



CHAIRMAN OF THE JOINT CHIEFS OF STAFF INSTRUCTION

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

CJCSI 5901.01B
11 July 2008

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, assistance, 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 5901.01B, 3 January 2007, 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. Policy. See Enclosures A and B.

5. Responsibilities. See Enclosures A and B.

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6. Summary of Changes. This instruction is being updated to provide information regarding Joint Staff Deputy Inspector General assistance functions and completing the JS Form 157 for the Joint Staff personnel.
7. 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.
8. Effective Date. This instruction is effective upon receipt.



STEPHEN M. GOLDFEIN
Major General, USAF
Vice Director, Joint Staff

Enclosures:

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

DISTRIBUTION

Distribution A, B, C, and J plus the following:

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| Defense Intelligence Agency, Inspector General | 1 |

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ENCLOSURE A

CONDUCT OF INQUIRIES, INVESTIGATIONS, INSPECTIONS, AND
ASSISTANCE

1. General Information. The Director, Joint Staff, is the Joint Staff IG. The Division Chief and Deputy of Joint Staff Support Services are 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 and supports the Joint Staff personnel. 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 conduct Joint Staff inquiries, investigations, inspections and assistance functions independently as directed by the Chairman or Director, Joint Staff; Joint Staff members; or the DOD IG.

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

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 IAW DOD and Service regulations (references a through c provide specific guidance).

e. Allegations of misconduct by other than senior officials assigned to the

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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 any 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) Provide IG assistance to assigned Joint Staff personnel to ensure that systems are functioning properly. When an individual requests assistance, JS Form 157 (Appendix A) must be completed. The DIG will open an assistance case and conduct a preliminary analysis of the issue. If the DIG deems the issue is appropriate for further action, then the DIG may assist, investigate, or refer the case; if the DIG deems the issue has no merit then the case will be closed. If the DIG closes the case, the complainant will be notified if known.

(3) Inform the Director, Joint Staff, reports of inspection or investigation, as appropriate. On senior official cases, inform the Director via e-mail within 24 hours.

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

(5) 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.

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

(7) 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.

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(8) 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 to the DOD IG IAW reference h.

(9) 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.

(10) Serve as the Joint Staff repository for all Joint Staff 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.

(11) Upon completion of an inquiry or investigation, prepare a report using the Hotline Completion Report template IAW DOD 7050.01, Enclosure 2.

(12) Attend meetings of the Defense Council on Integrity and Efficiency 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

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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.

APPENDIX A TO ENCLOSURE A

| JOINT STAFF INSPECTOR GENERAL ACTION REQUEST | | | |
|---|-------------|----------------|----------------------------|
| <p style="text-align: center;">DATA REQUIRED BY THE PRIVACY ACT OF 1974</p> <p>AUTHORITY: Title 10, USC, Section 3039.</p> <p>PRINCIPAL PURPOSE: To secure sufficient information to make inquiry into the matters presented and to provide a response to the requester(s) and/or take action to correct deficiencies.</p> <p>ROUTINE USES: Information is used for official purposes within the Department of Defense; to answer complaints 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 Joint Staff; and in certain cases in trial by court-martial other military matters as authorized by the Uniform Code of Military Justice.</p> <p>DISCLOSURE OF THE SOCIAL SECURITY NUMBER AND OTHER PERSONAL INFORMATION IS VOLUNTARY; HOWEVER, FAILURE TO PROVIDE COMPLETE INFORMATION MAY HINDER PROPER IDENTIFICATION OF THE REQUESTER, ACCOMPLISHMENT OF THE REQUESTED ACTION(S) AND RESPONSE TO THE REQUESTER.</p> | | | |
| LAST NAME - FIRST NAME - MI | | GRADE | SSN (<i>Last 4 only</i>) |
| JS CASE NUMBER | DIRECTORATE | DUTY TELEPHONE | DATE |
| SPECIFIC ACTION REQUESTED | | | |
| INFORMATION PERTAINING TO THIS REQUEST (<i>Use additional sheets if necessary; list enclosures if applicable.</i>) | | | |
| DO YOU HAVE ANY SUPPORTING DOCUMENTATION - (<i>State what documentation is presented</i>) | | | |

ENCLOSURE B

INTELLIGENCE OVERSIGHT RESPONSIBILITIES AND COORDINATION

1. General Information

a. The Joint Staff DIG coordinates and consolidates the quarterly Intelligence Oversight (IO) reports of the combatant command IG's.

b. Note: 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 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 IGs 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, and 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 7050.01, 17 December 2007, "Defense Hotline Program"
- e. DOD Directive 7050.06, 23 June 2007, "Military Whistleblower Protection"
- f. DOD Directive 1401.03, 23 April 2008, "DoD Nonappropriated Fund Instrumentality (NAFI) Employee Whistleblower Protection"
- 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 5240.01, 27 August 2007, "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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