



CHAIRMAN OF THE JOINT CHIEFS OF STAFF INSTRUCTION

DJS/DIG
DISTRIBUTION: A, C, J, S

CJCSI 5901.01A
3 January 2007

JOINT STAFF INSPECTOR GENERAL RESPONSIBILITIES, PROCEDURES, AND OVERSIGHT FUNCTIONS

References: See Enclosure C.

1. Purpose. This instruction:

a. Establishes policy, assigns responsibilities, and prescribes procedures for oversight, inquiries, inspections, and investigations of the Joint Staff; Defense activities responsive to the Chairman of the Joint Chiefs of Staff ("the Chairman"); and other supporting organizations reporting to the Chairman.

b. Provides coordination and reporting procedures for the Joint Staff Inspector General (IG) in working with CJCS-controlled DOD activities, the combatant commands, DOD IG, and the Military Department IGs.

2. Cancellation. CJCSI 5901.01, 15 December 1999, is cancelled.

3. Applicability. This instruction applies to:

a. The Joint Staff, combatant commands, and Defense activities responsive to the Chairman of the Joint Chiefs of Staff and supporting organizations reporting to the Chairman.

b. All DOD personnel working on the Joint Staff or providing support to or collaboration with the Joint Staff Deputy IG.

4. Releasability. This instruction is approved for public release; distribution is unlimited. DOD components (to include the combatant commands), other federal agencies, and the public may obtain copies of this instruction through the Internet from the CJCS Directives Home Page--
http://www.dtic.mil/cjcs_directives. Copies are also available through the

Government Printing Office on the Joint Electronic Library CD-ROM.

5. Effective Date. This instruction is effective upon receipt.

For the Chairman of the Joint Chiefs of Staff:

A handwritten signature in black ink that reads "Walter L. Sharp". The signature is written in a cursive, slightly slanted style.

WALTER L. SHARP
Director, Joint Staff
Lieutenant General, USA

Enclosures:

- A – Conduct of Inquiries, Investigations, and Inspections
- B – Intelligence Oversight Responsibilities and Coordination
- C – References
- GL - Glossary

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ENCLOSURE A

CONDUCT OF INQUIRIES, INVESTIGATIONS, AND INSPECTIONS

1. General Information. The Director, Joint Staff, is the Joint Staff Inspector General (IG). The Division Chief and Deputy of Joint Staff Support Services is dual-hatted as the Joint Staff Deputy Inspector General (DIG) and functions as the impartial fact-finder for the Director and the Chairman of the Joint Chiefs of Staff. As such, the Joint Staff DIG coordinates and analyzes indicators that will provide timely feedback and makes recommendations of corrections to the Director (or appropriate decision maker on his behalf). Confidentiality is of the utmost importance, but cannot be guaranteed in any instance.

2. Policy

a. DIG will accomplish Joint Staff inquiries, investigations, and inspections independently as directed by the Chairman or Director, Joint Staff; Joint Staff members; or the DOD IG.

b. The DIG will accomplish administrative oversight and ensure optimum efficiency and effectiveness during inquiries, investigations, and inspections.

c. The DIG will serve as the inspections and investigations team chief unless otherwise directed by the Chairman or Director, Joint Staff. In some cases, the DIG may require augmentation by subject matter experts. The DIG will coordinate with the appropriate staff element to acquire personnel with the requisite technical expertise. In some instances, DOD IG may be contacted for additional assistance.

d. Report allegations of misconduct by senior officials (general/flag officers and/or Senior Executive Service) assigned to the Joint Staff, combatant commands, CJCS-controlled activities, or other Joint activities to the DOD IG within 5 workdays of receipt. The DOD IG will investigate or refer the allegation to the appropriate Service IG or investigating agency in accordance with (IAW) DOD and Service regulations (references a through c provide specific guidance).

e. Allegations of misconduct by other than senior officials assigned to the Joint Staff, combatant command staffs, CJCS-controlled activities, or other Joint activities should be investigated by the responsible IG or by other

designated investigating officer as approved by the commander. Combatant command IGs will report notification of results of allegations for investigative actions IAW DOD and Service requirements (references b and c provide specific guidance). Additionally, combatant command IGs will notify the DIG if the nature of an allegation is likely to receive significant media or public interest.

3. Responsibilities

a. The Joint Staff DIG will:

(1) Conduct inquiries, investigations, and inspections as directed by the Chairman or the Director, Joint Staff, using the procedures and guidance contained in references b and c.

(2) Submit reports of inspection or investigation to the Director, Joint Staff, as appropriate. The Director may forward the report to the Chairman or the Secretary of Defense, as deemed necessary.

(3) Provide assistance to combatant command IG offices as requested.

(4) Serve as intermediary between the DOD IG and the combatant command IGs (coordination with the military Service IGs as required) concerning audits, investigations, assistance, and inquiries.

(5) Provide a centralized process to receive, distribute, monitor, and return DOD Hotline cases to the Director, Defense Hotline.

(6) Establish a process to distribute and monitor all DOD Hotline cases to the combatant command IGs. Request case extensions on behalf of the combatant command IGs and provide written extension notices back to the combatant command IGs indicating the new suspense date. Combatant command IGs will return all completed cases using the report format provided in reference d.

(7) Receive and forward to the DOD IG all whistleblower reprisal complaints submitted by military personnel, DOD non-appropriated fund employees, and Defense contractor employees IAW references e through g. Refer whistleblower reprisal submitted by civilian appropriated fund personnel to the DOD IG IAW reference h.

(8) Forward all reprisal allegations submitted by military members to the DOD IG within 10 working days of receipt of the reprisals allegations IAW reference e.

(9) Serve as the Joint Staff repository for all IG records. Protect and mark them IAW CJCSI 5760.01. The release authority for Joint Staff IG records is the Joint Staff IG. The Joint Staff IG may delegate release authority

to the Joint Staff DIG.

(10) Coordinate with the Joint Staff Equal Opportunity/Equal Employment Opportunity Officer as appropriate in the conduct of inquiries or investigations.

(11) Submit a report of the inquiry or investigation to Joint Staff IG upon its completion using the Hotline Completion Report template.

(12) Attend meetings of the Defense Council on Integrity and Ethics and provide information from those meetings to the combatant command IGs as appropriate.

(13) Provide a forum for Joint IG issues and information concerning the combatant command and Military Services IGs.

b. Commanders and directors of other participating commands and activities will:

(1) Upon request, assign the Joint Staff DIG appropriate personnel with subject matter expertise to augment inspection or investigation teams.

(2) Upon request, provide the Joint Staff DIG with documentation, reports, etc., to assist with an inspection or investigation.

c. Combatant command IGs will:

(1) Receive, process, and return completed Hotline case reports to the Joint Staff DIG IAW reference d (highly encouraged to provide a legal review). Combatant command IGs must request case extensions to the Joint Staff DIG prior to lapse of the suspense date so the Joint Staff DIG may request an extension from DOD IG.

(2) Forward all allegations of whistleblower reprisals submitted by military members, DOD non-appropriated fund employees, and Defense contractor employees to the DOD IG IAW references e through g. If further investigation is warranted, the DOD IG may forward the action to Joint Staff DIG for investigation or further referral to the appropriate combatant command IG.

(3) Forward all whistleblower reprisal completion reports (with legal review) through Joint Staff DIG to DOD IG.

d. CJCS Legal Counsel will provide legal consultation to the Joint Staff DIG as required and review all Joint Staff generated completion reports prior to final disposition or submission to the Director, Joint Staff, and/or DOD IG.

ENCLOSURE B

INTELLIGENCE OVERSIGHT RESPONSIBILITIES AND COORDINATION

1. General Information

a. The Joint Staff DIG coordinates and consolidates the quarterly Intelligence Oversight reports of the combatant commands.

b. Note: The Defense Intelligence Agency (DIA) Office of the Inspector General (OIG) is responsible for intelligence oversight (IO) matters for the Joint Staff Intelligence Directorate (J-2). The DIA OIG will inform the DIG of all questionable intelligence activities and IO investigations pertaining to Joint Staff intelligence components.

c. The Joint Staff/J-2, combatant commands, sub-unified commands, and joint task forces may collect, retain, and disseminate foreign intelligence and counterintelligence.

d. In the conduct of paragraph 1c. above, these intelligence personnel will comply fully with references c and i through l.

2. Policy. The Joint Staff DIG provides the conduit for the combatant command IG quarterly intelligence oversight reports and reports of questionable intelligence activity.

3. Responsibilities

a. Combatant command IG will:

(1) Monitor, inspect, and report on their command's IO program.

(2) As part of an inspection, ensure procedures exist within the combatant command's headquarters and subordinate joint intelligence organizations for the reporting of questionable activities and that employees of such organizations are aware of their responsibilities as specified in Procedures 14 and 15 of reference 1.

(3) Ensure the combatant command's headquarters and subordinate joint intelligence organizations report questionable intelligence activity to the combatant command IG and then forward these reports to the Joint Staff DIG.

(4) Submit quarterly IO reports covering the combatant command's headquarters and subordinate joint intelligence organizations to the Joint Staff

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DIG no later than 5 workdays after the beginning of each quarter (October, January, April, July). Combatant command IGs will also report serious questionable intelligence activities immediately to the Joint Staff DIG. (NOTE: combatant command Service components should send quarterly reports through Service channels IAW their Service regulations.)

(5) If and when appropriate, investigate questionable intelligence activities:

(a) Investigate each report of questionable activity to the extent necessary to determine the facts and assess whether the activity is legal and consistent with applicable policies.

(b) Conduct investigations expeditiously. Obtain assistance from other DOD components when necessary to complete an investigation in a timely manner.

(c) Retain overall responsibility for investigation of questionable intelligence activities concerning the combatant command's headquarters and subordinate joint organizations. While the combatant command IG need not necessarily conduct the investigation, it should review the results of all investigations prior to submission to the Joint Staff DIG.

(d) The combatant command Service components will investigate and report questionable activities IAW Service regulations.

b. Joint Staff DIG will:

(1) Provide all reports of questionable intelligence activities to the DOD General Counsel and the Assistant to the Secretary of Defense (Intelligence Oversight) (ATSD (IO)) IAW Procedure 15 of reference j. Report questionable intelligence activities of a serious nature immediately.

(2) Submit the consolidated quarterly IO report of the Joint Staff and the combatant commands to the ATSD (IO) no later than 10 workdays after the beginning of each quarter (October, January, April, July).

ENCLOSURE C

REFERENCES

- a. DOD Directive 5505.06, 10 April 2006, "Investigations of Allegations Against Senior Officials of the Department of Defense"
- b. DOD Directive 5106.04, 19 June 2006, "Combatant Command Inspectors General"
- c. DOD Instruction 5106.05, 14 July 2006, "Combatant Command Inspectors General -- Implementing Procedures"
- d. DOD Instruction 7050.7, 14 December 1998, "Defense Hotline Procedures"
- e. DOD Directive 7050.6, 23 June 2000, "Military Whistleblower Protection" (current as of 20 February 2004)
- f. DOD Directive 1401.3, 16 October 2001, "Reprisal Protection for Nonappropriated Fund Instrumentality Employees/Applicants" (current as of 20 February 2004)
- g. Title 48, Code of Federal Regulations, Subpart 3.9., "Whistleblower Protections for Contractor Employees"
- h. DOD Directive 5106.01, 13 April 2006, "Inspector General of the Department of Defense"
- i. Executive Order 12333, 4 December 1981, "United States Intelligence Activities"
- j. DOD Directive 5148.11, 21 May 2004, "Assistant to the Secretary of Defense for Intelligence Oversight (ATSD(IO))"
- k. DOD Directive 5240.1, 25 April 1988, "DoD Intelligence Activities"
- l. DOD 5240.1-R, December 1982, "Procedures Governing the Activities of DOD Intelligence Components That Affect United States Persons"

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GLOSSARY
ABBREVIATIONS AND ACRONYMS

ATSD (IO)	Assistant to the Secretary of Defense (Intelligence Oversight)
CJCS	Chairman of the Joint Chiefs of Staff
DIA	Defense Intelligence Agency
DIG	Deputy Inspector General
DOD	Department of Defense
IAW	in accordance with
IG	Inspector General
IO	intelligence oversight
OIG	Office of the Inspector General

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