



Department of Defense INSTRUCTION

NUMBER 5145.03

January 10, 2013

Incorporating Change 1, Effective June 19, 2020

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 and Security (USD(I&S)):

(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), DoDI 5200.02 (Reference (f)), DoDD 5220.6 (Reference (g)), DoD Manual 5200.02 (Reference (h)), DoD Manual 8910.01 (Reference (i)), and DoDI 5210.45 (Reference (j)) as necessary.

b. USD(I&S). The USD(I&S) 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. **Cleared for public release.** This instruction is available on the Directives Division Website at <https://www.esd.whs.mil/DD/>.

6. SUMMARY OF CHANGE 1. The change to this issuance updates references and removes expiration language in accordance with current Chief Management Officer of the Department of Defense direction.

7. EFFECTIVE DATE. This instruction is effective January 10, 2013.



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 Issuances Program," August 1, 2016, as amended
- (c) DoD Directive 5145.01, "General Counsel of The Department of Defense (GC DoD)," December 2, 2013, as amended
- (d) DoD Directive 5145.04, "Defense Legal Services Agency (DLSA)," April 16, 2012, as amended
- (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 Instruction 5200.02, "DoD Personnel Security Program (PSP)," March 21, 2014, as amended
- (g) DoD Directive 5220.6, "Defense Industrial Personnel Security Clearance Review Program," January 2, 1992, as amended
- (h) DoD Manual 5200.02, "Procedures For The DoD Personnel Security Program (PSP)," April 3, 2017
- (i) DoD Manual 8910.01, "DoD Information Collections Manual," June 30, 2014, as amended
- (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, as amended

GLOSSARY

ABBREVIATIONS AND ACRONYMS

DoDD DoD directive

DoDI DoD instruction

GC DoD General Counsel of the Department of Defense

USD(I&S) Under Secretary of Defense for Intelligence and Security