



Department of Defense **DIRECTIVE**

NUMBER 5106.04

May 22, 2014

DA&M

SUBJECT: Defense Inspectors General

References: See Enclosure 1

1. **PURPOSE.** This directive reissues DoD Directive (DoDD) 5106.04 (Reference (a)) to update established policy and the responsibilities and functions for Defense inspectors general (IGs), pursuant to the authority vested in the Secretary of Defense by section 113 of Title 10, United States Code (U.S.C.) (Reference (b)), and in accordance with DoDD 5106.01 and the Inspector General Act of 1978, as amended, Title 5, U.S.C., Appendix (References (c) and (d)).

2. **APPLICABILITY.** This directive applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff (CJCS) and the Joint Staff, the Combatant Commands (CCMDs), the Office of the Inspector General of the Department of Defense (OIG DoD), the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this directive as the “DoD Components”).

3. **POLICY.** It is DoD policy that:

- a. All DoD personnel will have access to fair and impartial IGs.
- b. Selected, qualified, and appointed IGs are essential to the effective and efficient management and operation of the DoD.
- c. The Joint Staff and CCMDs will have formally appointed IGs. Other DoD Components, and subordinate organizations, may have formally appointed IGs. Certain DoD Components, such as the Military Departments and specific Defense Intelligence components, have IGs pursuant to law.
- d. Defense IGs will report directly to either the commander or director of their DoD Component, or its deputy commander or deputy director. This IG command and reporting relationship may not be further delegated.
- e. Each CCMD IG will have a staff composed of commissioned officers, non-commissioned officers, and government civilian employees. Other Defense IGs will have a staff at the discretion of the commander or director, as appropriate.

f. Nothing in this directive will be construed so as to impinge on the Military Department IGs operating pursuant to sections 3020, 5020, and 8020 of Reference (b) or Defense Intelligence Component IGs operating pursuant to section 8G and 8H of Reference (d).

g. In accordance with References (c) and (d), nothing in this directive will be construed as limiting the authority of the Inspector General of the Department of Defense (IG DoD) or the independence of the OIG DoD.

h. Defense and Military Department IGs will consult and coordinate their activities with each other and the OIG DoD to enhance effectiveness, increase efficiency, and minimize conflict and redundancy.

4. RESPONSIBILITIES. See Enclosure 2.

5. INFORMATION COLLECTION REQUIREMENTS. The report on the DoD Component's intelligence programs referred to in paragraph 3g of Enclosure 2 of this directive is exempt from licensing with a report control symbol, in accordance with paragraph C.4.4.7. of DoD 8910.1-M (Reference (e)).

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

7. EFFECTIVE DATE. This directive:

a. Is effective May 22, 2014.

b. Must be reissued, cancelled, or certified current within 5 years of its publication to be considered current in accordance with DoD Instruction (DoDI) 5025.01 (Reference (f)).

c. Will expire effective May 22, 2024 and be removed from the DoD Issuances Website if it hasn't been reissued or cancelled in accordance with Reference (f).



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Deputy Secretary of Defense

Enclosures

1. References
2. Responsibilities and Functions

Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5106.04, "Combatant Command Inspectors General," June 19, 2006 (hereby cancelled)
- (b) Title 10, United States Code
- (c) DoD Directive 5106.01, "Inspector General of the Department of Defense (IG DoD)," April 20, 2012
- (d) Inspector General Act of 1978, as amended, Title 5, United States Code, Appendix
- (e) DoD 8910.1-M, "Department of Defense Procedures for Management of Information Requirements," June 30, 1998
- (f) DoD Instruction 5025.01, "DoD Directives Program," September 26, 2012, as amended
- (g) DoD Instruction 7050.01, "Defense Hotline Program," December 17, 2007
- (h) DoD Instruction 5106.05, "Combatant Command Inspectors General-Implementing Procedures," July 14, 2006
- (i) DoD Instruction 5505.16, "Criminal Investigations by Personnel Who Are Not Assigned to a Defense Criminal Investigative Organization," May 7, 2012
- (j) DoD Instruction 5505.03, "Initiation of Investigations by Defense Criminal Investigative Organizations," March 24, 2011
- (k) DoD Directive 5015.2, "DoD Records Management Program," March 6, 2000
- (l) DoD Directive 5400.07, "DoD Freedom of Information Act (FOIA) Program," January 2, 2008
- (m) DoD Directive 5400.11, "DoD Privacy Program," May 8, 2007, as amended
- (n) DoD Directive 5240.01, "DoD Intelligence Activities," August 27, 2007, as amended
- (o) DoD 5240.1-R, "Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons," December 7, 1982
- (p) Directive-type Memorandum 08-052, "DoD Guidance for Reporting Questionable Intelligence Activities and Significant or Highly Sensitive Matters," June 17, 2009, as amended
- (q) DoD Directive 3600.01, "Information Operations (IO)," May 2, 2013
- (r) DoD Directive 5505.06, "Investigations of Allegations Against Senior DoD Officials," June 6, 2013
- (s) DoD Instruction 8500.01, "Cybersecurity," March 14, 2014
- (t) DoD Directive 7050.06, "Military Whistleblower Protection," July 23, 2007
- (u) Presidential Policy Directive 19, "Protecting Whistleblowers with Access to Classified Information," October 12, 2012
- (v) Directive-type Memorandum 13-008, "DoD Implementation of Presidential Policy Directive 19," July 8, 2013, as amended
- (w) Deputy Secretary of Defense Memorandum, "Transforming Through Base Realignment and Closure (BRAC) 2005 – Joint Basing," January 22, 2008

ENCLOSURE 2

RESPONSIBILITIES AND FUNCTIONS

1. IG DoD. The IG DoD, as the OSD principal advisor for DoD IGs, provides policy and oversight of Defense IGs and:

a. Assists the Defense IGs by coordinating and clarifying DoD policy, issuing implementing instructions, and resolving conflicting or inconsistent IG policy involving Defense IG duties, responsibilities, and functions.

b. Develops, coordinates, conducts, and provides uniform training and sets qualification standards regarding Defense IG duties, responsibilities, and functions for all DoD Components, in accordance with References (b) and (c).

c. Provides forums for IG DoD issues.

d. Designates officials within the OIG DoD to assist, coordinate, and integrate appropriate IG matters with the Defense IGs and the Military Department IGs.

e. Directs and oversees the development and sustainment of an IG information management system to ensure interoperability between the information management systems of the Defense IGs, Military Department IGs, and OIG DoD.

f. Serves, when designated pursuant to section 8L of Reference (d), as the lead IG for the specified overseas contingency operation. Provides policy and oversight to guide the Defense IGs in cooperating with the IGs of other federal agencies during overseas contingency operations.

2. DoD COMPONENT HEADS. The DoD Component heads:

a. Appoint, in writing, officers or civilian officials in the grade of O-6/GS-15 or above to serve as the DoD Component IG or arrange for IG servicing by another DoD Component IG or the IG DoD, as appropriate.

b. Ensure subordinate organizations have access to a formally appointed and qualified IG, as well as issue instructions for their respective DoD Component regarding which subordinate organizations will have a formally appointed IG.

c. Ensure their DoD Component personnel are informed of their right to access an IG.

d. Designate a point of contact to coordinate IG matters.

(1) For DoD Components with an IG, the point of contact is the DoD Component IG.

(2) For the DoD Components without an IG, the point of contact is the DoD Component Hotline Coordinator designated by the DoD Component head, pursuant to DoDI 7050.01 (Reference (g)).

e. Accept non-IG investigative and assistance referrals from other DoD Component IGs and process them in accordance with applicable laws, policies, and regulations. If not accepted, reroute, as appropriate, and inform the referring DoD Component.

f. Coordinate and address IG issues with the OIG DoD and the Defense IGs.

g. Oversee execution of Defense IG inspections, in accordance with this directive and DoDI 5106.05 (Reference (h)).

h. Promptly report all allegations of criminal activity to the responsible Defense Criminal Investigative Organization, in accordance with DoDI 5505.16 and DoDI 5505.03 (References (i) and (j)).

i. With the exception of the Secretaries of the Military Departments:

(1) Coordinate with the appropriate Military Department IGs on the qualifications and suitability of nominated or selected Defense IGs.

(2) Provide the necessary resources to the Defense IG office to perform the Defense IG functions in support of the DoD Component.

(3) Ensure that the assigned duties of the Defense IGs do not interfere with their responsibility as fair and impartial fact-finders for the DoD Component, or create a conflict of interest.

(4) Rate and evaluate their respective IGs. This authority may be delegated only to the deputy commander or deputy director level.

(5) Maintain all DoD Component IG records, to include IG records belonging to subordinate organizations, in accordance with DoDD 5015.2 (Reference (k)).

(6) Maintain IG records and release them, in accordance with DoDD 5400.07 and DoDD 5400.11 (References (l) and (m)).

(7) Serve as the directing authority for DoD Component Defense IG inspections, investigations, and audits (unless that authority is delegated to the deputy commander, deputy director, or Defense IG). DoD Component heads shall not direct an investigation into allegations against themselves, the Component IG, or IG staff. These complaints should be elevated to the next higher-level IG or OIG DoD for resolution.

3. DEFENSE IGs. Under the authority, direction, and control of their DoD Component head, the Defense IGs will:

- a. Serve as a member of their commander's or director's personal staff.
- b. Provide advice to their commander or director on all IG matters pertaining to the command or activity.
- c. Report, as directed by their commander or director, on the state of the economy, efficiency, discipline, morale, training, and readiness throughout the command.
- d. Perform IG investigative, inspection, assistance, audits, and teaching and training functions, as directed by the commander or director, and make inquiries into any matter within the scope of their commander's or director's authority.
- e. Provide assistance, including subject matter experts as necessary, to other IGs and staffs in performance of their duties, in accordance with applicable laws, policies, and regulations.
- f. Coordinate complaint transfer with the appropriate IG office, explaining the rationale for the transfer. If the receiving IG does not agree that the transfer is appropriate, then elevate the complaint to the appropriate DoD Component IG office for resolution.
- g. Inspect and report on:
 - (1) The DoD Component's intelligence programs, in accordance with Reference (d), DoDD 5240.01, DoD 5240.1-R, and Directive-type Memorandum 08-052 (References (n), (o), and (p)), where applicable.
 - (2) The DoD Component's information operations programs, regarding intelligence oversight, to ensure compliance with DoDD 3600.01 (Reference (q)).
- h. Notify the respective Military Service IG and DoD Component IG upon initiation and completion of investigations on allegations of military or DoD civilian personnel, in accordance with the applicable requirements and Reference (h). Provide a copy of the final report to the respective DoD Component IG when the appropriate releasing authority approves it.
- i. Maintain IG records and release them only when authorized by competent authority.
- j. Recommend actions to correct deficiencies identified during investigations, inspections, audits, and assistance visits and monitor the progress of corrective actions.
- k. Promptly report allegations against senior officials to the IG DoD, in accordance with DoDD 5505.06 (Reference (r)).
- l. In response to an allegation referred for action by the DoD Hotline, conduct an inquiry and provide a DoD Hotline Completion Report, in accordance with Reference (g). Examine DoD

Hotline information referrals to determine if an inquiry is warranted. If an inquiry is conducted, based on an information referral, and results in corrective action taken, provide a DoD Hotline Completion Report, in accordance with Reference (g). Defense IGs will not transfer DoD Hotline complaints to another IG office without prior written approval of the Director, DoD Hotline.

m. Coordinate IG activities with the IG DoD, Joint Staff IG, and the Military Department IGs, as appropriate.

n. Refer any matter outside the authority of the Defense IG to the appropriate official.

o. Successfully complete the course for Defense IGs and Joint inspector generals (Joint IGs) administered by OIG DoD within 120 days of appointment in order to perform the duties, responsibilities, and functions of a Defense IG. This requirement may be waived by the IG DoD or designee.

p. Use a case tracking system that is compliant with information security requirements, in accordance with DoDI 8500.01 (Reference (s)).

q. Promptly report all allegations of criminal activity to the responsible Defense Criminal Investigative Organization, in accordance with References (i) and (j).

r. Promptly report, and investigate when appropriate, allegations of violations of section 1034(a) or 1034(b) of Reference (b) to the Whistleblower Reprisal Investigations Directorate within OIG DoD, in accordance with DoDD 7050.06 (Reference (t)).

s. Promptly report allegations of violations of Presidential Policy Directive 19 and Directive-type Memorandum 13-008 (References (u) and (v)) to the IG DoD and provide a copy of the written complaint to IG DoD, ensuring that classified materials are submitted through appropriate channels.

t. Ensure that complaints of violations of section 1587 and/or 2409 of Reference (b) are forwarded to the DoD Hotline.

u. Coordinate complaint referral with the appropriate DoD Component.

v. Coordinate with other IGs as requested by the designated lead IG for the overseas contingency operation, or OIG DoD in accordance with section 8L of Reference (d), and as directed by IG DoD.

4. JOINT STAFF IG. Under the authority, direction, and control of the CJCS, and in addition to the responsibilities in section 3 of this enclosure, the Joint Staff IG:

a. Provides assistance to the CCMD, subordinate unified command, and Joint Task Force IGs (referred to in this directive as the Joint IGs, which is a subset of Defense IGs), as requested.

b. Coordinates and consolidates, for the CCMD IGs, a quarterly Joint Inspectors General Intelligence Oversight Report, in accordance with References (l) and (m).

c. Serves as an intermediary between the IG DoD and the Joint IGs concerning IG functions as requested by the IG DoD.

d. Assists in resolving issues between the Military Department IGs and the Joint IGs, as requested by the OIG DoD.

e. After coordinating with the IG DoD, includes current and accurate Defense IG information in the appropriate joint doctrine and publications.

f. May monitor audits performed by Defense IGs in CCMD areas of responsibility.

g. Provides a forum for Joint IG issues and information concerning the Joint IGs and the IGs of the Military Departments.

5. COMBATANT COMMANDERS. In addition to the responsibilities in section 2 of this enclosure, Combatant Commanders:

a. Provide oversight of all Joint IG functions within their command and ensure that their subordinate commands are adequately serviced by a Defense IG.

b. Select and appoint officers, or appoint officers nominated by the Secretaries of the Military Departments, in the grade of O-6 or above, to serve as their Joint IG in fulltime, separate positions. The IG DoD may waive this requirement, to include DoD civilian officials in the grade of GS-15 or above, at his or her discretion.

6. SUBORDINATE UNIFIED COMMANDERS, JOINT TASK FORCE COMMANDERS, AND HEADS OF OTHER SUBORDINATE UNITS. Subordinate unified commanders, joint task force commanders, and heads of other subordinate units:

a. As directed by their Combatant Commander, provide oversight of Joint IG functions within their command and ensure that their subordinate commands are adequately serviced by a Defense IG.

b. May select and appoint officers or DoD civilians, or appoint officers nominated by the commanders of their appropriate Military Service component, in a grade appropriate to the size of the organization.

c. Accept non-IG investigative and assistance referrals from other Defense IGs and process them in accordance with applicable laws, policies, and regulations. If not accepted, reroute, as appropriate, and inform the referring office.

- d. Coordinate and address IG issues with the OIG DoD and the Defense IGs, as appropriate.
- e. Oversee execution of Defense IG inspections, in accordance with this directive and Reference (h), as appropriate.
- f. Promptly report all allegations of criminal activity to the responsible Defense Criminal Investigative Organization, in accordance with References (i) and (j).
- g. Maintain IG records and release them, in accordance with References (k), (l), and (m), as appropriate.

7. SECRETARIES OF THE MILITARY DEPARTMENTS. In addition to the responsibilities in section 2 of this enclosure, the Secretaries of the Military Departments:

- a. Nominate appropriate commissioned officers to serve as Defense IGs as requested by the other DoD Components.

- (1) Comment on the qualifications and suitability of prospective Defense IGs (military and civilian) as requested by the DoD Components.

- (2) Screen the Military Department IG databases for adverse information and the suitability of Military Service personnel nominated or requisitioned for Defense IG duty.

- b. Nominate appropriate commissioned and noncommissioned officers to serve as members of the Defense IG staff as requested.

- (1) Comment on the qualifications and suitability of prospective Defense IG staff members (military and civilian) as requested by the DoD Components.

- (2) Screen the Military Department IG databases for adverse information and the suitability of personnel nominated, requisitioned, or hired for Defense IG duty.

- c. Provide Military Service-specific IG training for Defense IGs to supplement their Joint IG training if requested or required.

- d. Provide for inspections by mission partner units (supporting, supported, and tenant) of respective mission units on joint bases, in accordance with Deputy Secretary of Defense Memorandum (Reference (w)). At joint bases:

- (1) Only the supporting Military Department shall conduct inspections of installation support activities unless otherwise documented in the base specific memorandum of agreement or previously coordinated with the supporting Military Department IG.

(2) If the supporting Military Department provides an installation support function at a joint base for which it does not have the required inspection expertise, they will either seek augmentation from the supported component or obtain qualification to inspect that activity.

(3) Mission partners work through the Joint Base Partnership Council if their inspection requires installation support or tasks embedded military installation support personnel. Mission partners will comply with the joint base workforce availability policy as described in the specific joint base memorandum of agreement.

e. Provide for the inspection of and reporting on the Military Department's intelligence programs, in accordance with References (d), (l), (m), and (n)), where applicable.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

CCMD	Combatant Command
CJCS	Chairman of the Joint Chiefs of Staff
DoDD	DoD Directive
DoDI	DoD Instruction
IG	inspector general
IG DoD	Inspector General of the Department of Defense
OIG DoD	Office of the Inspector General of the Department of Defense
U.S.C.	United States Code

PART II. DEFINITIONS

These terms and their definitions are for the purpose of this directive.

Defense Criminal Investigative Organization. Defined in Reference (j).

directing authority. The official who determines the objectives, scope, focus, and other details of the assigned activity. The commander or director of the DoD Component is normally the directing authority for IG investigations, inspections, and audits in that DoD Component.

Defense IG. An officer or non-commissioned officer of the Army, Navy, Air Force, Marine Corps, and Coast Guard (when operating as a Military Service in the Navy), or DoD civilian, who is assigned to duty as an IG in a DoD Component other than the Military Departments or OIG DoD. Joint IGs are a subset of Defense IGs.

formally appointed. Assigned by the DoD Component commander or director, in writing, to assume IG duties for the DoD Component.

Joint IG. An officer or non-commissioned officer of the Army, Navy, Air Force, Marine Corps, and Coast Guard (when operating as a Military Service in the Navy), or DoD civilian, who is assigned to duty as an IG in the Office of the CJCS and Joint Staff, a CCMD, a subordinate unified command, or a joint task force. Joint IGs are a subset of Defense IGs.

Military Department IGs. IGs operating under the authority, direction, and control of the Secretary of a Military Department, including IGs of their subordinate organizations. This term expressly excludes Defense IGs.

qualified. Trained to a satisfactory level of competence in an IG DoD-approved IG training course.