From: Secretary of the Navy

Subj: MISSION AND FUNCTIONS OF THE NAVAL CRIMINAL INVESTIGATIVE SERVICE

Ref: See enclosure (1)

Encl: (1) References
      (2) Policy
      (3) Definitions
      (4) Missions and Functions
      (5) Other Commands and Organizations Relationship with NCIS
      (6) NCIS Board of Advisors

1. Purpose. To establish policy and assign authorities and responsibilities for the Naval Criminal Investigative Service (NCIS) and its relationship with other Department of the Navy (DON) activities pursuant to references (a) through (co).


3. Policy. See enclosure (2).

4. Definitions. See enclosure (3).

5. Missions and Functions. See enclosure (4).

6. Other Commands and Organizations Relationship with NCIS. See enclosure (5).

7. NCIS Board of Advisors (BOA). See enclosure (6).

8. Applicability. This Instruction applies to the Offices of the Secretary of the Navy (SECNAV), the Chief of Naval Operations (CNO), the Commandant of the Marine Corps (CMC), and all United States Navy (USN) and United States Marine Corps (USMC) installations, commands, activities, field offices, and all other organizational entities within the DON.
9. Records Management

    a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned according to the records disposition schedules found on the Directives and Records Management Division (DRMD) portal page: https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/SitePages/Home.aspx.

    b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact your local Records Manager or the DRMD program office.

10. Forms and Reports

    a. Forms. DD Form 2791, Notice of Release/Acknowledgement of Convicted Sex Offender Registration Requirements, is available from The Official Department of Defense (DoD) Website for DoD Forms https://www.esd.whs.mil/Directives/forms/.

    b. Reports. The reporting requirements contained in enclosure (4), paragraph 7, and enclosure (5), paragraph 2 are exempt from information collection control, per reference (cp), Part IV, paragraphs 7n and 7o.

    [Signature]

THOMAS B. MODLY
Under Secretary of the Navy

Distribution:
Electronic only, via Department of the Navy Issuances Web site https://www.secnav.navy.mil/doni
REFERENCES

(a) 10 U.S.C. §8013
(b) SECNAVINST 5430.7R
(c) DoD Instruction 5505.03 of 24 March 2011
(d) DoD Directive 5240.02 of 17 March 2015
(e) SECNAVINST 5720.42G
(f) SECNAVINST 5720.44C
(g) SECNAVINST 7042.12E
(h) 18 U.S.C. §701
(i) SECNAVINST 5580.3
(j) 5 U.S.C. §303
(k) SECNAVINST 1650.1H
(l) 10 U.S.C. §8750
(m) SECNAVINST 5500.29C
(n) DoD Instruction 5240.04 of 1 April 2016
(o) DoD Instruction 5505.02 of 29 August 2013
(p) SECNAVINST 3850.2E
(q) Public Law 99-145 §1223
(r) 10 U.S.C. §275
(s) SECNAVINST 5239.3C
(t) DoD Directive 5240.06 of 17 May 2011
(u) DoDM 6025.18-R, Implementation of the Health Insurance Portability and Accountability Act (HIPPA) Privacy Rule in DoD Health Care Programs of 13 March 2019
(v) SECNAVINST 5800.12B
(w) DoD Instruction S-5240.23 of 13 December 2010
(x) DoD Instruction 5525.07 of 18 June 2007
(y) DoD Instruction O-5505.09 of 27 November 2013
(z) DoD Instruction 5505.16 of 23 June 2017
(aa) SECNAVINST 5430.92C
(ab) DoD Instruction O-5240.24 of 8 June 2011
(ac) SECNAV M-5510.36
(ad) DoD Instruction 5240.26 of 4 May 2012
(ae) DoD Instruction 5240.19 of 31 January 2014
(af) DoD Instruction 2000.12 of 1 March 2012
(ah) DoD Directive 5210.48 of 24 April 2015
(ai) DoD Instruction 5210.91 of 12 August 2010
(aj) SECNAVINST 3850.4A
(ak) DoD Instruction 5240.05 of 3 April 2014
(al) Memorandum of Understanding between the Federal Bureau of Investigation and the Department of Defense Governing Information Sharing, Operational Coordination, and Investigative Responsibilities, August 2, 2011, and those portions of the 1979 and 1996 MOUs that remain in effect

(am) SECNAVINST 5820.7C
(an) DoD Instruction 5240.10 of 5 October 2011
(ao) DoD Instruction O-5240.21 of 14 May 2009
(ap) SECNAV memo, Department of the Navy Security Executive of 25 Apr 13
(aq) DoD Instruction 3025.21 of 27 February 2013
(ar) DoD Instruction S-5240.09 of 2 February 2015
(as) 10 U.S.C., Chapter 47
(at) Sixth Amendment to the United States Constitution
(au) 10 U.S.C. §846
(av) 50 U.S.C. §3121
(aw) DoD Instruction 5505.10 of 15 August 2013
(ax) SECNAVINST 5800.11B
(ay) DoD Instruction 5525.20 of 14 November 2016
(az) SECNAVINST 5510.36A
(ba) JAGINST 5800.7F
(bb) 50 U.S.C. §3381
(bc) Assistant to the President for National Security Affairs Memorandum, Early Detection of Espionage and Other Intelligence Activities through Identification and Referral of Anomalies of 23 August 1996
(bd) SECNAVINST 5000.34F
(be) DoD Instruction S-5240.17 of 14 March 2014
(bf) E.O. 12333
(bg) DoDM 5240.01, Procedures Governing the Conduct of DoD Intelligence Activities of 8 August 2016
(bh) 5 U.S.C. §552a
(bi) SECNAVINST 5710.28A
(bj) SECNAVINST 5710.27A
(bk) SECNAVINST 5510.37
(bl) DoD Instruction 5240.22 of 24 September 2009
(bm) DoDM 5200.02, Procedures for the DoD Personnel Security Program (PSP) of 3 April 2017
(bn) SECNAVINST 5239.19
(bo) SECNAVINST 3052.2
(bp) SECNAVINST 3070.2
(bq) SECNAVINST 3501.1D
(br) DoD Directive 5205.07 of 1 July 2010
(bs) DoD Directive 5205.16 of 30 September 2014
(bt) OPNAVINST 5585.2C
(bu) OPNAVINST F3300.53C
(bv) Annex 3 to the Memorandum of Agreement between the Central Intelligence Agency and the Department of Defense of 6 December 2007
(bw) Annex 4 to the Memorandum of Agreement between the Central Intelligence Agency and the Department of Defense of 11 June 2012
(bx) DoD Instruction 5525.11 of 3 March 2005
(by) 18 U.S.C. §3261-3267
(bz) SECNAVINST 5210.8F
(ca) Public Law 95-452 as amended
(cb) DoD Instruction O-3300.04 of 25 May 2012
(cc) DoD Instruction 5525.16 of 29 August 2013
(cd) SECNAVINST S5460.3H
(ce) DoD Instruction 5200.39 of 28 May 2015
(cf) 10 U.S.C. §1034
(cg) DoD Instruction 5525.19 of 4 May 2016
(ch) E.O. 13526
(ci) OPNAVINST 5102.1D
(cj) SECNAVINST S3850.3A
(ck) DTM-17-004, DoD Expeditionary Civilian Workforce of 25 January 2017
(cl) UNSECNAV memo, Order and Terms of Succession to the Powers and Duties of the Department of the Navy Presidentially Appointed, Senate-confirmed Leadership Positions of 24 January 2019
(cm) Inspector General of the Department of Defense Memorandum, Request for Clarification of Language Relative to Use of Confidential Informants as required in DoD Instruction 5505.03 “Initiation of Investigations by Defense Criminal Investigative Organizations (DCIOs)” of 31 August 2018
(co) Memorandum of Agreement between the Department of Defense and the Central Intelligence Agency - Operational Matters, of 20 July 2005
(cp) SECNAV M-5214.1
POLICY

1. Policy. Pursuant to reference (b), the Under Secretary of the Navy (UNSECNAV) provides oversight of NCIS. UNSECNAV will be supported by the General Counsel (GC) of DON and the Deputy Under Secretary of the Navy (DUSN). In the absence of the UNSECNAV, oversight will transfer to the Assistant Secretary of the Navy for Research, Development and Acquisition (ASN (RD&A)), pursuant to reference (c1).

2. The Director, NCIS (Director), is a staff assistant and directly reports to the SECNAV pursuant to reference (b).

3. NCIS is a Federal law enforcement agency, Defense Criminal Investigative Organization, the DON Military Criminal Investigative Organization, and the DON Military Department Counterintelligence Organization (MDCO). NCIS will execute its mission in accordance with enclosures (4) and (5), and applicable laws, Executive Orders, and policies.

   a. The Director is the DON Senior Official for criminal investigations and intelligence (CI), to include terrorism investigations and related operations pursuant to reference (b).

   b. The Director will serve as the DON single point of contact with Federal, state, local, and foreign law enforcement, intelligence, CI, and security agencies for matters falling within the exclusive jurisdiction of NCIS pursuant to references (b), (c), (n), (p), (al), (am), and (an). For matters where NCIS has primary jurisdiction or is the DON lead agency, and the USN or USMC have overlapping criminal or CI jurisdiction, USN and USMC may liaise with these agencies after coordination with NCIS.

   c. As the DON Senior Official for criminal investigations, the Director will initiate, conduct, and direct independent criminal investigations and associated operations and activities regardless of command authorization.

   d. Only the SECNAV may direct NCIS to delay, suspend, or terminate an investigation, other than an investigation being conducted at the request of the DoD Inspector General (IG), pursuant to references (c), (d), (n), (o), (ca), and (ce).
e. The UNSECNAV shall serve as the approving authority for all Offensive Counterintelligence Operations (OFCO) operational proposals.

f. NCIS, as the DON lead agency for CI, has primary jurisdiction for CI matters and the authority necessary to conduct the full range of CI activities across the Department. NCIS has exclusive authority to conduct CI investigations and is the DON lead agency for OFCO pursuant to references (b), (c), (n), (p), and (cj).

g. DON commands, activities, and personnel will comply with requests by an NCIS special agent for information or assistance pursuant to an authorized investigation or operation as if made by the Secretary, including providing access to installations, information and records, pursuant to reference (b) and this instruction. If immediate access is required to special access required or similarly restricted areas, NCIS will notify the Director, DON Special Access Program Central Office (DON SAPCO) or the Director of Naval Intelligence (DNI) or Director of Intelligence (DIRINT), as appropriate, as soon as possible.

(1) Pursuant to references (c), (cm), and (cn), NCIS may use DON personnel as cooperating witnesses and confidential informants in support of criminal and CI investigations and operations.

(2) DON personnel who report acts or omissions to NCIS they reasonably believe to be violations of law or regulation, or to constitute fraud, waste, or mismanagement, will be free from reprisal and retaliation. No adverse action may be taken against an individual who reports, provides testimony, or otherwise assists NCIS with an investigation or proceeding pursuant to references (v) and (cf).

(3) Use of military personnel for CI operational purposes will be coordinated and approved by the commander having command and control of the personnel and the Service (Assistant Commandant of the Marine Corps (ACMC), CMC or Vice Chief of Naval Operations (VCNO) in accordance with references (ar) and (cj).
(4) NCIS use of DON civilian, and contractor personnel does not require approval from within the member’s chain of command.

(5) Commanders will ensure that NCIS information regarding investigations, operations, and related activities is not compromised and, to the extent possible, is limited to senior command personnel.

4. NCIS is the executive agency for all protective service matters within the DON with exclusive jurisdiction and authority to conduct and coordinate Protective Service Operations (PSO) for high risk personnel pursuant to references (af) and (ag).

5. NCIS is the only DON component approved to conduct polygraph examinations pursuant to references (ah) and (ai).

6. The Director will issue credentials to NCIS personnel accredited to perform investigations, specialized investigative and analytical functions, and related activities.

   a. NCIS agents who identify themselves using special agent credentials will be exempt from all routine searches of their persons, possessions, and materials, including their vehicles and occupants therein when accessing DON owned, controlled or managed facilities or activities. Individuals escorted by an NCIS special agent will not be required to display identification.

   b. NCIS special agents have, at a minimum, a top secret security clearance, will be considered as having a need to know, and will be granted access to installations, facilities, spaces, information, or material classified up to top secret in the performance of their official duties.

   c. Persons accredited by the Director as special agents, investigators, and operational representatives are authorized to administer oaths and take sworn statements in execution of official investigative duties pursuant to reference (j).

   d. DON personnel not accredited by the Director are prohibited from making any representation that indicates they have NCIS accreditation. Use of the title “Special Agent” by
anyone other than an accredited NCIS special agent within the DON is prohibited.

e. The Director may issue Law Enforcement Officers Safety Act photographic identification to active, retired, and separated law enforcement personnel pursuant to reference (i).

7. The Director will authorize NCIS special agents to carry NCIS-approved firearms at all times, while on or off duty, on and off installations, aircraft, and ships. NCIS special agents are required to carry firearms while on official business, except as follows:

a. Exclusion Areas. When in “exclusion areas” where special weapons/systems are stored, the need for a special agent to carry a firearm in such areas will be left to the discretion of the commander or commanding officer having responsibility for the “exclusion area.”

b. Court Rooms. NCIS personnel may be armed in military court rooms as long as the weapon is concealed and the presiding judge is notified and approves.

8. The Director may authorize accredited NCIS non-special agent personnel to carry firearms in accordance with reference (m).

9. NCIS will maintain, direct, and operate the Multiple Threat Alert Center (MTAC) and host the Department of Defense - Federal Bureau of Investigation (FBI) Global Watch to provide Indications and Warnings of terrorist, foreign intelligence, cyber, and criminal threats pursuant to references (p) and (al).

10. Any proposed use of Special Access Program (SAP) resources or information will be coordinated with the Director, DON SAPCO, in accordance with reference (cd).

11. The Director will make original security classification determinations for NCIS information pursuant to reference (ch).

12. The Director is an Initial Denial Authority for Freedom of Information Act requests with release and denial authority for all NCIS information pursuant to reference (e).
13. The Secretary has delegated authority to the Director to claim the privilege under Military Rule of Evidence 506 to protect Government information other than classified information that falls under the cognizance of NCIS pursuant to reference (as).

14. The Director is the release authority for information provided to the public concerning NCIS investigations of loss or compromise of classified information and other matters under the purview of NCIS pursuant to references (e) and (f).

15. The Director may obligate and expend Emergency and Extraordinary Expense funds pursuant to reference (g).

16. The Director serves as an advisor to the CNO as Special Assistant for Naval Investigative Matters pursuant to reference (ap).

17. The Director is authorized to award the Superior Civilian Service Award and lesser decorations pursuant to reference (k).

18. NCIS will be supported by the United States Naval Reserve.

19. The NCIS BOA will assist the SECNAV in providing DON corporate governance to ensure maximum NCIS support for all DON components in accordance with Enclosure (6).
DEFINITIONS

1. **Anomalies.** Foreign power activity or knowledge, inconsistent with the expected norm, that suggests foreign knowledge of United States national security information, processes, or capabilities.

2. **Criminal Operations.** Efforts to acquire intelligence about or interdict criminal activities or enterprises on or off DON establishments that significantly affect the DON establishment, through the use of specialized investigative techniques or equipment, including: the employment of undercover agents; the formal registration or tasking of sources; technical surveillance equipment and investigative tools; oral, wire, and electronic intercepts; pen registers; trap and trace devices; and other sophisticated practices for surfacing and interdicting crime.

3. **Exclusive Jurisdiction.** For purposes of this instruction, exclusive jurisdiction refers to those investigative, operational, supporting and administrative matters for which NCIS is the only DON entity authorized to perform that activity for the DON.

4. **Fraud against the Government.** A category of major criminal offenses characterized by intentional deception designed to unlawfully deprive the United States of something of value or to seek from the United States a benefit, privilege, allowance, or consideration to which a person is not entitled.

5. **MDCO.** A CI element within a Military Department that is authorized to conduct CI investigations. The MDCOs are Army CI, NCIS, and the Air Force Office of Special Investigations.

6. **Other DON Law Enforcement Organizations.** USN Master at Arms (MA), USMC Police, and USMC Criminal Investigation Division.

7. **Primary Jurisdiction.** For purposes of this instruction, primary jurisdiction refers to those investigative, operational or supporting activities for which NCIS is designated the lead agency.

8. **Purely Military Offense.** An act constituting a criminal offense under the Uniform Code of Military Justice (UCMJ),
unique in that it is not otherwise punishable under Federal or state law due to the status of the alleged offender as a uniformed member of the armed forces, to include, but not limited to, desertion, unauthorized absence, and fraternization.

9. Serious Criminal Offense (sometimes referred to as a major criminal offense or felonies). Any criminal offense punishable under the UCMJ, or similarly framed Federal, state, local, or foreign statute, by confinement for a term of more than one year.

10. Threat Warning and Analysis. All actions taken to provide early indications and warning of terrorist, foreign intelligence, criminal, security, and cyber threats, to include analysis, production, and dissemination, in an effort to prevent, mitigate, or warn DON or Department of Defense (DoD) forces of possible hostile or threatening activities.
MISSIONS AND FUNCTIONS

1. NCIS is a civilian Federal law enforcement agency that protects and defends the DON against terrorism, foreign intelligence threats, and major criminal offenses; assists commands in maintaining good order and discipline; and provides law enforcement and CI services to the USN and USMC on a global basis. NCIS civilian special agents have investigative responsibility for all crimes punishable under the UCMJ by confinement of more than one year, and significant criminal investigations under the criminal laws of the United States when DON equities are involved.

2. Criminal Investigations and Related Activities

   a. NCIS will initiate, conduct, and direct independent criminal investigations and associated operations and activities regardless of command authorization.

   b. NCIS has primary jurisdiction for the investigation of fraud offenses within the DON not otherwise specified in sections 1 and 3 of enclosure (3) of reference (o), pursuant to references (c) and (aa).

   c. NCIS has exclusive authority within the DON to intercept wire, electronic, and oral communications, and to install or use pen register and trap and trace devices for law enforcement purposes pursuant to reference (y). The Director may delegate approval authority to NCIS senior executives responsible for criminal investigations for the intercept of wire, electronic, and oral communications, and the installation or use of pen register and trap and trace devices for law enforcement purposes.

   d. Serious Crimes Within the DON. NCIS has primary responsibility for investigating actual, suspected, and alleged major criminal offenses to include:

      (1) Non-Combat Deaths. Any non-combat deaths on or off DON installations, facilities, vessels, or aircraft, when the cause of death cannot be medically attributable to disease or natural causes, or until criminal causality can be reasonably excluded. For non-combat deaths that occur off-base or outside of the primary investigative jurisdiction of NCIS, NCIS will be
the DON lead agency for coordination and/or investigative support to the investigative lead agency. If a non-DON agency with primary jurisdiction declines to investigate, NCIS will assume investigative jurisdiction.

(2) Fires or Explosions. Fires or explosions of unknown origin affecting DON property or property under DON control.

(3) Loss or Theft. Incidents involving the loss or theft of weapons, ordnance, narcotics, dangerous drugs, controlled substances, or high-value property.

(4) Foul Play. Missing command members when foul play cannot be ruled out pursuant to references (b), (c), (d), (n), (p), (af), and (aw).

(5) Criminal Operations. NCIS has primary jurisdiction to conduct criminal operations as defined in enclosure (3). Other DON law enforcement organizations may conduct law enforcement operations within their purview; however, they must first coordinate with NCIS for deconfliction purposes.

(6) Victim and Witness Assistance Program (VWAP). The Director will ensure that all NCIS law enforcement and criminal investigative personnel comply with applicable VWAP requirements pursuant to reference (ax).

(7) Sex Offender Notification. NCIS will, upon receipt of DD Form 2791 or successor document, via the Department of Justice (DOJ) Sex Offender Registration and Notification Act portal, ensure required information for military offenders requiring sex offender registration is updated as detailed in reference (ay).

(8) As law enforcement officials and as agents of a DoD health oversight agency, special agents are authorized to make written investigative demands for medical records in accordance with the requirements of Sections C7.4 and C7.6.1.2.3. of reference (u).

(9) Other DON Law Enforcement Organizations. USN and USMC maintain organic law enforcement and investigative capabilities. Use of other DON law enforcement personnel for law enforcement and security investigations will be limited to
offenses punishable by less than one year of confinement or cases that NCIS has declined to investigate. NCIS may enter into agreements with other DON Law Enforcement Organizations regarding investigations into offenses meeting the definition of a significant criminal offense. These agreements; however, will not prevent NCIS from assuming jurisdiction in the investigation of any offense.

(10) NCIS may seek to have agents from the USMC Criminal Investigation Division assigned to NCIS for duty as special agents, as well as USN MA personnel assigned to NCIS to support investigative activities. Marine special agents and USN MA personnel so assigned will carry NCIS credentials, conduct criminal investigations under the authority of NCIS, and fall under the operational control of NCIS. While assigned duties with NCIS, Marine special agents and USN MA personnel may be authorized to undertake official duties in a manner that disassociates them from identification as a military member. Pursuant to reference (r), USMC special agents and USN MA personnel may not exercise the arrest authorities extended to NCIS civilian special agents pursuant to reference (l).

(11) Law Enforcement Communications and Databases

(a) NCIS will appoint a Criminal Justice Information Services (CJIS) Systems Officer. Pursuant to reference (cc) and CJIS Security Policy, the Chief Security Officer (CSO) will be the primary authority for Criminal Justice Information in the DON including, but not limited to, compliance with Interstate Identification Index guidelines pursuant to reference (cc) and Identity Matching Engine for Security and Analysis pursuant to reference (cg). The CSO role itself may not be outsourced. However, the CSO may delegate certain responsibilities to other DON agencies.

(b) NCIS is authorized to leverage all lawful and appropriate tools, techniques, technologies, networks, and applications necessary to conduct its mission and protect sensitive data. NCIS will control and manage access to and use of CJIS data and systems to include the National Crime Information Center; III; Integrated Automated Fingerprint Imaging System/Next Generation Identification; National Instant Criminal Background Check System; NCIS Biometrics Information; National Law Enforcement Telecommunications System; Law
Enforcement-Wide Area Network for DON law enforcement agencies of which NCIS is the CJIS Systems Agency and retains the FBI CJIS Systems User Agreement; and National Data Exchange (N-DEx) Agreement; the Law Enforcement Information Exchange (LInX); the Department of Defense Law Enforcement Defense Data Exchange (D-DEx) Agreement; as well as similar law enforcement databases or systems pursuant to reference (cc).

(c) NCIS is directed by the DoD to administer the D-DEx as its Program Management Office, reference (cc) pertains. NCIS is directed by SECNAV to administer and maintain the LInX on behalf of partner agencies by this instruction and as the primary means to comply in an automated fashion with references (am), (aq), and (cc), especially with regard to the “prompt transfer of information” provisions. D-DEx is the authorized means by which DoD Law Enforcement agencies share information with other federal, state, local, tribal, and territorial law enforcement agencies. D-DEx/LInX interact with the FBI's N-DEx and its other partner agencies.

3. Fraud Investigations and Related Activities

   a. NCIS has primary jurisdiction for investigating all allegations of fraud within the DON not otherwise specified in sections 1 and 3 of enclosure (3) of reference (o), and in accordance with references (y) and (aa). The policies, procedures, and responsibilities for determining which DOJ or DoD criminal investigative organization will conduct the investigation of these offenses under applicable law is set forth in references (x) and (as).

   b. The Assistant General Counsel (Acquisition Integrity) (AGC (AI)) is responsible for managing, directing, and coordinating acquisition fraud matters throughout the DON. NCIS will support these efforts and forward matters under AGC (AI) cognizance to that office for action, in accordance with reference (aa).

4. PSO

   a. NCIS is the executive agent for all PSO matters within the DON pursuant to references (af) and (ag).
b. NCIS will have exclusive jurisdiction and authority to conduct and coordinate PSO to protect individuals who occupy DON High-Risk Personnel (HRP) positions and other designated individuals, except as otherwise authorized by a combatant commander in a Joint Operating Area. NCIS will:

(1) Participate in the review and validation of DON HRPs as subject matter experts.

(2) Conduct personal security vulnerability assessments for designated DON HRPs to determine the level of risk and vulnerability to terrorist or criminal activities, and to determine the appropriate level of protection.

(3) Have primary jurisdiction within the DON for support to the United States Secret Service and to DoD and non-DoD agencies conducting PSO for United States Government and foreign officials in accordance with reference (m).

(4) Act as the focal point for the DON Program regarding the approval and placement of Non-Tactical Armored Vehicles based upon local threat assessments in coordination with NAVFAC.

5. Security Training Assistance and Assessment Teams (STAAT)

a. NCIS will employ STAAT to conduct assessments, antiterrorism activities, and law enforcement and security training to support fleet, regional USN operational commanders and USMC area and component commanders by providing vulnerability assessments, training, and assistance in meeting strategic objectives of the unified or component commanders.

b. To ensure USN detector military working dogs maintain the highest standards of operational readiness in the war against terrorism, STAAT will conduct assessments every two years to ensure USN programs are in compliance with reference (bt). Commands that are on 18-month tours or less will be inspected annually.

c. Although STAAT’s primary support is to fleet law enforcement, security programs and assets, additional support may be provided to shore installations and other selected non-DON law enforcement organizations and foreign security services as requested by combatant commands and directed by NCIS.
STAAT will employ standardized procedures and techniques in carrying out its mission.

6. **Biometrics.** NCIS will conduct identity activities, biometrics collections, and associated intelligence analysis in support of the DON and DoD. NCIS will work with CMC and the CNO to develop partnerships, share lessons learned, set standards for analyses, and streamline processes across the DON for biometrics collections pursuant to reference (cb).

7. **Counterintelligence (CI).** As the DON lead agency for CI, NCIS will conduct the full range of CI and counterterrorism activities to identify and neutralize Foreign Intelligence Entity (FIE) targeting and exploitation of DON personnel, facilities, operations, and other resources pursuant to references (b), (d), (p), (az), and (ba).

   a. NCIS has exclusive investigative jurisdiction into actual, potential, or suspected acts of espionage, terrorism, sabotage, and assassination; and actual, suspected, or attempted defection by DON personnel.

   b. The Director will ensure the UNSECNAV, DUSN, GC, Naval Inspector General (NAVINSGEN), Deputy Naval Inspector General for Marine Corps (DNIGMC), and members of the Senior Review Board, are kept fully and currently informed of significant and/or sensitive DON CI activities, questionable intelligence activities, and related activities pursuant to references (p) and (bd).

   c. The Director is the principal advisor to the DON Secretariat for CI and criminal matters and will advise on significant CI and criminal matters affecting the DON in a timely manner pursuant to references (b), (p), and (bd).

   d. NCIS is the CI coordinating authority for all CI activities conducted within the DON pursuant to reference (p).

   e. NCIS Staff CI Officers are dual-hatted as Assistant DON CI Coordination Authorities (A/CICA) representing the DON CICA pursuant to reference (p). NCIS Field Office Assistant Special Agents in Charge for CI or other senior NCIS special agents may be designated DON A/CICAs as appropriate.
f. Any request by a non-DON organization to conduct or support a CI investigation or operation, or for operational use of DON personnel, facilities or resources under SECNAV authority, will be coordinated with NCIS prior to approval pursuant to references (b), (n), (p), and (ar).

g. NCIS is the only DON organization authorized to conduct CI investigations and is the DON lead agency for OFCO. Appropriately trained USN and USMC personnel may conduct OFCO with NCIS in accordance with references (p) and (cj).

h. In consultation with USN, USMC and UNSECNAV, NCIS will represent DON interests in national forums and pertinent CI and law enforcement groups where there is only one DON voting member or representative permitted pursuant to references (b), (p), and this instruction. Advance consultation with UNSECNAV is not required for representation in recurring expert working groups, functional management groups, boards, and associated forums unless representation is at the UNSECNAV or above level. NCIS will ensure UNSECNAV, USN and USMC are apprised of relevant information pertaining to these groups.

i. NCIS is the DON central repository for collecting, processing, storing, and disseminating CI information regarding United States persons pursuant to references (p), (bf), (bg), and (bh).

j. NCIS will provide CI support to the USN and USMC for United States-International Atomic Energy Agency Integrated Safeguards Agreements pursuant to reference (bi); and Chemical Weapons Convention challenge inspections pursuant to reference (bj).

k. NCIS will develop CI awareness and reporting briefings pursuant to references (p) and (t).

(1) All CI incidents and reporting, including all reporting of contacts, activities, indicators and behaviors identified in enclosure (4) of reference (t), must be immediately reported to NCIS pursuant to references (n), (p), (t), (ao), and (bk).

(a) If NCIS accepts a matter for investigation, the reporting entity must terminate any inquiry into the reported
activities, but may provide assistance to NCIS if requested. If NCIS declines to open an investigation, a CI inquiry may be conducted.

(b) Commands may proceed with a CI inquiry after coordination with NCIS, unless the responsible NCIS Supervisory Special Agent requests that command actions be held in abeyance to preserve evidence for a criminal, CI, or counterterrorism investigation. NCIS will notify commanders of a decision to initiate an investigation not more than 14 days after receipt of the information from the command.

(2) If at any time during the conduct of a CI inquiry, information is developed that establishes a reasonable belief an individual or individuals have established a clandestine relationship with a FIE or an agent of a FIE, the matter must immediately be referred to NCIS.

(3) NCIS will ensure USN and USMC component commanders are apprised of NCIS CI activities affecting their respective commands pursuant to reference (p) unless specific circumstances dictate otherwise.

(4) NCIS will provide CI support to USN, USMC, and other DON commands, commanders, installations, facilities, personnel, operations, and activities pursuant to references (b), (p), and this instruction.

(5) NCIS will provide support to other DoD components and Non-DoD Federal departments or agencies as directed, to include designated Force Protection Detachments (FPD), Joint Terrorism Task Forces, Joint Intelligence Task Forces, and Defense Critical Infrastructure Protection (DCIP) sector leads pursuant to references (d), (ae), (an), and (bl).

(6) NCIS will support the DoD Personnel Security Program pursuant to reference (bm).

(7) NCIS may seek to have personnel from the USN or USMC assigned to NCIS for duty as investigators or operational representatives. USN and USMC personnel assigned to NCIS as investigators or operational representatives must carry NCIS credentials and badges as appropriate to assist in the conduct of CI investigations and operations under the authority and the
operational control of NCIS. While assigned duties with NCIS, USN and USMC investigators and operational representatives may be authorized to undertake official duties in a manner that disassociates them from identification as a military member. Pursuant to reference (r), USN and USMC personnel assigned to NCIS as investigators or operational representatives may not exercise the arrest authorities extended to NCIS civilian special agents pursuant to reference (l).

8. Research, Development, and Acquisitions (RDA)

   a. NCIS is the lead agency and has primary jurisdiction for CI support to DON RDA and critical technology protection. NCIS will support RDA by conducting CI activities that protect Critical Program Information (CPI), technologies, or systems. The focus of this support will be in accordance with references (d), (n), (p), (ab), (ac), and (ad).

   b. Supported commands must identify and provide validated CPI to enable NCIS to conduct tailored threat analysis to support security countermeasures pursuant to references (ab), (ad), (bq), (br), and (ce).

   c. Commanding officers, program managers, and technical directors responsible for executing program protection plans will incorporate NCIS or NCIS-coordinated CI Support Plans when configuring plans for risk mitigation and threat countermeasures pursuant to references (d), (n), (p), (ab), (ad), and (az).

9. Defense Critical Infrastructure Protection (DCIP). NCIS is the DON lead agency for CI support to DCIP. NCIS will:

   a. Serve on the DON CIP Program Council and DON CIP Program Working Group.

   b. Partner with the Office of Naval Intelligence and DIRINT, and in coordination with DUSN and the DON SAPCO, develop an I&W capability for threats to critical infrastructures and assets.

   c. Provide DCIP-focused CI protection to the DON.

   d. Provide comprehensive and timely reporting of FIE threats, incidents, events, and trends to DoD and DON DCIP
authorities, DoD Components, and the defense sector lead organizations where the asset owner is the DON or a DoD-affiliated organization tasked to NCIS for CI support pursuant to references (d), (ae), (bg), and (bl).

e. NCIS will investigate fraud and other major criminal offenses involving these programs.

10. **Insider Threat**

   a. The Director is a principal member of the DON Insider Threat Program Senior Executive Board pursuant to reference (bk).

   b. NCIS will provide CI and law enforcement experienced representatives to ITP-chartered working groups pursuant to reference (bk).

   c. NCIS will conduct CI activities to detect, identify, assess, exploit, and deny FIE and the insider threat in accordance with references (n), (t), (w), (ad), (bk), and (bs).

   d. NCIS will provide CI insider threat awareness and reporting training in accordance with references (t), (ad), and (bk), and receive CI and law enforcement referrals from the DON ITP for further analysis and appropriate response.

11. **Port Visit Support**

   a. NCIS will provide threat assessments in accordance with reference (bu).

   b. NCIS will provide in-person support for:

      1. USN/USNS port visits to all foreign ports with a SIGNIFICANT to HIGH terrorism threat level per the Defense Intelligence Agency (DIA) assessed threat.

      2. USN/USNS ships transiting through foreign ports with a HIGH to CRITICAL FIE or criminal threat and ports deemed MEDIUM level of threat per DIA’s assessed threat, contingent on availability of resources.
(3) Ships that have special missions and/or cargo.

c. NCIS may provide virtual (remote) support when the port is a United States port, a controlled foreign port, or a major North Atlantic Treaty Organization partner.

12. Special Access Programs (SAP). NCIS will assign appropriately cleared and qualified personnel to provide support to SAPs pursuant to references (c), (n), (o), (ad), and (cd).

13. Technical Surveillance Countermeasures (TSCM)

   a. NCIS shall designate a DON TSCM program coordinator to act as the DON Senior Agency Official for TSCM and ensure TSCM activities are properly coordinated with the other elements of the DON CI program pursuant to references (aj) and (ak), and to ensure that all DON TSCM programs are in compliance with policy and direction of references (l) through (r). In addition, NCIS shall appoint a NCIS TSCM Program Manager, or an individual, to assume the responsibilities for USN assets and equities.

   b. TSCM activities will include support to DON critical information and infrastructure protection; technical security assurance; RDA; insider threat; SAP; PSO; FPD; JTTF; and appropriate cleared defense contractors.

   c. TSCM staff will be granted unfettered physical and logical access to all Information Technology networks and telephone systems within facilities or commands to include all areas that house network infrastructure and cable runs during the conduct of a TSCM inspection pursuant to references (aj) and (ak).

   d. The NCIS TSCM manager is responsible for providing technical direction and centralized oversight of all NCIS TSCM assets and their utilization. NCIS TSCM activities will be primarily directed towards USN and NCIS requirements.

14. Polygraph

   a. NCIS is the only DON organization authorized to conduct polygraph examinations within the DON pursuant to references (ah) and (ai).
b. The Director or his delegate, must approve all DON polygraph examinations.

c. The Director or his delegate, is the sole authority for certifying examiners as qualified and competent to conduct polygraph examinations on behalf of the DON pursuant to references (ah) and (ai).

15. **Cyber Activities**

   a. NCIS will conduct or facilitate all felony-level law enforcement investigations, operations and analysis of criminal related cyber incidents targeting or involving DON assets and/or personnel. NCIS has exclusive jurisdiction within the DON to conduct CI and terrorism investigations of cyber incidents targeting or involving DON assets, personnel, and installations; and will disseminate this information to other DON, DoD, and national agencies as appropriate. NCIS will execute proactive operations in cyberspace targeting threats to the DON and related defense industrial base assets. Examples of applicable guidance include references (b), (c), (d), (l), (p), (n), (s), (w), (af), (al), (bc), (bn), and (bo).

   b. NCIS will train and maintain a staff skilled in:

      (1) Investigation of computer crimes and the evaluation of the FIE threats to command and control and information operations.

      (2) The tactics, techniques, and procedures associated with criminal and FIE activities directed at DON personnel, technology, assets, and installations via cyberspace, to include expertise in digital forensics and technical support to operations, investigations, and analysis pursuant to references (b), (c), (p), (ab), (bn), and (bo).

16. **Information Sharing, Threat Warning, Collections, and Analysis**

   a. NCIS will maintain, direct, and operate a 24 hour-a-day, 7 day-a-week MTAC to continually monitor national, service, theater, and other intelligence and law enforcement information to identify threats to DON assets, operations, and activities. The NCIS MTAC will:
13                   Enclosure (4)

(1) Be the DON terrorism watch center; serve as the DoD Global Watch for FBI counterterrorism threat information pursuant to reference (al); and function as the DON fusion center for law enforcement, intelligence, CI, and other threat information required to defeat terrorist, foreign intelligence, criminal, and related threats to DON personnel, installations, facilities, vessels, and aircraft.

(2) Promptly notify affected commands of any investigative or CI information indicating an actual or suspected threat to DON operations, personnel, facilities or other assets, or any occurrence which warrants the attention of fleet, component or combatant commanders, or the DoD/DON leadership.

(3) Provide CI collection management, analysis, and production support to the DON and its components pursuant to reference (p); and support investigations and operations.

(4) Issue threat reports, special analyses, intelligence assessments, advisories, and summaries to notify DON components of potential threats.

b. The NCIS MTAC will be the initial DoD point of contact pursuant to reference (cg).

c. NCIS will maintain an analytic capability to provide indications and warning of terrorist, foreign intelligence, cyber, and criminal threats to the DON and supported DoD components, and to generate related analysis and production on matters of interest to the DON pursuant to references (b), (d), (p), (ab), (ac), (al), (an), and (bn).

d. NCIS will publish annual assessments of the foreign intelligence and terrorism threat to the DON pursuant to references (bp) and (bu).

17. Undercover Officers, Agents, Informants, and Sources

a. Operations Security and safety concerns require identity protections for undercover officers, agents, confidential informants, and sources assisting NCIS in the execution of its criminal investigative, CI, and counterterrorism missions.
b. DON Commanders and Directors will facilitate NCIS use of DON personnel as confidential informants, cooperating witnesses, or in undercover roles in investigations and operations targeting criminal activities.

(1) Pursuant to references (c), (cm), and (cn), NCIS may use active duty military personnel as cooperating witnesses and confidential informants in support of criminal and CI investigations. NCIS will coordinate the use of active duty military personnel with the appropriate military commander or director except in circumstances where doing so would result in threats to the safety of the cooperating witness or confidential informant, or would reasonably be expected to jeopardize the operational security of the investigation or operation. Once the threat has been mitigated, NCIS will brief the appropriate commander or director.

(2) Use of military personnel for CI operational purposes will be coordinated and approved by the commander having command and control of the personnel and the ACMC or VCNO as applicable in accordance with reference (ar). If the individual’s military commander is thought to be conflicted, approval will be raised to a senior authority or appropriate higher command.

(3) NCIS use of DON civilian, and contractor personnel does not require approval from within the member’s chain of command.

(4) NCIS will not release the identity of a cooperating witness, confidential informant or source outside of NCIS without the individual’s written consent, except in accordance with references (ar), (as), (au), and (av).

(5) NCIS investigative reports will conceal the identities of sources; release of identities requires either concurrence of the responsible NCIS Special Agent in Charge; or an order from a military judge in accordance with references (ar), (as), (au), and (av).

(6) United States Government personnel, regardless of rank or position, who have or have had access to classified information that identifies a covert agent whose identity is being protected by affirmative measures will not disclose any
information identifying a covert agent to any individual not authorized to receive classified information pursuant to reference (av).

18. **Arrest Authority**

   a. Reference (as) authorizes NCIS special agents and investigators to apprehend persons subject to the UCMJ.

   b. NCIS civilian special agents are authorized to execute and serve any warrant or other process issued under the authority of the United States and to make any arrest without a warrant in accordance with reference (l).

   c. NCIS civilian special agents are authorized to make arrests of civilians accompanying the Armed Forces outside the United States who have committed a covered criminal offense pursuant to references (bx) and (by).

19. **Liaison.** Within the DON, NCIS has exclusive responsibility for liaison with federal, state, local, and foreign law enforcement, security and intelligence agencies on all criminal investigative, CI, counterterrorism, and security matters assigned to NCIS by this instruction and its references. Commands may pursue interaction with federal, state, local, and foreign law enforcement, security, and intelligence agencies on antiterrorism matters, but shall do so in coordination with NCIS. Execution of this responsibility shall not limit any of the following:

   a. Contact between USN and USMC judge advocates and federal, state or local officials to determine prosecutorial jurisdiction and grants of immunity, coordinate pretrial agreements, or take any other action consistent with the duties of judge advocates.

   b. Interaction between commands and federal, state, local, or foreign law enforcement and security officials on routine matters involving physical security, offenses NCIS declines to investigate, purely military offenses, traffic matters, and training.

   c. Liaison conducted by USN and USMC CI elements in accordance with reference (p).
20. **Office of Military Support (OMS)**

   a. NCIS will be supported by OMS. OMS will coordinate and provide administrative and mission support to NCIS through the integration of active and reserve USN personnel to perform duties as military investigators, operational representatives, protective Service Members, intelligence analysts, and other support personnel.

   b. The Commanding Officer, OMS, maintains administrative control of all USN personnel assigned to NCIS including personnel detailed to specific NCIS codes or field offices to support operational missions.

21. **Dissemination and Retention of Reports of Investigation.** NCIS will ensure all files created under the provisions of this instruction are retained and disposed of pursuant to reference (bz). Only the Director or his designee, may authorize the modification or destruction of any such file.

22. **NCIS Resource Sponsors**

   a. NCIS is aligned with Budget Submitting Office 12 under the Office of the Assistant Secretary of the Navy (Financial Management and Comptroller), through the Financial Management and Budget, for all financial and budget activities related to security and investigative activities.

   b. NCIS is aligned with N2N6 (Finance) to submit NCIS program requirements for Military Intelligence Program and General Defense Intelligence Program funding.

23. **Relationships with the FBI and the Central Intelligence Agency (CIA).** Joint criminal investigations and CI activities within the United States conducted with the FBI are governed by Memorandums of Agreement or Understanding between the DOJ and the DoD pursuant to reference (al). Certain CI activities overseas are conducted in coordination with the CIA pursuant to references (bv) and (co). These documents describe NCIS’ exclusive responsibility within the DON for coordinating and conducting the activities conducted therein.
OTHER COMMANDS AND ORGANIZATIONS RELATIONSHIP WITH NCIS

1. DON Commands, Activities, and Personnel must:

   a. Not impede the use of investigative tools, techniques, and technologies deemed necessary and permissible under law or regulation as determined by NCIS and the NCIS legal staff.

   b. Ensure NCIS personnel displaying special agent credentials are granted full access to USN and USMC installations, commands, ships, and other naval facilities.

       (1) NCIS special agents who identify themselves using NCIS special agent credentials are exempt from all routine searches of their persons, possessions, and materials including their vehicles and occupants therein.

       (2) Individuals escorted by an NCIS special agent will not be required to display identification.

   c. Ensure DON personnel who report acts or omissions to NCIS they reasonably believe to be violations of law or regulation, or to constitute fraud, waste, or mismanagement will be free from reprisal and retaliation. No adverse action may be taken against any individual who reports, provides testimony, or otherwise participates in or assists NCIS with an investigation or proceeding pursuant to references (v) and (cf).

   d. Ensure NCIS special agents are granted access to installations, facilities, spaces, information, or material classified up to top secret in the performance of their official duties.

   e. Comply with requests by an NCIS special agent for information or assistance pursuant to an NCIS investigation or operation, as lawful, mandated, and as if made by the Secretary. This includes:

       (1) Access to installations, information and records, and ensuring that NCIS information regarding investigations, operations, and related activities is not compromised by command personnel and, to the extent possible, is limited to senior command personnel.
(2) Access to all types of command files, personnel records, medical records, training records, contract and procurement documents, and computer files and records.

(3) Written investigative demands by NCIS special agents as law enforcement officials and as agents of a health oversight agency, for medical records in accordance with the requirements of Sections C7.4 and C7.6.1.2.3. of reference (u).

(4) Access to Naval Safety Center records pursuant to reference (ci).

(5) Coordinate with the appropriate Cognizant Authority to provide access to Sensitive Compartmented Information (SCI) and SAPs or similarly controlled information, spaces, or material to allow NCIS personnel who have requested such access in advance as part of an authorized investigative or CI matter, and who have been verified as holding the appropriate level security clearance and are indoctrinated for access to SCI or the SAP in question in accordance with reference (cd) and other applicable policies. Prior verification will be waived in exigent circumstances involving the protection of life or preservation of evidence; however, such verification will be accomplished as soon as practicable. Where the requirement for prior verification has been waived, NCIS will notify DON SAPCO (for SAP) and/or DNI/DIRINT (for SCI) immediately.

(6) Provide required logistical and communications support, within the limits of other operational commitments, when NCIS personnel are deployed with any naval unit.

(7) Refer to NCIS any incidents of actual, suspected, or alleged major criminal offenses regardless of whether they occur on or off an installation or ship or are being investigated by other authorities. In those rare instances when immediate response by NCIS is not feasible, such as a submarine on patrol, commanding officers will conduct such preliminary investigations as circumstances dictate, preparatory to a full investigation by NCIS. In such instances, appropriate measures must be taken to ensure the preservation and accounting of possible evidence and to avoid any action that might prejudice investigative possibilities or impair the judicial process. This referral does not prevent the notification to the service law enforcement elements.
(8) Immediately refer to NCIS all instances of suspicious activities or anomalies, contacts, activities, indicators, and behaviors that might indicate potential FIE involvement or threats against the DoD or the DON, its personnel, information, materiel, facilities, and activities; or against United States national security. If reporting is made to an organizational CI element, that element will immediately coordinate with the nearest NCIS office. Failure to adhere to references (n) and (t), if warranted, could result in administrative or legal action. This referral does not prevent the notification to the service Law enforcement and/or CI elements.

(a) Referrals must be made prior to any substantive investigative steps by the command, to include the interview of suspects and searches where individuals have an expectation of privacy.

(b) Organizations will not delay the initiation of a CI inquiry for any inappropriate purpose, including attempts to delay the initiation to allow the use of otherwise prohibited security or inquiry techniques pursuant to reference (ao).

(c) The requirement for immediate referral will not preclude efforts by first responders to safeguard personnel, secure crime scenes, or take other emergency responses in exigent circumstances.

2. Coordination of CI Activities with the FBI

   a. DON commands, commanders, organizational heads, and other individuals, must report to the FBI through NCIS any information, regardless of origin, which indicates that classified information is being, or may have been, disclosed in an unauthorized manner to a FIE or an agent of an FIE pursuant to references (n), (p), (al), (ao), and (bb).

   b. Following a report, if the FBI requests investigative or operational support, NCIS will represent the DON interest pursuant to references (n), (p), (al), (ao), and (bb).
3. **Investigations**

   a. Investigations initiated by NCIS have primacy over collateral investigations conducted by commanders, safety investigators, and other organizational entities. Collateral investigations will not interfere or otherwise hinder NCIS investigations. Specific guidance on the relationship between criminal investigations and safety investigations is contained in reference (ci).

   b. Investigations conducted by commands under reference (ba) will not compromise or otherwise impede any NCIS investigation. If, during the conduct of an NCIS investigation, a commanding officer deems it necessary to proceed with an investigation, that decision must first be coordinated with NCIS. If NCIS objects to the initiation of an investigation, it will be suspended and the matter referred for resolution to the first officer exercising general court-martial convening authority.

   c. NCIS will, on a reciprocal basis, support Federal, state, local or foreign law enforcement, security, or intelligence agencies in lawful actions pursuant to reference (aq). This reciprocal support may include automated or person to person sharing of information and assisting and/or facilitating fellow law enforcement agencies in the surveillance, detention, apprehension, and/or arrest of suspected violators of the law including those with active arrest warrants and those armed forces members in a deserter status to the maximum extent prudent and permitted by law and regulation.

   d. Any commander, commanding officer, or other appropriate command authority with the USN and USMC may request that NCIS conduct an investigation. NCIS may, at its discretion, decline to undertake the investigation. In such event, NCIS will expeditiously inform the affected command or activity pursuant to references (b), (c), (d), (n), and (o).

   e. The NAVINSGEN and DNIGMC may request investigative assistance in writing from the Director on a priority basis; both organizations will, to the extent possible, exchange with the Director the results of investigative activity when such information impacts the mission and functions of the other; and
will report any disagreement regarding the sharing of information or the conduct of a particular investigation to the SECNAV for resolution.

f. Objections to NCIS investigations or requests to delay, suspend, or terminate NCIS investigations will be administered under the procedures of references (c) and (n).

g. NCIS will provide to each command, prosecutorial authority, or other appropriate activity a full report of investigation regarding any offenses or incidents investigated that affect that entity unless specific circumstances dictate otherwise.

h. NCIS will maintain a record of disposition of command disciplinary actions or the actions of civilian judicial authorities in investigative reports opened by NCIS. The record will include the results of courts-martial, non-judicial punishments, and actions by civilian criminal or civil proceedings, as applicable.

4. Relationships with other United States Government Organizations

a. FBI

(1) Joint criminal investigations and CI activities within the United States conducted with the FBI are governed by references (x) and (al).

(2) Although the FBI has primary law enforcement responsibility for terrorist incidents in the United States (including the District of Columbia, the Commonwealth of Puerto Rico, possessions, and territories), installation commanders retain responsibility for the maintenance of law and order on military installations. Contingency plans will address the use of security forces to isolate, contain, and neutralize a terrorist incident within the capability of installation resources. Notification and response of the FBI will be coordinated through the local NCIS office.

b. CIA. Certain CI activities overseas are conducted in coordination with the CIA pursuant to references (bv) and (bw).
NCIS BOARD OF ADVISORS

1. To assist SECNAV in providing DON corporate governance and in aligning NCIS resources and requirements across the spectrum of NCIS mission areas to ensure maximum feasible NCIS support for all DON components, the UNSECNAV will, on a regular basis, convene an NCIS Board of Advisors (BOA) which he or she will chair and which will be further comprised of the DON GC; the VCNO; the ACMC; and the Director. The BOA has no supervisory or operational authority over NCIS.

2. The NCIS BOA will:
   a. Review and validate NCIS Strategic Plans.
   b. Identify, validate, and prioritize requirements relating to core NCIS mission areas of investigating major criminal offenses (felonies), CI, combating terrorism, law enforcement, and security.
   c. Assess the adequacy of NCIS resources and coordinate their allocation, as required, to respond to changing threats and mission demands.
   d. Address, as necessary, NCIS requirements that exceed core mission response capabilities, including issues associated with special means to support sensitive NCIS operations.
   e. Ensure that necessary mechanisms are in place to support the BOA in its assessment of NCIS requirements and capabilities and in addressing NCIS resources and mission issues.
   f. Assess the effectiveness of NCIS' linkage and coordination with other DoD, DON, and Federal law enforcement, intelligence, and investigative entities.
   g. Review and evaluate such other areas as the BOA may determine.