

Administrative Investigations Required by Army Regulations*

Note: The following table outlines the primary investigations commanders conduct. This list is not intended as exhaustive and there may be additional investigative requirements imposed by DoD, Army, or local regulations. Also, there are additional investigative requirements while deployed. Units deploying should contact the command OSJA for detailed guidance on these and other theater specific requirements.

Incident	Investigation	Function/Purpose	Convening/Approval Authority
Type of Incident - Additional description of incident Note: Additional information for clarity	Investigation Required (How conducted if not specified in regulation) Regulation(s) that require the investigation [Timeline for investigation]	Description / purpose for the investigation or procedural matters.	Who convenes and approves the investigation.
Accident - Occupational illness to Army Soldiers or Civilians. - Injury to on-duty Army civilian personnel. - Injury to Army military on-duty or off-duty. - Damage to Army property. - Damage to public or private property, and/or injury or illness to non-Army personnel caused by Army operations	Safety Accident Investigation AR 385-10 [Within 30-90 days of the accident depending upon class]	Purpose is to prevent future accidents. Type of accident will determine level of investigation or board. <u>Note:</u> Class A: \$2M Damage or more; accidents involving aircraft destroyed/missing/abandoned; injury/ occupational illness resulting in fatality or permanent total disability. Class B: \$500k - \$2M Damage; injury/occupational illness resulting in permanent, partial disability; 3 or more personnel hospitalized in a single occurrence. Class C: \$50k - \$500k Damage; injury/occupational illness resulting in loss of one day of work beyond the day of injury/illness. Class D: \$20k - \$50k Damage; injury/occupational illness resulting in restricted work, transfer, medical treatment greater than first aid; needle sticks/cuts from contaminated objects; medical removal under OSHA standard; occupational hearing loss; work-related tuberculosis. Class E Aviation Accident: \$5k-\$20k Damage. Class E Aviation Incident: Aviation mission interrupted due to fair wear and tear failure or part malfunction. Class F Aviation Incident: Damage to Army aircraft engines as a result of objects alien to the vehicle/equipment damaged.	GCMCA over the installation or unit responsible for the operation, personnel, or materiel involved in an accident, or the Commander, U.S. Army Reserve Command (for USAR), or the Commander, USACE (for USACE), or the appropriate State Adjutant General (for ARNG) is responsible for appointing accident investigation boards. <u>Note:</u> All Class A accidents (as well as Class B, and Class C aviation accidents) must be investigated by a board (either an Installation-Level Accident Investigation Board (members from the local command) or a Centralized Accident Investigation Board (members from the Combat Readiness Center.)).
Accident	Legal Accident Investigation (AR 15-6 Investigation) AR 15-6, AR 385-10, AR 638-34 [Completed within 30 days of the accident]	Purpose is to obtain and preserve all available evidence for use in litigation, claims, disciplinary action or adverse administrative action. Legal investigation required for: a. All Class A accidents. (a line of duty investigation will satisfy this requirement for off-duty fatalities); b. As directed by the command's SJA or legal counsel in accordance with the claims regulation (AR 27-20); c. Accidents where there is a potential claim or litigation for or against the Government or a Government contractor, and d. Accidents with a high degree of public interest or anticipated disciplinary or adverse administrative action.	Accidents resulting in property damage of \$1,000,000 or more, loss or destruction of Army aircraft or missile, injury or illness likely to result in death or permanent total disability, or death must be convened and approved by a GCMCA.
Death as the Result of a Training, Operational Accident, or Suicide	Army Fatal Incident Family Brief Program AR 638-34 [Conducted within 30 days of completed AR 15-6]	To provide a thorough explanation of releasable investigative results to the deceased's primary next of kin; ensure the family understands the circumstances of the accident; and ensure the family is reassured of the Army's concern regarding the tragedy.	Presentation must be provided by at least an O6 in the chain of command.

<p align="center">Friendly Fire (Fratricide)</p>	<p align="center">Limited Use Safety Accident Investigation AR 385-10 [Completed within 90 days]</p> <p align="center">AR 15-6 Investigation AR 638-8</p>	<p>See Class A accident investigation description above.</p> <p>Purpose of AR 15-6 investigation is to determine cause of the incident and to prevent further accidents. Fratricide - A circumstance in which members of a United States or friendly military force are mistakenly or accidentally killed or injured in action by United States or friendly forces actively engaged with an enemy or who are directing fire at a hostile force or what is thought to be a hostile force.</p>	<p>Appointing authority is the GCMCA. Approval authority is the Combatant Commander. Suspected friendly fire requires immediate reporting to the Casualty and Memorial Affairs Operation Center (CMAOC), the Combatant Commander, Criminal Investigation Division, and Combat Readiness Center.</p>
<p align="center">Death from Suspected Suicide</p>	<p align="center">AR 15-6 Investigation Line of Duty Investigation Army Directive 2010-01 AR 600-63 AR 600-8-4</p>	<p>Includes all components, on or off status. AR 15-6 investigation not required for attempted suicides (no death). The purpose of the AR 15-6 investigation into a suspected suicide is to identify the circumstances and contributing factors surrounding the event. Active component suicides require a family brief to primary next of kin UP AR 638-34. All suicides and attempted suicides require a LOD investigation.</p>	<p>Appointing authority is the GCMCA.</p>
<p align="center">Hostile Fire Death</p>	<p align="center">AR 15-6 Investigation AR 15-6, AR 638-8 [Completed within 60 days of death]</p>	<p>Establish exact circumstances of death, create lessons learned, and prevent casualties. Upon a freedom of information act request, redacted completed investigations are provided to the family to show circumstances of death.</p>	<p>If the GCMCA delegates, the SPCMCA is the appointing authority. GCMCA is the approving authority. If evidence of fratricide arises during investigation, GCMCA appoints new investigation.</p>
<p>Disease, Injury or Death of Soldier Line of duty determination required for injury or illness that results in:</p> <ul style="list-style-type: none"> - Likelihood of permanent disability or need for continued medical treatment after REFRAD - Medical treatment of a RC Soldier - Likelihood of RC Soldier applying for incapacitation pay, active duty medical extension, medical retention - Inability to perform military duties for a period in excess of 24 hours when there is reason to suspect the impairment was EPTS, was caused by intemperate use of alcohol or drugs, was sustained during unauthorized absence, or may have been caused by Soldier's misconduct. - Death 	<p align="center">Line of Duty Determination/Investigation AR 600-8-4 [Informal investigations – 35 days after incident (40 days for ARNG); formal investigations – 75 days]</p>	<p>A line of duty determination is required when service is interrupted by disease, injury, or death. The purpose of making the determination is to protect the interest of the individual, the individual's family, and the United States, since significant benefits are at stake depending upon whether the death, injury, or illness occurred "in the line of duty." Three possible outcomes: in line of duty, not in line of duty – not due to own misconduct, not in line of duty – due to own misconduct.</p>	<ol style="list-style-type: none"> 1. <u>Presume In Line of Duty</u> (no investigation required) - Disease, enemy action/terrorist attack, death due to natural causes or while a passenger in a common commercial carrier or military Aircraft. 2. <u>Informal Investigation</u> (approved by SPCMCA, State AG approves ARNG) No suspected misconduct or willful negligence. Result can only be in line of duty except for EPTS conditions, then not in line of duty – not due to own misconduct. 3. <u>Formal Investigation</u> (SPCMCA convenes, GCMCA approves (CNGB approves ARNG). Suspected misconduct or doubtful circumstances.
<p align="center">Loss, Damage, Destruction, or Theft of Government Property</p>	<p align="center">Financial Liability Investigation of Property Loss AR 735-5</p>	<p>Document the circumstances surrounding the loss, damage, destruction, or theft (LDDT) of government property, serve as a voucher to adjust property books, document a charge or relief from financial liability.</p>	<ol style="list-style-type: none"> 1. <u>Value of loss \$5,000 or less</u> – O5 if delegated by O6 and not sensitive item, COMSEC or contains PII. 2. <u>Value of loss greater than \$5,000</u>

	<p>[Completed within 75 days (AD) or 240 days (USAR & ARNG)]</p> <p>Also Informal AR 15-6 Investigation If: If LDDT involves controlled inventory item, night vision devices, navigation systems, or sensitive item serial # change (more than 2 digits)</p>		<p>and less than \$100,000 – first O6/GS-15 in rating chain.</p> <p>3. <u>Value of loss \$100,000 or more</u> – first GO or SES civilian in rating chain.</p> <p><u>Note:</u> <i>Appointing</i> authority can be delegated to O5</p>
<p>Missing Personnel in Hostile Area (Duty Status – Whereabouts Unknown (DUSTWUN))</p>	<p>Informal AR 15-6 Investigation DODI 2310.05, AR 638-8 [preliminary assessment via AR 15-6 investigation within 10 days; initial board of inquiry, if required, within 10 days of convening authority receiving preliminary assessment]</p>	<p>Inquire into and determine the whereabouts and status of personnel presumed to be missing as a result of hostile action. Satisfies requirements of the Missing Service Personnel Act 10 USC §§1501-1513.</p>	<ol style="list-style-type: none"> 1. <u>Initial inquiry</u>: immediate commander. 2. <u>Preliminary assessment</u>: immediate commander or higher. 3. <u>Initial board of inquiry</u>: The Adjutant General.
<p>Intelligence Interrogation Incident</p> <p>- Suspected or alleged violation of DoD policy, procedures, or applicable law relating to intelligence interrogations, detainee debriefings or tactical questioning, for which there is credible information.</p>	<p>“Investigation or Inquiry” DoDD 3115.09 [AR 15-6 Investigation may be appropriate. No timeline specified.]</p>	<p>All reportable incidents, allegedly committed by any DoD personnel or DoD contractors, shall be: Promptly reported, thoroughly investigated by proper authorities, and remedied by disciplinary or administrative action, when appropriate.</p>	<p>None specified.</p>
<p>Questionable Intelligence Activity</p> <p>- Any conduct that constitutes, or is related to, an intelligence activity that may violate the law, any Executive order or Presidential directive, or applicable DoD or Army policy. Includes: Improper collection, retention, or dissemination of U.S. person information; misrepresentation (using one’s status as an MI member to gain access for non-MI purposes); questionable intelligence activity constituting a crime; misconduct in the performance of intelligence duties.</p>	<p>Procedure 15 (AR 15-6 investigation or Inspector General investigation) DoD 5240.1-R; AR 381-10 [Incident must be reported within 5 days of discovery; investigation must be completed within 60 days of initial report]</p>	<p>Employees and supervisors will report questionable intelligence activity upon discovery. Each report of a questionable activity shall be investigated to the extent necessary to determine the facts and assess whether the activity is legal and is consistent with applicable policy.</p> <p><u>Note:</u> Applicable only to questionable activities that are completed as part of Military Intelligence duties or mission.</p>	<p>None specified.</p>
<p>Law of War Violations</p> <p>- Possible, suspected, or alleged violation of the law of war (involving death or otherwise in conjunction with allegation under CID purview)</p>	<p>CID Investigation DoDD 2311.01E; DoD 5101.1; AR 190-8</p>	<p>Commanders must report possible, suspected, or alleged violations of the law of war. CID will investigate detainee death from unnatural causes and other war crime allegations when they occur in conjunction with criminal misconduct within CID purview.</p>	

<p>Actual or Potential Compromise of Classified Information</p>	<p>Preliminary Inquiry and Investigation (AR 15-6) DoD 5200.1-R; AR 380-5 [No timeline specified]</p>	<p>Preliminary Inquiry. When an actual or potential compromise of classified information occurs, the head of the activity or activity security manager having security cognizance shall promptly initiate an inquiry into the incident. If the circumstances of an incident are as such that a more detailed investigation is necessary, then an individual will be appointed to conduct that investigation.</p>	<p>None specified.</p>
<p>Formal Equal Opportunity or Sexual Harassment Complaint</p> <ul style="list-style-type: none"> - Allegations of unlawful discrimination or unfair treatment on the basis of race, color, religion, gender, and national origin. - Made within 60 calendar days, in writing (DA Form 7279), and sworn to. - Immediately report any sexual assault or other felony crime to CID for investigation. 	<p>AR 15-6 Investigation AR 600-20, Chap. 6 & App. D. Formal Complaints [Completed within 14 calendar days (three MUTA 4 drill periods for Army Reserve TPU Soldiers) of the formal complaint, unless extension granted by appropriate authority]</p>	<p>The purpose is to determine to the maximum extent possible what actually occurred, to assess the validity of allegations made by the complainant, to advise the commander of any leadership or management concerns that might contribute to perceptions of unlawful discrimination and poor unit command climate, and to recommend appropriate corrective actions. The commanding officer is responsible for ensuring the investigation is complete, thorough, and unbiased.</p> <p>The commander will either conduct an investigation personally or immediately appoint an investigating officer according to the provisions of AR 15-6.</p>	<p>Any commander who can convene an informal 15-6 investigation may appoint investigation. All formal complaints will be reported within 3 calendar days to the first General Courts-Martial Convening Authority (GCMCA) in the chain of command. Additionally, the commander will provide a progress report to the GCMCA authority 21 days after the date on which the investigation commenced and 14 days thereafter until completion.</p>
<p>Whistleblower Retaliation Allegation</p> <ul style="list-style-type: none"> - Retaliation (taking or threatening to take unfavorable personnel action against whistleblower for making a protected (lawful) communication. - Includes retaliation against person who reported a criminal offense IAW Army Directive 2014-20. 	<p>IG Investigation DODD 7050.06 AR 20-1 Army Directive 2014-20</p>	<p>Lawful communication is when a person communicates what they reasonably believe to be a violation of law or regulation to an IG; Member of Congress; member of a DOD audit, inspection, or investigation organization; law enforcement organization; or any other person or organization (including any person or organization in the chain of command including the immediate supervisor level) designated under regulations or other established administrative procedures (such as the EO advisor or safety officer) to receive such communications.</p>	<p>Upon receipt of a report, forward to the DODIG and DAIG within 2 working days. Upon confirmation that the complaint meets the requirements for statutory whistleblower retaliation, the DODIG will refer the case to DAIG for investigation. DODIG may decide complaint is untimely if made more than 60 days after the alleged retaliation.</p>
<p>Conscientious Objector</p>	<p>Conscientious Objection Investigation DoDI 1300.06; AR 600-43 [Application must be forwarded to HQDA within 90 days of application]</p>	<p>Purpose is to ensure the application contains all required information to allow decision authority to make an appropriate decision regarding the validity of applicant's claim of conscientious objection.</p>	<p>GCMCA may approve applications for noncombatant duty assignment (1-A-0 status). The DA Conscientious Objector Board decides all applications for discharge (1-0 status) and noncombatant duty applications denied by GCMCA.</p>
<p>Complaint by Soldier Against Commander (Article 138 UCMJ Complaint)</p> <ul style="list-style-type: none"> - Complaint of wrongdoing made against a commander. 	<p>Commander "Examination" or AR 15-6 Investigation AR 27-10; UCMJ Art. 138 [Response to request for redress: 15 days - AD, 60 days - RC]</p>	<p>Purpose is to resolve perceived wrongs against Soldiers conducted by commanders.</p> <p>Valid complaint must be preceded by a request for redress to the perceived offending commander. If denied, Soldier can then file Art 138 complaint, which is forwarded to the GCMCA.</p>	<p>Every Article 138 complaint will be expeditiously forwarded to the GCMCA. Completed actions will be forwarded to HQDA.</p>

<p>Hazing or Bullying</p> <ul style="list-style-type: none"> - Hazing - activity that is cruel, abusive, humiliating, oppressive, demeaning, or harmful - Bullying - cruel, abusive, humiliating, oppressive, demeaning, or harmful behavior, which results in diminishing the other Servicemember's dignity, position, or status. 	<p>AR 15-6 or "Commander's Inquiry" AR 600-20 Report criminal allegations to law enforcement first</p>	<p>AR 600-20 appropriately restates that commanders must report allegations of criminal behavior to law enforcement. Because most, if not all, hazing and bullying allegations are criminal, commanders will conduct administrative investigations only when law enforcement declines to investigate. Individuals may also report allegations to IG. Commanders must also ensure allegations are entered into the Equal Opportunity Reporting System (EORS).</p>	<p>None specified. Any commander who can convene an informal 15-6 investigation may appoint investigation.</p>
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