



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-4704

April 30, 2010

INSPECTOR GENERAL INSTRUCTION 5505.1

OFFICE OF PROFESSIONAL RESPONSIBILITY

FOREWORD

This Instruction establishes and sets forth the overall policies, procedures, and responsibilities of the Department of Defense Office of Inspector General, Office of Professional Responsibility.

The office of primary responsibility for this Instruction is the Office of Professional Responsibility. This Instruction is effective immediately.

FOR THE INSPECTOR GENERAL:

A handwritten signature in black ink, appearing to read "SD Wilson".

Stephen D. Wilson
Assistant Inspector General
for Administration and Management

Appendix

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CHAPTER 1 GENERAL

A. Purpose. This Instruction establishes the Department of Defense Office of Inspector General (DoD OIG), Office of Professional Responsibility (OPR). It sets forth the policies, procedures, and responsibilities of OPR to facilitate the effective and uniform application of OPR Investigations and Inspections Programs in accordance with (IAW) references (a) through (k).

B. References. See Appendix.

C. Applicability. This Instruction applies to the Office of Inspector General and the Department of Defense Inspector General Components, hereafter referred to collectively as the OIG Components and all civilian, contractor, and military personnel employed with the OIG.

D. Cancellation. This Instruction cancels IGDPM 2009-1, *Referral of Misconduct Allegations to the Office of Professional Responsibility*, February 2, 2009.

E. Policy. It is OIG policy to:

1. Appropriately address employee misconduct through a fair and equitable process.
2. Ensure the OPR is an essential element of readiness that is vital to the accomplishment of the OIG mission.

F. Responsibilities

1. The **Components** shall:
 - a. Comply with the reporting requirements of reference (j).
 - b. Comply with the requirements of reference (k) as they relate to inspections of their Components.
2. The **OPR** shall:
 - a. Investigate allegations of misconduct by OIG personnel assigned to the OIG.
 - b. Conduct inspections of the Components, regional offices, and field offices at regular intervals to determine the managerial, administrative, and operational efficiency of an office.
3. The **OPR Investigations Directorate** shall ensure OIG personnel receive a fair, impartial, and thorough investigation IAW reference (j).

4. The **OPR Inspections Directorate** shall:
 - a. Manage the OPR Inspection Program.
 - b. Schedule, organize, and conduct inspections of the Components.
 - c. Ensure inspection reports are prepared and reviewed for compliance IAW reference (k) and other guidelines as specified by the AIG-OPR.
 - d. Ensure reports are centrally recorded.
 - e. Ensure all inspection findings are satisfactorily corrected.
5. The **Equal Employment Opportunity Directorate** shall continue to accept and process all allegations of employment discrimination.

6. The **Human Capital Advisory Services Directorate** shall continue to have responsibility for employee relations, which involves providing advice and assistance to employees and managers, program administration, research, and case management in matters related to conduct, performance, attendance, and dispute resolution.

G. Procedures. Procedures for implementing OPR Investigation and Inspection guidelines are provided in references (i) through (k), and this Instruction.

H. Information Integrity. On occasion, OIG senior leadership or their staff may be asked to assist OPR in administrative matters (e.g., preparing a memorandum of understanding or budget documents, making employees available for interviews, and providing records). Caution shall be exercised to ensure that no OPR related information is shared with anyone who does not have an official need to know.

CHAPTER 2 INVESTIGATIONS DIRECTORATE

A. General

1. A prompt and objective investigation of allegations concerning OIG personnel is extremely important to minimize the adverse impact on the reputation of the employee, as well as, to ensure organizational effectiveness and operational integrity.

2. All allegations of employee misconduct, including those against OIG senior officials, (i.e., an official in the grade of the Senior Executive Service (SES), or equivalent, with the exception of the Inspector General (IG), the Principal Deputy Inspector General (PDIG), or the Assistant Inspector General for OPR (AIG-OPR)), shall be reported to the AIG-OPR or the OPR Director of Investigations within 5 workdays of awareness or receipt.

3. The AIG-OPR, in consultation with the Office of General Counsel (OGC), shall determine whether OPR shall investigate the allegation or refer it to management for appropriate resolution.

4. The AIG-OPR shall notify the Investigations of Senior Officials Directorate of all credible allegations against OIG Senior Officials within 5 workdays IAW reference (d).

5. Any allegation of misconduct by the IG, the PDIG, or the AIG-OPR shall be referred to the OGC. If deemed appropriate, the allegation shall be referred to the Integrity Committee of the Council of Inspectors General on Integrity and Efficiency. The AIG-OPR shall determine appropriate disposition of allegations against the OGC, in consultation with the PDIG.

6. Any investigation presenting a security concern shall be coordinated with the Office of Security upon completion.

B. Misconduct. An allegation of misconduct is defined as a credible allegation that, if proven, would constitute:

1. A violation of a provision of criminal law, including the Uniform Code of Military Justice;

2. A violation of a recognized standard, such as the Joint Ethics Regulation, or other Federal, DoD, or Service regulation;

3. A matter involving other misconduct of concern to DoD leadership or that could reasonably be expected to be of significance to the IG, especially when there is an element of unauthorized personal benefit to the employee, a family member, or an associate.

C. Record Retention

1. OPR investigative case files on unfounded or unsubstantiated allegations shall be retained for 10 years after closure.

2. OPR investigative case files on substantiated allegations shall be retained for 10 years after closure or 5 years after termination of subject's employment with the OIG, whichever is later.

D. Guidance. Complete guidance on the OPR Investigation Program, including procedures for reporting allegations of employee misconduct, can be found in reference (j).

**CHAPTER 3
INSPECTIONS DIRECTORATE**

A. Pre-Inspection Preparation. Each office to be inspected shall submit information, as requested by the OPR Director of Inspections, at least 60 days prior to a scheduled OPR inspection.

B. Scheduling

1. A schedule of all OPR inspections can be accessed from the OPR Intranet web page under Inspections. Approximately 6 months prior to an inspection, the OPR Director of Inspections shall establish the specific inspection dates in consultation with the Component DIG or AIG and the senior office manager of the office to be inspected.

2. The AIG-OPR or IG may direct an unscheduled inspection of any organizational element at any time.

C. Guidance. Complete guidance on the OPR Inspection Program, including pre-inspection requirements and inspection checklists can be found in reference (k).

**APPENDIX
REFERENCES**

- a. Appendix 3 of title 10, United States Code, *Inspector General Act of 1978*, October 1, 1978, as amended.
- b. Section 1585a of title 10, United States Code
- c. DoD Directive 5106.01, *Inspector General of the Department of Defense*, Chapter 1, September 25, 2006
- d. DoD Directive 5505.06, *Investigations of Allegations Against Senior Officials of the Department of Defense*, April 10, 2006
- e. Manual for Courts-Martial, United States, Chapter III, Rule 302, *Apprehension*, 2008 edition
- f. DoD Instruction 5505.2, *Criminal Investigations of Fraud Offenses*, February 6, 2003
- g. DoD Instruction 5525.07, *Implementation of the Memorandum of Understanding (MOU) Between the Departments of Justice (DoJ) and Defense Relating to the Investigation and Prosecution of Certain Crimes*, June 18, 2007
- h. DoD Instruction 7050.3, *Access to Records and Information by the Inspector General, Department of Defense*, April 24, 2000
- i. OPR Policy Manual Chapter 1, *Organization, Mission, Jurisdiction, and Authorities*, July 2009
- j. OPR Policy Manual Chapter 2, *Investigations*, January 2010
- k. OPR Policy Manual Chapter 3, *Inspections*, October 2009