



DEPARTMENT OF THE NAVY  
OFFICE OF THE SECRETARY  
1000 NAVY PENTAGON  
WASHINGTON, DC 20350-1000

SECNAVINST 5430.57G  
NAVINSGEN  
29 Dec 2005

SECNAV INSTRUCTION 5430.57G

From: Secretary of the Navy

Subj: MISSION AND FUNCTIONS OF THE NAVAL INSPECTOR GENERAL

Ref: (a) SECNAVINST 5430.7N, Assignment of Responsibilities and Authorities in the Office of the Secretary of the Navy  
(b) SECNAVINST 5040.3A, Inspections within DON  
(c) 10 U.S.C. 5014, Office of the Secretary of the Navy  
(d) 10 U.S.C. 5020, Naval Inspector General: Details; Duties  
(e) 10 U.S.C. 5032, Office of the Chief of Naval Operations, general duties  
(f) 10 U.S.C. 5042, Headquarters, Marine Corps: general duties  
(g) SECNAVINST 5520.3B, Criminal and Security Investigations and related Activities with DON  
(h) SECNAVINST 7510.7E, DON Internal Audit  
(i) SECNAVINST 5200.34D, Management of Audit Decision and Follow-up Functions  
(j) SECNAVINST 5430.92A, Assignment of Responsibilities to Counteract Fraud, Waste, and Related Improprieties within the DON  
(k) SECNAVINST 5370.5B DON Hotline Program

Encl: (1) List of Selected Inspectors General

1. Purpose. To set forth the authority, mission and functions of the Naval Inspector General (the NAVINSGEN) and the Office of the Naval Inspector General (NAVINSGEN) as directed by reference (a). This Instruction has been administratively revised and should be reviewed in its entirety.

2. Cancellation. SECNAVINST 5430.57F.

3. Definitions.

a. "Area Visit" means an inspection within a specific geographic location that focuses on evaluating specific

functions within the Department of the Navy (DON), cutting across claimancy, fleet, and command lines to identify DON-wide strengths and weaknesses.

b. "Audit" means work performed in accordance with generally accepted government auditing standards (GAGAS), as well as other services, not covered by GAGAS, typically performed by auditors.

c. "DON organization performing Inspector General (IG) functions" means any entity, at any level within DON that is tasked to perform one or more of the functions within the scope of this instruction at that level.

d. "IG Chain" means the line of communication, including direction and reporting, between DON organizations performing IG functions at different levels within the chain of command, up to and including the NAVINSGEN.

e. "Inquiry" means an investigation, inspection, examination, or audit performed in support of or at the request of the Naval Inspector General, or any other type of review when used to describe the fact-finding process in response to a DOD/DON Hotline or other referral.

f. "Inspection" means any effort to evaluate an organization or function by any means or method, including special visits, technical inspections, special one-time inspections, command assessments, inspections required by law or for the exercise of command responsibilities, and inspections conducted by "technical commanders" (e.g., Surgeon General, the Chief, Civil Engineer Corps, the Judge Advocate General, etc.), reference (b).

g. "Investigation" means any form of examination into specific allegations of wrongdoing or misconduct.

h. "Survey" means the process of gathering information, without detailed verification, on an entity or function being investigated or inspected, for identifying problem areas warranting additional review or to obtain information for use in planning and accomplishing an investigation or inspection.

4. Background. Various sections of Title 10, U.S. Code, provide the statutory basis for, and define the Novinger's relationship to, the Office of the Secretary of the Navy (SECNAV), the Office of the Chief of Naval Operations (OPNAV),

the Headquarters, Marine Corps (HQMC), and the (DODIG).

a. Reference (c) places the NAVINSGEN and the performance of the IG function within SECNAV and, specifies that no other office or entity within OPNAV or HQMC may be established or designated to perform the IG function. It requires SECNAV to ensure that NAVINSGEN provides the Chief of Naval Operations (CNO) and the Commandant of the Marine Corps (CMC) such staff support, as they consider necessary to perform their duties and responsibilities.

b. Reference (d) establishes NAVINSGEN within SECNAV and states that the NAVINSGEN shall be detailed from officers on the active duty list in the line of the Navy serving in grades above captain. It requires the NAVINSGEN, when directed, to inquire into and report upon matters affecting DON discipline or military efficiency, and to make such inspections, investigations, and reports as the Secretary or the CNO may direct. It also requires the NAVINSGEN to cooperate fully with the DODIG in connection with the DO Dig's performance of any duty or function under the Inspector General Act of 1978 (5 U. S.C. App. 3) regarding the DON. It requires the NAVINSGEN to periodically propose programs of inspections to the Secretary and provides for the NAVINSGEN to recommend additional inspections and investigations as may appear appropriate.

c. Reference (e), subparagraph (b)(2) requires OPNAV, acting under the authority, direction, and control of SECNAV, to investigate and report upon the efficiency of the Navy and its preparation to support military operations by combatant commands. Reference (f), subparagraph (b)(2) imposes a similar requirement upon HQMC with respect to the Marine Corps.

5. Policy. The DON shall strive to maintain the highest level of readiness, effectiveness, discipline, efficiency, integrity, and public confidence. Candid, objective, and uninhibited internal analysis of Don's management, operation, effectiveness and administration is essential to achieve this objective. All inquiries into matters affecting the readiness, integrity, discipline, and efficiency of the DON shall be conducted in an independent and professional manner, without command influence, pressure, or fear of reprisal from any level within DON. All non-frivolous allegations of misconduct shall be thoroughly and impartially investigated and reported. All DON personnel are obligated to fully assist and cooperate with all IG actions, including inspections, investigations and inquiries. This obligation specifically includes submitting to questioning,

consistent with Constitutional, Statutory and regulatory Due Process protections.

6. Organization. The NAVINSGEN shall be a line officer with the rank of Vice Admiral or higher and shall report to the Secretary. There shall be within the Office a Deputy NAVINSGEN, who shall be a member of the Senior Executive Service, and a Deputy NAVINSGEN for Marine Corps Matters (DNIGMC), who shall be a Marine Corps General Officer. The DNIGMC shall perform the IG duties for the Marine Corps.

7. Authorities and Responsibility.

a. General. The NAVINSGEN is the senior investigative official in the DON and the principal advisor to the Secretary, CNO, and CMC on all matters concerning inspections, investigations, and audit follow-up. The NAVINSGEN shall ensure the policy expressed in this instruction is implemented within DON by initiating and conducting, or directing the conduct of, such inquiries as the NAVINSGEN deems appropriate, with particular emphasis on those matters relating to DON integrity, ethics, efficiency, discipline, or readiness, afloat or ashore. NAVINSGEN shall issue DON policy and procedures for the conduct of inquiries within the scope of this instruction and ensure compliance therewith. The NAVINSGEN shall have overall authority over those specific inquiries within the purview of NAVINSGEN and in which the Naval Criminal Investigative Service (NCIS) or the Naval Audit Service (NAVAUDSVC) may have an interest. NAVINSGEN shall provide SECNAV, CNO, and CMC information independent of the normal subordinate lines of authority and command. All DON personnel shall respond to any request or inquiry by NAVINSGEN as if made by the Secretary.

b. Relationship with the Department of Defense Inspector General (DoDIG). NAVINSGEN (DNIGMC for all Marine Corps matters) is the DON primary liaison with DoDIG. Excluding NCIS, NAVAUDSVC and Assistant General Counsel Acquisition Integrity (AGC(AI)), all DON activities shall coordinate contact with DoDIG through NAVINSGEN. DON activities, excluding NCIS, NAVAUDSVC and AGC(AI), contacted directly by DoDIG shall immediately notify NAVINSGEN and report the nature of the contact. NAVINSGEN shall ensure that the DON provides DoDIG with all necessary records, information and assistance. Activities that feel requested material should not be provided to DoDIG shall present NAVINSGEN with a detailed explanation in support of its position. The reason for recommending withholding of information from DoDIG must include at least one

of the following:

- (1) Sensitive operational plans,
- (2) Intelligence matters,
- (3) Counterintelligence matters,
- (4) Ongoing criminal investigations by other administrative units of the Department of Defense (DOD), related to national security matters.

To avoid delays, even when an activity objects to releasing information to DoDIG it should immediately collect the information being requested and prepare it for transmittal. NAVINSGEN will work with the command and DoDIG to resolve any dispute. If NAVINSGEN cannot resolve the matter to the satisfaction of the command and DoDIG it will notify SECNAV. Under no circumstance will any DON activity inform DoDIG that a request is denied. Any refusal to release material to DoDIG must be approved by the Secretary of Defense.

c. Relationship with NCIS. Per paragraph 6a of reference (g), NCIS is primarily responsible for investigating actual, suspected, or alleged major crimes within DON. In addition, per paragraph 6e of the same instruction, NCIS has primary jurisdiction in investigating fraud offenses within DON, save for procurement fraud investigations, which are DODIG's responsibility. In general, NAVINSGEN shall avoid investigations that focus on individual criminal activity, because those types of investigations fall within the expertise and authority of NCIS. Similarly, NCIS shall refrain from investigating the effectiveness of command procedures for good order and discipline or the effectiveness with which command personnel have carried out their duties, as those types of inquiries fall within the expertise and authority of NAVINSGEN. If the Director, NCIS and the NAVINSGEN disagree about which of the two organizations shall handle a particular investigation, the matter shall be referred to the SECNAV for a decision. No provision of this Instruction shall be construed to constitute supervision, or restrict or limit the authority or independence, of the Director, Naval Criminal Investigative Service.

d. Relationship with NAVAUDSVC. NAVAUDSVC conducts internal DON audits, per references (a), (h) and (i), and helps NAVINSGEN execute the DON Audit Follow-up program by verifying corrective actions if and when a subsequent audit is performed

and by maintaining a follow-up data base for NAVAUDSVC audits. However, NAVINSGEN is accountable to the Under Secretary of the Navy (UNSECNAV) for audit follow-up per reference (i). No provision of this Instruction shall be construed to constitute supervision, or restrict or limit the authority or independence, of the Auditor General.

e. Relationship with AGC(AI). AGC(AI) is the single point-of-contact for all contract fraud matters within DON. The office manages, directs and coordinates investigations of acquisition fraud and procurement integrity, it provides oversight to assure that the DON follows consistent policies and practices in all cases involving acquisition fraud and procurement integrity, per reference (j). NAVINSGEN shall forward matters under the AGC(AI) cognizance to that office for appropriate action.

f. Support to OPNAV. NAVINSGEN shall provide such support to OPNAV as required to accomplish the investigative and reporting requirements of paragraph (b)(2) of reference (e), and such other support relating to NAVINSGEN's mission as the CNO may request.

g. Support to HQMC. NAVINSGEN shall provide such support to HQMC as required to accomplish the investigative and reporting requirements of reference (f) and such other support relating to NAVINSGEN's mission as the CMC may request. Particular care will be taken to ensure the Marine Corps receives evenhanded treatment in structuring and operating NAVINSGEN, that a sufficient number of Marine Corps Officers are on the NAVINSGEN staff to ensure interests of the Marine Corps are represented, and that HQMC receives appropriate NAVINSGEN support.

h. Authority and Responsibility of the DNIGMC. The DNIGMC is the senior investigative official within the Marine Corps and the principal Marine Corps advisor to the CMC on all matters concerning inspections and investigations. The DNIGMC shall direct performance of the NAVINSGEN mission and function as it applies to the Marine Corps. A Marine Corps Order will implement this Instruction within the Marine Corps. The DNIGMC may communicate directly with the Secretary of the Navy concerning Marine Corps matters.

i. Credentials. Personnel accredited by the NAVINSGEN to conduct inspections and investigations are authorized to carry NAVINSGEN credentials signed by the Secretary.

j. Access to Information and Spaces. To carry out its responsibilities NAVINSGEN shall have expeditious and unrestricted access to and, when required, be given copies of all records, reports, investigations, audits, reviews, documents, papers, recommendations, or other material available to or within any DON activity. No officer, employee, or Service member of any DON activity may deny NAVINSGEN personnel such access. With respect to classified information and spaces:

(1) Personnel bearing NAVINSGEN credentials are certified for access to classified information and shall be presumed to have a "need to know" for access to information and spaces classified through SECRET. They shall be granted immediate unrestricted access to all information and spaces within the DON classified through SECRET.

(2) The provisions of the DON Information and Security Program Regulation shall be followed for granting credentialed personnel access to information and spaces classified above SECRET.

(3) The NAVINSGEN and personnel bearing NAVINSGEN credentials marked "Intelligence Oversight/Unlimited Special Access" are certified for access to information and spaces dealing with intelligence and sensitive activities, compartmented and special access programs, and other restricted access programs in which DON participates. When performing oversight of such programs pursuant to Executive Order, they shall be presumed to have a "need to know" for access to information and spaces concerning them. They shall be granted unrestricted access to all such information and spaces upon complying with the DON Information and Security Program Regulation and presenting a written certification from the NAVINSGEN stating the bearer is performing an oversight function of the matter for which information is sought.

k. Access Control and Routine Searches. Personnel bearing NAVINSGEN credentials shall not routinely be required to sign in or out of, or to obtain other identification for entry or access to, DON installations, commands, or ships. Personnel properly identifying themselves as representatives of NAVINSGEN shall, in the course of official business, be exempt from all routine searches of their person, briefcases, other possessions and materials used by them, their vehicles, and all occupants therein.

l. Oaths and Testimony. The NAVINSGEN and credentialed personnel may administer oaths and take testimony under oath.

m. Relationship to and Requirements for Other DON Organizations Performing Inspector General Functions.

(1) Each command or activity listed in enclosure (1) shall appoint, with the concurrence of NAVINSGEN, a full time, dedicated IG who shall bear that title. Those IGs assigned to Echelon 2 commands listed in enclosure (1) shall be either a commissioned officer in the pay grade of O-6 or higher, or, if a civilian, in the pay grade GS-15 or higher; IGs assigned to Echelon 3 commands listed in enclosure (1) shall be commissioned officers in the pay grade of O-5 or higher, or, if a civilian, in the pay grade GS-14 or higher. NAVINSGEN may waive grade requirements for those serving in affected IG positions on the effective date of this Instruction. Regardless of rank, within their command or activity, the IG shall report directly to the Commander. Reporting to the Deputy Commander at those commands wherein all Department Heads and Special Assistants report to the Deputy Commander is authorized. Assignment to other duties shall be on an exception basis. The Force/Staff Judge Advocate or Command Counsel may not serve as the IG at any level of command, as this creates an inherent conflict of interest. Additional requirements for personnel assigned to IG offices are set forth in reference (k).

(2) The Inspectors General of those DON activities set forth in enclosure (1) to this instruction shall be assigned additional duty to NAVINSGEN.

(3) In addition to any other reporting requirements they may have, all DON organizations performing IG functions shall immediately advise NAVINSGEN, through the IG Chain, prior to initiating any inquiry reasonably deemed likely to be of interest to the Secretary, the CNO, the CMC, or Congress. They shall provide periodic status reports and reports of the final disposition of such inquiries to NAVINSGEN.

(4) All Echelon 2 commands are authorized to credential their chain of command personnel to perform the mission and functions of an Inspector General, within the respective command, consistent with the requirements of this instruction.

n. Designated Individual Support. NAVINSGEN is authorized to task, by name or area and level of expertise, such military and civilian personnel of DON for temporary assignments as the

NAVINGEN determines may be required to carry out NAVINGEN's mission and functions. Travel and per diem for such temporary personnel shall be paid by their parent bureaus, offices, or commands. Subject to applicable regulations, NAVINGEN may temporarily employ civilian consultants when necessary to accomplish NAVINGEN's mission.

o. Organizational Support. NAVINGEN is authorized to task any inspection, investigative, or audit organization within DON to provide such support as the NAVINGEN determines may be required to assist NAVINGEN in the performance of its mission and functions. Costs associated with such support shall be paid by the tasked organization.

p. Conflicts of Interest. When a DON organization performing an IG function determines it is inappropriate to inquire into a matter due to the existence or appearance of a conflict of interest, bias, prejudice, or other circumstance that may place the independence or impartiality of the inquiry in doubt, it shall refer the matter to the next highest office within the IG Chain. Should the NAVINGEN determine it inappropriate for NAVINGEN to inquire into a matter for such reasons, the NAVINGEN shall request the Secretary task another entity within DON to conduct the inquiry. In the event the NAVINGEN determines there is no appropriate entity within DON to conduct an inquiry, the NAVINGEN shall so inform the Secretary.

## 8. Mission and Functions.

a. Mission. NAVINGEN shall:

(1) Inspect, investigate, assess or inquire into any and all matters of importance to DON with particular emphasis on readiness, including, but not limited to: effectiveness, efficiency, discipline, morale, economy, ethics and integrity; environmental protection; safety and occupational health; medical and dental matters; physical security; information systems management; personnel support services and other issues affecting quality of life; command relationships and organizational structures.

(2) Establish policy and procedures for the conduct of inquiries other than audits performed in accordance with GAGAS; and exercise broad supervision, general guidance, and coordination for all DON inspection, evaluation, assessment and appraisal organizations.

(3) Conduct a thorough analysis of information obtained through investigations, assessments and inspections to identify areas of strengths and weaknesses in DON that relate to matters of discipline, integrity, efficiency, and readiness, and provide appropriate recommendations for improvement.

(4) Receive allegations of inefficiency, misconduct, impropriety, mismanagement, or violations of law, and investigate or refer such matters for investigation, as the NAVINSGEN deems appropriate.

(5) Serve as principal advisor to SECNAV, CNO, and CMC on all inspection, assessments, investigation, and audit follow-up matters.

(6) Train and certify DON personnel assigned to IG and other *related* billets inherently investigative in nature and other personnel as required.

b. Functions. NAVINSGEN shall:

(1) Conduct for SECNAV, OPNAV, and HQMC, inspections and surveys of, and make appropriate evaluations, assessments, reports and recommendations concerning:

(a) Operating Forces of the Navy and Marine Corps and other afloat and shore-based commands, units, and activities, including those naval forces assigned to the unified and specified commands.

(b) All components and functions of DON, including interrelationships between Navy and Marine Corps functions.

(c) Naval programs which could impact on readiness, afloat or ashore.

(d) Naval programs that could impact on military and civilian Naval personnel quality of life.

(2) Conduct area visits and make appropriate evaluations, reports, and recommendations.

(3) Establish objectives for, coordinate, and monitor inspection programs afloat and ashore in conjunction with appropriate commanders or supervisory authorities.

(4) Coordinate the efforts of organizations engaged in periodically evaluating effectiveness, efficiency, integrity, and economy to minimize duplication and the number of necessary inspections imposed on any unit or activity.

(5) Initiate and conduct investigations into any matters throughout DON as directed by SECNAV, CNO, and CMC, or as otherwise deemed appropriate by the NAVINSGEN. Requests for investigations by other senior DON officials shall be given due consideration.

(6) Serve as the DON Hotline Program and Whistleblower Protection Act manager, as set forth in reference (k), excluding all acquisition fraud, which is managed by AGC(AI), the DON coordinator for all acquisition fraud issues.

(7) Act as release/initial denial authority for Freedom of Information Act or Privacy Act requests concerning NAVINSGEN investigations and inspections conducted by or at the direction of NAVINSGEN, and other records relating to DoD/Navy hotline complaints that have been referred to NAVINSGEN, unless NAVINSGEN further delegates this authority.

(8) Release IG reports, records, and related documents maintained by DON sources to the GAO, Defense Audit Service, and DoDIG; coordinate the release of NAVINSGEN directed IG reports, records, and related documents maintained by DON sources to federal, state and local governmental agencies or offices outside of DON.

(9) Cooperate fully with the DoDIG when DoDIG is performing any of its duties or functions under the Inspector General Act of 1978 (5 USC App 3) regarding DON.

(10) Maintain, in conjunction with the General Counsel of the Navy and the Judge Advocate General, oversight in the intelligence area and non-intelligence (special activities) to ensure DON compliance with applicable Executive Orders and make reports as required.

(11) Coordinate the inspection program aspects of the DON Environmental Protection and Occupational Safety and Health Programs, conduct oversight inspections of DON activities ashore for compliance with these programs, and make reports as required.

(12) Inspect, investigate or inquire into matters of

importance concerning fraud, waste, inefficiency and related improprieties throughout DON, excluding those matters under the responsibility of the AGC(AI), reference (j).

(13) Coordinate DON inspection programs and include the assessment of programs for detecting and eliminating fraud, waste, inefficiency and related improprieties.

(14) Coordinate with the Auditor General of the Navy on DON audit-related matters, on assessing the adequacy of corrective actions, on maintaining the audit follow-up data base for Naval Audit Service audits, and on the DON Semiannual status reports request applicable NAVAUDSVC audit follow-up actions, per reference (h) and (i).

(15) Serve as the SECNAV Point of Contact for DON audit decision and audit follow-up functions.

(16) Monitor and facilitate the audit decision process for disputed audit findings between the Naval Audit Service and audited DON organizations; if the dispute remains undecided, forward both positions, with a written recommendation to the Under Secretary of the Navy for final decision, per reference (i).

(17) Serve as the central coordinator for the DON Semiannual Report on Audit, Inspection, and Investigation Activities and for Semiannual Follow-up Status Reports.

(18) Serve as the DON central liaison with the DoDIG for GAO and DoDIG audit matters other than audit policy matters.

(19) Coordinate and cooperate with the IG of the Joint Chiefs of Staff (JCS) on matters of concern to the JCS and the Unified Combatant Commanders.

(20) Act as the DON action officer for Congressional inquiries concerning matters under the purview of NAVINSGEN.

9. NAVINSGEN Reports. The NAVINSGEN is the confidential agent of SECNAV, CNO, and CMC for obtaining uninhibited self-analysis and self-criticism of the internal management, operation, and administration of DON. Therefore, NAVINSGEN reports are internal memoranda and constitute privileged information that is not releasable outside DON except with specific approval of NAVINSGEN. All requests from sources outside the original distribution for NAVINSGEN reports, extracts therefrom, or

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related correspondence shall be referred to NAVINSGEN for coordination and clearance. Classifications and restrictions on the disclosure or use of IG reports shall be strictly observed.

10. Limitations. This instruction will not interfere with other independent authorized investigations, such as courts of inquiry or investigations under the authority of the Uniform Code of Military Justice or the Manual of the Judge Advocate General, and criminal investigations conducted by the NCIS.

11. Action. Addressees shall take such action as is expressed or implied to ensure compliance with this instruction. Chiefs of offices and activities of DON and all naval commanders and commanding officers, afloat and ashore, shall extend full cooperation to NAVINSGEN.

Dionel M. Aviles  
Secretary of the Navy  
Acting

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INSPECTORS GENERAL FOR THE FOLLOWING DON ACTIVITIES

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