



# Defense Logistics Agency **INSTRUCTION**

DLAI 5205.01  
Effective June 21, 2013

*Incorporating Change 1, November 15, 2013*

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## Processing of Sensitive Support Requests

References: Refer to [Enclosure](#).

1. PURPOSE. This Instruction establishes policy, assigns responsibility, and provides procedures for the receipt, review, and approval of Sensitive Support Requests within the Defense Logistics Agency (DLA).

2. APPLICABILITY. This Instruction:

a. Applies to all DLA employees who receive requests for classified or sensitive support to be provided by the DLA. It specifically includes DLA employees who receive requests for classified or sensitive support from other DOD Activities, non-DOD Federal Departments or Agencies (NDFDA).

b. Does not apply to support requested from or provided to law enforcement or intelligence organizations conducting inquiries, eg. Counterintelligence Inquiry conducted by the 902<sup>nd</sup> Military Intelligence Battalion.

c. Does not apply when DLA Inspector General (IG) investigators are conducting approved joint investigations or inquiries or when DLA Intelligence personnel are conducting approved joint inquiries with a non-DLA entity.

d. Does not apply to Special Access Programs (SAP).

3. DEFINITIONS.

a. For the purposes of this Instruction, classified and sensitive support is defined as support provided in furtherance of a non-DLA organization's classified or sensitive mission. If DLA is asked to conceal the existence or nature of the support being provided, the support meets the definition of classified or sensitive support.

b. The DLA Special Programs Council (SPC), the body established by the DLA Director to ensure DLA's equities are protected in the provision of sensitive support, consists of the following membership:

- Chairman , Vice Director
- Vice Chairman, General Counsel
- Member, Chief of Staff
- Member, Deputy Director, DLA Logistics Operations
- Member, Director, DLA Information Operations
- Member, Director, DLA Acquisition
- Member, Director, DLA Finance
- Member, Director, DLA Intelligence
- Executive Secretary, DLA Intelligence Assistant Director for Special Programs

c. The SPC meets at least twice a year, usually May and November, and ad hoc meetings may be called to address time sensitive issues.

4. POLICY. It is DLA Policy that all requests for sensitive support be processed and approved in accordance with the procedures set forth in this Instruction.

#### 5. RESPONSIBILITIES.

a. The Director, DLA Intelligence shall be the designated Central Point of Contact (CPOC) for all programs which impose classified Support requirements on DLA.

b. The SPC shall provide policy direction and oversight of all special programs requiring classified or sensitive support.

c. DLA General Counsel shall ensure support provided by DLA is consistent with applicable laws and regulations.

#### 6. PROCEDURES.

a. Processing Draft Requests for Support (RFS). It is the practice of the Defense Sensitive Support Activity (DSSA) and the Defense Cover Office (DCO) to process "heads-up" draft RFS with DLA, the supporting agency before submitting a formal RFS. This is done at the staff level and is intended to determine whether the support being considered is either possible or practical.

b. Processing Formal RFS. DLA Intelligence will normally receive formal RFS, from the DSSA or the DCO. Should a request be received directly from a prospective customer, the Director, DLA Intelligence will coordinate with the DSSA or DCO. If the DSSA or DCO concur in writing with the request, DLA Intelligence will accept the RFS for processing. If DSSA or DCO does not concur, DLA Intelligence will return the RFS to the prospective customer and advise them to process the request through proper channels.

c. Review of RFS. When an RFS is received through the proper channels, DLA Intelligence, in coordination with DLA General Counsel, will review the RFS for the following, at a minimum:

(1) Is the requested support consistent with the DLA mission and not a task better performed by others? If it is not consistent with the DLA mission, an effort will be made to identify an alternate source for the requested support.

(2) Does the requested support have the potential to cause a significant negative impact to the DLA mission? This evaluation will consider the potential for negative press, loss of good reputation, or other strategic impacts to DLA.

(3) Is the requested support consistent throughout the duration of the support with all applicable Federal laws, Executive Orders, DoD Directives and Instructions, and other authorities?

(4) Is the requested support reimbursable in accordance with section Reference 1, or other applicable law, unless designated non-reimbursable and approved at the authorized level? If it is reimbursable, does the RFS adequately describe the means by which the costs will be identified, the mechanism by which the reimbursement will be made, and the specific timeframe for reimbursement?

(5) Is the requested Support necessary for the performance of the requester's lawfully established functions and consistent with DOD mission and authorities?

d. Routine and regular requests within the scope of Support being provided and extensions of existing support will normally not be briefed to the SPC, unless otherwise requested.

e. When an RFS is outside the scope of Support already being provided to a particular requestor or outside the scope of an MOA with the requestor, DLA Intelligence and designated DLA General Counsel attorney will recommend concurrence or non-concurrence with the requested support to the SPC Vice Chair. Director, DLA Intelligence will present the RFS and DLA Intelligence/DLA General Counsel evaluation/recommendation to the SPC Vice Chair as soon as practical. The SPC Vice Chair will recommend whether it is appropriate for DLA Intelligence to:

(1) Bring any RFS outside the scope of support already being provided to a particular requestor or outside the scope of an MOA with the requestor, before all of the members of the SPC (individually or as a group) immediately; or,

(2) Hold the "outside the scope" RFS until the next regularly scheduled meeting of the SPC.

f. The SPC Vice Chair may provide guidance, e.g., the Vice Chair may recommend that requests for extensions or continuations of certain types of existing support may be granted by the Director, DLA Intelligence without further coordination and subsequently reported at the next meeting of the SPC, e.g. a short term extension of Support that does not result in significant additional requirements.

g. The SPC Vice Chair may further coordinate with the SPC Chair, as needed, but may not forward a recommendation to non-concur to the DLA Director on behalf of the SPC without the request having been presented to all of the SPC members. If consensus has not been reached, the SPC Chair or Vice Chair may forward a recommendation to the Director but should highlight the dissenting view/s of SPC Member/s.

h. The Director, DLA Intelligence will present all RFS to the SPC, either for its discussion and recommendation, or as an after-the-fact report at the first SPC meeting following receipt of the RFS. The Director, DLA Intelligence may invite subject matter experts or the requestors to participate in presentations to the SPC.

(1) Recommendations to support a request outside the scope of an original request or from a new requestor must be approved by the Director, DLA. DLA Intelligence, with the SPC Chairman's input, will route any recommendations to approve support outside the scope of what is currently being provided or from a new requestor through the SPC to the Director, DLA or his designee.

(2) SPC recommendations against supporting a request must be approved by the Director, DLA. DLA Intelligence, with the SPC Chairman's input, will route any recommendations to disapprove any support requested via the DSSA or the DCO through the SPC to the Director, DLA for his recommendation to the USD(I) regarding DLA concurrence or non-concurrence and signature of Decision Memorandum.

(3) DLA Intelligence will forward the Director's recommendation to concur or non-concur on support requested via DSSA to the DSSA.

i. The DLA Intelligence Assistant Director for Special Programs will prepare a report on the status of all current and pending sensitive support matters for review by the SPC at each semi-annual meeting. The report will identify the support and will identify any instances where either the customer or DLA is not in compliance with the support agreed upon in the RFS.

j. The SPC Chair or Vice Chair, and the Director, DLA Intelligence will report to the Director, DLA, within a reasonable period after each SPC meeting. They will provide any Decision Memoranda, the report of the status of all current and pending programs, and any issues identified in the SPC meeting minutes deemed worthy of the Director's attention.

7. RELEASEABILITY. *UNLIMITED. This instruction is approved for public release and is available on the Internet from the DLA Issuances Internet Website.*

8. EFFECTIVE DATE. This Instruction:

a. Is effective on June 21, 2013.

b. Must be reissued, cancelled, or certified current within 5 years of its publication in accordance with DLAI 5025.01, DLA Issuance Program. If not, it will expire effective June 21, 2023 and be removed from the DLA Issuances Website.

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Director, DLA Strategic Plans and Policy

Enclosure - References

ENCLOSURE

REFERENCES

- (a) Economy Act, 31 U.S.C §1535
- (b) DODD 5105.22 Defense Logistics Agency, dated May 17, 2006
- (c) SPC Charter, dated May 24, 2011
- (d) SPC Appointment Memo, dated Nov 24, 2009
- (e) SPC Appointment Modification Memo, dated Jan 31, 2011
- (f) DODD S-5210.36, Provision of DoD Sensitive Support to DoD Components and Other departments and Agencies of the U.S. Government, dated Nov 6, 2008
- (g) DODI O-5205.11, Management, Administration, and Oversight of DoD Special Access Programs (SAPs), dated Jul 1, 1997
- (i) DODD S-5105.61, DoD Cover and Cover Support Activities, dated May 6, 2010