

PROCESSING A DOD INSPECTOR GENERAL SUBPOENA UNDER THE RIGHT TO FINANCIAL PRIVACY ACT (RFPA)

AGENT ACTIONS - CUSTOMER NOTIFICATION

	IN PERSON	VIA CERTIFIED MAIL
<p>Method of Notification</p> <p>After receipt of the signed DoD IG Subpoena, you must make the necessary customer notification.</p>	<p>If notification is made to the customer in person, then you must wait a minimum of ten (10) calendar days. When calculating time, do not include the date of service, federal holidays, or weekends.</p>	<p>If notification is made to the customer via certified return receipt mail, then you must wait a minimum of fourteen (14) calendar days. When calculating time, do not include the date of service, federal holidays, or weekends.</p>
<p>Required Forms (Customer)</p> <p>There are required forms that must be provided to the customer.</p>	<p>You must provide the customer a copy of the following forms:</p> <ul style="list-style-type: none"> • Customer Notification Letter • Subpoena Duces Tecum (front/face of subpoena only) • Appendices • Statement of Customer Rights under the Right to Financial Privacy Act of 1978 • Instructions for Completing and Filing Motion and Sworn Statement • Blank Motion Form • Blank Statement Form • Certificate of Service (Customer) 	

AGENT ACTIONS – VERIFICATION WITH U.S. DISTRICT COURT ON CUSTOMER MOTION TO CHALLENGE SUBPOENA

After waiting the required number of days, the agent must then contact the U.S. Federal District Courts listed on the Customer Notification Letter. These include the Eastern District of Virginia (DoD IG Location) and the Federal District Courts where the customer resides and the location of the financial institution receiving the subpoena.

The agent must contact the Clerks of Court in each of the U.S. Federal District Courts and determine if the customer has filed a motion to challenge and quash the DoD IG Subpoena. Take detailed notes of all communications with the respective Clerks of Court. If advised that the customer has filed a motion, you must contact the DoD IG Subpoena Program Office immediately.

AGENT ACTIONS – SERVICE OF SUBPOENA TO RECIPIENT (FINANCIAL INSTITUTION)

If, after contacting the respective Clerks of Court, you verify that the customer has not filed a motion to challenge and quash the DoD IG Subpoena, you may now serve the subpoena on the financial institution.

You must provide the subpoena recipient (financial institution) with a copy of the following forms:

- Custodian Letter
- Subpoena Duces Tecum (front/face of subpoena only)
- Appendices
- Privacy Act Statement
- Certificate of Compliance (Subpoena Recipient)
- Agent RFPA Certificate of Compliance