



DEPARTMENT OF DEFENSE  
INSPECTOR GENERAL  
WASHINGTON, D.C. 20301

19 SEP 1983

MEMORANDUM FOR SECRETARY OF THE ARMY  
SECRETARY OF THE NAVY  
SECRETARY OF THE AIR FORCE  
ASSISTANT SECRETARY OF DEFENSE (COMPTROLLER)

SUBJECT: Contract Audit, Internal Audit and Criminal  
Investigations Joint Policy Memorandum Number 1--  
Issuance of Inspector General Subpoenas in Audits  
and Investigations

References: (a) Public Law 95-452, Inspector General Act of  
1978, as amended  
(b) DoD Directive 5106.1, "Inspector General,  
Department of Defense," March 14, 1983

A. PURPOSE

This memorandum implements the authority of the Inspector General, Department of Defense, hereinafter referred to as the Inspector General, to issue subpoenas in support of audits and investigations conducted by Department of Defense (DoD) audit and investigative agencies.

B. APPLICABILITY AND SCOPE

This Policy Memorandum applies to the Defense Contract Audit Agency; Army Audit Agency; the Army Criminal Investigation Command; the Naval Audit Service; the Naval Investigative Service; the Air Force Audit Agency; and the Air Force Office of Special Investigations (hereinafter referred to as DoD audit and investigative agencies) and to the Office of the Inspector General, DoD.

C. POLICY

References (a) and (b) establish the functions assigned to the Inspector General. These functions generally require the Inspector General to provide leadership and coordination within DoD in order to promote economy and efficiency, and to prevent and detect fraud and abuse in DoD programs. An Inspector General subpoena may be requested by DoD audit and investigative agencies and issued to obtain materials necessary in furtherance of the functions of the Inspector General.

The authority to issue subpoenas in support of activities of DoD audit and investigative agencies is necessary and appropriate in view of the fact that these agencies, consistent with the provisions of references (a) and (b), are directly involved in functions of the Inspector General, i.e., the promotion of economy and efficiency and the prevention and detection of fraud and abuse in DoD programs.

#### D. RESPONSIBILITIES

The Inspector General has the statutory authority to:

a. Issue subpoenas for the production of all information, documents, reports, answers, records, accounts, papers and other data and documentary evidence necessary in the performance of the functions assigned by the Inspector General Act (reference (a), Section 6(a)(4)).

b. Initiate, conduct, and supervise such audits and investigations in DoD and the Military Departments as the Inspector General considers appropriate (reference (a), Section 8(c)(2)).

c. Request assistance as needed from other audit and investigative units of the Department of Defense (reference (a), Section 8(c)(8)).

#### E. PROCEDURES FOR ISSUANCE OF INSPECTOR GENERAL SUBPOENAS

1. The DoD audit and investigative agencies may, in accordance with procedures prescribed by the Inspector General, request issuance of an Inspector General subpoena in support of audits and investigations being conducted by them when:

a. The audit or investigation is in furtherance of a statutory function of the Inspector General; and

b. Such audit or investigation is believed to be within the scope of Title 5, United States Code, Appendix I, Section 8(c)(2) (reference a).

2. Such requests will be forwarded to the Inspector General through the Office of the Assistant Inspector General for Criminal Investigations Policy and Oversight, Office of the Inspector General, Department of Defense.

3. If the Inspector General determines the audit or investigation to be in furtherance of an Inspector General function and is otherwise appropriate, the Inspector General may issue a subpoena and thereby designate the matter in which the

subpoena is being issued as an "Inspector General Assigned Audit or Investigation." Regular status reports to the Inspector General will be required in addition to a report concerning the materials obtained in compliance with the Inspector General subpoena.

F. EFFECTIVE DATE AND IMPLEMENTATION

This Policy Memorandum is effective immediately. The DoD audit and investigative agencies shall take appropriate steps to expeditiously notify the Inspector General, DoD, of audits and investigations, where the issuance of an Inspector General subpoena may be appropriate, so that subpoenas can be issued in a timely manner. Guidelines concerning subpoena requests and issuance procedures will be issued by the Inspector General within 60 days.

  
Joseph H. Sherick  
Inspector General