this enclosure.

4. ASD(SO/LIC&IC). The ASD(SO/LIC&IC), under the authority, direction, and control of the Under Secretary of Defense for Policy, shall prepare and submit a report summarizing DoD theater special operations forces sensitive activities for the preceding fiscal quarter to the OUSD(I) Sensitive Activities Directorate not later than January 18, April 18, July 18, and October 18, respectively. Submit reports in the format outlined in the appendix to this enclosure.

5. ASSISTANT TO THE SECRETARY OF DEFENSE FOR INTELLIGENCE OVERSIGHT (ATSD(IO)). The ATSD(IO) shall exercise oversight responsibilities for intelligence and intelligence-related sensitive activities in accordance with References (g), (i), and (j).

6. HEADS OF THE DoD COMPONENTS. The Heads of the DoD Components shall:

a. Report DoD intelligence and intelligence-related sensitive activities, other than CI and HUMINT activities, for the preceding fiscal quarter to the OUSD(I) Sensitive Activities Directorate not later than January 18, April 18, July 18, and October 18, respectively. Submit reports in the format outlined in the appendix to this enclosure.

b. Report CI and HUMINT CQ activities to the Director, DCHC, in accordance with Reference (c) and DoD Instructions S-5240.09 and S-5200.42 (References (n) and (o)). Submit reports to the Director, DCHC, in the format outlined in the appendix to this enclosure not later than January 18, April 18, July 18, and October 18, respectively.

c. Report significant changes that may emerge in the interval between CQ reports simultaneously to the DCHC and the OUSD(I) Sensitive Activities Directorate as soon as they are identified.

APPENDIX TO ENCLOSURE 2

CQ FORMAT

Figure. CQ Format (U//FOUO)

Name of Reporting Organization
Clandestine Quarterly Activities Report
XXX Quarter Fiscal Year 20XX

Program Description:

Explain the overall program (e.g., when it was established, why it was established, what organization manages it, and what organization implements it). The summary of the program will generally be a single paragraph in length.

Highlights:

Provide a brief summary of significant accomplishments for the quarter. This section allows the reporting organization to spotlight return on investment to Congress and senior Executive Branch officials. Provide a way of identifying the highlights so that they may be cross-referenced with the more detailed description of the activity in the body of the report.

Program Metrics:

Identify organizations that contributed to the report; number of assets or operations; how many were Category 1 or 2 (if applicable); how many were terminated; how many had expenditures or operational activity; the total amount of money expended in the quarter; a general summary of the types of categories for which the money was spent; and what the expenditures did not include, e.g., Case Officer salary.

Terminology:

Include a list and description of unique terminology used within the report.

Coordination Process:

(U//FOUO) Provide a detailed description of the coordination and approval process within and external to DoD. Explain the authority for each activity; how the activity is initiated, and under whose command; how sources are registered and accounted for; with whom each activity is coordinated; and who receives notification of those activities.

Figure. CQ Format (U//FOUO), Continued

Detailed Reports:

The first paragraph should describe the activity that occurred this quarter. Include a summary of significant changes since the last report. Arrange submissions alphabetically by region and country. Use the following format:

COUNTRY

1. (U//FOUO) ACTIVITY or PROJECT NAME, NFN XXXXXX (HUMINT only), either the term “National Requirement” or “MSO” (HUMINT only), “Category 1” or “Category 2” (HUMINT only)

Supported Element or Combatant Command: XXXCOM. Primary Target(s): Country or activity (e.g., terrorism)

A brief description of asset, project, or activity. If asset, include position, placement, geographical area of activity, and recruitment date. The description should include the activity, where it is being conducted, and its purpose.

Cost X Qtr FYXX: \$0.00

Total Cost FYXX: \$0.00

Cover Plan: Briefly describe the overarching cover plan(s).

Authority: title 10, title 50, or execute order (EXORD)

Significant X Qtr Activity: Briefly describe the asset’s or activity’s accomplishments for the reporting quarter. Indicate if this is the initial reporting of an asset or activity in the first sentence. Include any operational outcomes resulting from each activity. Do not report future activities unless necessary to make the activity understandable. If applicable, do not hesitate to state, “Nothing significant to report.” Describe how the expenditures were used in the last sentence.

When an asset or activity is terminated, indicate whether the asset or activity was terminated with or without prejudice. If the asset or activity was terminated with prejudice, state whether a production review has been accomplished or is underway.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

ASD(SO/LIC&IC)	Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and Interdependent Capabilities
ATSD(IO)	Assistant to the Secretary of Defense for Intelligence Oversight
CI	counterintelligence
CQ	Clandestine Quarterly Activities Report
DCHC	Defense Counterintelligence and Human Intelligence Center
DIA	Defense Intelligence Agency
DoDD	Department of Defense Directive
DUSD(I&S)	Deputy Under Secretary of Defense for Intelligence and Security
EXORD	execute order
HUMINT	human intelligence
NSC	National Security Council
OUSD(I)	Office of the Under Secretary of Defense for Intelligence
USD(I)	Under Secretary of Defense for Intelligence

PART II. DEFINITION

This term and its definition are for the purpose of this Instruction.

sensitive activities. Operations, actions, activities, or programs that are generally handled through special access, compartmented, or other sensitive control mechanisms because of the nature of the target, the area of operation, or other designated aspects. Sensitive activities also include operations, actions, activities, or programs conducted by any DoD Component that, if compromised, could have enduring adverse effects on U.S. foreign policy, DoD activities, or military operations; or cause significant embarrassment to the United States, its allies, or the DoD.