

DEPARTMENT OF THE NAVY
Office of the Chief of Naval Operations
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Op-08
8 June 1953

INSGEN INSTRUCTION 5430.1A

From: Naval Inspector General
To: Distribution List

Subj: Investigations and Administrative Inspections; instructions concerning

Ref: (a) Public Law 432, 80th Congress, approved 5 Mar 1948 (5 U.S.C. 423f)
(b) SECNAV INSTRUCTION 5042.1 of 9 May 1953
(c) OPNAV INSTRUCTION 5430.5 of 22 May 1953

1. Purpose. The purpose of this instruction is to set forth the organization, missions, functions and procedures of the Investigations and Administrative Inspections Division, Office of the Naval Inspector General. The instructions contained in this directive are intended as guides. Attention is invited to the fact that no written set of instructions can take the place of good common sense. The policies stated herein are believed clear, however, unforeseeable circumstances encountered in the many and varied types of inspections and investigations may indicate a deviation from some of the details set forth. In such instances the discretion of the inspector or investigator will govern.
2. Cancellation. INSGEN INSTRUCTION 5430.1 (formerly Manual of the Office of the Naval Inspector General, June 1950) is hereby superseded and cancelled.
3. Background. The statutory authority for the establishment of the Office of the Naval Inspector General is contained in reference (a), which states the mission of that Office in general terms. Reference (b) assigns certain additional functions (Shore Establishment Survey Division and Industrial Survey Division) to the Office of the Naval Inspector General and outlines the policy concerning them. Reference (c) is a letter of instructions to the Naval Inspector General and to Naval Commands to which Inspectors General are assigned.
4. Organization - Office of the Naval Inspector General
 - a. Naval Inspector General (Op-08)
 - (1) Rank - Flag Officer, eligible for command at sea.
 - (2) Mission - When directed by the Chief of Naval Operations or the Secretary of the Navy, to inquire into, and report upon, any matter which affects the discipline or efficiency of the Naval Establishment.
 - (3) Functions - (a) To make such inspections, investigations, surveys and reports as may be directed and/or required by the Chief of Naval Operations or higher authority.
 - (b) To conduct continuing surveys of the Shore Establishment in accordance with current directives.
 - (c) To prepare instructions to guide Inspectors General in the conduct of investigations and inspections.
 - (d) To propose programs of inspections to the Chief of Naval Operations and recommend such additional inspections and investigations as appear appropriate.

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(e) To maintain effective liaison with Chiefs of Bureaus and Offices of the Navy Department (either directly or through their Inspectors General) or their field agencies, and coordinate field inspections of Bureaus and Offices with inspections and surveys conducted by the Office of the Naval Inspector General to insure that the total number of field inspections and surveys emanating from the Navy Department be maintained at the absolute minimum required by the Department.

(f) To report, as appropriate, regarding compliance with, and the effectiveness of, directives of the Chief of Naval Operations and higher authority.

(g) To assist naval commands in the performance of their duty by supplying information and, when appropriate, suggesting ways and means to improve conditions, and by recognizing and reporting smart performance of duty.

(h) To report impartially on all irregularities, inefficiencies, or defects discovered and make pertinent recommendations.

b. Investigations and Administrative Inspections Division (Op-81)

(1) Rank - Captain, eligible for command at sea.

(2) Mission - Assist the Naval Inspector General by conducting such investigations and inspections as may be directed.

(3) Functions - (a) To make investigations of reported irregularities, inefficiencies, or defects and report results in accordance with current directives.

(b) To conduct administrative inspections and report results in accordance with current directives.

(c) To propose programs of inspections and recommend such specific inspections as may appear appropriate.

(d) To indoctrinate such officers as may be assigned in matters relating to investigations and inspections.

(e) To report, as appropriate, regarding compliance with, and the effectiveness of, directives of the Chief of Naval Operations and higher authority.

c. Shore Establishment Survey Division (Op-82)

(Will be covered by an INSGEN INSTRUCTION to be issued at a later date).

d. Industrial Survey Division (Op-83)

(Will be covered by an INSGEN INSTRUCTION to be issued at a later date).

5. Inspections:

a. Objective. The object of inspections (excluding material and technical inspections) is to promote efficiency and economy by observing and reporting upon the state of work and discipline, condition and preparedness of commands and other activities to fulfill their respective missions, by determining whether or not law and regulations are being complied with and by reporting upon the general, economic, and administrative efficiency of naval activities.

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b. Preliminary.

(1) Study the area or unit and the nature of the activities to be inspected. Where appropriate, consult the general plans of the area and its activities. Become thoroughly informed on directives, general and special, of the Chief of Naval Operations which apply to the activities to be inspected. Be prepared to report upon the expeditious compliance with such directives and their effectiveness. Necessarily, the size, importance, and apparent condition of an activity, as well as the time available, will usually determine the degree of detail in which it should be scrutinized and the best line of inquiry to be followed.

(2) Study the organization of the activity to be inspected, the local manuals and regulations. Consult previous inspection reports on the activity. Irregularities and deficiencies listed should be noted for check during the course of the inspection to determine whether corrective action has been taken.

(3) Factors with which an Administrative Inspection is concerned should be determined prior to the inspection. Depending on the area or activity, such an inspection may include some, or all, of the following factors. However, the list is not intended to exclude other factors.

(a) General.

1. Command relationships, including operational efficiency related to harmony within and among the various departments, sections, and units.
2. Management effectiveness related to morale and productivity of personnel.
3. Adherence to, and compliance with, existing regulations, policies, and technical instructions.
4. Observance of customs.

(b) Specific.

1. Welfare and Morale of personnel.
2. Administration of recreation.
3. Administration of discipline.
 - a. Handling of prisoners-at-large.
 - b. Muster systems and liberty cards.
 - c. Administration and supervision of brig.
4. Observance of security regulations.
5. Adequacy and observance of fire bills.
6. Adherence to sanitary regulations.
7. Quality and effectiveness of public relations.

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8. Cleanliness and orderliness of physical plant.
9. Neatness of personnel.
10. Administration of general messes and officers' messes (Open) and (Closed).
11. Adequacy and general conduct of re-sale activities.

c. Consultation with Bureaus and Offices. Consultation with representatives of bureaus and offices interested in the various activities and units to be inspected is important and should be conducted prior to starting the inspection. To the extent practicable, the Office of the Naval Inspector General coordinates field inspections by bureaus and offices with inspections and/or surveys conducted by the Naval Inspector General.

d. Suggestions on Making an Inspection.

(1) An Inspector General should endeavor to make his inspection helpful and constructive. He should strive to attain the confidence of all with whom he comes in contact and he should be courteous, approachable, and patient. In pointing out discrepancies, his tone and manner should be free from sarcasm or ridicule, and his criticism should be accompanied by suggestions for correction or improvement. He should be meticulous as to appearance and bearing, in the uniform of the command inspected, and punctilious in observing the customs of the service and good manners.

(2) The inspector's first duty on entering a naval reservation or on reporting on board a naval vessel, is to call on the commanding officer to pay his respects and have a personal conference regarding the details of the contemplated inspection. The letter of authority directing the inspection should be presented at this time.

(3) When the inspection is to cover several activities, it is well to have an itinerary drawn up during the conference with the commanding officer, covering the activities to be inspected during each day of the inspection and fixing the approximate time at which the inspection of each activity will begin. This is helpful to the inspecting officer as well as to the command being inspected; the schedule should be adhered to as closely as practicable.

(4) Transportation necessary to facilitate the inspection should be arranged for at this time.

(5) Request such clerical or technical assistance as may be required.

(6) Office space, at least desk space, should be requested and provided.

(7) A conference after the inspection should be arranged if possible. Many points can be brought out. You are there to help.

e. General Hints on Methods and Notes.

(1) Analyze the functions of the activity to be inspected. Check the operation of the activity to learn whether or not effort is being wasted on details not essential to the efficient performance of its functions.

(2) During the inspection and when accompanied by the commanding officer responsible for the particular organization or activity being observed, avoid scribbling notations except data requested. Notations regarding your observations should be made in the privacy of your office or quarters.

(3) Notes should not be voluminous, just the vital things in outline. The writing of the report will be facilitated by a subject index placed in the notebook.

f. Conduct of an Inspection.

(1) Throughout his visit, the inspector should take opportunity to stress the desire to be helpful in furthering efforts to improve conditions. The commanding officer will be invited to discuss local needs, his own efforts to correct deficiencies, and the present status of projects designed to effect improvements, to the end that the Inspector General may assist by reporting these conditions to the authorities empowered to take appropriate final action.

(2) Inspectors General have no authority to interpret orders received or to issue any orders whatsoever and should be guarded in making suggestions lest they be misconstrued. They have no command authority.

g. Report.

(1) On return to his station from an official tour, the inspecting officer should (1) report verbally to his superior officer, matters which, in his judgment, require immediate attention; (2) submit as soon as possible a memorandum report; (3) submit the formal written record as soon as practicable.

NOTE: The Inspector General or other superior will take such appropriate immediate action with the Chief of Naval Operations,

Bureau or Office concerned, as he deems necessary. Descriptive and historical matter is usually superfluous and normally serves no purpose, as higher headquarters usually have the figures and these merely pad the report. It is, however, proper to insert such data as is necessary to illustrate a conclusion reached by the Inspector General.

(2) Irregularities and deficiencies which have been previously reported and have not been corrected should be incorporated in the body of the report with suitable remarks. It is not good practice to include a long list of minor matters; however, willful and intentional disregard or violation of general or special directives, standing orders and regulations, evidences of poor discipline and poorly exercised command functions by responsible authorities, maladministration, etc., should be listed as major irregularities and deficiencies.

h. Conclusions and Recommendations. Conclusions and recommendations should be well considered and confined to important matters. In reaching a conclusion of unsatisfactory or inefficient administration of an activity, the inspector must present convincing explanatory data. If an inspector finds that he has no recommendations to make for improvement in the activity inspected, he should have no hesitancy in so stating. Brevity, consistent with clearness, is desirable in both conclusions and recommendations.

1. Material for Report.

(1) Some individual judgment and initiative must necessarily be exercised. No hard and fast rules can be laid down and only general principles may be outlined. A report of inspection lists, out of the great mass of matters the inspector may have inquired into, only those which are manifestly important or require action of some kind.

(2) Lengthy, descriptive material concerning small activities common to all similar units or stations, long statistical data on cost of personnel, etc., are usually unnecessary. Such information is ordinarily already available. Unless used as a basis for forming definite conclusions or recommendations, it is best omitted.

(3) Guides for specific types of inspection are maintained in the Office of the Naval Inspector General.

6. Investigations:

a. Duties of Investigating Officers. The Office of the Naval Inspector General is an instrumentality placed at the disposal of the Chief of Naval Operations to assist him in naval administration. Officers of the Naval Inspector General's Office, when utilized to make

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investigations, are confidential agents of the Chief of Naval Operations or the Secretary of the Navy, as the case may be, and it is their duty as such to collect all the facts in the case and then to make as nearly a complete and impartial presentation of the evidence on both sides as possible. Similarly, when directed by competent authority to make an investigation, Inspectors General other than the Naval Inspector General are confidential agents of such authority.

b. Uniform Code of Military Justice. It is emphasized that investigations conducted in accordance with the foregoing and the guides hereinafter set out are not to be confused with pre-trial investigations required by Article 32, Uniform Code of Military Justice.

c. Confidential Nature of Investigations and Reports. As investigations are normally confidential, unless a different procedure is prescribed by the authority ordering the investigation, the reports of investigation and the accompanying testimony and exhibits are likewise confidential. Further, there is no requirement in law or practice for furnishing any persons with copies thereof, other than that incident to maintaining official records in the chain of command. In event of an issue arising thereon, the final decision as to furnishing reports or extracts therefrom rests with the Secretary of the Navy. This applies also to furnishing a witness a copy of his own testimony.

d. Informal Discussions. Investigating officers should refrain from informal conversations or comment upon subjects under investigation. In this connection, also note subparagraph 1(1)(e)1 below.

e. Authority for Investigation.

(1) Investigations are conducted by Inspectors General when ordered by competent authority.

(2) Also, when during the course of an investigation, additional complaints or allegations arise affecting individuals or pertaining to facts or conditions detrimental to the naval service, investigations thereof will be made, if considered of sufficient importance, without further reference to the directing authority. The result of this supplementary investigation will either be included in the report or will be made the subject of a supplemental report.

(3) Also, when during the course of an inspection, complaints or allegations arise affecting individuals or pertaining to facts or conditions detrimental to the naval service, investigations will be made, if considered of sufficient importance, without further reference to the directing authority.

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f. Conduct of Investigation.

(1) Preface. In the conduct of investigations under the provisions of this part, investigating officers are cautioned to assure that during the course of the investigation no person against whom allegations have been made, or who is suspected of an offense, is required to testify or to make a statement, without first informing him of the nature of the accusation or suspicion, and advising him that he does not have to make any statement regarding the offense, and that any statement made by him may be used against him. See also UCMJ Art. 31(b).

g. Preliminary Study of Case. The investigating officer should make a thorough study of the subject matter of the investigation in order to familiarize himself with its details and to draw up a convenient and effective plan of procedure before undertaking the interrogation of witnesses.

h. Arrangements to Obtain Evidence.

(1) Prompt steps should be taken to obtain any documentary evidence needed in the case in order that it may be studied prior to the interrogation of witnesses.

(2) It should be understood that civilian witnesses cannot be subpoenaed and that funds to cover travel expenses or fees to civilian witnesses are not authorized. As to military witnesses, the investigating officer may request orders covering his travel to their ship or station; or he may request that they be ordered to appear before him on board his ship or at his station; or he may, if necessary, prepare a questionnaire or synopsis of the matter regarding which they are expected to testify and request that it be referred to an appropriate officer at or near the witness' station, in order to obtain the testimony desired. In this connection it is essential that there be included with the questionnaire or synopsis a sufficient background of the case to enable the designated officer to interrogate intelligently the witness, and also, if a questionnaire has been furnished, to enable the interrogator to interpolate further appropriate questions; or, if a synopsis only has been furnished, to enable the interrogator to develop fully the witness' knowledge of the matters at issue. In making arrangements to interview witnesses, care should be taken not to violate the following provisions:

Advance information regarding questions to be asked in an investigation will not be furnished by anyone to any person who is expressly or impliedly involved in the matters under investigation, nor will such information be furnished to any person unless the nature of the investigation or some phase thereof makes such procedure necessary.

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If a witness subject to military law refuses to testify on grounds other than as provided for by the Uniform Code of Military Justice, Article 31, and declines to respond to the requests of the investigating officer to proceed, such refusal may be reported to the commanding officer of the witness with a request that he be ordered to respond under penalty of disciplinary action. In the case of a civilian witness not subject to military law, who is employed by the Federal Government, any refusal to testify on grounds other than his constitutional rights may be reported to his local superior with a request that appropriate action be taken to cause the witness to testify under the penalty of disciplinary action. If there is no local superior of the obstinate or contemptuous witness, the facts and circumstances may be reported to the investigating officer's superior with a request for appropriate action by higher authority. In dealing with a civilian witness, not connected with the Federal Government, who refuses to testify, the investigating officer should attempt to persuade the witness to respond as a civic duty in aiding the administration of the Naval Establishment. If the witness persists in a refusal to give evidence in any other form, an effort should be made to obtain his unsworn statement.

1. Kinds of Evidence. Evidence obtained by investigating officers comprises sworn testimony (which should be recorded verbatim), documentary evidence, and personal observation.

(1) Sworn Testimony.

(a) Persons Present during Interrogation. It is generally improper in the conduct of investigations under the Office of the Naval Inspector General to allow the person whose conduct is being investigated, or any third party other than the stenographic reporter, to be present during the examination of any witness or to cross-examine any witness. The presence of any third party may be very detrimental to the establishment of the facts. However, this matter is left to the discretion and judgment of the authority ordering the investigation or the investigating officer. In the event such privilege is granted, however, that fact will be stated in the record with the reasons which prompted such action.

(b) Preliminary Steps in the Interrogation.

1. The first step is to swear the witness; the second step is to identify him by asking him to state his full name, rank, organization, station and duty, or in appropriate cases, residence and occupation; and the third step is to inform him of his constitutional rights as a witness, viz, that he will not be required to incriminate himself or to answer any question which may tend to incriminate or degrade him. (Distinguish between incriminate and

degrade. See subparagraph 1(1)(b)3 below). If the witness is a person subject to military law, this will be accomplished by reading and explaining to him Article 31 of the Uniform Code of Military Justice, and questioning him as to his understanding of its provisions. If the witness is a person not subject to military law, this will be accomplished by explaining to him his rights under the Constitution, which are substantially the same as those provided in Article 31 of the Uniform Code of Military Justice. The three steps listed above, as well as the testimony, will be recorded in the transcript.

2. In this connection, it should be understood that, regardless of the desire of a military witness as to testifying, he should, upon any point involved concerning which he might be a material witness, be called by the investigating officer and required to testify under oath, subject always to his right to refuse to answer any question which may tend to incriminate or degrade him.

3. A witness may decline to answer a question that might tend to degrade him only when it pertains to collateral, irrelevant or immaterial matters, the only effect upon the case being to impair his credibility. He may not decline to answer such a question when the answer would be material to the matter under investigation. As to whether or not the answer to a question which might tend to degrade a witness is material to the issue, this latter point may properly be decided by the investigating officer. As to the refusal of a witness to testify at all, or to make reply to any specific question without directly claiming his aforesaid rights, the investigating officer should request the witness to state his reason for refusing to testify or to answer any specific questions, as the case may be, and, in the event the witness still refuses to state his grounds, or said grounds are unsatisfactory, the investigating officer should then refer the matter to the witness' local commanding officer for appropriate action (all conversations with the witness should be recorded).

(c) Swearing Witnesses. All witnesses who are subject to the jurisdiction of the Navy Department, either as members of the military establishment or civilian officials or employees, will be sworn. The unsworn testimony of other witnesses may be accepted and duly evaluated, if they object to being sworn. The oath to be administered to witnesses when taking sworn testimony is as follows:

You, A..... B....., do solemnly swear (or affirm) that the testimony you shall give in the matter under investigation shall be the truth, the whole truth, and nothing but the truth, so help you God (or this you do under the pains and penalties of perjury).

(d) Questioning Witnesses. It is customary at this point to inform a witness of the nature of the investigation. The investigating

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officer then may ask a general question, such as, "What knowledge do you have, or what information can you give regarding the subject matter of the investigation?" or the investigating officer may decide to open his interrogation by asking specific questions at the outset with a view to obtaining at once, in detail and in chronological order, the witness' testimony regarding the matters involved. However, although every effort should be made to develop fully the witness' knowledge concerning the matters under investigation, the investigating officer should remember he is not in any sense a prosecutor, but a fact-finding agent charged with making as nearly complete and impartial presentation of the evidence on both sides as is possible.

(e) Statements "Off the Record" and Estimates of the Witness' Credibility.

1. Witnesses should not be allowed to make statements "off the record". It should be understood that the investigating officer is required to present in the written record, for the information of the reviewing and higher authorities, all the testimony and evidence obtained during the course of the investigation, as well as that from which he deduces the facts upon which he bases his conclusions.

2. During the course of the interrogation, the investigating officer should study carefully the bearing and worthiness of belief of each witness, for the purpose of setting forth in his discussion of the case such factors relating thereto as were considered by him in his determination of the facts.

(f) Informing Witness of Prejudicial Accusations. When matters prejudicial to the character, standing or efficiency of any person are originally alleged or arise during the course of an investigation, the investigating officer will make known to the person concerned the exact nature of the prejudicial accusations or allegations against him as contained in documentary evidence or the testimony of witnesses. It is essential that the investigating officer afford that person opportunity to defend himself by his own oral testimony, by the testimony of any witnesses he may desire heard in his behalf, and by such written statements (sworn to, if practicable) of himself or others as he may desire to submit. It should be noted that the regulations leave to the discretion of the investigating officer, when, during the course of the investigation, and in what manner (orally or in writing) he complies with the aforesaid provision. In this connection, it should be distinctly understood that a principal to an investigation is not entitled to cross-examine any witness (see subparagraph i(1)(a) above), nor may he be furnished a transcript of any testimony (see paragraph 6c above).

(g) Scope of Investigation. All phases of the matters under investigation, together with additional matters arising during the course of the investigation, should be carefully inquired into, and the investigating officer should be on the alert to follow up any pertinent leads coming to his attention. However, in this connection, the investigating officer must exercise his discretion and common sense in the conduct of the investigation, and not permit minor issues to occupy a disproportionately large part of the investigation to the obscurity of the major issues.

(h) Concluding Questions.

1. The interrogation of each witness should conclude with a question worded substantially as follows:

Q. Have you anything further to state, or any further information to give in this case?

2. The following additional questions are customary in the case of a witness against whom accusations have been made:

Q. Do you desire to have any additional witnesses called in your behalf, or that I recall and question any witness regarding any particular phase of this matter?

Q. Do you desire to submit a statement, sworn or unsworn, in addition to this testimony?

3. In the event the answer to the last question above is in the affirmative, the investigating officer will inform the witness that he will be allowed a specified time to prepare and submit such a statement and he will then be asked:

Q. Do you understand that you will be allowed days to prepare and submit such a statement to me?

(2) Documentary Evidence. All pertinent documentary evidence relating to the subject matter of an investigation should be obtained by the investigating officer, and the original papers, photostats, or true copies thereof, attached as exhibits to the report of investigation.

(3) Observations of the Investigating Officer. At times, the observations of the investigating officer regarding some particular element of the case will be of great value in establishing the facts thereon. In such event the investigating officer should include, as an exhibit to the report, a statement of his own observations.

j. Establishment of Facts. The primary mission of the investigating officer is to present the facts. After the field work is completed, and before even tentative conclusions are made, it is essential that the investigating officer make a list of the facts based on the evidence obtained by him. Determination by the investigating officer as to the facts of the case is fundamental. It should be understood that a fact is a definite determination of the truth of a pertinent element, as established on the basis of the testimony, documentary evidence and the personal observations of the investigating officer, if made of record. As to the determination of a fact, the evidence must be substantial; that is, it must afford a substantial basis of fact from which the fact at issue can be reasonably inferred, and which is more than a scintilla and does more than create a suspicion of the existence of the fact to be established. However, when reasonable doubt arises, it should be understood that that term does not imply fanciful or ingenious doubt or conjecture, but substantial, honest, conscientious doubt, suggested by the material evidence, or lack of it, in the case.

k. Conclusions. Just as the facts are based on the appended evidence, so are the conclusions based on the established facts. It should be clearly understood that conclusions follow from the facts, and that sound conclusions must be fully supported by the facts set forth in the report. Conclusions should not be a repetition of the facts, differently worded, but should be condensed statements of the results of the investigation.

l. Recommendations. Recommendations comprise the investigating officer's suggestions as to appropriate action to be taken to best serve the interests of discipline, remedy and correct such irregularities and deficiencies as may have been established, and make suitable disposition of all phases of the case. Investigating officers should guard against making recommendations that are inconsistent with their conclusions, are impractical to carry out, or are in such detail as to infringe upon the prerogatives of the directing authority in the choice of procedure or upon the administrative functions of his staff.

m. Preparation of Report. As indicated throughout this guide, the report must be a complete, written record, covering every angle and phase of the matter, to which is appended all of the testimony and documentary evidence obtained as well as a copy of the correspondence, or *résumé* of oral instructions, on which the investigation was based. The report is not only the basis of subsequent action, but becomes the permanent record in the case. These records are frequently referred to in later years. It therefore behooves investigating officers to take care that all statements and references are correct, and that the matter is systematically and clearly presented and grammatically correct. The two types of report discussed below have been

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evolved through the experience of many years. However, if the investigating officer finds that, owing to some unusual aspect of his case, it does not appear practicable or advisable to follow strictly one of these forms, he may deviate therefrom insofar as, in his judgment, it is necessary.

n. Types of Report. Two types of report are discussed below. One is called the regular type; the other is called the multiple type. The regular type is used when the investigation concerns only a few principals and relates to a small number of allegations. The multiple type is used when the investigation concerns too many principals or relates to too many allegations to handle conveniently and clearly in the regular type of report.

(1) Regular Type of Report.

(a) Attention is particularly invited to the fact that notwithstanding the division of the report into six sections, the paragraphs of the report should be numbered consecutively in one series throughout the whole report. This obviates the necessity of referring to the section when making references to a particular paragraph, and also tends to obviate errors in references thereto. The following designations for each section have been found appropriate and are customarily used:

- I. AUTHORITY.
- II. MATTER INVESTIGATED.
- III. FACTS.
- IV. DISCUSSION.
- V. CONCLUSIONS.
- VI. RECOMMENDATIONS.

(b) The following remarks are supplemental to those contained in paragraphs 6i, j and k above, and apply particularly to the contents of each of the sections heretofore indicated:

I - AUTHORITY

This section should contain a brief statement of when, where, and by whom the investigation was made, and the authority in the first instance for making it. For example, if the Navy Department directs that a matter be investigated, the authority cited for making the investigation should be stated as such-and-such indorsement, Navy Department, dated so-and-so, with appropriate Navy Department file number and reference.

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II - MATTER INVESTIGATED

This section should contain a presentation of the matter investigated and the name of the person or persons principally concerned, whether in the first instance or following developments in the investigation. If the allegations are too involved or too long cited, a synopsis may be set forth, and appropriate reference made to the copy of the papers in the appendix upon which the investigation was based. A case may arise where the investigation is a continuation of an investigation that was initiated elsewhere or where the investigation is supplemental to another investigation. In such case, before the subject matter and allegations of the current investigation are stated, a brief resume of the original investigation should be set forth, including the results thereof and the causes that led to the current investigation.

III - FACTS

This section should contain a coherent exposition of all the pertinent facts that have been established by the investigating officer. Ordinarily, coherence will be best achieved by presenting the facts as to each allegation or element of the investigation in the same order in which they are listed or referred to in Section II. However, in some instances, clarity will be accomplished by arranging their presentation in chronological order.

All facts set forth in this section must be supported by affirmative evidence appended to the report, and each specific statement of fact should be followed by parenthetical exact references to the evidence on which the fact is predicated. The use of such an expression in this section of the report as "it appears" indicates that a determination of fact has not been made by the investigating officer, and that the statement in question is in the nature of a conclusion. (See paragraph 61 above). Further, no evaluation of testimony should be included in this section. Such matters should be presented in the discussion.

In an exceptional case, where the only evidence procurable concerning an element of the case, is the conflicting statements of two witnesses who seem to be entitled to equal credence, the investigating officer may quote from the testimony of the witnesses, or he may state in general terms what the witnesses have testified; but this procedure should be exceptional and not used in lieu of making a determination of the facts based on a study, analysis, and weighing of the evidence.

IV - DISCUSSION

In order to give the directing authority the clearest possible picture, this section should set forth, when appropriate, the presumptions and inferences to be drawn from all the circumstances in the case.

Also, the investigating officer's observations as to the bearing and worthiness of belief of the key witnesses, if deemed to have sufficient significance, should be presented in this section, together with any mitigating, extenuating, or explanatory circumstances. In reports where- in a narrative account of the matter under investigation is not obtained by reading sections II, III, and V, it is particularly important to supply that need in this section. On the other hand, the matters investigated may run so smoothly and clearly as to warrant omitting a discussion. In that event, this section should be indicated and worded substantially as follows:

This case possesses no aspects or conditions requiring special discussion, and there are no mitigating, extenuating, or explanatory circumstances.

V - CONCLUSIONS

The conclusions should cover all elements or phases of the matter investigated, and they should be taken up in the same sequence, if practicable, as was used in presenting the facts. Conclusions should not be a repetition of the facts merely worded differently. They should consist of a concise summing up of the case, directly consequent from, and supported by, the facts. Inasmuch as facts and conclusions are frequently very closely associated, it is necessary to clearly grasp the distinction between a fact and a conclusion, and consistently hew to the line in that respect. In this connection, it is suggested that paragraphs 6i and j above be studied carefully.

VI - RECOMMENDATIONS

The recommendations should follow, as far as practicable, the same sequence as was used in the presentation of the conclusions. Recommendations should be consistent with and appropriate to the conclusions. As to whether the investigating officer's recommendations should be in detail or general in nature, attention is invited to the remarks on this subject in paragraph 6(l) above.

(2) Multiple Type of Report.

(a) This type consists simply of a common introduction(s) (sections I and II) to a series of regular reports--each embracing the allegations, facts, discussion, conclusions, and recommendations specifically pertaining to a portion of the report--placed one under the other (in section III), followed by a general discussion (section IV), general conclusions (section V), and general recommendations (section VI). It is obvious that in writing this type of report (in fact before undertaking the field work) the first step is to decide on the number of

regular reports that will be necessary to cover the assignment, and then to break down the subject matter of the investigation in detail, generally grouping the allegations with respect to an individual or element of the case.

(b) Although this type of report also is divided into six sections, naturally it necessitates the use of slightly different headings for sections III, IV, V, and VI. Appropriate headings are specified below. It should be noted that section III is broken down so as to indicate the repetition of specific allegations, facts, discussion, conclusions, and recommendations in each portion of this section:

- I. AUTHORITY.
- II. MATTERS INVESTIGATED.
- III. SPECIFIC ALLEGATIONS, FACTS, DISCUSSION, CONCLUSIONS, AND RECOMMENDATIONS.

Subject A:

- a. Allegations.
- b. Facts.
- c. Discussion.
- d. Conclusions.
- e. Recommendations.

Subject B:

(Same as above.)

Subject C:

(Same as above.)

Etc.

- IV. GENERAL DISCUSSION.
- V. GENERAL CONCLUSIONS.
- VI. GENERAL RECOMMENDATIONS

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(c) The comments heretofore made in paragraph 6a(1) regarding the contents of each section of a regular type of report are in general, applicable to the contents of each section of the multiple type of report, provided the following additional comments are noted:

I--AUTHORITY. No change.

II--MATTERS INVESTIGATED. It is obvious that the statement of matters investigated should consist of synopsis, rather than a detailed presentation of the allegations, which will be set forth specifically in section III.

III--SPECIFIC ALLEGATIONS, FACTS, DISCUSSION, CONCLUSIONS, AND RECOMMENDATIONS. As previously stated, each portion of this section begins with an allegation or group of allegations pertaining to an individual or element of the case. The facts, discussion, conclusions and recommendations in each portion of this section should be strictly limited to the specific matter in hand.

IV--GENERAL DISCUSSION. In this section should be discussed matters having general application only to the whole assignment.

V--GENERAL CONCLUSIONS. This section should contain only those conclusions which have a general application. However, it is essential, in order that the conclusions set forth in section III may not be overlooked, to make a reference thereto, giving paragraph and page numbers.

VI--GENERAL RECOMMENDATIONS. This section should contain only those recommendations which have a general application. However, it is essential, in order that the recommendations set forth in section III may not be overlooked, to make a reference thereto, giving paragraph and page numbers.

o. Index and Exhibits to Regular and Multiple Type Reports. On a page or pages immediately following the investigating officer's signature, there should be given an index of the appended evidence.

(1) First, a tabulation of witnesses should be arranged alphabetically, including full name, rank, organization, and station (or residence and occupation) of each witness, and a reference to the exhibit of transcribed testimony; i.e., page numbers and question numbers included in his testimony.

(2) Then a list of the documents appended. This list should include, besides the title of each document, a reference to its alphabetical designation. (See subparagraph (3) following).

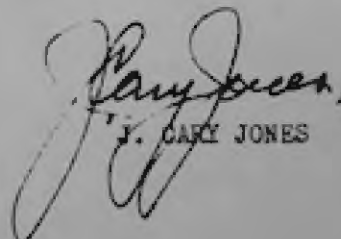
(3) Exhibits are designated by letters of the alphabet. Exhibit "A" is generally a copy of the correspondence upon which the investigation is based. All of the sworn testimony should be designated as one exhibit, usually Exhibit "B", and usually arranged in the order in which it was taken with the questions numbered consecutively in one series, and the pages likewise numbered consecutively in one series. The remaining documentary evidence is given appropriate designations as Exhibits "C", "D", "E", etc.

p. Concluding Suggestions.

(1) Each report of an investigation should be bound with secure fasteners. In the event the exhibits are bulky, they may be bound as Parts I, II, III, etc.

(2) Inspectors General, or other officers requisitioned as inspectors, when directed to conduct investigations, are requested to follow the format outlined in this INSTRUCTION wherever practicable.

q. Disposition of Reports. Reports of investigations directed by the Naval Inspector General shall be forwarded to the Naval Inspector General in triplicate (original and two copies), unless a greater number is specified in the instructions directing the investigation. One copy of each report of an investigation directed by any other activity of the Naval Establishment shall be forwarded by the activity concerned to the Naval Inspector General.



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DEPARTMENT OF THE NAVY
Office of the Chief of Naval Operations
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INSGEN 5430
Ser 256P08
8 Jun 1953

INSGEN NOTICE 5430

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1. Purpose. The purpose of this Notice is to cancel an outstanding directive.
2. Cancellation of previous Directive. INSGEN INSTRUCTION 5430.1 (Manual of the Office of the Naval Inspector General, June 1950), is hereby cancelled and superseded by SECNAV INSTRUCTION 5042.1, OPNAV INSTRUCTION 5430.5 and INSGEN INSTRUCTION 5430.1A.
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