



Department of Defense INSTRUCTION

NUMBER 7050.03

March 22, 2013

IG DoD

SUBJECT: Office of the Inspector General of the Department of Defense Access to Records and Information

References: See Enclosure 1

1. PURPOSE. In accordance with Title 5, United States Code Appendix (Reference (a)), and the authority in DoD Directive 5106.01 (Reference (b)), this instruction reissues DoD Instruction 7050.3 (Reference (c)) to implement statutory authority and Departmental policy, and assign responsibilities for providing expeditious access to DoD records and information required by members of the Office of the Inspector General of the Department of Defense (OIG DoD) while performing their official duties.

2. APPLICABILITY. This instruction applies to:

a. OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, OIG DoD, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this instruction as the "DoD Components").

b. Appropriated and nonappropriated fund activities.

3. POLICY. In accordance with References (a) and (b), it is DoD policy that:

a. The OIG DoD must have expeditious and unrestricted access to all records as defined in DoD Directive 5015.2 (Reference (d)), regardless of classification, medium (e.g., paper, electronic) or format (e.g., digitized images, data) and information available to or within any DoD Component, and be able to obtain copies of all records and information as required for its official use once appropriate security clearances and access are substantiated for the OIG DoD personnel involved.

b. No officer, employee, contractor, or Service member of any DoD Component may deny the OIG DoD access to records. Only the Secretary of Defense can deny access to certain types

of records or information based on criteria listed in section 8 of Reference (a), and paragraph 6a(1) of Reference (b).

4. RESPONSIBILITIES. See Enclosure 2.

5. RELEASABILITY. **Unlimited**. This instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

6. EFFECTIVE DATE. This instruction:

a. Is effective March 22, 2013.

b. Must be reissued, cancelled, or certified current within 5 years of its publication in accordance with DoD Instruction 5025.01 (Reference (e)). If not it will expire effective March 22, 2023 and be removed from the DoD Issuances Website.



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Principal Deputy
Performing the Duties of the
Inspector General of the
Department of Defense

Enclosures

1. References
2. Responsibilities

Glossary

ENCLOSURE 1

REFERENCES

- (a) Title 5, United States Code Appendix, "The Inspector General Act of 1978," as amended
- (b) DoD Directive 5106.01, "Inspector General of the Department of Defense (IG DOD)," April 20, 2012
- (c) DoD Instruction 7050.3, "Access to Records and Information by the Inspector General, Department of Defense," April 24, 2000 (hereby cancelled)
- (d) DoD Directive 5015.2, "DoD Records Management Program," March 6, 2000
- (e) DoD Instruction 5025.01, "DoD Directives Program," September 26, 2012
- (f) Executive Order 13526, "Classified National Security Information," December 29, 2009
- (g) DoDM 5200.01, "DoD Information Security Program," February 24, 2012, as amended
- (h) DoD Instruction 6055.07, "Mishap Notification, Investigation, Reporting, and Record Keeping," June 6, 2011
- (i) DoD Directive 6495.01, "Sexual Assault Prevention and Response (SAPR) Program," January 23, 2012
- (j) Chapters 29, 31, and 33 and section 3301 of Title 44, United States Code
- (k) DoD 5400.11-R, "Department of Defense Privacy Program," May 14, 2007
- (l) Joint Publication 1-02, "Department of Defense Dictionary of Military and Associated Terms," current edition

ENCLOSURE 2

RESPONSIBILITIES

1. INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE (IG DoD). The IG DoD:

a. Ensures that the OIG DoD officials possess proper security clearance and access when requesting classified records or information in accordance with Executive Order 13526 (Reference (f)).

b. Establishes procedures for confirming to the DoD Components the security clearances and access of OIG DoD personnel requesting access to classified records or information.

c. Ensures that when OIG DoD officials require access to DoD Special Access Program records or information, a completed program access request (DD Form 2835) is submitted to the DoD Special Access Program Central Office.

d. Establishes procedures to provide for the proper safeguarding and control of records and information obtained by the OIG DoD in compliance with applicable directives or instructions, including References (d) and (f), DoD Manual 5200.01 (volumes 1 through 4), DoD Instruction 6055.07, and DoD Directive 6495.01 (References (g) through (i), respectively), and ensures their correct implementation in order to preclude unauthorized access to classified information and to correctly apply access and distribution controls and other protective measures on all information which requires them.

e. Ensures OIG DoD officials coordinate access and life cycle management of DoD Component records in accordance with the National Archives and Records Administration-approved records disposition schedules available from the DoD Component records management officers and in accordance with Reference (d) and chapters 29, 31, and 33 of Title 44, United States Code (Reference (j)). This coordination must also include, but not be limited to, suspension actions such as record holds, freezes, moratoriums, or preservation orders related to the approved records disposition to facilitate continued access to records.

f. Ensures DoD Component objections to the release of records or information requiring action by the Secretary of Defense are submitted in writing to the Secretary of Defense no later than 15 business days from the date of receipt by the OIG DoD.

g. All records and information obtained by the OIG DoD officials must be properly disposed of or returned to the Component from which it was requested once they are no longer needed according to records management, classification, and privacy policy in accordance with DoD 5400.11-R (Reference (k)).

2. DoD COMPONENT HEADS. The DoD Component heads establish procedures to ensure that:

a. Except as permitted by paragraph 2b of this enclosure, requests for access to records or information under authorized OIG DoD audit, investigation, follow-up, or oversight projects are granted immediately when submitted by an OIG DoD member deemed eligible in accordance with applicable security policy, and that such access includes obtaining copies of all records as required for official use.

b. Objections in accordance with section 8 of Reference (a), and paragraph 6a(1) of Reference (b) requiring action by the Secretary of Defense regarding the release of records or information described in paragraph 2a of this enclosure are submitted in writing to the IG DoD by the Component head no later than 15 business days from the date of the OIG DoD request.

GLOSSARY

PART I. ACRONYMS AND ABBREVIATIONS

IG DoD Inspector General of the Department of Defense
OIG DoD Office of the Inspector General of the Department of Defense

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purposes of this instruction.

information. Knowledge or data not contained in records, usually communicated by means of an oral discussion or interview.

life cycle. Defined in Joint Publication 1-02 (Reference (1)).

nonappropriated fund. Defined in Reference (1).

records. Defined in Reference (d).