



Yearly Intelligence Oversight Refresher Test (example): A refresher test should be given on a yearly basis to reinforce the soldier/airman's cognitive understanding intelligence oversight. This test can be open book but should also contain a combination of true/false and multiple choice-scenario based questions. Below is an example test given by DA G2.

- (1) A U.S. Army Counterintelligence (CI) Agent is stopped for speeding by local law enforcement. He can use his CI badge and credentials to get out of the ticket?
  - (a) True
  - (b) False
  
- (2) Information about U.S. persons that identifies those persons may not be disseminated without their consent if it was collected /retained under IO procedures.
  - (a) True
  - (b) False
  
- (3) If you suspect your unit has violated Intelligence Oversight laws, policies, and regulations, you should:
  - (a) Ignore it. It is someone else's problem
  - (b) Tell no one as it will certainly go away.
  - (c) Report it to your supervisor or the unit IO
  
- (4) Military intelligence personnel in the U.S. are permitted to collect on U.S. persons provided they have the mission, and adhere to requirements of DoD 5240.1-R, particularly the 13 categories of authorized collection in Procedure 2.
  - (a) True
  - (b) False
  
- (5) What document provides the basis for the Intelligence Oversight Program?
  - (a) Executive Order 12333
  - (b) Executive Order 867-5309
  - (c) DCI Directive 777-9311
  - (d) EO Finding BR 549
  
- (6) The critical factors in determining if your unit may collect U.S. person information are:
  - (a) Your commander believes the unit has the capacity of collecting data
  - (b) Approval by the unit collection manager
  - (c) No other unit is available or capable of collecting it
  - (d) Such collection is part of the unit's authorized mission AND the unit has been given the authority
  
- (7) If using a biometric hand-held device inside the U.S., Army personnel must:
  - (a) Maximize the storage of all US person data
  - (b) Use the device in a stand-alone configuration and erase all data at the end of the training session, then certify the device has been cleared of all contextual data collected during training before deploying the device
  - (c) Scan friends and neighbors
  - (d) Upload all data daily to national biometric servers and databases
  
- (8) You can collect and retain any information on a U.S. person as long as the information is available publicly.
  - (a) True
  - (b) False



- (9) MI employees must receive routine IO training as defined in AR 381-10 and AFI 14-104, the term “MI employees” includes contractors.
- (a) True
  - (b) False
- (10) MI personnel who commit illegal or improper activities in their personal capacity (i.e. DWI) are not reported under AR 381-10, Chapter 16 but if they commit a crime in their MI capacity (i.e. using intelligence funds for personal gain) they are reportable.
- (a) True
  - (b) False
- (11) You are a trained interrogator working in the country of the Grand Duchy of Tirkmenistan. You are operating with proper authority. You are conducting an interview with a high value detainee. Because you are outside the US you presumed he is not a US person. However, he presents you with a New York State driver’s license and a US issued passport. As this point you should:
- (a) Continue with the interrogation
  - (b) Realize that you now have information contrary to your presumption and should seek legal advice before continuing
- (12) According to AR 381-10, Chapter 2 and AFI 14-104 Chapter 11.2 to be deemed “collectable” US person information must:
- (a) Be legally reasonable
  - (b) Fall into the unit’s capabilities to collect
  - (c) Meet one of thirteen categories and be collected by lawful means
  - (d) That is strictly a law enforcement function and is not an intelligence oversight responsibility
- (13) A US Army CI Special Agent conducts a subject interview. He INCORRECTLY assumed he had the authority as part of his standing investigative authority IAW AR 381-20. The agent has now exceeded his authority in the conduct of an MI operation. Per AR 381-10 Procedure 15, this incident is now a Questionable Activity that must be reported.
- (a) True
  - (b) False
- (14) AR 381-10, Procedure 15 requires Questionable Activity to be reported. “Questionable Activity” could be also defined as:
- (a) Legal and least intrusive means
  - (b) “Intelligence Malpractice”
  - (c) Serious Incident Reports (SIR)
- (15) Which of the following must adhere to intelligence oversight laws and regulations:
- (a) Consultants for intelligence organizations
  - (b) Contractors in intelligence organizations
  - (c) Personnel in non-intelligence organizations performing intelligence functions
  - (d) All of the above
- (16) According to AR 381-10, Chapter 3, the “90-day” rule for retaining US Person information, is best defined as:
- (a) No such rule exists
  - (b) Information can be kept up to 90 days (starting with the day it was received) to solely determine if the information is retainable
  - (c) Information can be kept past 90 days



- (d) 90 days is just the suggested time length to disseminate information
- (17) US Army personnel involved in the Signals Intelligence (SIGINT) process must:
- (a) Collect SIGINT on their former high school friends
  - (b) Follow only the procedures outlined in AR 20-1, Inspector General Activities
  - (c) Ensure they do not report questionable activity
  - (d) Follow the directives of the National Security Agency (NSA). NSA directives take precedence over AR 381-10 for the SIGINT mission
- (18) Which selection below best describes presumptions of US person status in accordance with AR 381-10, Chapter 1?
- (a) Any person/organization located outside the US is presumed NOT to be a US person unless there is specific information to the contrary
  - (b) EVERYONE is presumed to be a US person regardless of location
  - (c) IO rules do not apply outside US territory
  - (d) The US Army presumes nothing
- (19) Which groups below best meets the definition of a "U.S. Person"?
- (a) Foreign student with a VISA and a company controlled by a foreign government
  - (b) U.S. Citizen, known permanent resident alien, and an unincorporated association comprised mainly of U.S. citizens
  - (c) Foreign Liaison Officer, a group of protestors outside the Vatican, and an illegal immigrant
- (20) You are a HUMINT operator. Federal law enforcement contacted you to debrief Ali Ab who was apprehended in El Paso, TX trying to enter the US with a fake Canadian passport. Ali is believed to be a potential source of information about the Monroe Rebels terrorist group, a group that has attacked US Army Forces. There is no evidence he is a US Citizen or a permanent resident alien. You have an approved operations order for over debriefings. Your best course of action is:
- (a) Conduct the debrief
  - (b) Inform your higher headquarters operations officer of your pending action before conducting the debrief to ensure it is within the scope of your authority, identify your affiliation with the Department of Defense to Ali so the mission remains overt IAW your approved order, ensure your contact report clearly states you identified your DoD affiliation to him.
  - (c) Only identify your affiliation with Department of Defense, because Ali is clearly not a US Person
  - (d) Conduct the debrief, do not reveal your affiliation with DoD or the Intel community, thereby making the operation covert, keeping the phone number of the Intel Oversight Officer and the SJA close because you will need it.



Answer Key:

1. False
2. False
3. c
4. True
5. a
6. d
7. b
8. False
9. True
10. True
11. b
12. c
13. True
14. b
15. d
16. b
17. d
18. a
19. b
20. b