



# Department of Defense INSTRUCTION

NUMBER 5240.10

October 5, 2011

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USD(I)

**SUBJECT:** Counterintelligence (CI) in the Combatant Commands and Other DoD Components

**References:** See Enclosure 1

1. PURPOSE. This Instruction:

a. Reissues DoD Instruction (DoDI) 5240.10 (Reference (a)) in accordance with the authority in DoDD 5143.01 (Reference (b)) to establish policy, assign responsibilities, and provide procedures for CI activities in the DoD Components in accordance with DoD Directive (DoDD) O-5240.02 (Reference (c)).

b. Establishes supporting Military Department CI Organizations (MDCOs) (formerly known as "CI Lead Agencies"). MDCOs provide CI support, as required, to the headquarters of the DoD Components in accordance with this Instruction.

2. APPLICABILITY. This Instruction applies to the 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 (IG, DoD), the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (hereinafter referred to collectively as the "DoD Components").

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that:

a. Authorized CI activities shall be conducted in the DoD Components as part of an integrated DoD and national effort in accordance with Reference (c).

b. CI investigations shall only be conducted by the MDCOs and in accordance with DoDI 5240.04 (Reference (d)).

c. All DoD personnel conducting CI activities shall attend formal CI training approved by the Under Secretary of Defense for Intelligence (USD(I)), the Secretaries of the Military Departments, or their designees.

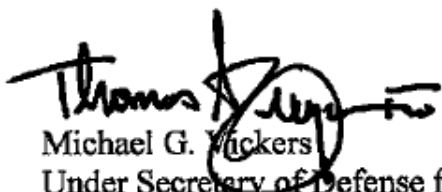
5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. See Enclosure 3.

7. INFORMATION REQUIREMENTS. The information requirement contained in this Instruction is exempt from licensing in accordance with paragraphs C4.4.1., C4.4.7., and C4.4.8. of DoD 8910.1-M (Reference (e)).

8. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

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



Michael G. Yickers  
Under Secretary of Defense for  
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Enclosures

1. References
2. Responsibilities
3. Procedures
4. CI Activities

Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Instruction 5240.10, "Counterintelligence Support to the Combatant Commands and the Defense Agencies," May 14, 2004 (hereby cancelled)
- (b) DoD Directive 5143.01, "Under Secretary of Defense for Intelligence (USD(I)," November 23, 2005
- (c) DoD Directive O-5240.02, "Counterintelligence," December 20, 2007
- (d) DoD Instruction 5240.04, "Counterintelligence (CI) Investigations," February 2, 2009
- (e) DoD 8910.1-M "Department of Defense Procedures for Management of Information Requirements," June 30, 1998
- (f) DoD Instruction O-5100.93, "Defense Counterintelligence (CI) and Human Intelligence (HUMINT) Center (DCHC)," August 13, 2010
- (g) Executive Order 12333, "United States Intelligence Activities," July 30, 2008, as amended
- (h) DoD Directive 5240.01, "DoD Intelligence Activities," August 27, 2007
- (i) DoD 5240.1-R, "Procedures Governing the Activities of DoD Intelligence Components That Affect United States Persons," December 1982
- (j) DoD Directive 5210.48, "Polygraph and Credibility Assessment Program," January 25, 2007
- (k) DoD Instruction 5210.91, "Polygraph and Credibility Assessment (PCA) Procedures," August 12, 2010
- (l) Memorandum of Agreement Between the Attorney General and the Secretary of Defense, "Agreement Governing the Conduct of Defense Department Counterintelligence Activities in Conjunction with the Federal Bureau of Investigation," April 5, 1979
- (m) Memorandum of Understanding Between the Federal Bureau of Investigation and the Department of Defense, "Coordination of Counterintelligence Matters Between FBI and DoD," June 20, 1996
- (n) DoD Instruction 5240.05, "Technical Surveillance Countermeasures (TSCM) Program," February 22, 2006
- (o) DoD S-5240.05-M-1, "Conduct of Technical Surveillance Countermeasures, Volume 1," April 30, 2007
- (p) DoD S-5240.05-M-2, "Conduct of Technical Surveillance Countermeasures, Volume 2," November 13, 2007
- (q) DoD Directive 5240.06, "Counterintelligence Awareness and Reporting (CIAR)," May 17, 2011
- (r) DoD Instruction C-5240.08, "Counterintelligence Security Classification," December 7, 2005
- (s) DoD Instruction S-5240.09, "Offensive Counterintelligence Operations (OFCO) (U)," October 29, 2008
- (t) DoD S-5240.09-M, "Offensive Counterintelligence Operations Procedures and Security Classification Guide (U)," January 13, 2011
- (u) DoD Instruction S-5240.15, "Force Protection Response Group (FPRG) (U)," October 20, 2010
- (v) DoD Instruction 5240.16, "DoD Counterintelligence Functional Services," May 21, 2005

- (w) DoD Instruction S-5240.17, "Counterintelligence Collection," January 12, 2009
- (x) DoD Instruction 5240.18, "Counterintelligence (CI) Analysis and Production," November 17, 2009
- (y) DoD Instruction 5240.19, "Counterintelligence Support to the Defense Critical Infrastructure Program," August 27, 2007
- (z) DoD Instruction O-5240.21, "Counterintelligence (CI) Inquiries," May 14, 2009
- (aa) DoD Instruction 5240.22, "Counterintelligence Support to Force Protection," September 24, 2009
- (ab) DoD Instruction S-5240.23, "Counterintelligence (CI) Activities in Cyberspace (U)," December 13, 2010
- (ac) DoD Instruction O-5240.24, "Counterintelligence (CI) Activities Supporting Research, Development, and Acquisition (RDA)," June 8, 2011
- (ad) Joint Publication 1-02, "Department of Defense Dictionary of Military and Associated Terms," current edition

ENCLOSURE 2

RESPONSIBILITIES

1. USD(I). The USD(I) shall:

a. Serve as the OSD Principal Staff Assistant and advisor to the Secretary of Defense regarding CI in the DoD Components.

b. Act as the final decision authority on CI issues that cannot be resolved by the DoD Components.

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 recommend policy for CI activities in the DoD Components.

b. Serve as the OSD staff point of contact for issues related to CI activities in the DoD Components.

c. Conduct CI policy oversight.

3. DIRECTOR, DEFENSE INTELLIGENCE AGENCY (DIA). The Director, DIA, under the authority, direction, and control of the USD(I), shall provide for centralized management of CI in accordance with DoDI O-5100.93 (Reference (f)).

4. DIRECTOR, DEFENSE COUNTERINTELLIGENCE AND HUMINT CENTER (DCHC). The Director, DCHC, under the authority, direction, and control of the Director, DIA, and in accordance with the requirements of References (c) and (f), shall:

a. Integrate and prioritize DoD Component and supporting MDCOs resource requirements.

b. Advocate for funding to obtain required CI resources for DoD Component and supporting MDCOs as part of the annual budget build.

c. Produce Defense CI Enterprise Functional Support Plans in accordance with the Joint Staff-led Intelligence Planning process in direct support of Combatant Command adaptive planning requirements.

d. Develop and provide training, through the Joint Counterintelligence Training Academy, to DoD Component personnel on the skills required to conduct authorized CI activities.

e. Manage the process to identify and share CI lessons learned, best practices, and new CI approaches with the DoD Components in accordance with References (c) and (f).

5. SECRETARIES OF THE MILITARY DEPARTMENTS. The Secretaries of the Military Departments shall:

a. Provide CI support, as required, to the DoD Components, as designated in Enclosure 3.

b. Nominate personnel with CI experience to serve as Command CI Coordinating Authority (CCICA) (formerly the CI Staff Officer) and assign selected personnel to the designated Combatant Commands and Joint Staff for duty.

c. Nominate personnel with CI experience to serve on the CCICA staff as required by the joint manning document or by mutual agreement with the Combatant Commands.

d. Inform the DoD Components of planned or ongoing CI activities taking place within a command's area of responsibility (AOR) or affecting a DoD Component's interests in accordance with Reference (c).

e. Assist in developing a written agreement with the supported DoD Components that describes the MDCO CI support.

f. Provide assessments on the foreign intelligence entity (FIE) threat to the supported DoD Components.

g. Ensure that funding and resources are adequate to support the resource requirements of the DoD Components for which they are the MDCO.

6. DIRECTOR OF THE JOINT STAFF, THE IG, DoD, AND DIRECTORS OF THE DEFENSE AGENCIES AND DoD FIELD ACTIVITIES. The Director of the Joint Staff, the IG, DoD, and Directors of the Defense Agencies and DoD Field Activities shall:

a. Develop a CI capability to conduct authorized CI activities or rely on the supporting MDCO as designated in Enclosure 3.

b. Designate an office of primary responsibility to coordinate CI support from the MDCOs and those CI activities conducted internally as specified by this Instruction.

c. Establish a written agreement with the supporting MDCO that describes ongoing and continued CI support the MDCO shall provide.

d. Annually, or as directed by emerging operational needs, identify, prioritize, and forward resource requirements to the Director, DCHC.

e. Ensure that effective measures exist to compartmentalize and protect sensitive CI investigative or operations information and techniques that are in support of the DoD Components.

7. COMMANDERS OF THE COMBATANT COMMANDS. The Commanders of the Combatant Commands, through the Chairman of the Joint Chiefs of Staff as appropriate, shall:

a. Develop a CI capability to conduct authorized CI activities or rely on the supporting MDCO as designated in Enclosure 3.

b. Select Military Department-nominated personnel to serve as the CCICA and conduct and exercise staff coordination authority over CI activities in accordance with Reference (c).

c. Establish a written agreement with the supporting MDCO that describes the ongoing and continued CI support MDCO shall provide.

d. Annually or as directed by emerging operational needs, identify, prioritize, and disseminate resource requirements for the individual Combatant Command headquarters to the Joint Staff with copies provided to the Director, DCHC, and the MDCOs.

e. Ensure that effective measures exist to compartmentalize and protect sensitive CI investigative or operations information and techniques which are in support of the Combatant Command.

ENCLOSURE 3

PROCEDURES

1. IG, DoD, THE JOINT STAFF, DEFENSE AGENCIES, AND FIELD ACTIVITIES. The Office of the IG, DoD, Joint Staff, Defense Agencies, and DoD Field Activities may coordinate with their designated supporting MDCO about CI support to geographically separate agency or activity sub-elements being accomplished by the MDCO supporting those locations.

a. Such coordination ensures that all of an agency's or activity's sub-elements receive CI support from an appropriate local MDCO.

b. The physical location of the agency or activity sub-element generally determines which MDCO provides the CI support.

c. A written agreement between the agency or activity sub-element and the local MDCO shall describe the CI support.

2. CCICA. The CCICA shall:

a. Be the senior CI advisor and subject matter expert to the Combatant Command. The CCICA shall be in the military grade of 05 or 06, or civilian equivalent, and have CI experience.

b. Develop and implement the Combatant Commands' and Joint Staff's CI strategy and plans; integrate CI into Combatant Command and Joint Staff planning, operations, exercises, and other activities; identify and forward Command resource requirements; coordinate CI support as needed by the Command; and oversee CI activities supporting the Combatant Command headquarters staff and geographically separated elements.

c. Provide for staff supervision, awareness, deconfliction, and coordination of CI activities and policies within the Combatant Command AOR.

d. Identify and provide Combatant Command resource requirements to the Director, DCHC.

3. SUPPORTING MDCOs AND THEIR SUPPORTED DoD COMPONENTS. Tables 1 through 3 list the supporting MDCO and their supported DoD Components. Defense Agencies not listed in Table 1 have a CI capability to conduct authorized CI activities and do not rely on a designated MDCO for CI support.



Table 1. Supporting MDCOs to the Defense Agency Headquarters and OSD

Supporting MDCO	Defense Agency Headquarters and OSD
Army Counterintelligence	Defense Commissary Agency Defense Contract Management Agency Defense Contract Audit Agency Defense Logistics Agency Defense Information Systems Agency
Naval Criminal Investigative Service	Defense Advanced Research Projects Agency Defense Finance and Accounting Service
Air Force Office of Special Investigations	OSD Staff Pentagon Force Protection Agency Defense Security Cooperation Agency IG, DoD

Table 2. Supporting MDCOs to the Combatant Command Headquarters and the Joint Staff

Supporting MDCO	Combatant Command Headquarters
Army Counterintelligence	U.S. Africa Command U.S. European Command U.S. Southern Command
Naval Criminal Investigative Service	U.S. Joint Forces Command The Joint Staff U.S. Pacific Command
Air Force Office of Special Investigations	U.S. Central Command U.S. Northern Command U.S. Special Operations Command U.S. Strategic Command U.S. Transportation Command

Table 3. Supporting MDCOs to the DoD Field Activity Headquarters

Supporting MDCO	DoD Field Activity Headquarters
Army Counterintelligence	Defense Media Activity Defense Technical Information Center
Naval Criminal Investigative Service	Washington Headquarters Service DoD Test Resource Management Center Office of Economic Adjustment DoD Education Activity TRICARE Management Activity DoD Human Resources Activity

Table 3. Supporting MDCOs to the DoD Field Activity Headquarters, continued

Air Force Office of Special Investigations	Defense Prisoner of War/Missing Persons Office Defense Technology Security Administration
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ENCLOSURE 4

CI ACTIVITIES

1. GENERAL

- a. This enclosure provides a brief roadmap to other CI issuances of importance to CI activities in DoD.
- b. Reference (c) is the base Directive that provides policy on CI activities in DoD and is supported by additional CI Instructions and Manuals.
- c. CI activities are carried out pursuant to the authorities and restrictions of the U.S. Constitution, applicable law, Executive Order 12333 (Reference (g)), DoDD 5240.01 (Reference (h)), and DoD 5240.1-R (Reference (i)).

2. SUPPORTING INFORMATION

- a. Credibility Assessment (CA). Authorized CA activities are conducted in accordance with DoDD 5210.48 (Reference (j)) and DoDI 5210.91 (Reference (k)). CA is the use of polygraph and non-polygraph techniques and procedures to assess truthfulness. Not all DoD Components are authorized to conduct CA activities.
- b. CI Investigations. In addition to Reference (d), the MDCOs conduct CI investigations in accordance with the Memorandum of Agreement Between the Attorney General and the Secretary of Defense (Reference (l)) and the Memorandum of Understanding Between the FBI and the Department of Defense (Reference (m)).
- c. Technical Surveillance Countermeasures (TSCM). Authorized TSCM activities are conducted in accordance with DoDI 5240.05 (Reference (n)), DoD S-5240.05-M-1 (Reference (o)), and DoD S-5240.05-M-2 (Reference (p)). Not all DoD Components are authorized to conduct TSCM activities.
- d. CI Awareness and Reporting (CIAR). Training on CIAR is conducted in accordance with DoDD 5240.06 (Reference (q)). It is preferable that a CI-experienced person conduct CIAR training in a classroom environment. However, other CIAR-knowledgeable individuals and other media may be used to conduct the training with the condition that the organizational CI element or supporting MDCO reviews the training materials.
- e. CI Security Classification Guide. CI information is classified in accordance with DoDI C-5240.08 (Reference (r)). Additional questions regarding the classification of CI information may be forwarded to the CI Directorate, DUSD(I&S).

f. Offensive Counterintelligence Operations (OFCO). Only authorized organizations may conduct OFCO in accordance with this Instruction and DoDI S-5240.09 (Reference (s)). Procedures for OFCO and an OFCO-specific security classification guide are provided in DoD S-5240.09-M (Reference (t)).

g. Force Protection Response Group (FPRG). DoD Components may request FPRG support in accordance with DoDI S-5240.15 (Reference (u)). DoD Components may request the FPRG mission to support the Component's force protection requirements.

h. CI Functional Services. CI activities that support the CI functions are found in DoDI 5240.16 (Reference (v)). The agreements identified in Enclosure 2 of this Instruction are between each supported DoD Component and the supporting MDCO. The agreements describe which organization conducts what activities. DoD Components without a supporting MDCO shall conduct authorized CI activities in accordance with applicable DoD policy.

i. CI Collection. CI collection is conducted in accordance with DoDI S-5240.17 (Reference (w)). CI collection requirements are responsive to a commander's or director's intelligence requirements. DoD Components submit their CI collection requirements to DIA for validation. Most DoD Components are limited in their authority to conduct CI collection and shall do so only after coordinating with their supporting MDCO and in accordance with Reference (w).

j. CI Analysis and Production. CI analysis and production is generally driven by the CI collection requirements described in paragraph 2.i. of this enclosure and in accordance with DoDI 5240.18 (Reference (x)). While many DoD Components do not conduct CI analysis and production, all DoD Components provide feedback on CI analytical products. Feedback is provided in coordination with the generating production element.

k. Defense Critical Infrastructure Program (DCIP). CI support to the DCIP is conducted in accordance with DoDI 5240.19 (Reference (y)). The reference describes the DCIP CI support structure and includes the CI support to DCIP functions and activities.

l. CI Inquiries. The Combatant Commands, Defense Agencies, and DoD Field Activities may conduct CI inquiries, but only by appropriately trained personnel and in accordance with DoDI O-5240.21 (Reference (z)). The reference describes the authorized activities of a CI inquiry, the prohibited techniques, and follow-up activities.

m. Force Protection (FP). CI support to FP is incorporated in DoD Component FP programs in accordance with DoDI 5240.22 (Reference (aa)). The reference briefly describes CI and joint terrorism task forces, FPRG support, contingency contracting, and the force protection detachments.

n. Cyberspace. CI activities in cyberspace seek to counter FIEs operating in cyberspace and cause those entities to act in observable or exploitable ways. CI activities in cyberspace are coordinated and conducted in accordance with DoDI S-5240.23 (Reference (ab)), which states that CI activities in cyberspace shall be conducted by technically trained and certified personnel and in accordance with applicable law and policy.

o. Research, Development, and Acquisition (RDA). CI activities supporting RDA are in accordance with DoDI O-5240.24 (Reference (ac)), which describes the support CI provides to RDA programs in an effort to detect, assess, exploit, penetrate, degrade, counter, or neutralize the FIE threat.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

AOR	area of responsibility
CA	credibility assessment
CCICA	Command Counterintelligence Coordinating Authority
CI	counterintelligence
CIAR	counterintelligence awareness and reporting
DIA	Defense Intelligence Agency
DCHC	Defense Counterintelligence and Human Intelligence Center
DCHE	DoD Counterintelligence and Human Intelligence Enterprise
DCIP	Defense Critical Infrastructure Program
DoDD	DoD Directive
DoDI	DoD Instruction
DUSD(I&S)	Deputy Under Secretary of Defense for Intelligence and Security
FIE	foreign intelligence entity
FP	force protection
FPRG	Force Protection Response Group
IG, DoD	Inspector General of the Department of Defense
MDCO	Military Department Counterintelligence Organization
OFCO	offensive counterintelligence operations
RDA	research, development, and acquisition
TSCM	technical surveillance countermeasures
USD(I)	Under Secretary of Defense for Intelligence

PART II. DEFINITIONS

CI. Defined in Reference (g).

CI activities. Defined in Reference (b).

CCICA. The senior command representative to conduct and exercise staff coordination authority over CI activities. Develops and implements the Combatant Command's CI strategy and plans, serves as the focal point for CI issues impacting the command, identifies command resource requirements, and coordinates CI support to the command. Formerly known as "CI Staff Officer." Approved for inclusion in the next edition of Joint Publication 1-02 (Reference (ad)).

MDCO. Elements of the Military Departments authorized to conduct CI investigations, i.e., Army CI, Naval Criminal Investigative Service, and the Air Force Office of Special Investigations. Formerly known as "CI Lead Agencies." Approved for inclusion in the next edition of Reference (ad).

OFCO. Defined in Reference (s).