



DCMA Instruction 931

Inspector General: Investigations

Office of Primary Responsibility	Office of Internal Audit and Inspector General
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Approved by:	David H. Lewis, VADM, USN, Director

Purpose: This issuance, in accordance with the authority in DoD Directive (DoDD) 5105.64, establishes policy, assigns responsibilities, and provides instructions for DCMA Inspector General (IG) Investigations, which ensures the DCMA Director is aware of significant violations of Law, Regulations, or Policies having any impact on DCMA resources within areas critical to DCMA mission and vision.

SUMMARY OF CHANGES

This Instruction has been rewritten. Agency users and stakeholders should read this Instruction in its entirety. The following identifies the most notable changes:

- Incorporates new Office of Primary Responsibility (OPR) name change from the DCMA Office of Independent Assessment to the DCMA Office of Internal Audit and Inspector General (OIA-IG)
- Includes transition to the Council of the Inspector General on Integrity and Efficiency, Quality Standards for Investigations, dated November 15, 2011
- Renames DCMA-INST 931, “Investigations” to “Inspector General: Investigations”

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY. This issuance applies to Investigators assigned to the DCMA Office of Internal Audit and Inspector General (OIA-IG) and all DCMA employees who suspect criminal activities or misconduct, unless higher-level regulations, policy, guidance, or agreements take precedence.

1.2. POLICY. It is DCMA policy that:

- a. All DCMA personnel will have access to a fair and impartial Inspector General (IG).
- b. A selected, qualified, and appointed Assistant IG for Investigations is essential to the effective and efficient management and operation of DCMA general administrative investigations.
- c. The Assistant IG for Investigations will report directly to the DCMA IG. This may not be further delegated.
- d. Nothing in this Instruction will be construed as limiting the authority of the DoD IG or the independence of the DoD IG.
- e. The DCMA OIA-IG will consult and coordinate their activities with the DoD IG to enhance effectiveness, increase efficiency, and minimize conflict and redundancy.
- f. Investigators assigned to the DCMA OIA-IG are responsible for conducting thorough and impartial investigations into allegations of misconduct where DCMA has an interest. The DCMA OIA-IG has investigative jurisdiction regarding all personnel, property, and resources assigned to DCMA.
- g. All matters reported to the DCMA OIA-IG through various reporting systems will be investigated as expeditiously and completely as possible. It is incumbent upon all personnel assigned to DCMA to report matters involving criminality, misconduct, or other violations of law or regulations to the DCMA OIA-IG as soon as they become cognizant of such actions.

SECTION 2: RESPONSIBILITIES AND FUNCTIONS

2.1. DIRECTOR, DCMA. The DCMA Director will:

a. Ensure the Agency is in compliance with DoDD 5106.04, “Defense Inspectors General,” and the “Council of the Inspector General on Integrity and Efficiency (CIGIE), Quality Standards for Investigations.”

b. Ensure DCMA personnel are informed of their right to access the DCMA OIA-IG.

c. Designate the DCMA IG as the point of contact (POC) to coordinate all IG matters.

d. Ensure that the assigned duties of the IG do not interfere with their responsibility as fair and impartial fact-finders for DCMA, or create a conflict of interest.

e. When appropriate, review substantiated investigations to ensure formal identification of finding, corrective actions required have been implemented, and formal evidence of action taken by the responsible DCMA leader has occurred.

f. Ensure the DCMA OIA-IG is resourced in accordance to their mission requirements to include classification for general administrative and criminal investigators.

2.2. EXECUTIVE DIRECTOR/INSPECTOR GENERAL, OFFICE OF INTERNAL AUDIT AND INSPECTOR GENERAL (OIA-IG). The Executive Director, OIA-IG will:

a. Adhere to IG quality standards of integrity, objectivity, independence, professional judgement, and confidentiality.

b. Ensure that the assigned duties of the Assistant IG and Investigators do not interfere with their responsibility as fair and impartial fact-finders for DCMA, or create a conflict of interest.

c. 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.

d. Coordinate and address IG issues with the DoD IG.

e. Promptly report all significant criminal allegations to the Defense Criminal Investigative Service (DCIS) or the responsible Defense Criminal Investigative Organization (DCIO), in accordance with DoD Instruction (DoDI) 5505.16 and DoDI 5505.03.

f. Maintain all OIA-IG records in accordance with DoDI 5015.2, and release them in accordance with DoDD 5400.07 and DoDD 5400.11, or only as authorized by the DCMA Director.

g. Serve as the directing authority for OIA-IG investigations. The DCMA OIA-IG must not direct an investigation into allegations against the DCMA Director, themselves, or DCMA OIA-IG staff. These complaints should be elevated to the next higher-level IG or DoD IG for resolution.

h. Report to the Director on the status of all investigations, to include Command Directed Inquiries and/or Command Directed Investigations (CDIs).

i. Perform investigations, assistance, teaching, and training functions as directed by the DCMA Director and make inquiries into any matter within the scope of the Director's authority per DoDD 5106.04 and the Inspector General Act of 1978.

j. 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.

k. Recommend actions to correct deficiencies identified during investigations and monitor the progress of approved corrective actions.

l. Promptly report allegations against senior officials to the DoD IG, in accordance with DoDD 5505.06.

m. In response to an allegation referred for action by the DoD Hotline, conduct an inquiry and provide a DoD Hotline Completion Report (HCR), in accordance with DoDI 7050.01.

n. 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 HCR, in accordance with DoDI 7050.01. DoD Hotline complaints will not be transferred to another IG office without prior written approval of the Director, DoD Hotline.

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

p. Refer any matter outside the authority of the DCMA OIA-IG to the appropriate official. Coordinate complaint referral with the appropriate DoD Component.

q. Use a case tracking system that is compliant with information security requirements, in accordance with DoDI 8500.01.

r. Promptly report, and investigate when appropriate, allegations of violations of Section 1034(a) or 1034(b) of Title 10, United States Code (U.S.C), to the Whistleblower Reprisal Investigations Directorate within DoD IG, in accordance with DoDD 7050.06.

s. Promptly report allegations of violations of Presidential Policy Directive 19 and Directive-type Memorandum 13-008 to the DoD IG and provide a copy of the written

complaint to DoD IG, ensuring that classified materials are submitted through appropriate channels.

t. Ensure that complaints of violations of Section 1587 and/or 2409 of Title 10, U.S.C, are forwarded to the DoD Hotline.

u. Coordinate with other IGs as requested by the designated lead IG for the overseas contingency operation, or DoD IG in accordance with Section 8L of the Inspector General Act of 1978, and as directed by DoD IG.

v. Select, appoint, and employ such officers as necessary for carrying out the functions, powers, and duties of the DCMA OIA-IG and provide notification letters to the selected candidates.

w. Validate and approve all investigative reports. When necessary, this may be delegated to an Assistant IG.

x. Record the status of all findings, conduct trend analysis related to those findings, and provide regular status reports/briefings to the DCMA Director as required.

2.3. INVESTIGATORS, OIA-IG. The Investigators, OIA-IG will:

a. Possess professional proficiency for the tasks required in accordance to the CIGIE, Quality Standards for Investigations.

b. In all matters relating to investigative work, be free, both in fact and appearance, from impairments to independence; must be organizationally independent; and must maintain an independent attitude.

c. Ensure professional care is used in conducting investigations and preparing related reports.

2.4. COMMANDERS/DIRECTORS, INTERNATIONAL AND SPECIAL PROGRAMS DIRECTORATES; EASTERN, CENTRAL, AND WESTERN REGIONAL COMMANDS. The Commanders/Directors will:

a. Serve as the primary focal point and coordinator for all allegations not reaching the threshold investigated by the DCMA OIA-IG. As a general rule, IG appropriateness is defined in the Joint Inspector General Investigations Guide, Section 2.5, table 2.5.1 “Established Redress and Resolution Paths,” (see policy resource page for details).

b. When determined necessary, conduct CDIs into matters deemed not appropriate for the DCMA OIA-IG or another investigative channel.

c. Notify the DCMA OIA-IG upon initiation of a CDI for tracking purposes.

d. Participate in monthly and interim updates, as appropriate, to the DCMA OIA-IG on the current status of all CDIs.

e. Provide the DCMA OIA-IG a response pertaining to action taken in reference to all substantiated OIA-IG Reports of Investigation within 120 calendar days after closure of the investigation.

2.5. GENERAL COUNSEL (GC). GC will provide legal advice during the lifecycle of investigations and, when requested by the DCMA OIA-IG, GC will conduct a legal sufficiency review upon completion of an investigation.

SECTION 3: VIOLATIONS AND MISCONDUCT

3.1. CRIMINAL VIOLATIONS. Criminal incidents that concern/affect DCMA personnel, facilities, activities, assets, or stocks will be reported to the DCMA OIA-IG regardless of the location of the incident, affiliation/jurisdictional considerations, or the likelihood of redundant reporting of the incident by other DoD elements. The DCMA OIA-IG will promptly report significant criminal allegations to DCIS or the appropriate DCIO. In situations where the safety of people and property are in questions, local police or facility security personnel should be the first to be notified.

a. Reports will be submitted whenever suspected or known criminal incidents or activities occur. Information submitted under the provisions of this Instruction is intended to alert Headquarters (HQ) DCMA of significant incidents or actions which may adversely affect mission accomplishment or require timely action by HQ DCMA.

b. Reports must be made to the DCMA Hotline via phone (toll-free) 1-844-551-2067, (commercial) 804-734-0322, or DSN 687-0322; by mail/commercial delivery service addressed to the DCMA Hotline, Office of Internal Audit and Inspector General, 3901 A Avenue, Building 10500, Fort Lee, VA 23801; or online at www.dcmamil/hotline. If an immediate and/or timely response is required by DCMA HQ, the fastest method of reporting is via phone.

c. Allegations of criminal offenses not reaching the threshold investigated by any DCIO, and noncriminal misconduct will be investigated by investigators assigned to the DCMA OIA-IG.

d. All allegations of contract/procurement fraud must be reported to the Contract Integrity Center (CIC) Fraud Counsel or through the DCMA FraudNET eTOOL in accordance with DCMA-INST 906.

3.2. NONCRIMINAL MISCONDUCT. Allegations of noncriminal misconduct by DCMA employees must be reported to the DCMA OIA-IG via the reporting options listed in section 3.1.b. of this Instruction.

a. Allegations of serious misconduct by senior officials of DCMA/DoD must be promptly reported to the DCMA OIA-IG. "Senior Officials" are considered to be active duty, retired, Reserve, or National Guard military officers in the grades 0-7 and above; current or former members of the Senior Executive Service; and current and former DoD civilian Presidential appointees. Allegations of serious misconduct by senior officials must be thoroughly and fairly investigated by appropriate investigative organizations. The DCMA OIA-IG must notify the DoD IG in writing within 5 workdays of receipt of any allegations of serious misconduct by senior DoD officials.

b. All allegations of contract/procurement fraud must be reported to the Contract Integrity Center (CIC) Fraud Counsel or through the DCMA FraudNET eTOOL in accordance with DCMA-INST 906.

c. Equal Employment Opportunity (EEO) complaints must be reported to the DCMA EEO Office within 45 days from the date of the alleged incident. The EEO Complaints Line can be reached at (commercial) 804-734-2525, or DSN 687-2525.

d. Allegations of noncriminal sexual harassment will be reported to EEO.

e. Allegations of a breach of security will be referred to DCMA Security for further action.

f. Allegations of ethics violations will be investigated by the DCMA OIA-IG, or other investigative authority, as determined by the Executive Director/Inspector General, OIA-IG.

g. Investigations involving fraud, waste, and abuse of purchase/travel cards will be conducted by the DCMA OIA-IG. Notification of the potential involvement of purchase or travel cards must take place within 72 hours of becoming aware of the suspected violation. The cardholder's commander or second line/second level supervisor, as appropriate, and security manager must be notified.

h. DCMA Hotline does not accept administrative complaints that have no connection to the DCMA.

i. To avoid duplication, the DCMA Hotline generally does not accept administrative complaints for which other channels that address the matter have been established by law, rule, or regulation.

j. If an employee suspects fraud or misconduct within their chain of command and believes they cannot report the matter to their supervisor and/or anyone in the chain, the DCMA Hotline or DoD IG Hotline will be used in accordance with the DCMA Hotline Program and DoDI 7050.01.

3.3. INVESTIGATIVE PRIORITIES. The DCMA OIA-IG has the following investigative priorities in references to IG cases:

a. Priority 1 – Emergency. These cases require immediate action. They usually involve an immediate threat to life, physical harm to a person, significant property damage, or an immediate threat to national security. These cases are worked to the exclusion of everything else until the case is referred to and received by the proper authority. The suspense is established based on the urgency of the matter.

b. Priority 1 – Expedited Referral. DCMA Hotline personnel notify the proper authorities and refer the case within 1 workday of receipt. An expedited referral case may, for example, involve a danger to public health or safety.

c. Priority 2 – Prompt Referral. DCMA Hotline personnel notify the proper authorities and refer the case within 3 workdays of receipt. A prompt referral case may, for example, involve

allegations of whistleblower reprisal, senior official misconduct, or other matters of heightened concern to the agency.

d. Priority 3 – Routine. DCMA Hotline personnel refer the case within 10 workdays of receipt.

GLOSSARY

G.1. DEFINITIONS.

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 Chairman of the Joint Chiefs of Staff and Joint Staff, a Combatant Command, a subordinate unified command, or a joint task force. Joint IGs are a subset of Defense IGs.

Misconduct. Wrongful, improper, or unethical conduct motivated by an intentional purpose or by obstinate indifference to the consequences of one's actions that fails to meet the accepted standard of criminal behavior.

Policy. A set of principles, instructions and associated guidelines to direct and define DCMA actions in pursuit of objectives, operations, and plans. Establishes Agency-wide rules. Describes the “what,” “who,” and “why” of operations by defining roles and responsibilities.

Procedures. A set of mandatory step-by-step instructions established to implement Agency policy. It describes the process that must be followed to achieve the desired outcome.

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

GLOSSARY

G.2. ACRONYMS.

CDI	Command Directed Investigation or Inquiry
CIGIE	Council of the Inspector General on Integrity and Efficiency
DCIS	Defense Criminal Investigative Service
DCIO	Defense Criminal Investigative Organization
DCMA-INST	DCMA Instruction
DoDD	DoD Directive
DoDI	DoD Instruction
EEO	Equal Employment Opportunity
HCR	Hotline Completion Report
HQ	Headquarters
IG	Inspector General
OIA-IG	Office of Internal Audit and Inspector General
OPR	Office of Primary Responsibility
POC	Point of Contact
U.S.C.	United States Code

REFERENCES

- Council of the Inspectors General on Integrity and Efficiency (CIGIE), “Quality Standards for Investigations,” November 15, 2011
- DCMA-INST 906, “Fraud, Waste and Abuse,” October 29, 2014
- DoD Directive 5105.64, “Defense Contract Management Agency (DCMA),” January 10, 2013
- DoD Directive 5106.04, “Defense Inspectors General,” May 22, 2014
- DoD Directive 5400.07, “DoD Freedom of Information Act (FOIA) Program,” January 2, 2008
- DoD Directive 5400.11, “DoD Privacy Program,” October 29, 2014
- DoD Directive 5505.06, “Investigations of Allegations Against Senior DoD Officials,” June 6, 2013
- DoD Directive 7050.06, “Military Whistleblower Protection,” April 17, 2015
- DoD Instruction 5015.2, DoD Records Management Program,” February 24, 2015
- DoD Instruction 5505.03, “Initiation of Investigations by Defense Criminal Investigative Organizations,” February 13, 2017
- DoD Instruction 5505.16, “Investigations by DoD Components,” June 23, 2017
- DoD Instruction 7050.01, “Defense Hotline Program,” October 17, 2017
- DoD Instruction 8500.01, “Cybersecurity,” March 14, 2014
- DoD Joint Inspector General Investigations Guide, August 25, 2014
- Inspector General Act of 1978
- Presidential Policy Directive 19, “Protecting Whistleblowers with Access to Classified Information,” October 12, 2012
- Directive-type Memorandum 13-008, “DoD Implementation of Presidential Policy Directive 19,” July 8, 2013, as amended
- United States Code, Title 10