

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE DIRECTOR, NAVAL CRIMINAL INVESTIGATIVE SERVICE  
AND  
THE COMMANDANT OF THE MARINE CORPS**

Subj: MEMORANDUM OF UNDERSTANDING PERTAINING TO THE ASSIGNMENT OF USMC CRIMINAL INVESTIGATORS TO THE NAVAL CRIMINAL INVESTIGATIVE SERVICE FOR DUTY

- Ref: (a) SECNAVINST 5520.3B, Criminal and Security Investigations and Related Activities Within the Department of the Navy, 4 Jan 93
- (b) Unclassified MOU between the Director, Naval Criminal Investigative Service and the Commandant of the Marine Corps of 18 May 99
- (c) SECNAVINST 5212.5D, Navy and Marine Corps Records Disposition Manual, 22 Apr 98
- (d) DODINST 5505.11, Fingerprint Card and Final Disposition Report Submission Requirements, 1 Dec 98
- (e) SECNAVINST 5580.1, Navy and Marine Corps Submission Procedures for Suspect Fingerprint Cards and Final Disposition Reports, 13 Sep 00
- (f) MCO P1610.7E, Performance Evaluation System, 03 Dec 98
- (g) MCO P1200.7V, MOS Manual, 7 Apr 00
- (h) MCO 1220.5J, Enlisted Lateral Move Program, 5 Apr 93
- (i) NCIS 1, Manual for Administration Feb 2002

1. Parties. This Memorandum of Understanding (MOU) is made between the U.S. Marine Corps (USMC) and the Naval Criminal Investigative Service (NCIS), hereinafter referred to as the Parties.

2. Purpose. The purpose of this MOU is to establish policy between the USMC and NCIS for the investigation of criminal offenses and other matters as set forth in reference (a). Further, this MOU provides guidance for the employment and utilization of Marine criminal investigators assigned to NCIS for duty as Special Agents. This MOU applies only to the subject and has no effect on the existing classified MOU between the USMC and NCIS regarding counterintelligence matters.

3. Cancellation. This MOU cancels the provisions of the previous agreement between the Parties set forth in reference (b).

4. Background. Reference (a) establishes policy for the conduct of criminal investigations within the Department of the Navy. It assigns NCIS primary responsibility and jurisdiction within the Department of the Navy for investigation of actual, suspected, or alleged major criminal offenses, including attempts or conspiracy to commit such offenses, committed against a person, the United States Government or its property, and certain classes of private property. NCIS possesses a worldwide investigative capability responsive to command requirements of the Navy and Marine Corps, ashore and afloat.

a. The USMC maintains trained and accredited criminal investigators assigned to USMC commands worldwide. USMC criminal investigators are responsible for the investigation of criminal offenses not normally investigated by NCIS during peacetime and are responsible for the investigation of all major crimes involving the Marine Corps in a combat or combat contingency environment.

b. Since 1976, the Commandant of the Marine Corps has provided a cadre of USMC criminal investigators for duty as Special Agents with NCIS. This action ensures Marine Corps Criminal Investigators maintain proficiency in major (felony) criminal investigations thereby enabling the USMC to sustain the organic capability to effectively perform this vital mission during combat operations. The Marine Corps and NCIS have agreed to the number of Marine Corps personnel assigned to Special Agent duties at designated NCIS activities worldwide.

5. Criminal Offense Reporting. Criminal offense reporting will be in accordance with the provisions of reference (c) through (e).

6. Administration. Appendix A contains administrative guidelines for the screening, selection, and assignment of Marine investigative personnel to NCIS activities. Further guidance is contained within reference (f) through (i).

7. Training. Appendix B sets forth responsibilities of both Parties for the training of Marine Corps investigative personnel assigned to duty with NCIS.

8. Policy. Appendix C establishes policy for the utilization of Marine Corps investigative personnel assigned to duty with NCIS to include number of personnel and geographic location of assignments.

9. Interpretation. In any instance where confusion may arise with regard to the provisions of this MOU and its application, every attempt will be made to resolve the matter at the lowest possible level. Should the local installation commander, Provost Marshal, and NCIS Special Agent in Charge/Supervisory Special Agent be unable to mutually resolve the matter locally, it should be referred to the next higher level within each party's chain-of-command for resolution, or assistance may be sought from either the NCIS representative assigned to Headquarters Marine Corps (PS) or the Military Assistant to the Director at NCIS Headquarters (Code 00M).

10. Review and Modification. This MOU between the Parties will be reviewed on an annual basis until such time as it may be incorporated into a future revision of reference (a). Modifications may be made at any time after 30 days following receipt of written notice by either of the Parties to this agreement. Any modification or subsequent negotiations of the provisions contained herein will be initiated by either NCIS (Code 00M) or CMC (PS) and must be mutually agreed upon by both Parties in order to be viewed as binding. The Director, NCIS and the Commandant of the Marine Corps will designate personnel responsible for reviewing, updating, and interpreting this MOU as required.

11. Applicability. The policies set forth in this MOU are applicable to all NCIS activities worldwide and to all USMC commands possessing Marine Corps Criminal Investigative assets, less components of the Navy and Marine Corps Reserve establishments.

Date: 1 AUG 03

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DAVID L. BRANT  
Director, NCIS

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E. R. BEDARD  
Lieutenant General, U.S. Marine Corps  
Deputy Commandant, Plans, Policy, and  
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**APPENDIX A**  
**(ADMINISTRATIVE GUIDELINES)**  
**TO THE MEMORANDUM OF UNDERSTANDING**  
**BETWEEN NCIS AND THE MARINE CORPS**

**1. SCREENING, SELECTION, AND ASSIGNMENT OF USMC CRIMINAL INVESTIGATORS FOR DUTY AS NCIS SPECIAL AGENTS**

a. Screening Process. Candidates for entry and subsequent assignment to duty as NCIS Special Agents (SA) will be recruited from among personnel assigned to investigative duties within the Criminal Investigation Division (CID) of the USMC Provost Marshal's Office (PMO) or from personnel who are uniquely qualified for investigative duties based upon prior education and/or experience. In either case, all candidates must have demonstrated successful performance of duty in an investigative billet prior to assignment. Marine Corps personnel considered for accession into the criminal investigative occupational specialty and subsequent assignment to duty as a Special Agent must meet the minimum requirements established for primary MOS 5821 as set forth in the current edition of references (g) and (i) prior to assignment with NCIS. In addition, prior to assignment, all nominees must:

(1) Satisfactorily complete the screening process set forth in Enclosure (1) Appendix A.

(2) Be determined eligible and recommended by the Provost Marshal/Commanding Officer as set forth in Enclosure (1) to this Appendix.

(3) Appear before and be found acceptable for duty as a Criminal Investigator by a locally convened Screening Board as set forth in this Appendix.

(4) Apply for and be accepted for a lateral move into the criminal investigative occupational field.

(5) Successfully complete an NCIS (2M) background investigation.

(6) Successfully complete the prescribed training leading to awarding of MOS 5821 as set forth in Appendix B herein.

(7) Successfully complete a 12-month probationary period of observation as an apprentice investigator with CID.