



Department of Defense INSTRUCTION

NUMBER 5240.16
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USD(I)

SUBJECT: DoD Counterintelligence Functional Services

- References:
- (a) DoD Directive 5240.2, "DoD Counterintelligence (CI)," May 22, 1997
 - (b) DoD Directive 5105.67, "Department of Defense Counterintelligence Field Activity," February 19, 2002
 - (c) DoD Instruction 5240.4, "Reporting of Counterintelligence and Criminal Violations," September 22, 1992
 - (d) DoD Instruction 5240.6, "Counterintelligence (CI) Awareness, Briefing and Reporting Programs," August 7, 2004

1. PURPOSE

This Instruction assigns responsibilities and prescribes procedures pursuant to reference (a) for the conduct of Counterintelligence (CI) Functional Services within the Department of Defense.

2. APPLICABILITY AND SCOPE

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

3. DEFINITIONS

Terms used in this Instruction are defined in enclosure 1.

4. POLICY

This Instruction implements policy established in reference (a).

5. RESPONSIBILITIES

5.1. The Under Secretary of Defense for Intelligence (USD(I)) shall approve policy implementation guidance and procedures pursuant to reference (a).

5.1.1. The Deputy Under Secretary of Defense for Counterintelligence and Security (DUSD(CI&S)), under the authority, direction, and control of the USD(I), shall:

5.1.1.1. Serve as the principal advisor to the USD(I) on DoD CI Functional Services and related matters.

5.1.1.2. Oversee and sustain activities that comprise DoD CI Functional Services.

5.1.2. The Director, Counterintelligence, under the DUSD(CI&S), shall:

5.1.2.1. Develop and recommend policy for CI Functional Services.

5.1.2.2. Provide OSD-level oversight for CI Functional Services.

5.1.2.3. Participate and represent OSD in DoD and national-level policy boards, working groups, and committees related to CI Functional Services.

5.1.3. The Director, Department of Defense Counterintelligence Field Activity (DoD CIFA), under the authority, direction, and control of the USD(I), shall:

5.1.3.1. Serve as CI program manager pursuant to DoD Directive 5105.67 (reference (b)).

5.1.3.2. Provide specialized Functional Services training to Component CI personnel.

5.1.3.3. Develop and recommend processes, procedures and tools to enhance the standardization and quality of CI Functional Services activities.

5.2. The Heads of the DoD Components shall:

5.2.1. Establish, resource, and manage CI Functional Services, pursuant to the CI authorities assigned in reference (a).

5.2.2. Manage and oversee the use of CI resources funded for CI Functional Services.

5.2.3. Integrate the CI support provided under CI Functional Services into Component planning and mission activities.

5.2.4. Ensure CI personnel attend basic and advanced CI training courses related to CI Functional Services.

5.2.5. Provide CI Functional Services performance measures and other data requested by the Director, Counterintelligence, and DoD CIFA.

5.2.6. Ensure that all significant CI activity is reported to DoD CIFA pursuant to DoD Instruction 5240.4 (reference (c)).

6. PROCEDURES

6.1. The DoD Component CI organizations are authorized to conduct CI Functional Services, consistent with the DoD Component's assigned CI mission and authorities.

6.2. CI Functional Services are applicable to one or more of the CI missions and shall include:

6.2.1. CI briefing and debriefing programs focused on the CI program, counterespionage and antiterrorism in accordance with DoD Instruction 5240.6 (reference (d)).

6.2.2. Debriefings of DoD personnel who are reporting information concerning potential treason, spying, espionage, sabotage, terrorism, subversion, sedition, related foreign intelligence activities, and other suspicious matters of possible CI interest in accordance with reference (d).

6.2.3. CI activities conducted in support of Service, Joint, and combined military operations and training exercises.

6.2.4. CI activities conducted pursuant to the CI missions to support Critical Infrastructure Protection and Research and Technology Protection, which are not covered by the other CI functions (CI investigations, CI operations, CI collection, and CI analysis).

6.2.5. CI support to counter-proliferation and countering weapons of mass destruction activities.

6.2.6. CI activities in support of force protection, to include participation in CI surveys and vulnerability assessments and surveillance detection. Activities covered by the other CI functions, and protective service operations, are excluded from this category.

6.2.7. Defensive CI programs and initiatives, aimed at identifying potential espionage or terrorist activity.

6.2.8. CI activities conducted in support of Arms Control Treaties.

6.2.9. CI resources assigned to CI Staff Officer positions and offices at Combatant Commands and other major Joint organizations.

6.2.10. CI activities conducted in support of Human Intelligence.

6.2.11. Specialized CI activities not covered by the other CI functions, including:

6.2.11.1. Polygraph/Credibility Assessment services.

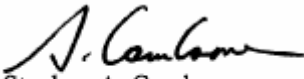
6.2.11.2. Technical Surveillance Countermeasures and related technical services.

6.2.11.3. Behavioral sciences.

6.2.11.4. Cyber services, including but not limited to, digital forensics and cyber vulnerability assessments.

7. EFFECTIVE DATE

This Instruction is effective immediately.


Stephen A. Cambone
Under Secretary of Defense for Intelligence

Enclosure
E1. Definitions

E1. ENCLOSURE 1

DEFINITIONS

E1.1. DEFINED TERMS

E1.1.1. CI Missions. DoD CI responsibilities to support force protection, DoD research and technology protection, infrastructure protection, and information and capabilities protection.

E1.1.2. Counter-proliferation. DoD activities to combat proliferation, including diplomacy, arms control, export controls, and intelligence collection and analysis, with particular responsibility for assuring U.S. forces and interests can be protected should they confront an adversary armed with missiles or weapons of mass destruction.

E1.1.3. Functional Services. CI activities that support other intelligence or DoD operational activities, providing specialized defensive CI services to identity and counter terrorism, espionage, sabotage and related activities of foreign intelligence services.

E1.1.4. Weapons of Mass Destruction. Any weapon or device that is intended, or has the capability, to cause death or serious bodily injury to a significant number of people through the release, dissemination, or impact of toxic or poisonous chemicals or their precursors; a disease organism; or radiation or radioactivity.