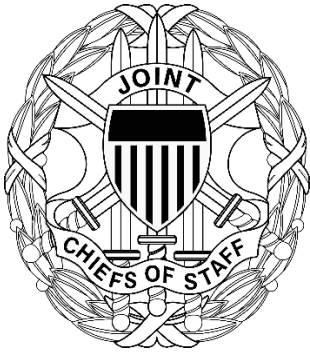


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CHAIRMAN OF THE JOINT

CHIEFS OF STAFF

INSTRUCTION



DJS/DIG
DISTRIBUTION: A, C, S

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JOINT STAFF INSPECTOR GENERAL RESPONSIBILITIES, PROCEDURES, AND OVERSIGHT FUNCTIONS

References:

See Enclosure F

1. Purpose. This instruction:

a. Establishes policy, assigns responsibilities, and prescribes procedures for assistance, teaching and training, inspections, inquiries, and investigations of the Joint Staff activities and other supporting organizations reporting to the Chairman of the Joint Chiefs of Staff (CJCS).

b. Provides coordination and reporting procedures for the Joint Staff Inspector General (IG) in working with the Chairman's Controlled Activities (CCAs), the Combatant Commands (CCMDs), Department of Defense (DoD) Office of the Inspector General (OIG), and Service IGs.

2. Superseded/Cancellation. Chairman of the Joint Chiefs of Staff Instruction (CJCSI) 5901.01C, 6 November 2015, is hereby superseded.

3. Applicability. This instruction applies to:

a. The Joint Staff, Defense activities responsive to the CJCS, and supporting organizations reporting to the CJCS, to include all CCAs and CCMDs.

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

4. Policy. The Joint Staff IG office will use the Joint IG Guides as initial baselines. There are four IG guides: "Joint Inspector General Assistance Guide," "Joint Inspector General Concept and System Guide," "Joint Inspector

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General Inspections Guide,” and “Joint Inspector General Investigations Guide.”

5. Responsibilities. See Enclosure A.

6. Summary of Changes. This revision of CJCSI 5901.01:

a. Clarifies the roles, responsibilities, and functions of a Joint IG.

b. Updates the references and glossary and includes various administrative changes.

7. Releasability. UNRESTRICTED. This directive is approved for public release; distribution is unlimited on NIPRNET. DoD Components (to include the combatant commands), other Federal agencies, and the public, may obtain copies of this directive through the Internet from the CJCS Directives Electronic Library at <<http://www.jcs.mil/library>>. JS activities may also obtain access via the SIPR directives Electronic Library websites.

8. Effective Date. This INSTRUCTION is effective upon receipt.



JAMES J. MINGUS, LTG, USA
Director, Joint Staff

Enclosures

A – Conduct of Assistance, Teaching and Training, Inquiries, Inspections and Investigations

B – Inspector General Assistance Function and Complaint Procedures

C – Inspections and Intelligence Oversight Responsibilities and

Coordination

D – Inspector General Inquiry and Investigation Function

E – Inspector General Special Investigations

F – References

G – Glossary of Acronyms and Abbreviations

DISTRIBUTION

Distribution A, B, C plus the following:

	<u>Copies</u>
Department of Defense Office of the Inspector General.....	1
Defense Senior Intelligence Oversight Official.....	1
Defense Intelligence Agency, Inspector General.....	1

OPR for the subject directive has chosen electronic distribution to the above organizations via E-mail. The Joint Staff Information Management Division has responsibility for publishing the subject directive to the SIPR and NIPR Joint Electronic Library web sites.

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ENCLOSURE A

CONDUCT OF ASSISTANCE, TEACHING AND TRAINING, INQUIRIES, INSPECTIONS AND INVESTIGATIONS

1. General Information

a. The Director, Joint Staff (DJS) is the Joint Staff Inspector General. The Joint Staff Deputy Inspector General (DIG) functions as the impartial fact-finder for the DJS and CJCS and supports Joint Staff personnel. The Joint Staff DIG coordinates and analyzes indicators that will provide timely feedback and recommendations to the DJS.

b. The DJS is the only authority to establish or appoint permanent IG positions, and this authority may not be further delegated. The DIG may appoint temporary assistant IGs to augment inspection or investigative teams.

(1) Within 2 working days of receipt of allegation(s), the DIG will inform the DJS of any reports of senior official allegation(s).

(2) Within 5 working days of receipt of allegation(s), the DIG will inform the DJS of DoD Hotline cases and Whistleblower Reprisal cases submitted by military or civilian personnel.

2. Responsibilities

a. The Joint Staff IG office will:

(1) Provide assistance and conduct inquiries, inspections, and investigation functions as directed by the CJCS, DJS, Joint Staff Directorates, or DoD OIG.

(2) Provide administrative oversight and ensure optimum efficiency during assistance, inspections, and investigations functions.

(3) Serve as the inspections and investigations team chief unless otherwise directed by the CJCS or DJS. In some cases, the Joint Staff IG office may require augmentation by subject matter experts (SMEs). The Joint Staff IG office will coordinate with appropriate staff directorates to acquire personnel with the requisite technical expertise. In some instances, DoD OIG may be contacted for further assistance in accordance with (IAW) reference a, reference b, and reference v, title 10, U.S. Code, section 1034, "Military Whistleblower Protection Act."

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(4) Protect confidentiality to the maximum extent possible IAW reference c and guard against reprisal.

(5) Report allegations of misconduct made against senior officials (General/Flag Officers (G/FO) and/or Senior Executive Service (SES)) assigned to the Joint Staff, CCMDs, CCAs, or other joint activities to the DoD OIG within 5 working days of receipt. The notification must be made in writing and will include the name, rank/grade, and duty position of senior official involved; a synopsis of the allegations; date received; a copy of the incoming complaint; and the name and position of the point of contact. The DoD OIG will investigate or refer the allegation to the appropriate Joint command, Service IG or investigating agency IAW Service regulations and reference d.

(6) Investigate allegations of misconduct by other than senior officials assigned to the Joint Staff or CCAs. If required, other designated and appointed investigating officers may be approved by the DJS. The Joint Staff IG office will adhere to Service reporting requirements for allegations or investigations involving other than senior officials.

(7) Receive and forward to the DoD OIG all whistleblower reprisal complaints submitted by military personnel, DoD non-appropriated fund employees, and defense contractor employees within 10 working days of receipt, IAW references d through f.

(8) Provide IG assistance to assigned personnel to ensure that systems are functioning properly. Individuals seeking assistance must complete a DD Form 2949 (Appendix A) or a Joint Inspector General Action Request (JIGAR) . The Joint Staff IG office will open an assistance case and conduct a preliminary analysis of the issue. If the IG deems the issue is appropriate for further action, then the Joint Staff IG office may assist, investigate, transfer, or refer the case. Referred cases are provided to external agencies and the acceptance acknowledgement is used to close the case file. Completed cases will be accessible by the Joint Staff IG office of record. If the Joint Staff IG office closes the case, the complainant will be notified (if known) and the Joint Staff IG office will update the case status along with supporting documentation. For transferred cases, once completed the investigating officer will provide the Joint Staff IG office all documentation for record keeping.

(9) Conduct inquiries, inspections, and investigations as directed by the DJS or CJCS using the procedures and guidance IAW references a through l.

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(10) Provide assistance to the CCMD IG offices as requested.

(11) Serve as the intermediary between the DoD OIG and the CCMD IGs (coordinating with the military Service IGs as required) concerning assistance, inquiries, and investigations.

(12) Establish a process to distribute and monitor all DoD Hotline cases sent to the CCMD IGs and internal to the Joint Staff. Request case extensions through DoD OIG on behalf of the CCMD IGs and provide written extension notices back to the CCMD IGs indicating approval and new suspense date. Upon completion of an inquiry or investigation, the CCMD will prepare a Defense Hotline Completion Report (HCR) IAW reference h. The Joint Staff IG office will ensure all CCMD IGs prepare and forward the HCR to the Joint Staff IG office for review, ensuring all administrative actions are complete. The HCR will then be forwarded to the DoD Hotline for review and closure.

(13) Serve as the Joint Staff repository for all Joint Staff IG records. Protect and mark records IAW references n and o. The release authority for Joint Staff IG records is the DJS. The DJS may delegate release authority to the Joint Staff DIG.

(14) Process Freedom of Information Act (FOIA) requests for IG records IAW reference c.

(15) Attend the Defense Council on Integrity and Efficiency, Defense Intelligence and Special Programs Oversight Committee, Lead Inspector General for Overseas Contingency Operations (LIG OCO), DoD OIG Hotline Symposiums, and any DoD OIG working groups.

(16) Provide a forum for Joint IG issues and information concerning the CCMD IG and military Service IGs. Provide DoD OIG policy updates including senior officials and Whistleblower reprisal investigations.

(17) Ensure personnel assigned or billeted to the Joint Staff IG office will attend the Joint Inspector General Course (JIGC) within 120 days to qualify as a Joint IG. Administrative support IG staff will receive training from the Joint Staff DIG. Augmentees (active duty, reserve, or guard) serving in Joint Staff IG positions for more than 180 days will also attend the JIGC.

(18) Ensure personnel assigned to the Joint Staff IG are not appointed as investigating officers under Article 32, Uniform Code of Military Justice (UCMJ); Army Regulation 15-6, "Procedures for Administrative Investigations and Boards of Officers," or other regulations.

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b. Directorates, CCAs, and joint activities directly responsible for reporting to the CJCS will:

(1) Assign the Joint Staff DIG appropriate personnel and SMEs to augment inspection or investigation teams, upon request.

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

(3) Report items unable to be corrected to the Joint Staff DIG.

c. CCMD IGs will:

(1) Receive, process, and return completed HCRs to the Joint Staff IG office IAW reference h. CCMD IGs must request extensions in writing to the Joint Staff IG office and provide a reason for requesting an extension prior to lapse of suspense date. The Joint Staff IG office will request an extension from DoD OIG.

(2) Forward all allegations of misconduct made against senior officials within 5 working days of receipt to the IG DoD IAW reference d, and provide a courtesy copy to the JS IG office. Service IG notifications will be made IAW service reporting requirements as noted in the Joint IG Concept and System Guide.

(3) Forward all allegations of misconduct submitted by military members, DoD non-appropriated fund employees, and Defense contractor employees to the Joint Staff IG within 10 working days after receiving any allegation that the prohibitions or restrictions of reprisal. IAW references d through f, the Joint Staff IG will notify DoD OIG. Whistleblower Reprisal Investigations (WRI) office must be notified within 10 working days of all complaints alleging whistleblower reprisal for reporting sexual assault, members of known congressional interest, or priority senior official complaints IAW reference w. Upon completion of an investigation, all whistleblower reprisal completion reports, with legal review and supporting documentation, will be forwarded to the Joint Staff IG office and DoD OIG.

d. CJCS Legal Counsel will:

(1) Provide legal consultation to the Joint Staff IG office as required and review all Joint Staff-generated completion reports prior to final disposition or submission to the DJS and/or DoD OIG.

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(2) Inform the Joint Staff IG office of any command-directed investigations against a G/FO or SES, so proper notification can be made to the DoD OIG senior officials IAW reference d.

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APPENDIX A TO ENCLOSURE A

DD FORM 2949, JOINT INSPECTOR GENERAL ACTION REQUEST

Prescribed by: DoDI 5106.04, DoDI 5106.05 CONTROLLED when filled

JOINT INSPECTOR GENERAL ACTION REQUEST Personal and Fraud, Waste and Abuse Complaint Registration		
PRIVACY ACT STATEMENT		
<p>AUTHORITY: Title 10 U.S.C. 141; DoDD 5106.04; DoDI 5106.05.</p> <p>PRINCIPAL PURPOSE(S): To secure sufficient information to inquire into the matters presented and to provide a response to the requestor(s) and/or take action to correct deficiencies.</p> <p>ROUTINE USE(S): Information is used for official purposes within the Department of Defense; to answer complainants or respond to requests for assistance, advice, or information; by members of Congress and other Government agencies when determined by The Inspector General to be in the best interest of the Department of Defense; and, in certain cases, in trial by courts-martial and other military matters as authorized by the Uniform Code of Military Justice. Department of Defense "Blanket Routine Uses" also apply.</p> <p>DISCLOSURE: Disclosure of personal information is voluntary; however, failure to provide complete information may hinder proper identification of the requestor, accomplishment of the requested action(s), and response to the requestor.</p> <p>WARNING: Those who knowingly and intentionally provide false statements in this complaint are subject to potential punitive and administrative actions (UCMJ Art. 107; 18 U.S.C. 1001).</p>		
1. NAME (Last, First, Middle Initial)	2. GRADE/RANK	3. SSN (Optional)
4. STATUS (X as applicable)		5. UNIT IDENTIFICATION CODE (UIC)/ORGANIZATION ADDRESS
<input type="checkbox"/> MILITARY <input type="checkbox"/> Air Force <input type="checkbox"/> Army <input type="checkbox"/> Navy <input type="checkbox"/> Marine Corps <input type="checkbox"/> Coast Guard <input type="checkbox"/> Active <input type="checkbox"/> Reserve <input type="checkbox"/> National Guard <input type="checkbox"/> Other: <input type="checkbox"/> CIVILIAN <input type="checkbox"/> Appropriated Fund <input type="checkbox"/> Nonappropriated Fund <input type="checkbox"/> Contractor <input type="checkbox"/> Foreign or Local National <input type="checkbox"/> Other:		6. PREFERRED MAILING ADDRESS (If different from above)
7. CONTACT TELEPHONE NUMBER(S) (Include area code/DSN)		8. E-MAIL ADDRESS(ES)
a. DUTY	b. HOME	c. CELL
9. SPECIFIC ACTION REQUESTED (What do you want the IG to do for you?)		
10. INFORMATION PERTAINING TO THIS REQUEST (Background, list attached documents, who else (commander, agency) you have talked with about this matter, etc.)		
11. STATEMENT OF UNDERSTANDING <input type="checkbox"/> I do <input type="checkbox"/> I do not consent to release my personal information inside official channels in order to resolve the matter(s) listed above. I understand that if I do not agree to release my personal information, my request for assistance may go unresolved.		
a. DATE (YYYYMMDD)	b. SIGNATURE	12. IG/CASE NUMBER (Assigned by Joint IG)

DD FORM 2949, SEP 2009

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ENCLOSURE B

INSPECTOR GENERAL ASSISTANCE FUNCTION AND COMPLAINT PROCEDURES

1. Purpose. Joint Staff IG's assistance may be required to resolve issues for Service members and civilians to ensure they are able to focus on their assigned mission. Assistance may be an informal fact-finding process used to address or respond to a complaint involving a request for help, information, or issues, but not impropriety or wrongdoing. To remedy a problem, the Joint Staff IG office may make phone calls; ask questions of functional experts; solicit helpful information from the appropriate organization or agency; or put the complainant in contact with the person, organization, or agency that can appropriately address the complainant's problem. The Joint Staff IG office may also take requests for assistance from other than DoD civilians, including contractors or foreign country nationals, as long as the requests concern matters of interest to the United States.

2. Assistance Function. Assistance is a multi-step process. It begins with receiving the complaint or a request for assistance, followed by preliminary analysis to determine if the issue has merit and requires resolution, if the matter is appropriate for IG action, or if the IG should refer the matter to another agency or management.

a. The Assistance Function is the process of receiving, inquiring into, and responding to complaints, requests for information, and requests for help presented or referred to a Joint IG. This process is used to correct problems indirectly, as the Joint IGs correct problems by bringing the matter to the attention of the J-Directorate. This referral occurs at the lowest level of staff to take corrective action and the matter is elevated only when deemed appropriate. This process assists in eliminating conditions detrimental to the morale, efficiency, or reputation of the unit and staff. Any Joint IG may perform the Assistance Function.

b. The Assistance Function complements the Inspections and Investigations functions. A simple request for assistance may require an inspection to resolve the issue, especially in cases where a systemic problem is suspected. Some complaints may expand into an investigation depending on the situation. If the complaint involves an allegation of impropriety or wrongdoing, the Joint IG must address the allegation either by using an investigative inquiry or investigation or referring the allegation or investigative inquiry or investigation to the local command or other appropriate command or

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agency. The process for conducting an IG investigation is contained in the “Joint Inspector General Investigations Guide.”

c. The Assistance Function is another opportunity for the Joint IG to teach and train; provide information about military systems, processes and procedures; and assess morale. The Joint IG Teach and Train Function is an integral part of all Joint IG functions.

3. Who May Submit a Complaint to an Inspector General. Anyone, regardless of status, may make a complaint, allegation, or request for information or assistance to any Joint IG concerning matters of military interest. There are no pre-conditions for coming to the Joint IG for assistance. However, during normal duty hours, military and DoD personnel must inform their chain of command that they are leaving their place of duty, as they may not walk off the job and fail to inform their supervisors where they are going. After duty hours, military and DoD personnel may go to the IG without notifying their supervisors. The Joint IG may encourage the Service member or civilian employee to discuss complaints, allegations, or requests for assistance first with their J-Directorate, chain of command, or supervisor. If the complainant does not wish to do so, the Joint IG will accept the JIGAR. If specific redress procedures are available, the Joint IG will teach and train the complainant, using the appropriate formally established, redress process, and refer them to that process.

4. Sources of JIGARs. JIGARs may come from anyone and anywhere. They come from walk-ins, call-ins, e-mail messages, mail-ins, write-ins, anonymously, or with Joint IGs hearing the JIGAR for themselves. A Joint IG’s responsibility is to receive the JIGAR and determine if it is appropriate for the IG to work or refer to another agency. As long as the matter is service related, the Joint IG will provide assistance by working the case or referring the issue to the appropriate agency for action. The following are some examples of JIGARs:

a. Active, Reserve, and National Guard Soldiers. Reserve members not getting the same treatment as an active counterpart when they access the Service system.

b. Anonymous. An unidentified person complains about a lack of command opportunities in a specific directorate.

c. DoD Civilians. Pre-selection in hiring/promotions.

d. Family Members. Nonsupport issues.

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- e. Retirees/Veterans. Veteran Administration benefits/medical problems.
- f. Commander. Discussing a policy or consulting the Joint IG.
- g. Other Services. Member of the Navy comes to an Army Joint IG for assistance.
- h. Civilians (non-DoD employees). Civilians complaining about a Soldier driving too fast or drinking while driving a government vehicle.
- i. Media. Requesting that the Joint IG confirm or deny something.
- j. Contractors. Contractors not meeting requirements or the Federal Government exceeding the requirements of a contract.
- k. Third parties. Parents submitting a complaint on behalf of a son or daughter.
- l. Other Inspectors General. Another IG received the case by mistake or a Service member is not in his or her command.
- m. Congress. A Service member went to their congressional representative.

5. Purpose and Use of JIGAR (DD Form 2949). The JIGAR is the form used to document the initial request for assistance by a complainant. The complainant should complete the JIGAR with as much detail as possible for their request for assistance. As a best practice, a Joint IG should ensure that the JIGAR has sufficient detail to allow another Joint IG, without prior knowledge, to work the complaint.

a. During the initial interview with the complainant, the Joint IG will advise the complainant of the Privacy Act Statement of 1974 on the JIGAR. The Privacy Act relays that the Joint IG has the authority to request personal information and that release of the complainant's social security number, home address, and home telephone number is voluntary. The complainant will complete the JIGAR or the Joint IG may assist the complainant in completing the form.

b. The Joint IG will ensure that the complainant provides a reliable contact phone number and will ask the complainant at a minimum the following five questions:

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- (1) What do you want the IG to do for you?
- (2) Do you have any supporting documents?
- (3) Have you asked any other agency to assist you?
- (4) Is your chain of command aware of your problem?
- (5) What is your status?

c. The JIGAR is also a useful tool to document the Joint IG's workload by keeping track of how many cases the Joint IG has worked. The Joint IG can also identify possible trends and systemic issues by reviewing the most common topics for which the complainants request help.

6. All personnel possess the right to request assistance to file a complaint without fear of retaliatory action. Complaints and requests for assistance made to the IG are considered a protected communication. It is prohibited to deny or interfere with an individual's right to communicate with a Member of Congress or the IG, or to threaten to take adverse action or withhold favorable action against an individual who has requested assistance or filed a complaint IAW references f through h.

7. All complainants should try to resolve their issue at the lowest level within their chain of command before filing a complaint or requesting assistance. However, personnel are not required to use the chain of command or receive approval from their supervisor to process a complaint or request assistance at any level. A complainant may go directly to the IG at any time. The responsibility for adjusting and resolving complaints rests with all levels of command. J-Directors and supervisors must make it clear to all personnel that complaints and assistance requests are important and will be addressed by the command.

8. Responsibilities

a. J-Directors and supervisors at all levels must ensure:

- (1) There is an "open door" policy at every level of management for personnel to seek counsel, either verbally or in writing.
- (2) Personnel receive fair and prompt consideration regarding a

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complaint or request and they receive redress where needed. The complainant must believe that he or she may bring any issue to supervisory attention at any level without fear of reprisal. Supervisory personnel must ensure that no form of reprisal is taken against any individual filing a complaint or request.

(3) Personnel are informed of the complaint system and this instruction. The complaint system must be publicized on a continuing basis, to include during newcomer orientations, Director's Calls, etc.

(4) Anonymous complaints or requests are processed in the same manner as other complaints, i.e., conduct appropriate inquiry or investigation to resolve all substantive allegations and issues.

(5) No one prevents, inhibits, or hinders any person from presenting a complaint to a higher authority or directly to the IG.

(6) Each complaint, whatever the source, is resolved fairly within Joint Staff policy. The appropriate J-Director/supervisor must ensure the complainant or requestor is given a prompt and full reply.

(7) No reprisal action is taken against any complainant.

b. The DIG and Joint Staff IG office will:

(1) Not require prior approval of the individual's supervisor or J-Director to process a complaint. The IG will process and resolve JIGARs.

(2) Assure that whatever inquiry or investigation is necessary to resolve the complaint is conducted promptly, and that the individual receives an answer within 7 working days. If more time is needed, the IG will provide an interim reply.

(3) Reply to each complaint requesting assistance in writing, acknowledging that the request has been received.

(4) Enter the complaint in the command's IG Case Database.

(5) Submit the complaint to the CCMD or Service IG if the complaint is not a Joint Staff matter. Submission will include all necessary and appropriate comments and supporting documentation.

(6) Inform the complainant that the complaint may be reviewed by the

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appropriate IG Staff, if the individual desires such a review. The Joint Staff IG Staff will explain that it is the complainant's responsibility to request this review, by writing the appropriate IG (DoD OIG, CCMD IG, or Service IG), giving them reason for the request.

c. The military or civilian complainant or requestor should:

(1) Discuss the issue first with their immediate supervisor. In discussing it, the complainant should remember the case can be handled faster if all facts in the case are presented at the initial meeting.

(2) Present their concern to the next higher supervisor, Service Senior Enlisted Advisor, element commander, or to the IG if the initial action taken does not resolve the complaint or request within a reasonable period of time.

(3) Provide factual, true, and unbiased information. Signing a DD Form 2949 certifies that the information contained therein is true and correct to the best of the complainant's knowledge and belief.

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ENCLOSURE C

INSPECTIONS AND INTELLIGENCE OVERSIGHT RESPONSIBILITIES AND COORDINATION

1. Purpose. The DIG will ensure inspections are mission-oriented, coordinated, and tailored to meet the CJCS, DJS and J-Directorates needs. Inspections will evaluate compliance with a recognized standard. Teaching and training will be an essential element of all inspections and staff assistance visits.

2. Responsibilities

a. The Joint Staff IG office will inspect and report on:

(1) Personnel accountability programs in J-1 to ensure compliance with reference o.

(2) Intelligence programs IAW references p through t.

(3) Component's Information Oversight programs regarding Information Operations to ensure compliance with reference u.

(4) Inspection results IAW internal operating procedures and distribute inspection results to the staff and the inspected activity.

(5) The progress and effectiveness of actions taken to correct identified deficiencies and/or discrepancies.

(6) Budget for inspections to include all representatives required from other directorates within the Joint Staff, subject to the availability of budgeted funds.

b. Joint Staff Directorates, CCAs, and activities responsive to the CJCS will:

(1) Provide augmenting personnel to support inspection teams as required.

(2) Review inspection reports and, if applicable, comply with corrective actions within 90 days of receiving the final report.

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(3) Ensure the Joint Staff inspection checklists in their functional areas are kept current.

3. Intelligence Oversight Responsibilities and Coordination

a. The Joint Staff IG office coordinates and consolidates the quarterly Intelligence Oversight (IO) reports for the Joint Information Operations Warfare Center (JIOWC), J-3, J-5, J-6, J-7, and Joint Personnel Recovery Agency (JPRA).

b. The Defense Intelligence Agency (DIA) Office of the Inspector General (OIG) is responsible for IO matters for the Joint Staff Intelligence Directorate (J-2). The DIA OIG will inform the DIG of all questionable intelligence activities, significant or highly sensitive (S/HS) matters, and IO investigations pertaining to Joint Staff intelligence components.

c. The Joint Staff/J-2, CCMDs, sub-unified commands, and joint task forces may collect, retain and disseminate foreign intelligence and counterintelligence. Intelligence personnel will comply fully with references c and q through u.

4. Policy. The Joint Staff IG office provides the conduit for the quarterly IO reports from the Joint Staff elements, and reports of questionable intelligence activity.

5. IO Responsibilities

a. CCMD IGs will:

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

(2) Ensure procedures exist within the CCMD headquarters and subordinate joint intelligence organizations for the reporting of questionable activities and S/HS matters and that employees of such organizations are aware of their responsibilities as specified in reference t.

(3) Ensure the CCMD headquarters and subordinate joint intelligence organizations report questionable intelligence activity and S/HS matters to the CCMD IG and then forward these reports to Defense Senior Intelligence Oversight Official (DoD SIOO).

(4) Submit quarterly IO reports covering the CCMD headquarters and subordinate joint intelligence organizations to the DoD SIOO no later than 10

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working days after the beginning of each quarter (January, April, July and October). CCMD IGs will also report questionable intelligence activities and all S/HS matters immediately to the DoD SIOO.

(5) If and when appropriate, investigate questionable intelligence activities and S/HS matters.

(a) Investigate each report of questionable activity to the extent necessary to determine the facts and assess whether the activity and S/HS matters 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 and S/HS matters concerning the CCMDs headquarters and subordinate joint organizations. While the CCMD IG need not necessarily conduct the investigation, it should review the results of all investigations prior to submission to the DoD SIOO.

(d) The CCMD Service components will investigate and report questionable activities and S/HS matters IAW Service regulations. CCMD Service components should send quarterly reports through Service channels IAW their Service regulations.

b. Joint Staff IG office will:

(1) Provide all reports of questionable intelligence activities (QIAs) and S/HS matters to the DoD General Counsel and the Office of the DoD SIOO as specified in reference t.

(2) Report questionable intelligence activities and S/HS matters of a serious nature immediately.

(3) Submit the consolidated quarterly IO report of the Joint Staff to the DoD SIOO no later than 10 working days after the beginning of each quarter (January, April, July and October).

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ENCLOSURE D

INSPECTOR GENERAL INQUIRY AND INVESTIGATION FUNCTION

1. An investigation is a fact-finding examination into allegations of impropriety by an individual or of an adverse condition that affects the warfighting capability of a Joint command. The Joint Staff IG office may investigate any violation of law, policy, or ethical standard, including but not limited to allegations of fraud, waste, abuse, and mismanagement. The Joint Staff IG office is also responsible for conducting investigations into allegations of restricting access to the IG, statutory Whistleblower Reprisal, and Improper Mental Health Referrals involving military members, civilians, non-appropriated fund employees, and contractors IAW established law and DoD policy.

2. The IG has the authority to conduct investigations and inquiries into any activity of the Joint Staff in order to provide the CJCS and DJS with an independent and sound basis for action. Investigations and inquiries will be conducted impartially and without prejudice. Issues that cannot be resolved in an impartial manner within the command will be referred to a higher authority. If an investigation is warranted, the Joint Staff IG will obtain a directive to conduct an investigation from the DJS.

3. The Joint Staff IG staff will use the guidance in the “Joint Inspector General Investigations Guide” as a baseline for the conduct of investigations and inquiries and will use Service-specific IG inquiry and investigation guidelines, as appropriate.

4. IGs are authorized access to all documents and other evidentiary materials needed to discharge their duties. These documents include normally protected data. Examples are classified documents (IGs must have appropriate clearance level to review classified documents), record of board proceedings, acquisition information, medical records, drug and alcohol records, financial records, evaluation reports, security dossiers, criminal investigation reports, and copies of personal restricted fiche. IGs are not authorized access to material subject to attorney-client privilege.

5. Procedures

a. Each investigative office that conducts an inquiry or investigation must contact all witnesses or persons who have any knowledge relevant to the complaint. Direct communications with personnel or agency officials outside command channels is authorized.

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b. Inquiries and investigations will be conducted at an appropriate level of command to preclude self-investigation or the appearance of coercion. In each inquiry, an objective approach must be used to ensure the review and findings are accomplished fairly.

(1) Commanders and supervisors may not initiate or direct investigations into complaints lodged against themselves or those reporting directly to them. These complaints will be referred to the next higher level of command for investigation and resolution. This does not limit the authority of J-Directors to investigate complaints in which the J-Director, or those reporting directly to the J-Director, are named solely because of the J-Director's official position in the chain of command, as long as the complaint does not allege any action or omission personally against the J-Director. The J-Director and supervisor must evaluate each complaint to determine at what level the complaint should be investigated. In cases of doubt, the complaint should be referred to the next level of staff or to the IG.

(2) Items appropriate for IG inquiry or investigation include:

(a) Operational or administrative systems that fail to prevent, direct or correct violations of law or regulation.

(b) Violations of basic rights of any individual or other irregularity.

(c) Incidents that involve fraud, waste and abuse.

(3) Inquiries and investigations falling outside this instruction that are normally inappropriate for IG inquiry include criminal investigations, sexual assault/harassment, Equal Opportunity Complaints, Audits, or complaints under Article 138 of the UCMJ. Matters that have a redress or formal appeal process, to include performance evaluations or written reprimands for filing in permanent records, are normally not appropriate for IG action.

(4) Follow-On Investigations. Investigating officers conducting follow-on investigations subsequent to an IG investigation or investigation inquiry will be provided readily available documents (documents that could be obtained from other sources), a list of witnesses who have information relevant to the investigation, an explanation of how they are relevant (i.e., eyewitness, duty position, etc.), and an oral brief on the nature of the allegation or matters examined by the Joint Staff IG office. Written statements, transcripts and recorded tapes taken by the Joint Staff IG office will not be released.

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ENCLOSURE E

INSPECTOR GENERAL SPECIAL INVESTIGATIONS

1. The Joint Staff IG will:

a. Establish methods for processing and controlling the receipt, examination and reporting of all allegations referred for audit, inspection, and investigation through the DoD Hotline Program.

b. Track, monitor, and follow up on allegations referred to the DoD Hotline, Office of Management and Budget, other executive agency hotlines, DoD staff activities, and individuals communicating directly with the IG.

c. Establish necessary controls to provide maximum protection for the identity of individuals using the DoD Hotline, as provided in Public Law 95-452 and references a and b. However, individuals reporting alleged fraud and mismanagement should be encouraged to identify themselves to the DoD Hotline so Hotline Staff can contact the source if additional information is needed.

d. Examine all substantive allegations. The examination will be conducted by disinterested, but qualified, auditors, inspectors, or investigators. When necessary, the individuals or groups possessing other technical or professional skills will assist in conducting examinations under the direct supervision of the Joint Staff IG staff.

e. Ensure that due professional care and organizational independence are observed, and that procedures are impartial and objective. Allegations must be examined by officials independent of the office, staff element, operation, etc., in which the complaint is alleged to have occurred. Reports of investigations/ complaints will be forwarded to the DoD OIG using the HCR found in reference h.

2. The Joint Staff IG will investigate reprisal allegations that meet the requirements of title 10, U.S. Code, IAW reference d and will use the “Joint Inspector General Investigations Guide.” The IG will conduct a preliminary analysis to determine if sufficient evidence exists to warrant investigation. The Joint Staff IG will notify the DoD OIG Whistleblower Reprisal Investigations Directorate within 60 working days after receiving allegations that prohibitions of restriction of reprisal have been violated, and will provide a copy of the written complaint to the DoD OIG. Investigation reports will be prepared IAW the “Joint Inspector General Investigations Guide” and forwarded to the DoD

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OIG after legal review. The preliminary analysis must at a minimum answer “yes” to the following questions:

a. Element 1, Protected Communication (PC). Did Complainant make or prepare to make a protected communication, or was Complainant perceived as having made or prepared to make a protected communication?

b. Element 2, Personnel Action (PA). Was an unfavorable personnel action taken or threatened against Complainant, or was a favorable personnel action withheld or threatened to be withheld from Complainant?

c. Element 3, Knowledge. Did the responsible management official(s) have knowledge of Complainant’s protected communication(s) or perceive Complainant as making or preparing protected communication(s)?

d. Element 4, Causation. Would the same personnel action(s) have been taken, withheld, or threatened absent the protected communication(s)?

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ENCLOSURE F

REFERENCES

- a. DoDD 5106.04, "Defense Inspectors General," 14 May 2020
- b. DoDM 5106.06, "Joint Inspectors General Manual," 7 May 2018
- c. DoDD 5400.07, "DoD Freedom of Information Act Program," 5 April 2019
- d. DoDD 5505.06, "Investigations of Allegations Against Senior Officials of the Department of Defense," Incorporating Change, 28 April 2020
- e. DoDD 7050.06, "Military Whistleblower Protection," 12 October 2021
- f. DoDD 1401.03, "DoD Non-Appropriated Fund Instrumentality (NAFI) Employee Whistleblower Protection," Incorporating Change, 7 May 2021
- g. Title 48, Code of Federal Regulations, Subpart 3.9., "Whistleblower Protections for Contractor Employees"
- h. DoDI 7050.01, "DoD Hotline Program," Incorporating Change, 7 October 2017
- i. DoD OIG, "Joint Inspector General Assistance Guide," 25 August 2014
- j. DoD OIG, "Joint Inspector General Concept and System Guide," 1 April 2014
- k. DoD OIG, "Joint Inspector General Inspections Guide," 1 April 2011
- l. DoD OIG, "Joint Inspector General Investigations Guide," 25 August 2015
- m. CJCS 5760.01 Series, "Joint Staff and Combatant Command Records Management"
- n. DoDI 5015.02, "DoD Records Management Program," Incorporating Change, 17 August 2017
- o. DoDI 3001.02, "Personnel Accountability in Conjunction with Natural or Manmade Disasters," 3 May 2010

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- p. Executive Order 12333, “United States Intelligence Activities,” 4 December 1981
- q. DoDD 5148.11, “Assistant to the Secretary of Defense for Intelligence Oversight (ATSD(IO)),” 24 April 2013
- r. DoDD 5240.01, “DoD Intelligence Activities,” Incorporating Change, 9 November 2020
- s. DDoD Directive 5148.13, “Intelligence Oversight,” 26 April 2017
- t. Directive-Type Memo 08-052, “DoD Guidance for Reporting Questionable Intelligence Activities and Significant or Highly Sensitive Matters,” 17 June 2009, Incorporating Change, 4 May 2017
- u. DoDD 3600.01, “Information Operations,” 2 May 2013, Incorporating Change, 4 May 2017
- v. Title 10, U.S. Code, section 1034, “Military Whistleblower Protection Act”
- w. DoDD 6495.01, “Sexual Assault Prevention and Response (SAPR) Program”, 10 November 2021
- x. JSI 5820.01A, “Administrative Inquiries,” 5 February 2021
- y. DoDD 7050.09, “Uniform Standards for Evaluating and Investigating Military Reprisal or Restriction Complaints,” 10 April 2022
- z. DoD OIG Guide, “Guide to Investigating Military Whistleblower Reprisal Restriction Complaining,” 18 April 2017

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GLOSSARY

CCMD	Combatant Command
CJCS	Chairman of the Joint Chiefs of Staff
DCIE	Defense Council on Integrity and Efficiency
DIA	Defense Intelligence Agency
DIG	Deputy Inspector General
DISPOC	Defense Intelligence and Special Programs Oversight Committee
DJS	Director, Joint Staff
DoD	Department of Defense
DoD OIG	Department of Defense Office of the Inspector General
DoD SIOO	Office of the Department of Defense Senior Intelligence Oversight Official
FOIA	Freedom of Information Act
G/FO	General/Field Officer
HCR	Hotline Completion Report
JIGAR	Joint Inspector General Action Request
JIGC	Joint Inspector General Course
JPRA	Joint Personnel Recovery Agency
JS IG	Joint Staff Inspector General
IAW	In Accordance With
IO	Intelligence Oversight
LC	Legal Counsel
LIG OCO	Lead Inspector General for Overseas Contingency Operations
OIG	Office of the Inspector General
PA	Personnel Action
PC	Protected Communication
SES	Senior Executive Service
S/HS	Significant or Highly Sensitive
SME	Subject Matter Expert

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