



Department of Defense INSTRUCTION

NUMBER 5145.03

January 10, 2013

GC, DoD

SUBJECT: Oversight of the DoD Personnel Security Programs

References: See Enclosure 1

1. PURPOSE. This instruction:

a. Reissues DoD Directive (DoDD) 5145.3 (Reference (a)) as a DoD Instruction (DoDI) in accordance with the guidance in DoDI 5025.01 (Reference (b)) and the authority in DoDD 5145.01 (Reference (c)).

b. Establishes policies and assigns responsibilities for the oversight of the personnel security programs of the Department of Defense in accordance with Reference (c) and DoDD 5145.04 (Reference (d)).

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. POLICY. It is DoD policy that:

a. The personnel security programs, through all stages of investigation and adjudication, shall be conducted so that proceedings are promptly initiated and expeditiously completed, and every effort is taken to protect the rights of the individuals involved, consistent with the interests of national security.

b. The personnel security programs of the OSD, the Military Departments, and all other DoD Components must be as consistent and uniform as possible in content and administration in accordance with Executive Order 13467 (Reference (e)).

4. RESPONSIBILITIES.

a. General Counsel of the Department of Defense (GC, DoD). The GC, DoD:

(1) Establishes guidance, provides legal advice, and exercises legal oversight of the DoD personnel security programs to ensure fair, timely, and consistent treatment of individuals, and to verify that the rights of individuals are being protected consistent with the Constitution, laws of the United States, Executive orders, and DoD policy.

(2) In coordination with the Under Secretary of Defense for Intelligence (USD(I)):

(a) Exercises oversight over the personnel security programs of the DoD to ensure legal sufficiency of DoD personnel security policy and procedures.

(b) Recommends personnel security policy changes to the Secretary of Defense as appropriate.

(c) Conducts surveys, requires reports, and obtains such other information from the DoD Components, consistent with policies and criteria of Reference (c), DoDDs 5200.2 and 5220.6 (References (f) and (g)), DoD 5200.2-R (Reference (h)), DoD 8910.1-M (Reference (i)), and DoDI 5210.45 (Reference (j)) as necessary.

b. USD(I). The USD(I) directs, administers, and oversees the DoD Personnel Security Program to ensure that the program is consistent, cost-effective, and efficient, and balances the rights of individuals with the interests of national security.

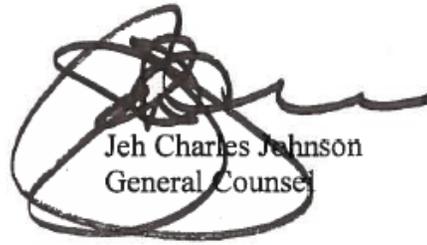
c. DoD Component Heads. The DoD Component heads, consistent with policies and criteria of References (d), and (f) through (h), provide to the GC, DoD, or designee, information and recommendations related to execution under this Instruction of the responsibilities of the GC, DoD.

5. 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>.

6. EFFECTIVE DATE. This instruction:

a. Is effective January 10, 2013.

b. Must be reissued, cancelled, or certified current within 5 years of its publication in accordance with Reference (b). If not it will expire effective January 10, 2023 and be removed from the DoD Issuances Website.



Jeh Charles Johnson
General Counsel

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ENCLOSURE

REFERENCES

- (a) DoD Directive 5145.3, "Surveillance of the DoD Security Programs," October 19, 1962, as amended (hereby cancelled)
- (b) DoD Instruction 5025.01, "DoD Directives Program," September 26, 2012
- (c) DoD Directive 5145.01, "General Counsel of the Department of Defense," May 2, 2001, as amended
- (d) DoD Directive 5145.04, "Defense Legal Services Agency (DLSA)," April 16, 2012
- (e) Executive Order 13467, "Reforming Processes Related to Suitability for Government Employment, Fitness for Contractor Employees, and Eligibility for Access to Classified National Security Information," June 30, 2008
- (f) DoD Directive 5200.2, "DoD Personnel Security Program," April 9, 1999
- (g) DoD Directive 5220.6, "Defense Industrial Personnel Security Clearance Review Program," January 2, 1992, as amended
- (h) DoD 5200.2-R, "Personnel Security Program," January 1987, as amended
- (i) DoD 8910.1-M, "DoD Procedures for Management of Information Requirements," June 30, 1998
- (j) DoD Instruction 5210.45, "Personnel Security Policies and Procedures for Sensitive Cryptologic Information in the National Security Agency/Central Security Service," November 14, 2008

GLOSSARY

ABBREVIATIONS AND ACRONYMS

DoDD	DoD Directive
DoDI	DoD Instruction
GC, DoD	General Counsel of the Department of Defense
USD(I)	Under Secretary of Defense for Intelligence