

**Assistance, Inspections, Investigations,
and Followup**

Inspector General Activities and Procedures

**Headquarters
Department of the Army
Washington, DC
29 March 2002**

UNCLASSIFIED

Report Documentation Page		
Report Date 29 Mar 2002	Report Type N/A	Dates Covered (from... to) -
Title and Subtitle Assistance, Inspections, Investigations, and Followup: Inspector General Activities and Procedures	Contract Number	
	Grant Number	
	Program Element Number	
Author(s)	Project Number	
	Task Number	
	Work Unit Number	
Performing Organization Name(s) and Address(es) Department of the Army Headquarters Washington, DC	Performing Organization Report Number	
Sponsoring/Monitoring Agency Name(s) and Address(es)	Sponsor/Monitor's Acronym(s)	
	Sponsor/Monitor's Report Number(s)	
Distribution/Availability Statement Approved for public release, distribution unlimited		
Supplementary Notes		
Abstract		
Subject Terms		
Report Classification unclassified	Classification of this page unclassified	
Classification of Abstract unclassified	Limitation of Abstract UU	
Number of Pages 119		

SUMMARY of CHANGE

AR 20-1

Inspector General Activities and Procedures

This revision (dated 29 March 2002)--

- o Changes the publication and effective dates, the summary of change, and the history statement and supersession.
- o Supersedes the second cross-reference (para 1-4b(5)(b)).
- o Supersedes the address in the second sentence (para 3-6d(2)).
- o Supersedes the paragraph (para 3-6i).
- o Supersedes the first word (para 3-6i(1)).
- o Supersedes the title and first sentence (para 3-7a(2)).
- o Updates obsolete references to publications (app A and throughout).

- o The revision (dated 16 April 2001)--
- o Updates The Inspector General responsibilities (chap 1).
- o Adds the Site Administrator Course (para 1-4a(9)).
- o Updates nuclear and chemical responsibilities (para 1-4a(11)).
- o Updates command and State inspectors general responsibilities (para 1-4b)).
- o Expands inspection responsibilities (para 1-4b(4)).
- o Adds requirement for reporting allegations against senior NCOs and field grade officers (para 1-4b(5)(b)).
- o Changes the requirement for reporting allegations against inspectors general (para 1-4b(5)(c)).
- o Adds requirement for transmitting inspector general records to support senior leadership decisions (para 1-4b(5)(e)).
- o Formalizes the Inspector General System (para 1-6).
- o Clarifies inspector general involvement in the policy coordination process (para 1-9c).

- o Clarifies the inspector general sphere of activity (para 1-9a).
- o Provides additional guidance for Army National Guard investigations (para 1-10b(4)).
- o Requires coordination of modification tables of organizational equipment and tables of distribution and allowances changes with The Inspector General (para 2-1b).
- o Elaborates on inspector general categories (para 2-2). Changes minimum grade requirement for military assistant inspectors general from staff sergeant to sergeant first class; for civilian assistant inspectors general, minimum grade is changed from General Schedule 6 to General Schedule 9 (para 2-2d).
- o Allows commissioned warrant officers to administer oaths (para 2-2d(3)).
- o Specifies the certification process (para 2-3).
- o Changes approving authority for all detailed and assistant inspectors general to The Inspector General (para 2-3).
- o Stabilizes the inspector general detail to 3 years for military command nominees (para 2-4).
- o Clarifies duty restrictions and extends the restrictions to acting inspectors general (para 2-6).
- o Updates records release procedures (chap 3).
- o Adds a chapter (chap 4) on the Inspector General Action Process (para 4-1).
- o Establishes a time limit of 10 years after an event occurred for a complainant to submit a complaint (para 4-2d).
- o Clarifies procedures for civilian personnel complaints and grievances (para 4-4k).
- o Adds the procedures for reporting allegations against a senior NCO and a field grade officer. (para 4-6c).
- o Adds DA Form 7433, Privacy Act Release Statement (para 4-2).
- o Updates formats of sample memorandums of rights of individuals to present complaints (figures 4-1 and 4-2).
- o Updates training requirements (chap 5).
- o Updates procedures for requesting resident course training allocations (para 5-4f).
- o Adds the awarding of Skill Qualification Indicator B for noncommissioned officer assistant inspectors general (para 5-4h).

- o Updates training for technical inspections (para 5-7).
- o Makes consideration of the inspection process mandatory (para 6-2c, and para 6-4).
- o Mandates inspection procedures (para 6-3e).
- o Mandates notification of individuals or commanders when disclosure is necessary (para 6-3h).
- o Limits inspector general participation in command and staff inspections (paras 6-3l, m, n).
- o Defines the recommended inspection report finding format (para 6-5b).
- o Deletes all references to Nuclear Weapons Technical Inspections (paras 6-6, 6-7, 6-8).
- o Clarifies the procedures for providing assistance on an area basis (para 7-1d).
- o Clarifies use of the assistance inquiry (para 7-3).
- o Clarifies duties of investigators (para 8-2).
- o Requires use of a format for investigative inquiries (para 8-7b).
- o Clarifies jurisdiction and requires a legal review for reports of investigation and inquiry (paras 8-3, 8-4b(6), and 8-7c(1)(a)).
- o Clarifies the jurisdiction with regard to the responsibility and authority of the subordinate commander (para 8-3b(4)).
- o Clarifies making recommendations with regard to follow-on investigations (para 8-2c).
- o Clarifies procedures for the use of Army inspectors general for investigations or inquiries involving Air National Guard members (para 8-3e).
- o Changes procedures for reporting allegations against inspectors general (para 8-3h).
- o Clarifies and changes procedures for reporting allegations against senior officials (para 8-3i).
- o Changes requirements for the conduct of investigations and inquiries. Prescribes minimum requirements for investigative inquiries (para 8-4).
- o Addresses the use of interview guides during inquiries and investigations (para 8-4g).

- o Clarifies policy for recording interviews by other parties (para 8-4h).
- o Clarifies the responsibilities relating to a suspect's or subject's defense counsel (para 8-4i).
- o Clarifies the conclusion options during investigations and inquiries (para 8-4j).
- o Clarifies differences between criminal and noncriminal allegations and the difference between suspects and subjects (para 8-5a).
- o Clarifies rights of suspects and subjects with regard to unfavorable information and formal notification (para 8-6).
- o Requires formats for investigative reports (para 8-7).
- o Moves whistleblower, mental health and other special investigations from the Assistance Function chapter to the Investigations chapter (para 8-9).
- o Updates the role of inspectors general in military operations with current doctrine (chap 9).
- o Updates the entire information management chapter (chap 10).
- o Updates the Semiannual Report to Congress requirements (chap 11).
- o Adds, deletes and changes several significant terms and definitions (glossary).
- o No longer requires the use of DD Form 2487, which has been rescinded by DOD.

Effective 29 April 2002

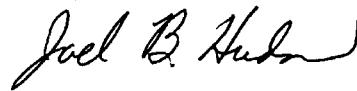
Assistance, Inspections, Investigations, and Followup

Inspector General Activities and Procedures

By Order of the Secretary of the Army:

ERIC K. SHINSEKI
General, United States Army
Chief of Staff

Official:



JOEL B. HUDSON
Administrative Assistant to the
Secretary of the Army

History. This printing publishes a revision of this publication. Changes made to this publication since the last revision are not highlighted.

Summary. This regulation prescribes the responsibility and policy for selection of inspectors general and duties of inspectors general throughout the Army. It describes inspector general functions, including teaching and training, inspection, investigation, and assistance. Although the fundamental inspector general role and functions have not changed, this revision incorporates numerous policy and mandated procedural changes affecting inspector general activities. This regulation implements Department of Defense Directive 5505.6.

Applicability.

a. This regulation applies to members of the Active Army, the Army National Guard of the U.S. (including periods

when operating in its Army National Guard capacity if a Federal interest exists), and the U.S. Army Reserve and to Department of the Army civilian employees and nonappropriated fund employees.

b. Paragraph 1-11 of this regulation is punitive. It regulates the individual conduct of Department of the Army military and civilian personnel, including those employed by nonappropriated fund instrumentalities, and all officers and enlisted soldiers of the U.S. Army Reserve and of the Army National Guard of the United States when they are performing Federal duties or engaging in any activity directly related to the performance of a Federal duty or function. Penalties for violating paragraph 1-11 of this regulation apply to Department of the Army military and civilian personnel and include the full range of statutory and regulatory sanctions, both criminal and administrative.

c. This regulation applies during all levels of mobilization.

Proponent and exception authority.

The proponent of this regulation is The Inspector General. The Inspector General has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation. The Inspector General may delegate this approval authority, in writing, to the Deputy of The Inspector General or to a division chief under The Inspector General's supervision within the proponent agency in the grade of colonel or the civilian equivalent.

Army management control process.

This regulation contains management control provisions and, in appendix B, identifies key management controls that must be evaluated.

Supplementation. Supplementation of this regulation and establishment of command and local forms are not authorized without prior approval from The Inspector General. Send requests to The Inspector General (ATTN: SAIG-ZA), 1700 Army Pentagon, Washington, DC 20310-1700.

Suggested Improvements. Users may send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to The Inspector General (ATTN: SAIG-TR), 1700 Army Pentagon, Washington, DC 20310-1700. DA Form 2028 may be electronically sent to ar201@tigu.ignet.army.mil.

Distribution. This publication is available in electronic media only and is intended for command levels A, B, C, D, and E for the Active Army, Army National Guard of the United States, and U. S. Army Reserve.

Contents (Listed by paragraph and page number)

Chapter 1

The Inspector General System, page 1

Section I

Introduction, page 1

Purpose • 1-1, page 1

References • 1-2, page 1

**This regulation supersedes AR 20-1, dated 16 April 2001.

Contents—Continued

Explanation of abbreviations and terms • 1–3, *page 1*
Responsibilities • 1–4, *page 1*
Statutory authority • 1–5, *page 4*

Section II

Inspector General System, page 5
Inspector general concept • 1–6, *page 5*
Command and State IGs • 1–7, *page 5*

Section III

Organization and sphere of activity, page 5
The Inspector General • 1–8, *page 5*
Inspector general activities • 1–9, *page 6*
Inspector general guidelines for Army National Guard matters • 1–10, *page 6*

Section IV

Punitive Prohibitions, page 7
Prohibited activity • 1–11, *page 7*
Confidentiality • 1–12, *page 8*

Chapter 2

Inspector General Personnel Procedures, page 8

Inspector general positions • 2–1, *page 8*
Inspector general categories • 2–2, *page 9*
Inspector general certification • 2–3, *page 10*
Length of inspector general assignments • 2–4, *page 11*
Inspector general oath • 2–5, *page 11*
Inspector general duty restrictions • 2–6, *page 12*
Retiree Mobilization Program • 2–7, *page 12*

Chapter 3

Inspector General Records, page 15

Nature of inspector general records • 3–1, *page 15*
Protection of inspector general records • 3–2, *page 16*
Use of inspector general records for adverse actions • 3–3, *page 16*
Request for IG records • 3–4, *page 17*
Release authority for IG records • 3–5, *page 17*
Official use of inspector general records within Department of the Army • 3–6, *page 17*
Release of inspector general records outside Department of the Army • 3–7, *page 18*
Amendment of inspector general records • 3–8, *page 21*
Record maintenance period • 3–9, *page 21*

Chapter 4

The Inspector General Action Process, page 22

Receiving and resolving requests from complainants • 4–1, *page 22*
Receiving an Inspector General Action Request (IGAR) • 4–2, *page 22*
Conducting Inspector General Preliminary Analysis (IGPA) • 4–3, *page 24*
Identifying issues and allegations and determining inspector general appropriateness • 4–4, *page 24*
Acknowledging receipt and selecting a course of action • 4–5, *page 27*
Initiating referrals and making notifications • 4–6, *page 28*
Conducting inspector general fact-finding • 4–7, *page 28*
Making notifications of results • 4–8, *page 28*
Conducting followup • 4–9, *page 29*
Closing the Inspector General Action Request • 4–10, *page 29*

Contents—Continued

Chapter 5

The Inspector General Teaching and Training Function, page 34

Inspector general training • 5–1, *page 34*

Teaching and training • 5–2, *page 34*

Training the Army at large • 5–3, *page 34*

Inspector General Course • 5–4, *page 34*

Other IG School courses and POI • 5–5, *page 35*

Training acting inspectors general, temporary assistant inspectors general and administrative support staff • 5–6, *page 35*

Nuclear weapons and chemical surety technical inspector qualifications training • 5–7, *page 36*

Chapter 6

The Inspector General Inspection Function, page 36

Section I

Inspection Functions, page 36

Functional systems • 6–1, *page 36*

The role of the inspector general in the OIP • 6–2, *page 36*

Inspector general inspection policy • 6–3, *page 37*

Inspector general inspection process • 6–4, *page 38*

Inspector general inspection reports • 6–5, *page 39*

Section II

Technical Inspections, page 40

Inspections guidance • 6–6, *page 40*

Objectives and jurisdiction • 6–7, *page 40*

Inspection procedures • 6–8, *page 41*

Section III

Intelligence Oversight Inspections, page 41

Inspections guidance • 6–9, *page 41*

Intelligence oversight purpose and procedures • 6–10, *page 41*

Inspection methodology • 6–11, *page 42*

Chapter 7

The Inspector General Assistance Function, page 44

Assistance function • 7–1, *page 44*

Definitions • 7–2, *page 45*

Conducting an assistance inquiry • 7–3, *page 45*

Actions pertaining to certain types of Inspector General Action Requests • 7–4, *page 46*

Acting inspectors general • 7–5, *page 46*

Assistance visits • 7–6, *page 47*

Assistance policy for National Guard personnel • 7–7, *page 47*

Chapter 8

The Inspector General Investigation Function, page 47

Investigative fact-finding processes • 8–1, *page 47*

Duties of inspector general investigators • 8–2, *page 48*

Jurisdiction • 8–3, *page 48*

Conduct of inspector general investigations and investigative inquiries • 8–4, *page 50*

Discussion of rights • 8–5, *page 51*

Unfavorable information • 8–6, *page 52*

Reports of Investigation and Investigative Inquiry • 8–7, *page 52*

Recording investigations into the inspector general electronic database • 8–8, *page 53*

Other special investigations • 8–9, *page 53*

Contents—Continued

Coordination and cooperation • 8–10, *page 55*

Chapter 9

The Role of Inspectors General in Military Operations, *page 56*

Inspector general role • 9–1, *page 56*

Organization • 9–2, *page 57*

Resources • 9–3, *page 57*

Staff estimates • 9–4, *page 58*

Functions • 9–5, *page 58*

Exercises • 9–6, *page 59*

Chapter 10

Information Management, *page 59*

Inspector General Worldwide Network (IGNET) • 10–1, *page 59*

Purpose • 10–2, *page 59*

Inspector General Worldwide Network operations and responsibilities • 10–3, *page 59*

Security • 10–4, *page 61*

Enhancements • 10–5, *page 62*

Chapter 11

Department of Defense Inspector General Semiannual Report to the Congress, *page 62*

Semiannual report requirements • 11–1, *page 62*

Investigations (provided by U.S. Army Criminal Investigation Command) • 11–2, *page 62*

Appendixes

A. References, *page 63*

B. Army Management Control Evaluation Checklist, *page 69*

C. Nomination Procedures, *page 70*

D. Procedures for Investigations of Allegations of Impropriety Against Senior Officials, *page 71*

E. Interview Guides, *page 71*

Table List

Table 2–1: Categories of inspectors general, *page 12*

Figure List

Figure 2–1: Sample DA Form 5097, *page 13*

Figure 2–2: Sample DA Form 5097–1, *page 14*

Figure 2–3: Sample DA Form 5097–2, *page 15*

Figure 4–1 (PAGE 1): Sample permanent notice memorandum of rights of soldiers to present complaints, *page 30*

Figure 4–1 (PAGE 2): Sample permanent notice memorandum of rights of soldiers to present complaints—
Continued, *page 31*

Figure 4–2 (PAGE 1): Sample permanent notice memorandum of rights of civilians to present complaints, *page 32*

Figure 4–2 (PAGE 2): Sample permanent notice memorandum of rights of civilians to present complaints—
Continued, *page 33*

Figure 6–1: Recommended Inspection Selection Process, *page 43*

Figure 6–2: The Inspection Process, *page 44*

Figure E–1 (PAGE 1): Pre-tape briefing guide, *page 72*

Figure E–1 (PAGE 2): Pre-tape briefing guide—Continued, *page 73*

Figure E–2 (PAGE 1): Witness interview guide, *page 74*

Figure E–2 (PAGE 2): Witness interview guide—Continued, *page 75*

Figure E–2 (PAGE 3): Witness interview guide—Continued, *page 76*

Figure E–3 (PAGE 1): Recall witness interview guide, *page 77*

Contents—Continued

Figure E-3 (PAGE 2): Recall witness interview guide—Continued, *page 78*
Figure E-4 (PAGE 1): Subject interview guide, *page 79*
Figure E-4 (PAGE 2): Subject interview guide—Continued, *page 80*
Figure E-4 (PAGE 3): Subject interview guide—Continued, *page 81*
Figure E-5 (PAGE 1): Recall subject interview guide, *page 82*
Figure E-5 (PAGE 2): Recall subject interview guide—Continued, *page 83*
Figure E-6 (PAGE 1): Suspect interview guide, *page 84*
Figure E-6 (PAGE 2): Suspect interview guide—Continued, *page 85*
Figure E-6 (PAGE 3): Suspect interview guide—Continued, *page 86*
Figure E-7 (PAGE 1): Recall suspect interview guide, *page 87*
Figure E-7 (PAGE 2): Recall suspect interview guide—Continued, *page 88*

Glossary

Index

Chapter 1

The Inspector General System

Section I

Introduction

1-1. Purpose

This regulation—

- a. Prescribes policy and mandated procedures concerning the mission and duties for The Inspector General (TIG) of the Army.
- b. Prescribes duties, missions, standards, and requirements for inspectors general (IGs) throughout the Army.
- c. Prescribes responsibilities for commanders, The Adjutant General (TAG) of each State, and heads of agencies, activities, centers, and installations for support of IG activities.

1-2. References

Required and related publications and prescribed and referenced forms are listed in appendix A.

1-3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

1-4. Responsibilities

- a. The Inspector General will—
 - (1) Inquire into and periodically report on the discipline, efficiency, economy, morale, training, and readiness throughout the Army, to the Secretary of the Army (SA) and the Chief of Staff, Army (CSA).
 - (2) Perform other duties prescribed by the SA or the CSA.
 - (3) Periodically propose programs of inspections to the SA and will recommend additional inspections and investigations as may appear appropriate.
 - (4) Cooperate fully with the Inspector General of the Department of Defense (IG, DOD) in connection with the performance of any duty or function by the IG, DOD under the Inspector General Act of 1978 (title 5, United States Code (USC) appendix, section 3) regarding the Department of the Army.
 - (5) Develop and publish policy and doctrine for the IG System.
 - (a) Publish IG policy and mandated procedures for Department of the Army level IGs (DAIG).
 - (b) Conduct long-range, contingency, mobilization, and wartime planning for DAIG and the IG System.
 - (c) Publish inspection guidance for the Army's Nuclear and Chemical Surety Programs and nuclear reactor facilities.
 - (6) Serve as the IG for the Headquarters of the Department of the Army (HQDA) and for any National Capital Region (NCR) field operating agency (FOA) when the FOA does not have a detailed IG.
 - (7) Provide field IG support to program managers (PMs) and program executive officers (PEOs), under the purview of the Army Secretariat, Army Staff, or other HQDA agency as follows:
 - (a) TIG will direct and approve IG inspections, IG investigative inquiries, and IG investigations with primary focus on PM or PEO issues.
 - (b) TIG will approve PM or PEO involvement prior to the conduct of an IG inspection, IG investigative inquiry, or IG investigation involving peripheral PM or PEO issues.
 - (8) Select quality personnel to be IGs. Approve or disapprove nominations of soldiers to be IGs for specified IG categories (see chap 2); approve or disapprove the removal or early release of soldiers from IG duty except those soldiers relieved for cause.
 - (9) Train detailed and assistant IGs and conduct—
 - (a) The Inspector General Course for selected personnel.
 - (b) The IGMET Site Administrator Course for selected personnel.
 - (c) The State IG Module to the IG Course for selected personnel.
 - (d) Sustainment training for IGs.
 - (10) Provide assistance to commanders, soldiers, family members, civilian employees, and retirees as follows:
 - (a) Provide a system for resolving problems of soldiers, family members, civilian employees, and retirees; protect confidentiality to the maximum extent possible; and guard against reprisal.
 - (b) Process Department of Defense (DOD) Hotline cases that relate to Army activities.
 - (c) Process DOD whistleblower reprisal cases that relate to Army activities.
 - (d) Process equal opportunity (EO) complaints, to include complaints of sexual harassment, as Inspector General Assistance Requests (IGARs). Inspector general inquiries will not be subject to the time-lines or the procedures imposed by AR 600-20, chapter 7. (See para 7-9 and app B.)
 - (11) Conduct inspections, including the following:

- (a) Provide SA and CSA a continuing assessment of the command, operational, managerial, logistical, and administrative effectiveness of the Army.
 - (b) Serve as proponent for Army inspection policy.
 - (c) Conduct inspections as directed by Secretary of the Army (SA), Under Secretary of the Army (USofA), Chief of Staff, U.S. Army (CSA), or Vice Chief of Staff of the Army (VCSA). Direct inspections as determined necessary, or prescribed by law or regulation.
 - (d) Report inspection results to the directing authority, identify root causes, recommend solutions, and identify responsibility for implementation.
 - (e) Conduct inspections of the Army's Nuclear and Chemical Surety Programs and nuclear reactor facilities.
 - (f) Conduct nuclear and chemical management evaluations.
 - (g) Report results from inspections of sensitive activities as directed by the SA and CSA.
 - (12) Conduct investigations and inquiries directed by SA, USofA, CSA, or VCSA or as determined necessary by TIG, submitting the Reports of Investigation (ROI) and the Reports of Investigative Inquiries (ROII) to the directing authority.
 - (13) In accordance with AR 381-10, conduct intelligence oversight (IO) of intelligence activities conducted under the provisions of Executive Order (EO) 12333 and DOD 5240.1-R.
 - (14) In accordance with AR 380-381, conduct inspections and noncriminal investigations of Army special access programs (SAPs) and sensitive activities.
 - (15) Provide management of followup, including the following:
 - (a) Publish DA followup policies for DAIG inspections.
 - (b) Establish policies, procedures, and systems for the followup program for IG, DOD investigations. (See AR 36-2.)
 - (c) Perform on-site followup of selected inspection findings and recommendations.
 - (d) Evaluate the effectiveness of solutions implemented.
 - (16) Serve as the HQDA focal point to interact with the IG, DOD and other governmental IGs.
 - (a) Maintain liaison with the IG, DOD; the other military services' IGs; other statutory IGs; and other agencies concerning Army IG activities.
 - (b) Coordinate inspection and audit topics and schedules with the Government Accounting Office (GAO); the IG, DOD; and the U.S. Army Audit Agency (USAAA) to resolve potential schedule conflicts. If unresolved, TIG will decide, within the scope of SA and CSA guidance, whether to change or perform an inspection.
 - (c) Provide information about IG, DOD reports to HQDA and the IG System.
 - (d) Serve as the Army's point of contact for receipt and control of IG, DOD investigations. Direct the appropriate Army agency or command for preparation of responses to investigations.
 - (e) Prepare Army's Semiannual IG Act Report.
 - (17) Maintain the integrity of the IG System. Monitor and report to the SA and CSA on the effectiveness of the Army IG System.
 - (18) Perform coordinating staff functions and administrative functions.
 - (a) Serve on boards, committees, councils, and similar organizations as directed by SA and CSA.
 - (b) Maintain custody of DAIG records on behalf of SA; serve as the Access and Amendment Refusal Authority for Privacy Act (PA) requests for all IG records; and serve as the Initial Denial Authority for Freedom of Information Act (FOIA) requests for all IG records.
 - (c) Serve as the functional proponent and manager for IG information systems.
 - (19) Teach Army policy, procedures, systems, and processes to help inspected activities improve operations and efficiency and accomplish command objectives.
 - (20) Disseminate information, innovative ideas, and lessons learned as the result of inspections and changes in policy.
 - (21) Serve as the Component-designated official (CDO) under the provisions of DOD Directive (DODD) 5505.6.
 - (22) Execute management control responsibilities in accordance with AR 11-2.
 - b. Inspectors general will—
 - (1) Determine the state of economy, efficiency, discipline, morale, and readiness throughout the command as directed by the commander or State AG.
- Note.* Henceforth, the term *commander* refers to both the commander and State AG unless otherwise specified.
- (2) Monitor the effectiveness of IG functions (teaching and training, inspections, investigations, and assistance) within the command or State and inform the commander of this effectiveness and other matters concerning IG functions.
 - (3) Provide assistance on an area basis to commanders, soldiers, family members, civilian employees, retirees, and others who seek help with problems related to the U.S. Army (see paras 1-9a, 4-2a, and 7-1d) and maintain a database of IGAR cases to support trend analysis.

- (4) Conduct inspections directed by the SA or CSA, the commander, or TIG or as prescribed by law or regulation.
 - (a) Report inspection results to the directing authority, identify root causes, recommend solutions, and identify responsibility for implementation.
 - (b) Teach policy, procedures, systems, and processes to help inspected activities improve operations and efficiency and accomplish command objectives.
 - (c) Provide an impartial status report to the directing authority on the operational and administrative effectiveness of the command.
 - (d) Disseminate information, innovative ideas, and lessons learned as the result of inspections and changes in policy.
 - (e) During the normal course of inspections, consider management controls in the examination of systemic issues and make appropriate recommendations (see AR 11–2).
 - (f) Coordinate with TIG on IG inspections involving PM or PEO issues per paragraph a(7).
- (5) Conduct investigations, including the following:
 - (a) Conduct inquiries as directed by the commander or TIG or as prescribed by law or regulation, providing a report of such investigations and inquiries to the directing authority.
 - (b) Report to TIG (ATTN: SAIG–AC) any IGAR containing an allegation against a MSG, SGM, or CSM or any officer in the grade of major through colonel within 2 working days after receipt by rapid and confidential means. (See paras 4–6c and 8–3g.)
 - (c) By rapid and confidential means and within 2 working days after receipt, report allegations against Army IGs to the next higher echelon IG for action (concurrent with a report to TIG (ATTN: SAIG–AC) and the major Army command (MACOM) IG). (See para 8–3i.)
 - (d) Report **directly** to TIG, within 2 working days after receipt from any source, **any and all** allegations of impropriety by general officers, brigadier general selectees, members of the Senior Executive Service (SES), and other DA civilian employees of comparable grade or position by rapid and confidential means. (See para 8–3j.)
 - (e) By rapid and confidential means and within 2 working days of a request from DAIG, forward or transmit to TIG any IG record in their possession that is required to support time-sensitive personnel management decisions by the Army leadership.
 - (f) Request approval from TIG (ATTN: SAIG–AC) regarding IG investigative inquiries and IG investigations with primary focus on PM or PEO issues. (See para a(7)(a).)
 - (g) Coordinate with TIG (ATTN: SAIG–AC) regarding IG investigative inquiries and IG investigation involving peripheral PM or PEO issues. (See para a(7)(b).)
 - (h) Report allegations of whistleblower or reprisal to TIG (ATTN: SAIG–AC) within 2 working days by rapid and confidential means.
- (6) When directed by the commander, conduct followup of inspections and audits to evaluate the adequacy and effectiveness of corrective action taken.
- (7) Review management control responsibilities (see AR 11–2) to determine if—
 - (a) Policies, standards, and requirements have been effectively implemented, including procedures for supplementing and using management control evaluation procedures. (See app B.)
 - (b) Management has taken effective and timely action to address management control problems identified in audit and inspection findings and recommendations.
- (8) In accordance with AR 381–10, provide IO of intelligence activities and components within their command, per Executive Order 12333 (EO 12333), DOD 5240.1–R. It is the responsibility of every IG to inspect intelligence activities as part of their Organizational Inspection Program (OIP) and report any questionable activities (in accordance with Procedure 15, AR 381–10) to HQDA (SAIG–IO). Included in the definition of intelligence components are the intelligence units that support unified commands; intelligence offices (and their subordinate intelligence units and offices) supporting military commanders at all echelons; and other DA components performing intelligence activities. (See AR 381–10.) (As an example, a battalion S–2 is a DOD intelligence component, and the battalion S–2’s activities are governed by AR 381–10.) When IGs inspect an intelligence component, or an organization that has an intelligence component, they will ensure that inspected personnel are familiar with the provisions of AR 381–10. Emphasis will be placed on the following:
 - (a) Procedures 1 through 4 of AR 381–10, which address the applicability of the regulation and the rules governing collection, retention, and dissemination of information about U.S. persons.
 - (b) Individual DA employee-reporting responsibilities under Procedure 14.
 - (c) How to report questionable activities under Procedure 15.
 - (d) Review of the component’s IO training program.
 - (e) The IO of Army National Guard of the United States (ARNGUS) activities and units will be accomplished according to this regulation. For further guidance regarding procedures, contact the National Guard Bureau (NGB) (Chief, National Guard Bureau (ATTN: NGB–IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202–3259).
- (9) Train acting IGs and administrative support personnel who are not required to attend the Inspector General

Course. Training material is provided by the U.S. Army Inspector General Agency (USAIGA), Training Division, which operates the U.S. Army Inspector General School.

(10) Manage IG information and IG records.

(a) Serve as the IG office of record, on the SA's behalf for IG records (see the glossary for the definition of *IG office of record*). Maintain positive control of IG records in accordance with the provisions in chapter 3.

(b) Cooperate and coordinate with local internal review and audit compliance (IRAC) offices in connection with the performance of any inspection or investigation in order to preclude duplication of effort.

(c) Provide external inspection and audit reports and other information to the local IRAC offices.

(d) Process requests for release under the Freedom of Information Act (FOIA) and for access and amendment of IG records under the Privacy Act (see chap 3).

(11) Provide staff functions.

(a) Participate in the Program Budget Advisory Committee (PBAC) cycle at MACOM, installation, or State levels. Budget for all IG functions. This includes identifying required budget and manpower resources and establishing the means to account for funds during budget execution.

(b) Conduct long-range planning and mobilization planning for IG activities in the command or State.

(c) Forward problems that cannot be corrected at the local level through command or IG channels.

(d) Participate in the staff coordination process of policy and procedural documents within the sphere of IG activities and authority. (See para 1–9c.)

c. Commanders, State AGs, principal HQDA officials, and all supervisors will—

(1) Ensure all personnel under their jurisdiction are informed of their right to register complaints with or request assistance from an IG. (See para 4–2a.)

(2) Ensure that persons registering complaints with any IG (including the IG, DOD and other Service IGs) are afforded protection from reprisal actions as a result of their contact with the IG. (See para 1–11.)

(3) Provide, if a host commander, IG support for tenant organizations, agencies, and activities of other commands as established by agreements between the MACOMs concerned. (See paras a(7) and b(4)(f) for IG support to selected PMs and PEOs.)

(4) By rapid and confidential means and within 2 working days of receipt, report directly to TIG **any and all** allegations of impropriety by general officers, brigadier general selectees, members of the SES, and other Army civilian employees of comparable grade or position. The reporting of an incident of impropriety during an ongoing criminal or equal opportunity investigation to the U.S. Army Criminal Investigation Command (USACIDC), or to a higher commander, or to an equal opportunity officer, after the initial report to TIG, does not violate this regulation. However, such reporting to non-IG authorities does not eliminate the requirement to report the incident to TIG or allow commanders to inquire into or investigate the allegations. (See para 8–3j.)

(5) Report immediately to TIG the removal for cause of any detailed, assistant, temporary assistant, or acting IG. (See chap 2.)

(6) Request to TIG for early curtailment of an IG's assignment except for soldiers relieved for cause. (See para 2–4.)

d. Commander, U.S. Army Criminal Investigation Command and installation provost marshals will—

(1) Ensure that allegations from IGs concerning reported criminal misconduct are investigated as appropriate.

(2) Ensure that allegations that are not based on criminal misconduct are properly referred to the appropriate command or State IG for disposition.

1–5. Statutory authority

a. Section 3014, title 10, United States Code (10 USC 3014) establishes TIG within the Office of the SA and provides authority for the SA to assign TIG sole responsibility within the HQDA for IG functions.

b. Section 3020, title 10, United States Code (10 USC 3020) states TIG's statutory requirements and provides for deputies and assistants for TIG.

c. Section 3065, title 10, United States Code (10 USC 3065) provides for detail of commissioned officers as IGs.

d. Section 10149, title 10, United States Code (10 USC 10149) authorizes screening of U.S. Army Reserve (USAR) IGs.

e. Section 105, title 32, United States Code (32 USC 105) provides for IG inspection of the ARNGUS on matters of Federal concern.

f. Section 315, title 32, United States Code (32 USC 315) is authority for detail of commissioned officers and enlisted personnel of the Regular Army (RA) for duty with the ARNGUS as IGs.

Section II

Inspector General System

1-6. Inspector general concept

Inspectors general operate within an environment consisting of the commander, the commander's soldiers, family members, DA civilian employees, retirees, and other civilians needing assistance with an Army matter and the IG System. Inspectors general must maintain a clear distinction between being an extension of the commander and their sworn duty to serve as fair and impartial and objective fact-finders and problem solvers. They must also simultaneously be sufficiently independent so that those requesting IG assistance will continue to do so, even when the complainant feels that the commander may be the problem. Commanders must understand this clear distinction for their IGs to be effective.

a. The IG and commander relationship. Inspectors general serve as extensions of their commander in the following three ways:

(1) Inspectors general extend the commander's eyes and ears.

(2) Inspectors general extend the commander's voice.

(3) Inspectors general extend the conscience of the commander. An IG must have the commander's total confidence and trust. To be effective, IGs must understand the commander's goals, expectations, standards, vision, operating methods, and personality. The IG must become the commander's confidant, that is, the individual with whom the commander can discuss, in complete trust, any aspect of the command, in wartime as well as peacetime. The IG has the responsibility to inform the commander of IG observations, findings, and impressions on all aspects of the command. The commander has a responsibility to become educated on IG concepts and to educate the IG on how the commander expects the IG to best serve the command.

b. The IG, soldiers, family members, and civilians. Inspectors general provide assistance to soldiers, family members, or civilians requesting it. Inspectors general also have the responsibility, unless directed otherwise by their commander, to discuss any observations, findings, and assistance requests with subordinate commanders to whom the observations or findings apply. When speaking with the subordinate commanders, IGs must be careful not to violate confidentiality. (See para 1-12.) It is essential that IGs work through the chain of command if the IG System is to be viable and involved.

c. Inspectors general and the IG System. Inspectors general can request, and are expected to provide, assistance to others within the IG System. (See the glossary for *Inspector General System*.) This is known as using IG "technical" channels. When a finding cannot be implemented or corrected at a particular IG level of command, the IG can forward the finding to the next higher headquarters. This is known as a "handoff." Inspectors general must be prepared to assist others within the IG System as well as other IGs outside of the Army IG System.

d. TIG and the IG System. The IG System is not a stovepipe system since IGs work for their respective commanders. However, all IGs working within the IG System must adhere to IG policy and mandated procedures as established and promulgated by TIG. Through policy oversight and certification authority, TIG maintains the integrity of the IG System.

1-7. Command and State IGs

Inspectors general are responsible for advising commanders on the state of their command. Inspectors general are confidential advisors and fact-finders to the commander. Selfless service is the cardinal attribute of successful military and civilian IGs. Effective IGs will be respected by all within their command or headquarters for their level of expertise, candor, credibility, reliability, and trustworthiness. Inspectors general must adhere to, and be advocates of, the core Army values. Inspectors general should be among the most professionally knowledgeable for their grade or rank. Military IGs are selected through a nominative process. Civilian IGs are selected through normal civilian personnel recruitment procedures and approved by the detailed IG. (See chap 2.)

Section III

Organization and sphere of activity

1-8. The Inspector General

a. TIG as confidential representative of the SA and confidential adviser responsive to the CSA. TIG has direct access to the SA and CSA. TIG commands the USAIGA (see para c), establishes policy and doctrine for the IG System (see para 1-4a(5)), and maintains the integrity of the IG System (see para 1-4a(16)). The Inspector General has the authority to direct command and State IGs to conduct inspections, inquiries, and investigations. (See paras 1-4b (4) and (5).)

b. Office of The Inspector General (OTIG). The OTIG is the HQDA agency that coordinates IG activities. The OTIG includes TIG, Deputy The Inspector General, an Executive, an Assistant Executive, and administrative support personnel.

c. The U.S. Army Inspector General Agency (USAIGA). The USAIGA is a field operating agency of the OTIG.

TIG's resources are assigned to USAIGA. (The term *Department of the Army Inspector General (DAIG)* is used when combining the Office of The Inspector General (OTIG) and the USAIGA.)

d. Inspectors general. Inspectors general are assigned to commands, agencies, activities, centers, communities, installations, and States, per authorization documents. Commanders determine the need for IG supporting staff in accordance with AR 71-32 and other applicable regulations. (See para 2-1.) The command or State IG is a member of the personal staff of the commander.

1-9. Inspector general activities

a. IG sphere of activity. The IG sphere of activity includes everything for which the commander is responsible to the United States and over which the commander or State AG has Federal authority. For further guidance on the appropriate sphere of activity of ARNGUS Active Guard Reserve (AGR) soldiers detailed as IGs, with regard to matters related to the ARNGUS, contact the Chief, National Guard Bureau (ATTN: NGB-IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202-3259.) Inspectors general must be ever cognizant of this sphere of activity when determining jurisdiction of Inspector General Action Requests (IGAR) and IG issues within the IG System. The IG is responsible for the IGAR if it is within that IG's sphere of activity. Generally, if the IG's commander is responsible for resolving the issues or allegations involved, then that IG is responsible for the IGAR. For example, if the complainant is from one IG's command and the subject of the allegation is from another IG's organization, the IG of the commander responsible for resolving the allegation is the IG responsible as the IG office of record for the IGAR. Jurisdictional issues requiring resolution will be determined by the MACOM IG. When more than one MACOM is involved, USAIGA's Assistance Division will resolve the jurisdictional issue.

b. IG and commander relationship. The IG's relationship with the commander is one of extraordinary trust and confidence. The IG must be granted a high degree of independence and unlimited access to information in performing IG duties. The IG normally has direct access to the commander. To be fully effective, the IG must have the full support of the commander and the confidence of the command or activity. This confidence is obtained only when the command understands that the IG is an extension of the commander and that the commander has complete trust and confidence in the IG. To protect this independent and special relationship, the commander will rate the command or State IG. The commander may also senior rate the command IG. Active Army State IGs, as Federal officers, will be senior rated by the Chief, National Guard Bureau (CNGB).

c. Inspectors general and command policy. The IGs will not establish command policy except as provided in AR 1-201 and this regulation. The IGs have no directive authority, outside IG channels, beyond that normally associated with their grade. Additional authority must come from their commander. This does not preclude IG involvement in the policy formulation staffing process. Normally, the IG's input to a staff action that is coordinated by a proponent is "noted" instead of "concur" or "nonconcur." However, IGs may inform proponents about conflicts in regulatory or policy guidance and comment on policies and procedures without making specific recommendations or stating a position. For example, IGs may state: "That policy conflicts with AR 600-20"; "Have you considered the procedures specified in AR 600-9?"; "The policy is difficult to understand and interpret as it is written."

d. Access to documents and evidence. Inspectors general are authorized access to all documents and all other evidentiary materials needed to discharge their duties. These documents and materials include normally protected data. Some examples are classified documents, records of board proceedings, acquisition information, medical records, medical quality assurance records, drug and alcohol records, financial records, evaluation reports, back channel messages, security dossiers, criminal investigation reports, copies of personnel restricted fiche (R-fiche) (after compliance with AR 600-8-104), and financial disclosure statements. This authority may include direct access to pertinent extracts under applicable regulations. Inspectors general are not, however, authorized access to material subject to the attorney-client privilege.

e. Access to classified or sensitive information. Inspectors general must present proof of their security clearance or special access to review classified documents. Inspectors general also must present sufficient justification to the record holder to obtain sensitive records. Should compartmentalization or classification restrictions preclude immediate access to information required by an IG, the denying commander will immediately report the situation to the appropriate access control authority for an access eligibility determination. If this authority does not grant access to the information, the IG will notify the commander and TIG of the situation. The notice to TIG will include the location, date, and command; scope of inquiry, inspection, or investigation; who denied access; who verified denial and approved denial; and the reason access was denied.

1-10. Inspector general guidelines for Army National Guard matters

a. Unless otherwise specified, the NGB and the CNGB will function as a MACOM headquarters and MACOM commander with respect to Federal IGs (Active Army or ARNGUS on extended active duty in a title 10 status) assigned or detailed to the NGB and to the State area commands (STARCs) of the National Guard (NG) of the States.

b. With some exceptions, IG activities within the NG are the same as those in the Active Army and the USAR. Exceptions are stated in appropriate sections of this regulation. For Air National Guard (ANG) matters, Army personnel serving as IGs for the NG will follow these guidelines:

(1) At the discretion of the State AG, requests for assistance from ANG personnel or family members may be received and processed by the State IG office.

(2) The IGs usually will not inspect ANG units.

(3) If technical support for an investigation is needed from outside the State, that support will be requested through the Chief, National Guard Bureau (ATTN: NGB-IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202-3259.

(4) When conducted by Active Army or ARNGUS IGs, an IG investigation or investigative inquiry will use established regulations and procedures applicable to the subject's or suspect's Service. For example, the Active Army or ARNGUS IG of the State will follow applicable Air Force/Air National Guard regulations and investigative procedures when inquiring or investigating allegations against an ANG member. When the investigation or investigative inquiry involves ARNGUS personnel, the IG will follow this regulation.

c. Active Army officers (and ARNGUS officers on extended active duty in a title 10 status, assigned as State IGs) have authority to inspect and to perform other IG functions with regard to those aspects of the NG having Federal interest (see glossary).

d. Pursuant to 10 USC 3020 and 32 USC 105, TIG is responsible to the SA and CSA for supervision of the activities of Federal IGs (Active Army or ARNGUS on extended active duty in a title 10 status) with regard to the NG. TIG is assisted in executing this responsibility by MACOM and subordinate commanders with regard to the activities of Federal IGs assigned to those commands. TIG is also assisted in executing this responsibility by the CNGB with regard to Federal IGs assigned to the NGB or to the STARC of the NG of the States. TIG retains general authority to direct IG inspections of those areas or activities of the NG of Federal interest.

e. MACOM commanders, subordinate commanders, and the CNGB may direct IG inspections of ARNGUS units, activities, and functions with regard to those areas or activities of Federal interest for which they have responsibility under AR 10-5, AR 10-87, or other applicable regulations or directives. Conduct of these inspections remains subject to the policies of this regulation. Inspection by Federal IGs assigned to a MACOM, a subordinate command, the NGB, or a NG STARC does not preclude inspection of the same units, activities, and functions by DAIG or other appropriate authority. In appropriate cases, as determined by TIG, responsibility to conduct an inspection of the NG by Federal IGs in particular cases will be transferred to the DAIG. TIG, acting through the IG, NGB, has authority to task Federal IGs assigned or detailed to STARCs to assist in a DAIG investigation of NG activities of Federal interest in that State.

Section IV

Punitive Prohibitions

1-11. Prohibited activity

a. *Prohibition on restricting lawful communication with an IG, Member of Congress (MC), or a member of an audit, inspection, investigation or law enforcement organization within the DOD.* Persons subject to this regulation will not restrict anyone in any manner from lawfully communicating with those individuals mentioned above. This prohibition includes communications with the IG, DOD and the IGs of other Services and Federal agencies.

b. *Prohibitions against reprisal.*

(1) *A civilian whistleblower.* Persons subject to this regulation will not take (or threaten to take) an unfavorable personnel action or withhold (or threaten to withhold) a favorable personnel action with respect to any employee or applicant for employment as reprisal for communications protected by 5 USC section 2302(b)(8).

(2) *A military whistleblower.* Persons subject to this regulation will not take (or threaten to take) an unfavorable personnel action or withhold (or threaten to withhold) a favorable personnel action with respect to a member of the armed forces as reprisal for making or preparing a lawful communication with an IG, MC, or member of a DOD audit, inspection, investigation, or law enforcement organization or with any other person or organization (including any person or organization in the chain of command) designated under regulations or other established administrative procedures (for example, the equal opportunity advisor (EOA), safety officer) to receive such communications. (See AR 600-20 for a definition of *chain of command*.) The term *lawful communication* encompasses information that the soldier reasonably believes evidences a violation of law or regulation, including a law or regulation prohibiting sexual harassment or unlawful discrimination, gross mismanagement, a gross waste of funds or other resources, an abuse of authority, or a substantial and specific danger to public health or safety.

c. *Prohibition against making an unlawful communication with an IG, an MC, or the Office of Special Counsel (OSC).* Persons subject to this regulation will not knowingly make an unlawful communication with an IG, an MC, or the OSC. An example of unlawful communication is a false official statement (Article 107, Uniform Code of Military Justice (UCMJ)). This prohibition also applies to communications with IG, DOD and the IGs of other Services and Federal agencies.

d. *Persons subject to the UCMJ.* Persons subject to the UCMJ who violate the above prohibitions are subject to punishment under Article 92, UCMJ. They are also subject to adverse administrative action and other adverse action authorized by the United States Code or Federal regulations.

e. *Persons not subject to the UCMJ.* DA civilian employees who violate the above prohibitions are subject to

disciplinary action under AR 690–700, chapter 751, or criminal prosecution authorized by the United States Code or Federal regulations.

f. Reporting prohibited actions. Persons who believe an action prohibited by paragraphs *a*, *b*, or *c* above has occurred, should report the circumstances to the chain of command or to the local IG. Alternatively, the circumstances may be reported to a higher headquarters IG listed in the permanent “Notice of Rights to Present Complaints” that is posted on local bulletin boards. (See figs 4–1 and 4–2.) For guidance to IGs on resolving reprisal cases, see paragraph 8–9c.

1–12. Confidentiality

a. Persons who ask the IG for help, make a complaint, give evidence, contact or assist an IG during an inspection or investigation, or otherwise interact with an IG often have an expectation of confidentiality. This expectation encompasses safeguarding of personal identity and the nature of a contact with the IG. The IG has a duty to protect confidentiality to the maximum extent possible, particularly when it is specifically requested. Although the need for confidentiality and the measures necessary to protect it will vary with the circumstances, the IG always gives this issue priority attention. Army IG investigation files are a system of records subject to access under the Privacy Act. Inspector general files compiled for law enforcement purposes may be exempt from access under exemption k(2) of the Privacy Act; however, in accordance with this exemption, if an individual is denied any right, privilege, or benefit for which he or she would otherwise be eligible, as a result of the maintenance of such information, the individual will be provided access to such information except to the extent that disclosure would reveal the identity of a confidential source.

(1) When a person complains or provides information about impropriety or wrongdoing, the IG may disclose the complainant’s identity to detailed IGs, the supporting legal advisor, and the directing authority without the complainant’s consent unless the IG determines such disclosure is unnecessary or prohibited during the course of an inquiry or investigation. Inspectors general should not further disclose the complainant’s identity without the complainant’s consent unless the IG determines such disclosure is unavoidable during the course of an inquiry or investigation. If the IG determines that disclosure is unavoidable, the IG will try to inform the person before disclosure. If the person objects, the IG will coordinate with the legal office before proceeding. Efforts to notify the person and the circumstances of any disclosure of the person’s name will be made part of the record.

(2) When a person seeks assistance from the IG, it is often necessary to reveal the person’s identity to obtain the help needed. The IG will inform the person of that necessity. The IG file will reflect that the person was informed.

b. When a person requests anonymity, the IG will take more extensive measures to protect the person’s identity. The person’s name will not be used as a file identifier or as a means to retrieve a file. The request for anonymity will be prominently stated, and the use of the person’s name will be minimized in any file or record created by the IG. This is most easily done by referring to the person as “complainant,” “witness,” or similar title instead of by name.

c. The intent behind this emphasis on confidentiality is to protect individual privacy, maintain confidence in the IG System, and minimize the risk of reprisal. (See glossary, *Triangle of Confidentiality*.) It is a key principle of IG doctrine because it encourages voluntary cooperation and willingness to ask for help or to present a complaint for resolution.

d. While protecting confidentiality is a priority concern for the IG, it cannot be absolutely guaranteed. Inspectors general will not unconditionally promise confidentiality. It may be breached if required by law or regulation, or by direction of TIG. Persons who request anonymity or who express a concern about confidentiality will be told this.

e. Inspectors general often seek legal advice from their supporting staff judge advocate (SJA). The legal advisor/SJA is considered to be “corporate counsel” with the Army being the corporation. Therefore, the Army is the client, not the IG. Although the SJA works for the commander and owes allegiance and confidentiality towards that entity, that confidentiality with the commander does not override the SJA’s obligation to the Army (see *triangle of confidentiality* in the glossary).

f. All IGs and IG employees are obligated to protect confidentiality after their service with the IG System has ended.

Chapter 2

Inspector General Personnel Procedures

2–1. Inspector general positions

a. Inspector general positions are designated in approved modification tables of organization and equipment (MTOEs) and tables of distribution and allowances (TDAs). A command IG position is required on each MTOE that requires a general officer as commander in wartime. Authority to establish IG positions in TDAs has been delegated to commanders reporting directly to HQDA. (See AR 614–100.) Additionally, State AGs have authority to modify the STARC TDA, per the guidelines established by the NGB in NGR 10–2. (For further guidance, contact the Chief, National Guard Bureau (ATTN: NGB–IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202–3259.)

TIG provides input and reviews manpower standards and staffing guides provided by the U.S. Army Force Management Support Agency's studies regarding minimum manpower requirements for IG activities. Detailed IGs, assistant IGs, and IG office or administrative support staff will be assigned to MTOE or TDA positions.

b. Inspector general positions will be designated in approved MTOEs and TDAs in coordination with DAIG, (ATTN: SAIG-OP). The purpose of the coordination is to enable TIG, as the proponent of the IG System, to maintain visibility of the system and to advise commanders on IG force structure issues.

2-2. Inspector general categories

a. The IG System consists of people serving in one of the following five categories:

- (1) Detailed IGs.
- (2) Assistant IGs.
- (3) Temporary assistant IGs.
- (4) Acting IGs.

(5) Office or administrative support staff who are not IGs. Persons serving as detailed IGs, assistant IGs, temporary assistant IGs, and acting IGs are referred to as inspectors general. Table 2-1 lists the five categories by the actions each performs.

b. TIG establishes the prerequisites for service as an IG except for civilian assistant IGs.

c. Only commissioned officers are selected as detailed IGs and must qualify for the detail in accordance with AR 614-100. Warrant officers (WOs), including commissioned warrant officers, may not serve as detailed IGs.

(1) Command and State IGs must be detailed IGs who are on the personal staff of the commander; the command IG or the State IG works directly for the commander or State AG. The IGs operate with, contribute support to, and obtain support from other IGs Army-wide within the IG System as well as joint command IGs and other Service IGs through technical channels.

(2) Detailed IGs may receive and process requests for assistance, direct and conduct inquiries, conduct investigations and inspections, and administer oaths. Detailed IGs wear the IG insignia (see AR 670-1).

Note. The IG insignia will not be worn for official photographs.

(3) When a command or State IG is about to complete or curtail an IG detail and another detailed IG is not available to readily assume or act in the position of the command or State IG, coordination will be made with a higher level IG. The higher level IG will ensure that a detailed IG is designated to provide technical assistance to the subordinate level IG office until its own detailed IG is available.

d. Assistant IGs are chief warrant officers (CWOs), noncommissioned officers (sergeant first class (SFC) and above), or civilian employees (General Schedule 9 (GS-09) and above) who perform IG functions on the staff of a command or State IG. Noncommissioned officer (NCO) assistant IGs must qualify for the IG assignment under AR 614-200 as applicable. (Enlisted assistant IGs in the grade of SSG/E6 and DAC assistant IGs in grades of GS-06 to GS-08 working as IGs under the provisions of the 1994 edition of this regulation are allowed to complete their IG assignment.) The CWOs must be graduates of the Warrant Officer Advance Course in the grade of CW2(P) and above. Exceptions to grade qualifications will be approved by TIG. Additional prerequisites are contained in AR 614-100.

(1) An assistant IG may receive and process requests for assistance, conduct IG inquiries, assist detailed IGs with IG investigations and IG inspections, and perform administrative duties.

(2) Assistant IGs normally assist detailed IGs in the conduct of inspections by either being a member of an inspection team led by the detailed IG, or by leading an inspection team that is under the detailed IG's direction.

(3) Except for commissioned warrant officers, assistant IGs may not administer oaths. However, as an exception, command IGs can request through channels TIG approval for grades GS-9 and above and for grades sergeant first class (SFC) and above to administer oaths for conducting specific investigations and inquiries.

(4) Enlisted soldiers serving as assistant IGs will wear IG insignia. The CWOs serving as assistant IGs will wear WO insignia (see AR 670-1).

Note. Inspector general insignia will not be worn for official photographs.

e. Temporary assistant IGs are commissioned officers, CWOs, enlisted soldiers, and DA civilian employees temporarily detailed to augment an IG inspection or investigation team for a specified period of time. Individuals detailed as temporary assistant IGs must possess requisite specialty training and field experience. Additional guidance can be found in AR 614-100 (commissioned officer and CWOs), AR 614-200 (enlisted soldiers), and AR 140-10 (Reserve Components (RC) personnel). The term of service of a temporary assistant IG is specified in the appropriate authorizing regulation.

(1) Soldiers assigned as temporary assistant IGs who perform IG duties for more than 180 days must be approved by TIG. Soldiers assigned as temporary assistant IGs to perform IG duties in excess of 90 but fewer than 180 days will be approved by MACOM commanders. MACOM commanders may delegate their authority to the first general officer in the chain of command. Temporary assistant IGs assigned for 90 days or less will be approved by the local commander authorized a detailed IG.

(2) The command or State IG will ensure that persons selected to serve as temporary assistant IGs receive appropriate training before performing IG functions. Temporary assistant IGs who are expected to perform IG functions for over 180 days will attend the resident IG Course as soon as possible after selection by the authorized commander. Exceptions require TIG approval.

(3) Temporary assistant IGs may not administer oaths.

(4) Commissioned officers (other than commissioned warrant officers) and enlisted soldiers assigned as temporary assistant IGs will wear IG insignia when the duration of their service as temporary assistant IGs is anticipated to be for more than 180 days.

(5) Temporary assistant IGs will work under the supervision of a detailed IG and will not lead an inspection, investigation or inquiry. Temporary assistant IGs will not process IGARs but may assist a detailed or assistant IG with IGARs by their special expertise.

f. Acting IGs are commissioned officers appointed to this additional duty by a MACOM commander. Exceptions may be approved by TIG (ATTN: SAIG-OP) in cases where a commissioned officer is not available (see para 2-3c). An acting IG assists a detailed IG with receiving IGARs in population areas for which the detailed IG has responsibility but from which the detailed IG is often geographically separated. The detailed IG has several other options to the appointment of an acting IG. These include conducting periodic IG assistance visits, publishing toll-free numbers, using facsimile transmittals, receiving IGARs in conjunction with inspections, and executing Memorandums of Agreement (MOAs) with other IGs.

(1) Acting IGs will only provide assistance for requests for help. Acting IGs will not conduct investigative inquiries or investigations, serve on IG inspection teams, or perform duties in the office of a detailed IG. Acting IGs may not administer oaths.

(2) Acting IGs will not wear IG insignia.

(3) Acting IGs will be trained for responsibilities and procedures by a detailed IG. Additionally, acting IGs will receive technical supervision from and be supervised in the performance of their duties by a detailed IG.

(4) Commissioned officers in the chain of command, or those who routinely assume duties in the chain of command, will not be designated acting IGs. (For example, a battalion executive officer (XO) should not be assigned as an acting IG. If the XO assumes temporary command, the XO's effectiveness as an acting IG could be compromised.) Exceptions will be approved by TIG (ATTN: SAIG-OP).

(5) Acting IGs will not be assigned non-IG investigations such as AR 15-6 investigations, commander's inquiries, reports of survey, line of duty investigations, and Article 32 investigations. (See para 2-6a(2).) Although these duties may not directly conflict with the acting IG's duties, they may create the perception in the command of an IG investigation while placing the acting IG in a position of fulfilling two separate but opposing roles.

(6) When an acting IG is approved, the command or State will announce the designation of the acting IG by memorandum. A memorandum will also be sent to the acting IG by the command or State IG. This memorandum will specify the extent of the acting IG's authority to receive and act on requests for assistance and will identify the detailed IG who will supervise the acting IG's activities.

g. Office and administrative support staff are soldiers and civilian employees who serve in administrative and support positions (such as administrative assistants, secretaries, drivers, computer operators, clerks, typists, and so forth) on the staff of a command or State IG. Although they are not assistant IGs, they will take the IG oath (see para 2-5) because they are part of the IG System and may have access to IG records. Command and State IGs will ensure that administrative support personnel do not perform any of the IG functions but are obligated to protect confidentiality per paragraph 1-12.

2-3. Inspector general certification

a. The IG certification process consists of three parts: nomination; selection, that is, approval of the nomination; and training (see chap 5). All Army IGs are certified by TIG to perform IG duties after they complete the three-part process. For Active Army assignments as detailed IGs, assistant IGs, or temporary assistant IGs for more than 180 days, nominations are made by the U.S. Total Army Personnel Command (PERSCOM), either as a result of the requisition process, or of the identification of a local nominee by the commander or IG. For USAR AGR assignments as detailed IGs or assistant IGs, nominations are made by AR-PERSCOM as a result of the requisition process. For AGR ARNGUS commissioned officers, nomination packets will be reviewed by NGB, prior to submission for TIG approval. TIG approves nominations of all soldiers to be assigned as detailed and assistant IGs within the IG System and as military temporary assistant IGs assigned in excess of 180 days. TIG also approves nominations of all soldiers assigned to IG duties in joint and unified commands and IG, DOD, prior to the approval of the gaining command.

b. All nominations requiring TIG approval will be submitted as specified in appendix C. Nomination approval authorities of all categories of IGs are shown at table 2-1.

c. Nominations of commissioned officers to be assigned as acting IGs for active and subordinate USAR units may be approved by MACOM commanders. MACOM commanders may delegate authority to approve such nominations to the first general officer in the chain of command. The State AG approves appointment of commissioned officers as acting IGs in the State or territory of the NG. If a commissioned officer is not available for nomination as an acting IG,

a request for exception may be submitted to TIG. The request must demonstrate the need for an acting IG, explain why no commissioned officer is available, and describe the qualifications of the nominee.

d. Nomination of Active Army commissioned officers to be a detailed IG in a State, territory, Commonwealth of Puerto Rico or the District of Columbia must be reviewed by the CNGB and approved by the State AG or the Commanding General of the District of Columbia National Guard prior to approval by TIG. The State AG will provide TIG with written detailed justification for not accepting a PERSCOM nomination.

e. Reserve Components military technicians will not be approved for USAR troop program unit (TPU) or ARNGUS mobilization-day (M-day) IG positions because of the inherent conflict of interests of holding both positions. Command and State IGs should avoid hiring civilian assistant IGs who hold an RC status (non-IG position) for the same reason.

f. Multiple nominations for one duty position will not be considered. Announcement of detail will be made per AR 614-100.

g. Nominations for repetitive or consecutive IG tours must be approved by TIG.

h. Civilian employees selected to serve as assistant IGs will be approved by the local command or State IG. Command and State IGs will report newly hired assistant civilian IGs to TIG (ATTN: SAIG-TR) so that the Inspector General Personnel System (IGPERS) database can be updated and selection verified for attendance to the IG Course. For specific guidance on policies pertaining to the placement and employment of civilian inspectors general, see the servicing Civilian Personnel Advisory Center (CPAC).

2-4. Length of inspector general assignments

a. Detail as an IG is for a 3-year, stabilized tour (or the tour elected in accordance with AR 614-30), with curtailments handled on an exception basis. Soldiers approved by TIG for IG duty will not be reassigned or removed without TIG approval until the prescribed tour has been completed. TIG will normally approve requests for early release based upon professional development reasons including, but not limited to, assignment to branch qualifying positions or professional development schools. Under special conditions, TIG may approve removal or reassignment of an IG without prejudice. Requests for curtailment and removal without prejudice will be initiated by the commander or the soldier. Requests will be on a DA Form 4187 or in memorandum format and will contain a justification and anticipated release date. Curtailment requests must be endorsed by the immediate supervisor and will be processed through normal personnel channels to the soldier's assignment manager (at PERSCOM, Army Reserve Personnel Command (AR-PERSCOM) or NGB). The assignment manager will forward requests to DAIG (SAIG-OP) for TIG approval. (All ARNGUS requests for curtailments of IG duty for both Active Army and ARNGUS soldiers will be forwarded through Chief, National Guard Bureau (CNGB) prior to being sent to TIG for approval.) Soldiers removed for cause do not require TIG approval. TIG will be notified immediately of any removal for cause. Replacements for approved curtailments will be processed through normal personnel channels. TIG may remove any soldier from service as an IG.

b. For Active Army soldiers, the soldier's assignment manager is the approval authority for the extension of the third to the fourth year as a detailed IG or an assistant IG. Extension of any IG duty beyond 4 years requires TIG's concurrence. Extension requests must be endorsed by the immediate supervisor and will be processed through normal personnel channels to the soldier's assignment manager. DAIG (SAIG-OP) will be provided copies of all approved extensions by the assignment manager. If the assignment manager disapproves the request for extension, a copy of the disapproval will be sent to DAIG (SAIG-OP). Extension requests for detail beyond 4 years on which the assignment manager recommends approval will be forwarded to the DAIG (SAIG-OP) for coordination and final TIG approval.

c. The MACOM, in coordination with AR-PERSCOM or Office of the Chief, Army Reserve (OCAR), may approve fourth year extensions of USAR soldiers. Authority to approve fourth year extensions of USAR soldiers may be delegated to the first general officer in the chain of command. Extension requests for detail beyond 4 years on which the assignment manager recommends approval will be forwarded to DAIG (SAIG-OP) for coordination and final TIG approval.

d. The State Adjutant General may approve fourth year extensions of ARNGUS soldiers. Extension requests for detail beyond 4 years on which the assignment manager recommends approval will be forwarded to DAIG (SAIG-OP) for coordination and final TIG approval.

e. There is no specified length of IG assignments for civilian assistant IGs. Their IG assignment is determined by the command or State IG in accordance with applicable civilian employment policies (see para 2-3h).

2-5. Inspector general oath

a. Persons serving as an IG and office administrative support staff will take the IG oath. (See figs 2-2, 2-3, and 2-4.) The commander or an authorized representative will administer the IG oath.

b. The IG oath, although primarily descriptive of the position of a detailed IG, is nevertheless appropriate for all personnel serving in an IG office or as an acting IG. Everyone serving in an IG office contributes to the effectiveness of the IG System, manages sensitive information, and represents the IG functions to other persons and agencies. The IG oath reminds all IG personnel of the special trust and confidence inherent in their position.

c. Personnel who have sworn to or affirmed the IG oath will be issued DA Form 5097 (Inspector General Oath) (fig

2–1), or DA Form 5097–1 (Inspector General Oath (Non-IG)) (fig 2–2), or DA Form 5097–2 (Inspector General Oath (Acting IG)) (fig 2–3), as appropriate. DA Form 5097, DA Form 5097–1, and DA Form 5097–2 are available through normal supply channels.

2–6. Inspector general duty restrictions

a. Detailed IGs, assistant IGs, temporary assistant IGs, and acting IGs will not—

(1) Be assigned to any non-IG assistance or evaluation functions such as maintenance assistance and inspection teams, command logistics evaluation and review teams, readiness evaluation teams, command or staff inspection teams, or similar teams.

(2) Be appointed as investigating officers under Article 32, Uniform Code of Military Justice (UCMJ, Art. 32), or Article 138, Uniform Code of Military Justice (UCMJ, Art. 138), AR 15–6, or other regulation providing for the appointment of investigating officers, members of administrative separation boards, or members of courts-martial.

(3) Be assigned duties that may subsequently disqualify them from making or assisting in impartial inquiries or investigations within their sphere of activity (see paras 1–9a, 2–2f(4) and 2–2f(5)). Examples include staff duty officer or NCO, line of duty investigator, casualty assistance officer or NCO, member of interior guard force, member of an awards board, funeral detail, or any committee or function, unless directly related to IG matters.

b. The restrictions in this paragraph are intended to preclude conflicts of interest, prevent the prejudice of impartiality, and protect the integrity of the IG System. Inspectors general are never off the record; IGs do not make command policy; IGs do not recommend adverse personnel action; and IGs do not do anything that may jeopardize the distinction between being the extension of the commander and a fair and impartial fact-finder. The restrictions in this paragraph are not intended to exclude IGs from performing management functions normal for offices and staff office chiefs, such as participating in the budget process and contributing to goal setting for the command.

2–7. Retiree Mobilization Program

TIG is the approving authority for retired commissioned officers (under 60 years of age) nominated for pre-assignment orders to IG positions in accordance with AR 601–10. AR–PERSCOM has overall responsibility for administering the program. AR–PERSCOM will approve officers to serve as IGs in this program who can be identified as having an additional skill identifier (ASI) of 5N (Inspector General).

Table 2–1
Categories of inspectors general

Grade and duties	Detailed IG	Assistant IG	Temporary assistant IG	Acting IG	Admin support staff
Grade	Com Off, CPT+	CW2(P)+, SFC+, GS–9+	Com Off, WO, NCO, DAC	Com Off (exceptions approved by TIG)	In accordance with MTOE or TDA
Approved by	TIG	Military by TIG; DAC by cmd	TIG for 180 days+; MACOM for 90 to 180 days; local cmd for under 90 days	MACOM for Active Army and USAR; TAG for ARNGUS; exceptions by TIG	Local command
Trained by	DAIG	DAIG	Detailed IG; by DAIG if duty over 180 days	Detailed IG; DAIG if space available	Detailed IG; DAIG if space available
Take IG oath	Yes	Yes	Yes	Yes	Yes
Conduct IG inspections	Yes	Assists detailed IG	Assists detailed IG	No	No
Conduct IG assistance	Yes	Yes	Assists detailed/assistant IGs	Yes, under supervision of detailed IG	No
Conduct IG inquiries	Yes	Yes	Assists detailed IG	No	No
Conduct IG investigations	Yes	Assists detailed IG	Assists detailed IG	No	No

Table 2-1
Categories of inspectors general—Continued

Administer oaths	Yes	CWOs only; NCO & DAC by exception	No	No	No
Perform admin duties	Yes	Yes	Yes	Yes	Yes
Tour length	3 years	Military: 3yrs; DAC: indefinite	In accordance with ARs 614-100, 614-200, 140-10; DAC in accordance with CPAC	In accordance with command	In accordance with command
Wear IG insignia	Yes	NCO only	Military only if duty over 180 days	No	No



Department of the Army

I, LTC JACK D. SMITH,

having been assigned as an Inspector General, do solemnly swear (or affirm) that I accept the special obligations and responsibilities of the position freely, that I will uphold the standards for Inspectors General prescribed by regulations and that I will, without prejudice or partiality, discharge the duties of the office upon which I am about to enter. So help me God.

Jack D. Smith
Inspector General

Date: 20 AUG 93

Sworn in Recognition of Special
Trust and Honor by Order of
THE SECRETARY OF THE ARMY

Issuing Authority Ronald W. Gifford
The Inspector General

W. S. W. Stone
Secretary of the Army

DA FORM 5097, NOV 1988 Edition of Apr 92 is obsolete

Figure 2-1. Sample DA Form 5097



Department of the Army

I, MRS. JILL D. SMITH,

having been assigned in the office of an Inspector General, do solemnly swear (or affirm) that I accept the special obligations and responsibilities of the position freely, that I will uphold the standards for Inspectors General prescribed by regulations and that I will, without prejudice or partiality, discharge the duties of the office upon which I am about to enter. So help me God.

Jill D. Smith

Date: 20 AUG 93

Sworn in Recognition of Special
Trust and Honor by Order of
THE SECRETARY OF THE ARMY

Issuing Authority Bradd H. Giffitt
The Inspector General

Gen. J. W. S. Lane
Secretary of the Army

DA FORM 5097-1, NOV 1989

Figure 2-2. Sample DA Form 5097-1



Department of the Army

I, LTC JAMES E. SMITH,

having been assigned as an Acting Inspector General, do solemnly swear (or affirm) that I accept the special obligations and responsibilities of the position freely, that I will uphold the standards for Inspectors General prescribed by regulations and that I will, without prejudice or partiality, discharge the duties of the office upon which I am about to enter. So help me God.

James E. Smith
Acting Inspector General

Date: 20 AUG 93

Sworn in Recognition of Special
Trust and Honor by Order of
THE SECRETARY OF THE ARMY

Issuing Authority Donald V. Gifford W. S. W. Cline
The Inspector General Secretary of the Army

DA FORM 5097-2, NOV 1989

Figure 2-3. Sample DA Form 5097-2

Chapter 3 Inspector General Records

3-1. Nature of inspector general records

a. All IG records, including USAR IG records and ARNGUS IG records concerning Federal matters, are the property of the SA. These records are maintained on the SA's behalf by IGs. The designated release authority for all IG records is TIG.

b. Inspector general records are privileged documents and contain sensitive information and advice. Unauthorized use or release of IG records can seriously compromise the IG's effectiveness as a trusted adviser to the commander or State AG and may breach IG confidentiality. (See para 1-12.)

c. Army IG records are any written or recorded IG work-product created during the course of an IG assistance case, inquiry, inspection, and investigation. An IG record includes, but is not limited to, correspondence or documents received from a witness or a person requesting assistance, IG reports, IG Worldwide Network (IGNET) or other computer automatic data processing (ADP) files or data, and IG notes and working papers.

d. Non-IG records are documents contained within the IG file that were created by other Army or Federal agencies, or documents from outside the Federal Government. While these records may be under the control of the IG for purposes of conducting assistance, inquiries, inspections, and investigations, release of these records remains under the jurisdiction of the originating organization. Requests for non-IG records will be referred to the appropriate custodian

for release determination and direct response to the requester. For release of IG records or information to DA investigators, see paragraph 3–6i.

e. Only TIG or TIG’s designated representatives (Legal Advisor and Deputy Legal Advisor) have the authority to release IG records. (See para 3–4.)

3–2. Protection of inspector general records

a. Unclassified IG records will be marked “For Official Use Only (FOUO)” and “Dissemination is prohibited except as authorized by AR 20–1.” The markings will be on the bottom of the front cover, on every page that contains IG sensitive information, and on the outside of the back cover. The acronym “FOUO” will not be used.

b. When IG records are released outside IG channels (see paras 3–6 and 3–7), they will be marked, “This document contains information EXEMPT FROM MANDATORY DISCLOSURE under the FOIA. Exemption(s) (number(s)) apply.” The following exemptions may apply to IG records:

- (1) Inspection reports—Exemption 5.
- (2) ROI—Exemptions 5, 6, and 7.
- (3) Reports of Investigative Inquiry—Exemptions 5, 6, and 7.
- (4) Inspector General Action Requests—Exemptions 5, 6, and 7.

c. Classified IG records will be marked, per AR 380–5. They will also be marked “When declassified, document becomes For Official Use Only. Dissemination is prohibited except as authorized by AR 20–1.”

d. Each magnetic tape or floppy disk containing IG data will be marked with the appropriate DA label. (See AR 25–55 and AR 380–5.)

e. Original copies of IG correspondence designed to leave IG control, such as replies to correspondence or subjects and letters to MC, are not given protective markings and treatment. However, file copies of such correspondence should be protectively marked if they leave IG channels.

f. Internal management documents designed to circulate within an IG office and govern routine matters do not require protective markings; however, they are still protected as FOUO material.

g. Each part of an electrically transmitted message containing FOUO information shall be marked appropriately. Unclassified messages containing FOUO information shall contain the acronym “FOUO” before the beginning of the text.

h. Destruction of IG records will be in accordance with AR 25–55, chapter 4, section 5; AR 25–400–2, or AR 380–5, as appropriate.

i. Alcohol and Drug Abuse Prevention and Control Program (ADAPCP) information in IG records requires additional protection per section 290dd–2; title 42, United States Code (42 USC 290dd–2). Prior to the release of such information, consult with the DAIG Legal Advisor (SAIG–ZXL), (Defense Switched Network (DSN): 329–1093).

3–3. Use of inspector general records for adverse actions

a. Inspector general records will not be used as the basis for adverse action (see glossary) against individuals, military or civilians, by directing authorities or commanders, except when specifically authorized by SA, USofA, CSA, VCSA, or TIG. Requests for such use will be submitted to TIG. Requests must state why a follow-on investigation would be unduly burdensome, unduly disruptive, or futile.

b. When an IG record is used as the basis for adverse action, the individual concerned may be entitled to additional due process rights as outlined below:

(1) *Non-Senior officials.* Inspector general records will not be used as a basis for an adverse action that will be filed in a non-senior official’s official personnel file (as defined by AR 600–37) unless the issuing authority has obtained approval, as outlined in paragraph *a* above. In addition, the non-senior official has been given the opportunity to review the IG records that serve as the basis for the proposed filing and make a written statement in rebuttal or to decline in writing to make such a statement.

(2) *Senior officials.* Inspector general records used as a basis for an adverse action against a senior official will be provided only if the records are requested by the senior official and when such release is otherwise required under the provisions of FOIA and/or the Privacy Act.

c. Release of the IG record may breach the confidentiality of witnesses and/or IG opinions, conclusions, and recommendations. Commanders, State AGs, and directing authorities must consider this impact when deciding whether to request the use of an IG record for adverse action. Extreme care should be taken to ensure that any adverse action taken by a supervisor against a subordinate does not constitute a reprisal against a “whistleblower” and is otherwise taken within the guidelines of the Whistleblower Protection Act (see section 2302, title 5, United States Code (5 USC 2302)) and the Whistleblower Protections for Members of the Armed Forces (see section 1034, title 10, United States Code (10 USC 1034)). Chapter 8 provides specific guidance in situations in which IG investigations should be directed instead of other types of investigations, such as those conducted by USACIDC or pursuant to AR 15–6.

d. When use of IG records as the basis for adverse action is contemplated, the IG office with the records will submit the request to the Records Release Office address, The Inspector General (ATTN: SAIG–ZXR), 1718 Army Pentagon, Washington, DC 20310–1718, describing precisely which portions of the IG records are requested and why. Assistance

in determining whether an action is deemed adverse may be obtained from the servicing legal office or the Legal Advisor, USAIGA. The IG will also encourage consultation between the commander concerned and the servicing legal office regarding the need for IG records as the basis for the action contemplated and the availability of other evidence to serve the same purpose.

e. When IG records are approved for use as the basis for adverse action, only the minimum amount of evidence necessary from the record will be used, preferably from documentary evidence and testimony for which consent to release was obtained. IG opinions, conclusions, and recommendations are not evidence and will not be used as a basis for adverse action.

3-4. Request for IG records

Request for IG records must be in writing and submitted for action to the Records Release Office, HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912.

3-5. Release authority for IG records

a. Only TIG or TIG-designated representatives (Legal Advisor and Deputy Legal Advisor) can approve release of IG records outside IG channels, except as set forth in paragraphs 3-6a(1) and 3-6a(2).

b. Release of IG records will only be made after case closure. The Inspector General grants access to IG records under the following two separate records release categories and subject to the provisions stipulated below:

- (1) Official Use of Inspector General Records Within Department of the Army.
- (2) Release of Inspector General Records Outside Department of the Army.

3-6. Official use of inspector general records within Department of the Army

a. Applicable portions of IG records may be provided to individuals, commands, or agencies within DA having a need for these records in the official performance of their duties if approved by TIG.

b. The Inspector General is the only authority to act on requests for IG records For Official Use Only, with the following exceptions:

(1) Release of an IG ROI or ROII to the directing authority. For use of IG ROI or ROII for adverse action, see paragraph 3-3.

(2) Release of an IG inspection report to the directing authority and to DA agencies responsible for effecting changes to functional areas addressed in the report and agencies responsible for developing training based on findings addressed within the report. See paragraph 3-7a(4) for release of IG inspection reports to Commanders in Chief (CINCs) and non-Army IGs.

c. An IG ROI contains privileged and sensitive information. When provided for official use, IG ROI/ROII will be strictly controlled. Review of IG reports will be restricted to the absolute minimum number of people with a strict need to review the report in the performance of official Army duties, in order to make a recommendation and decision on appropriate action. Generally, persons responsible only for implementing a decision based on an IG report do not need to review the report.

d. Inspector general records for official use within DA may be obtained as follows:

(1) Certain IG reports, for example, inspection reports, are distributed by the IG office preparing the report to commanders and staff officers whose duties are related to the subjects of the reports.

(2) Persons and agencies within DA may obtain IG records for official use by providing their local detailed IG, or the IG office of record a written request that states clearly the reason they need the IG records. These requests will be forwarded to the Records Release Office, SAIG-ZXR, 2511 Jefferson Davis Highway, Arlington, VA 22202-3912. Written notation concerning the release and its justification will be retained with the record file copy of the case.

e. The following restrictions apply to all IG records requested for official use by individuals, commands, or agencies within DA and will be stated in a transmittal letter to the DA recipient:

(1) Inspector general records will not be reproduced or further disseminated without specific permission of TIG, who may provide permission in the transmittal letter, if appropriate.

(2) Use or attachment of IG records as exhibits or enclosures to records of other DA offices or agencies is not authorized without written approval of TIG.

(3) Inspector general records will not be used by commanders at any level to compare commands or commanders.

(4) Rating officials and supervisors may not cite inspection findings, inquiry results, or other IG information in an evaluation report, performance appraisal, award recommendation, or other evaluation that is maintained in official personnel records. Even though a rating or recommendation is not adverse, disagreements over the rating or award may lead to appeals and resultant disclosure of IG information in a public forum.

(5) Inspector general records provided to DA recipients will be returned to the Records Release Office, SAIG-ZXR, 2511 Jefferson Davis Highway, Arlington, Virginia 22202-3912 when the records have served the requested purpose.

f. The restrictions above emphasize that the records are only "on loan" to the recipient and remain under TIG's control. Recipients of IG records are not to incorporate them into a system of records subject to the Privacy Act

because the recipient's system of records may not be subject to the same Privacy Act exemptions as the IG system of records.

g. Requests for IG records by the accused and defense counsel submitted through the Government representative in a judicial proceeding are Discovery requests (see para 3-7e). Requests for IG records by the accused, counsel, appellants, and respondents submitted to the Records Release Office, SAIG-ZXR, are FOIA requests (see para 3-7c). For example, if the purpose of the request is to appeal an administrative action such as officer evaluation report (OER) or noncommissioned officer evaluation report (NCOER), relief for cause appeal, or Army Board for Correction of Military Records (ABCMR) petition, the request for IG records should be made pursuant to FOIA. Upon request by the FOIA requester, SAIG-ZXR may grant expedited processing when there is a compelling need for the IG records. See paragraph 3-7c(6) for what constitutes compelling need.

h. Inspector general records requested in relation to an appeal of an adverse administrative action, evaluation report, or petition for correction of records, where no due process right of access exists, may be provided to a review or appeal board for consideration upon the board's request as an "official use" release within DA.

i. Release of IG records or information to DA investigators: DA investigators include personnel (that is, Investigating Officers, Report of Survey Officers, CID, and MP investigators) performing law enforcement or other investigations under Army regulations and outside IG channels. These personnel are entitled to IG information described below when it is relevant to an authorized investigation. They will not be provided additional information without approval of TIG or higher authority.

(1) An IG may orally brief the investigator on the nature of the allegations or matters the IG office examined, being careful not to be judgmental about the allegations or to reveal any IG findings, opinions, conclusions, or recommendations.

(2) An IG may release documentary evidence that is readily available to any DA investigator and that was not received by the IG in confidence. This includes finance and personnel records, travel vouchers, motel and restaurant receipts, and so forth. "Readily available" includes documents that would be readily available from the source but have been lost, destroyed, retired, or altered after being obtained by the IG.

(3) An IG may identify by name those witnesses who have information relevant to the investigation and explain how they are relevant with a brief oral synopsis of their testimony. Where possible, the IG will not reveal which witness is the complainant (see para 1-12). Written statements, transcripts, and recorded tapes taken by the IG will not be released.

j. Requests for an "Official Use" release within DA must be written, reasonably identify the IG records sought (that is, name of the complainant/subject, date of investigation, where the IG investigation was conducted, and so forth). The request must also state the specific purpose or intended use of the IG records.

k. Requests for IG records by Government representatives (within or outside DA) in a judicial proceeding are FOUO. The request must be in writing and sent to the Records Release Office, SAIG-ZXR. The request must reasonably describe the records sought. Release of IG records to the Government representative is for review only. The records will not be reproduced or disseminated without written consent of The Inspector General. Should the IG records become the subject of discovery, procedures set forth in paragraph 3-7e apply.

l. The requesting agency must be designated in the "Routine Uses" section of the IG's systems of records notice in the Federal Register, to receive the records without the consent of individuals mentioned in the IG records. The term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose that is compatible with the purpose for which it was collected. Release of IG records pursuant to "Routine Uses" is discretionary.

3-7. Release of inspector general records outside Department of the Army

a. *General.* Release and use of IG records outside DA, to include release to DA personnel for unofficial or personal use, requires the approval of TIG or higher authority. Such requests for records must be submitted in writing. As an exception, IGs may respond directly to requests from outside DA for IG information and records when the request falls into one of the following four categories:

(1) *Use of IG records to respond to requests for assistance and complaints.* Information may be extracted from IG records to respond to requests for assistance, advice, or information; answer complaints; and prepare closure letters. Personal information may be used in such responses only when the individual to whom the information pertains has given written consent to its use. See AR 340-21, paragraph 3-3, for examples of personal information that may be released under FOIA. Consult the Records Release Office or legal advisor for your command when you are uncertain whether use of personal information will cause either an unwarranted invasion of privacy or a breach of IG confidentiality.

(2) *Release of IG witness statements.* Individuals who provided statements must submit a Freedom of Information Act (FOIA) request to the IG office of record to obtain a copy of their own testimony. Upon receipt of the written FOIA request, the IG office of record must forward for action two collated copies of the responsive records to HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912. Inspector general records will only be released after case closure.

(3) *Use of IG records to respond to requests for information from Congress, acting as a body (or through its*

committees, joint committees, or subcommittees of either), and the White House. Information may be released by the Records Release Office, SAIG-ZXR, in accordance with AR 340-21 and AR 1-20, under FOIA, 5 USC 552, DOD 5400.7-R, and AR 25-55. Before release, the Chief of Legislative Liaison, 1600 Army Pentagon, Washington, DC 20310-1600, or the White House Liaison Office (ATTN: DAEC-CA (OSA-WHLO)), 100 Army Pentagon, Washington, DC 20310-0100 as appropriate, will be informed of the action contemplated. Replies will be fully responsive but will be limited to the immediate scope of the inquiry. No congressional request may be fully denied without prior approval of the SA. If the directing authority believes that the requested information should not be released, the request, with all relevant information and the directing authority's recommendations, will be forwarded to HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912. Requests for copies of IG records by a member of Congress (MC), on their own behalf or on the behalf of a constituent, will be treated as a request for records under the FOIA or the Privacy Act, as appropriate. (See para c below.)

(4) *Release of Army IG inspection reports to Commanders in Chief (CINCs) and non-Army IGs.* Inspector general inspection reports may be released to CINCs of combatant commands or their IGs by MACOM IGs with the approval of the commander that directed the inspection. Commanders authorizing the release of their IG inspection reports to CINCs must have an operational or contingency relationship with that combatant command. Inspector general inspection reports containing HQDA-related findings must first be approved by TIG (SAIG-ID) prior to release of the report.

b. *Requests from other Government agencies for IG records for official use.* After telephone coordination for action, forward these requests and two collated copies of the requested records to the Records Release Office, HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912.

(1) As a limited exception, IGs may permit investigative personnel from IG, DOD; Defense Investigative Service (DIS); GAO; OSC; or the Merit Systems Protection Board (MSPB) to review IG records in the IG office having possession of records relevant to an ongoing agency investigation or audit. Requests from these agencies for copies of IG records must be submitted in writing and state the reason a copy is required. Forward such requests to the Records Release Office, HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912. Release of copies of IG records to these agencies requires TIG's approval.

(2) Forward for action all IG records responsive to requests for information from congressional committees to the Records Release Office, HQDA (SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912.

c. *Freedom of Information Act (FOIA) and Privacy Act (PA) requests for release of IG records.* The Freedom of Information Act (FOIA) is a statutory right of access to Federal Government information. It is the Government's policy to disclose requested records unless exempt or excluded in the statute (section 552, title 5, United States Code). The Privacy Act (PA) of 1974 (5 USC 552a) is a code of fair information practices that regulates the collection, maintenance, use, and dissemination of personal information by Federal Government agencies. The Inspector General is the Initial Denial Authority, and the Legal Advisor and the Deputy Legal Advisor are the designated representatives for records requested under the FOIA. TIG is the Access and Amendment Refusal Authority for records requested under the PA for IG records. Procedures for requesting records and processing requests are as follows:

(1) Requests must be in writing and reasonably identify the IG records sought. When possible, IGs should assist requesters in identifying the specific information being sought, thereby limiting the volume of records copied and processed for release.

(2) Requests for IG records under the FOIA must comply with AR 25-55.

(3) Requests for records under the PA, which will be processed also as a FOIA request, must comply with AR 340-21.

(4) The requester will be notified promptly in writing that the request has been received and referred to TIG for direct reply to the requester.

(5) Forward the original request, two collated copies (not the originals) of the requested records (including exhibits, if specifically requested), and a copy of the acknowledgment letter, within 10 working days, to the Records Release Office, HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912. In its forwarding memorandum, the IG office of origin will state the date the request was received. The memorandum will include any specific local concerns or recommendations about the request and a list of witnesses who did not consent to release of their testimony. The memorandum will also identify by name the source (that is, complainant, subject, witness) of each non-IG work-product being forwarded. The IG office of origin will promptly notify the requester in writing that the request has been received and that the requested records have been referred to the Records Release Office, HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202. Telephone coordination with The Inspector General (ATTN: SAIG-ZXR), 1718 Army Pentagon, Washington, DC 20310-1718, is encouraged before copying and forwarding voluminous exhibits to a requested record.

(6) Expedited processing of the FOIA request shall be granted to a requester when there is a compelling need for the information. Compelling need is described as follows:

(a) Failure to obtain the records on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual.

(b) Information is urgently needed by representatives of news media who are primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal Government's activity. Urgently needed

information means the value of such information will be lost if not disseminated quickly (example: breaking news story of general public interest).

(c) Imminent loss of substantial due process rights.

(d) Humanitarian need to promote the welfare and interests of mankind.

d. *Subpoenas and similar court orders.* The Judge Advocate General (DAJA-LT) is the proponent for all aspects of litigation involving DA personnel. (See AR 27–40 for specific guidance; appendix C of AR 27–40 contains information on litigation, extracted from DODD 5405.2.)

(1) DOD policy is that official information should generally be made reasonably available for use in Federal and State courts and by other governmental bodies. The exception is unless the information is classified, privileged, or otherwise protected from public disclosure. Inspector general records are, however, the property of the SA. Thus, IG personnel may not disclose any official information from IG files or any information acquired during performance of IG duties without TIG's prior written approval.

(2) When an IG receives a subpoena, court order, or request for attendance at a judicial or quasi-judicial proceeding or a request for an interview that the IG reasonably believes is related to actual or potential litigation, and the information sought is from DA files or is known to the IG as a result of official duties, the IG should immediately notify the local Staff Judge Advocate (SJA) and the IG Legal Advisor. A subpoena must never be ignored.

(3) Inspectors general should inform the individual seeking the information that—

(a) Requesters must set forth, in writing and with specificity, the nature and relevance of the official information sought.

(b) Only TIG or higher authority within DA or DOD may authorize release of IG records. Inspectors general should refer requesters to part 97, title 32 of the Code of Federal Regulations (32 CFR 97) for detailed instructions.

(4) If a response to a subpoena or court order is required before TIG authorizes release, IGs will advise the official seeking the release of DOD, DA, and TIG policy; inform the requesting official that the request is being reviewed expeditiously; and seek a stay of the subpoena or order pending a final determination.

(5) If a court of competent jurisdiction or other appropriate authority declines to stay the effect of the order or subpoena, the IG should notify the local SJA and the DAIG Legal Advisor immediately. In those rare cases in which circumstances require response before TIG acts, IGs should respectfully decline to comply with the subpoena or order. (See U.S. ex. rel. Touhy v. Ragen, 340 USC 462 (1951).) Inspectors general may ordinarily expect judges to respect the military officer's dilemma of whether to comply with orders of superior military authority of the executive branch to not release until authorized or with subpoenas and other orders of courts of the judicial branch.

e. *Requests for IG records by an accused and defense counsel.* Requests for IG records by an accused and defense counsel through Government counsel in a judicial proceeding, although not FOUO, are Discovery requests. Discovery is the disclosure of relevant information between opposing counsel before and during litigation. The following procedures apply:

(1) Defense discovery requests for IG records must be in writing and submitted to the Government representative in the case.

(2) The Government representative will forward the request to the Records Release Office, SAIG-ZXR for action. SAIG-ZXR will release requested IG records to the Government representative for relevancy determination.

(3) The Government representative will review the IG records to determine which portion(s), if any, of the IG records are relevant to the case. If the Government representative determines that the IG records are relevant to the case, the Government representative will submit a written request to SAIG-ZXR for release of relevant portions of IG records to the Government counsel and defense counsel.

(4) SAIG-ZXR will redact nonrelevant information and information exempt under FOIA and PA from requested IG records. SAIG-ZXR will forward the redacted records to the Government representative. The Government representative is authorized to release the redacted records to defense counsel before any hearing in response to the discovery request.

(5) If the Government representative determines that the IG records requested by the defense counsel are not relevant to the case, the Government counsel must assert the IG privilege to bar disclosure of the IG records in order to protect the identity and privacy interests of the alleged wrongdoer and witnesses.

(6) If the defense counsel objects to the "not relevant" determination made by the Government representative or limited discovery provided through release of the redacted copy, the Government representative can request an "in camera" review by the presiding judge.

(7) In the event the presiding judge orders the release of the IG records in toto (in its entirety unredacted), the Government representative must obtain a "protective order" from the judge to prevent the accused or the defense counsel from making further dissemination of the IG records.

(8) Release of IG records in toto must occur only after an "in camera" review is completed, a relevancy determination made, and an appropriate protective order issued by the judge.

(9) The accused or defense counsel may submit a FOIA request for records beyond those provided under the Discovery process. Inspector general records will not be made available to individuals or their counsel for use in administrative actions, military justice actions or appeals, unless TIG determines that the individual has a right of

access under minimum due process because the IG records are the basis for the action taken against the individual.

Note. Senior officials receive only the portion of the records releasable under FOIA.

DAIG's Legal Advisor will be alerted telephonically (commercial (703) 601-1093, or DSN 329-1093), about any request for IG records, based on a due process claim. The request, the related adverse action, and a copy of the requested IG record will be forwarded promptly to the Records Release Office, HQDA (SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912, for processing. The Military Rule of Evidence (MRE) 506, Manual For Courts-Martial (MCM), United States, 2000, provides a procedure to exclude IG records from court-martial proceedings. Other requests for IG records by counsel, accused, appellants, and respondents for the purpose of appealing an administrative action will be processed under FOIA (see para *c* above).

f. Requests by labor organizations. Section 7114(b)(4), title 5, U.S.C. (5 USC 7114(b)(4)), requires agencies to furnish labor organizations with information related to collective bargaining. This right of access includes IG records that meet the criteria listed in the statute.

(1) This statutory right to agency information is in addition to access rights under the FOIA. Inspector general records that do not pertain to subjects within the scope of collective bargaining will not be released under 5 USC 7114(b)(4) but will be processed under the FOIA.

(2) Requests for IG records by labor organizations will be acknowledged in writing within 10 working days by the office receiving the request. The request, a copy of the acknowledgment, two collated copies of the requested records (not the originals), and a copy of the applicable collective bargaining agreement will be forwarded within 10 working days to the Records Release Office, HQDA (SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912. Telephone coordination with the Records Release Office, HQDA (SAIG-ZXR), is encouraged, particularly before copying and forwarding voluminous IG records. (Telephone commercial (703) 601-1093 or DSN 329-1093.)

g. Use of IG records to respond to requests from the media. Inspectors general are not authorized to discuss specific inspections, assistance cases, inquiries, or investigations with media representatives. Media inquiries should be referred to the local public affairs officer (PAO). Inspectors general will neither confirm nor deny that a specific subject or topic is or has been under investigation or inquiry. There is no prohibition against an IG discussing the general functioning of the IG system or the general and functional aspects of the positions, after coordination with the local PAO. Inspectors general should not answer questions concerning hypothetical situations that might occur in performing their duties. Requests for IG records from media representatives should be processed under FOIA. (See para *c* above.)

3-8. Amendment of inspector general records

a. Persons should direct requests for amendment of IG records to—

(1) The authority that directed the record be made (for example, the directing authority of an ROI), when the request concerns a factual portion of the IG record. (See *b* below.)

(2) TIG, when the request concerns matters of IG opinions, judgment or conclusions in the record. (See *c* below.)

b. Requests to amend factual portions of agency records are made under the provisions of the PA, 5 USC 552a(f)(4), and AR 340-21.

(1) Officials receiving requests for amendments of IG records will follow the procedures in AR 340-21.

(2) Officials may amend personal information on individuals that is contained in the record provided the request is adequately supported by documentary evidence. This amendment authority is limited to those portions of the record containing facts, for example, the spelling of a name. It does not include authority to amend those portions containing opinions, judgments, or conclusions.

(3) Amendment requests for which the directing authority recommends denial must be supported by memoranda and forwarded to HQDA (SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912.

(4) As the Access and Amendment Refusal Authority designated in AR 340-21, TIG is the first official who may deny requests to amend IG records.

c. All requests for amendment of IG records concerning matters of opinion, judgment, or conclusion will be forwarded to the Records Release Office for referral to the appropriate Division within DAIG for review prior to action by TIG. Included will be two copies of the record to which amendment is sought, any documents in support of or related to the disputed record, acknowledgement to the requester, and recommendations concerning whether the amendment should be granted or refused, with supporting rationale. Requests for amendments concerning opinion, judgment, or conclusion will only be granted upon a showing of fraud, mistake of law, mathematical miscalculation, or newly discovered evidence.

3-9. Record maintenance period

Army Regulation 25-400-2, The Modern Army Recordkeeping System (MARKS), states that FN: 20-1a (Field IG Inspections) and FN: 20-1e (IG Investigations and Inquiries involving non-senior officials (unsubstantiated allegations

and assistance cases) will be maintained no longer than 6 years. It is the policy of TIG that these records will be destroyed **3 years** after the inspection is completed or the case is closed.

Chapter 4

The Inspector General Action Process

Army leaders commonly use established problem solving techniques when faced with issues presented by soldiers, family members or civilians. Inspectors general are also in the business of problem solving and have developed, over the history of the IG System, a problem solving process that is both effective and efficient. This chapter prescribes the process that IGs will use to resolve Inspector General Action Requests (IGARs). Inspectors general will implement the policies and procedures in this chapter in conjunction with doctrinal guidance of the DAIG Training Division.

4-1. Receiving and resolving requests from complainants

Inspector General Action Process—Inspectors general will use the Inspector General Action Process (IGAP) outlined below in receiving and resolving IGARs. The IGAP provides for a systematic fact-finding approach to problem solving. Specific actions or components of the IGAP are integral to the whole process and are not intended to be a group of individual steps that are accomplished independently during the process. The process does not require a dogmatic sequential application of each step for every case, but using this process allows the IG to accomplish all critical tasks in resolving complaints.

4-2. Receiving an Inspector General Action Request (IGAR)

a. DA Form 1559. DA Form 1559, Inspector General Action Request, will be completed by the IG for all requests for assistance presented to an IG.

b. Complainants. Anyone may submit a complaint, allegation, or request for information or assistance to any Army IG concerning matters of Army interest. (See glossary for definition of complainant.) When practical, soldiers and civilian employees will be afforded the opportunity to present complaints, allegations, or requests for assistance in person to an IG. An IG receiving an IGAR is acting for the commander. An IGAR is received by an IG when it is given, presented or referred to that IG, either directly (for example, by the complainant) or indirectly (for example, by someone else on behalf of the complainant). The IGAR may be received via any means (for example, in writing, by telephone, telephone facsimile (fax), via e-mail, in person, and so forth) and may be received from any source (for example, soldiers, family members, commanders, staff officers, other IGs, Congress, and so forth) regarding any matter of concern (for example, allegation, issue, complaint, request for assistance/information, and so forth) for which IG action is requested. In many cases, it is essential to protect the confidentiality of the complainant. The IG must ensure the commander understands the concept of confidentiality as used in IG actions. (See para 1-12.) Permanent notices, as shown in figures 4-1 and 4-2, will be posted on bulletin boards at Army activities. These notices are signed by the commander or a designated representative.

c. Command policy. The IG will encourage the soldier or civilian employee to first discuss complaints, allegations, or requests for assistance with the commander, chain of command, or supervisor as provided in AR 600-20. If a complainant does not wish to do so, the IG will accept the IGAR unless specific redress procedures are available. (See para 4-4j.) Civilian employees will be directed to the appropriate avenue of redress, and IG involvement will be limited to the due process issue. (See para 4-4k.) An IG receiving an allegation, however, will open an IGARS case file even if the IG's action is to immediately refer that case to the appropriate commander or another agency. The IG will monitor the command's actions and document that action in the IGARS.

d. Time limit. Complaints must be presented to an IG in a timely manner in order to be effectively resolved. A complaint presented more than 10 years after the event occurred is not timely and does not require action. TIG is the final authority. Notwithstanding, the 10-year time limit does not apply to the requirement to report allegations against senior officials to DAIG in accordance with paragraphs 1-4b(5)(d) and 1-4c(4).

e. Walk-in complaints.

(1) Inspectors general will conduct an interview of the complainant or initiator; the key to successful interviewing is to establish rapport and listen actively. Additional information on interviewing techniques that are useful in all IG interviews may be obtained from the DAIG Training Division.

(2) Inspectors general should screen walk-in complainants in a semiprivate area and move them to a private room for an interview. Complaints that may appear to be insignificant will not be trivialized because fact-finding has not yet begun.

(3) Inspectors general should ask the individual, "What do you want the IG to do?" This is the single most important question an IG should ask when receiving complaints. It helps to focus the complainant. It also ensures that the matters of concern are of Army interest and appropriate for the IG.

(4) A complainant may submit an IGAR in any form, for example, by letter or telephone. However, use of a DA Form 1559 is the preferred method because it facilitates standardization and implementation of IGARS. The DA Form 1559 provides the complainant Privacy Act (PA) information as well as the purpose of the form. DA Form 1599 is

available on the Army Electronic Library (AEL) CD-ROM (EM 0001) and the USAPA Web site (www.usapa-army.mil). Inspectors general may record case information on word processors and transfer the information into the case file or directly on the electronic database and reports. The IG must inform the complainant of the PA and the purpose for the IGAR information. Have the individual read the Privacy Act Statement at the top of the form. The purpose of having the complainant read the Privacy Act Statement is to show that IGs have the authority to request personal information and that the release of the complainant's social security number, home address, and home telephone number is voluntary. Also, the complainant should read the statement concerning presenting false charges to an IG at the bottom of the page. (Inspectors general do not place undue emphasis on the false charge statement.)

(5) Inspectors general must determine if the individual submitting the IGAR sought assistance elsewhere to resolve the issue. If some action was initiated, determine whether sufficient time elapsed to resolve the matter. With that information, determine if IG action is appropriate or advise the individual of future actions that may need to be taken.

(6) Inspectors general will explain to the individual the inspector general policy on confidentiality (see para 1-12). If the individual requests anonymity, take appropriate action when preparing the case file. Inspectors general protect, but will not guarantee, anonymity or confidentiality. Complainants' concern about this concept is common. Inspectors general will inform the complainant of the IG perspective on confidentiality and document the action in the case chronology.

(7) The IG receiving the complaint will review the DA Form 1559 for completeness while the complainant is present. If necessary, the IG may assist the individual in drafting the complaint.

(8) During the interview, the IG should avoid making promises or commitments. Instead, the IG should inform the complainant that the IG will look into the matter and, when appropriate, respond to the complainant. Inspectors general will record their impressions of the complainant's understanding, attitude, apparent sincerity, credibility, and veracity in the case notes. This will assist other IGs who may become involved with working the case. Because such notes are part of the file, they are not personal notes and may be releasable under the Freedom of Information Act (FOIA). (See personal notes in glossary.)

(9) Inspectors general will assign each case a unique combination originator code or case number, in accordance with the IGARS user's manual issued with the database software (contact HQDA (SAIG-IR) for further guidance. This number, which is recorded on the DA Form 1559, is the control mechanism for each IGAR. All materials gathered during resolution of the IGAR will be included in the case file.

f. Call-in complaints. When in receipt of a telephonic IGAR, the IG will advise the complainant of the Privacy Act and the false charge statement (knowingly untruthful statement) and record the request on DA Form 1559. The IG will indicate "By telephone" in the signature block. Inspectors general should require complainants to confirm allegations and complicated IGARs in writing and to submit other available information.

Note. Receipt of a telephonic allegation does not constitute acceptance.

The allegation must be analyzed in accordance with the IGAP.

g. Write-in complaints. Inspectors general may receive written complaints, allegations or requests for assistance in a variety of ways. Several common forms of these are—

(1) *White House correspondence.* The Army White House Liaison Office refers requests from the President, Vice President, or their spouses to DAIG or to an Army Staff element. (See para 8-9a.)

(2) *Congressional correspondence.* Referrals from MCs include requests from constituents who may be soldiers, family members, or private citizens. The Army Office of the Chief of Legislative Liaison (OCLL) receives cases from MCs and refers them to either the Army Staff, the chain of command (Adjutant General (AG) congressional channels), or to DAIG. (See para 8-9a.)

(3) *The Secretary of Defense, SA, and CSA.* TIG may receive referrals from the Secretary of Defense (SECDEF), Secretary of the Army, Chief of Staff of the Army, and the Executive Communications and Control Office of the Director of Army Staff. Consequently, Army Staff agencies and MACOMs are often asked for input and response to these referrals.

(4) *DOD Hotline.* The Hotline Coordinator in DAIG Assistance Division, receives these cases from the IG, DOD Hotline office. The coordinator refers DOD Hotline cases to field IG offices for appropriate action and reply in a specific format contained in Department of Defense Directive 7050.1, Defense Hotline Program. (See para 8-9b.)

(5) *"Normal" correspondence.* These are letters written to the IG presenting an allegation, concern or request for assistance. Enter "see attached" in the remarks section of the DA 1559 rather than transferring the contents of correspondence to the form.

(6) *Audio or video tapes.* A complainant may submit an IGAR using audio or video tape. Should this occur, treat the tape as "normal" correspondence. The tape will be transcribed to written form if necessary to work the case.

(7) *Electronic mail.* Complainants may submit an IGAR electronically. Although electronic mail (e-mail) is in written form, IGs should treat IGARs sent by e-mail as a call-in complaint and ask the complainant to confirm the IGAR in writing whenever appropriate. Confirmation is important because the complainant may not be the originator of the e-mail.

Note. Receipt of an e-mail allegation does not constitute acceptance. The allegation must be analyzed in accordance with the IGAP.

h. Other considerations.

(1) *Anonymous complaints.* Anonymous IGARs will not be ignored. Inspectors general will take action to resolve them and protect the interests of the Government. When processing anonymous allegations and complaints, IGs should avoid identifying the complainant. Inspectors general will not create the appearance of unduly trying to identify a complainant. The determination of the facts and circumstances related to the IGAR is the IG's primary concern.

(2) *Pen pals or phone pals.* Some complainants will repeatedly bring complaints to an IG. If a case has been closed, IGs will review any relevant material and determine if the case should be reopened. Anonymous complaints will not be automatically rejected without impartially analyzing the correspondence for new matters.

(3) *Third party letters.* Third party letters (for example, those sent by a parent or family member on behalf of a soldier) may have been initiated on behalf of or without the knowledge of the complainant. The Privacy Act prohibits the release of personal information to third parties without consent (see AR 340–21, chap 3). The complainant's rights to privacy must not be violated. Inspectors general will obtain a DA Form 7433 (Privacy Act Information Release Statement) authorization from the complainant prior to releasing personal information pertaining to the complainant. DA Form 7433 is available on the Army Electronic Library (AEL) CD-ROM (EM 0001) and the USAPA Web site (www.usapa.army.mil). If the complainant is a soldier or civilian Government employee and a participant in alcohol or drug rehabilitation programs, refer to AR 600–85 for an example of the consent statements for release of information. Inspectors general will ensure the complainant's confidentiality and due process rights are protected.

(4) *Withdrawn complaints.* At any point following receipt of a complaint, the complainant or initiator may ask to withdraw the IGAR. This can occur during any phase of the IGAP but more typically occurs during fact-finding. The IG must determine whether to continue the case based on the best interests of the Army or command. The permission of the complainant or initiator is not needed to continue the case. However, IGs should determine why the complainant wants to withdraw the complaint. Possible reprisal, coercion or duress are issues of concern appropriate for IGs. Inspectors general will not suggest that a complainant withdraw a complaint. However, if the complainant desires to do so, IGs will require a written request to properly document the withdrawal or annotate the request in case notes if the complainant declines to submit the withdrawal request in writing.

4–3. Conducting Inspector General Preliminary Analysis (IGPA)

a. The Inspector General Preliminary Analysis (IGPA) is a thought process used by IGs to determine how best to proceed (contact HQDA (SAIG–TR) for further guidance with assistance and investigations procedures). It may take a few moments, hours, or days. IGPA encompasses several of the inherent steps of the IGAP. This process helps clarify matters of concern, identifies issues, formulates allegations, and initiates a plan of action. It helps determine who should resolve the problem and how to solve it. IGPA is the beginning of the resolution process and may result in several courses of action for the IG. If the results of IGPA indicate that the IGAR received is appropriate for IG action, then the IG will accept the IGAR and open a case. Inspector general action includes, but is not limited to, investigative action, inspection, assistance, and/or referral. IGs could also determine that the case should be referred to another IG or agency or recommend a follow-on investigation.

b. Complaints and requests for assistance may be referred for appropriate action to—

(1) The responsible Army leader, commander, or management official within the IG's command.

(2) Other Army IGs, using IG channels.

(3) The IG, DOD.

(4) The IGs in other Services.

(5) DOD, Army, and nonmilitary agencies with purview over the matter of concern contained in the IGAR.

c. An IG is usually in IGPA until a course of action is selected for a particular issue or allegation, but in the course of obtaining facts, additional issues may result in further IGPA concurrent with other IGAP procedures pertaining to the original IGAR.

4–4. Identifying issues and allegations and determining inspector general appropriateness

a. Type of IGAR. Inspectors general will analyze the information presented by the complainant and determine whether that information is a systemic issue, an allegation of impropriety against an individual, a request for help (assistance), or a combination of two or more of these elements. For example, a soldier who complains about not receiving a pay check is a request for help, but it could also be a systemic problem if trends indicate that the same problem may be pervasive throughout the organization. Inspectors general will determine the assistance requested and what issues or allegations the complainant presented. All requests for help and matters of concern must be identified, even if the complainant did not specifically mention them. The complainant must be contacted to clarify the issues, allegations, or concerns. The IG may later refer the complainant to the chain of command or an appropriate staff agency for action. For example, a soldier with a pay complaint who has not initiated the complaint with his or her chain of command or servicing Personnel Administration Center should be encouraged to do so. Inspectors general will follow up referrals to ensure the complainant receives appropriate assistance.

b. Analyzing allegations. Inspectors general will analyze each complaint or allegation of impropriety to determine

the potential for embarrassment or adverse impact on their command (of readiness, discipline, morale, efficiency, and so forth).

(1) With concurrence of the commander or directing authority, IGs will promptly notify the next higher IG of the allegation if a determination is made that the allegation would, if substantiated, adversely affect the public perception of the command. The next higher IG will determine which command should actually work the case and will retain the responsibility to review the completed action for thoroughness and impartiality. Normally, the next higher echelon IG should provide the final response to the complainant. Allegations within the meaning of this paragraph will vary. They may include matters such as allegations of impropriety against leaders within a command. Other allegations include areas in which the local or national media may have an interest; complaints of sexual harassment by supervisors; and reports of fraud, waste, and abuse. Inspectors general should consult with their next higher IG in doubtful cases.

(2) All referrals to HQDA, except those concerning general officers, brigadier general selectees, and SESs (see chap 8), will be sent to DAIG's Assistance Division.

c. Elements of an allegation. IGARs must be analyzed for any allegations of impropriety. Inspectors general determine the issues and allegations, not the complainants. If the information from the complainant can be formatted into the following four elements of an allegation, the investigative process detailed in chapter 8 should be used to resolve the IGAR.

(1) Who? — The complaint involves an individual rather than an organization.

(2) Improperly? — The subject or suspect is alleged to have committed an improper action.

(3) Did or did not do what? — There is a behavior being described as improper.

(4) In violation of what standard? — There is a policy, regulation or law allegedly violated.

d. The standards. The standards allegedly violated usually fall into three categories:

(1) Nonpunitive violations of regulatory guidance.

(2) Punitive violations of law (UCMJ, Federal, State, and local) and regulation.

(3) Violations of established policy, SOPs, standards.

e. Perspectives. Inspectors general will always look for larger issues, systemic problems, implied allegations, and condoning of wrongdoing. Chapter 8 contains a detailed discussion for formulating allegations.

f. Determine IG appropriateness.

(1) The following issues and allegations are not appropriate for IG intervention:

(a) Criminal allegations (see para 8–3b(1)).

(b) Issues that have other means of redress (see paras *j* and *k* below).

(2) If the appropriate redress procedures were used, IGs will advise complainants that IG involvement focuses on ensuring the complainant received due process and the protection of rights as intended by law and regulation.

(3) When presented with non-IG matters of concern, IGs will advise complainants of the appropriate recipient for resolution of the complaint and normally allow complainants to present their issues to that agency. Inspectors general may elect to refer the issue to the appropriate agency on behalf of the complainant but must be mindful of confidentiality concerns. Inspectors general will provide the necessary information to the agency and determine whether to monitor the action until completion. For example, if an individual alleges criminal activity, IGs will consult with the local USACIDC investigative office. Inspectors general will retain a copy of the original complaint and follow up on cases referred to other agencies. If the referred office does not accept the complaint, IGs may refer the allegation to another agency or to the chain of command for action. Chapter 8 contains further discussion on this topic.

g. The issue is not Army related. In cases where the issues are clearly not Army related, the IG should not accept the IGAR and advise the individual to present the complaint to the appropriate agency.

h. Soldier EO complaints. The EO advisor (under provisions of AR 600–20), the IG, or an investigating officer (appointed under AR 15–6) may address EO complaints made by soldiers. The manner in which EO complaints are addressed and who specifically addresses the complaint is a command decision. (NG personnel, see para 7–7b.) However, when an EO complaint is presented to an IG, the IG will normally refer the complainant to the supporting EO office for action. Should an EO complaint require IG action, the IG will use the IG Action Process rather than the EO process to resolve the case. When the complainant seeks redress for past alleged discriminatory practices that have become part of official Army records, the IG should advise the complainant to seek redress through appeals procedures provided by law or Army regulations pertaining to the particular adverse action. Examples include OER or NCOER appeals, courts-martial, and other actions listed below.

i. Hazardous work conditions. The IGs will advise requesters presenting complaints of hazardous work conditions (unsafe or unhealthy) to follow procedures in AR 385–10.

j. Redress available to soldiers through other channels.

(1) There are many situations for which law or regulation provide soldiers a remedy or means of redress. Soldiers must seek the prescribed redress or remedy before an IG can provide assistance. Once the soldier has used the available redress procedures, IG action is limited to a review of the situation to determine if the soldier was afforded the due process provided by law or regulation.

(2) Examples of situations where specific redress, remedy, or appeals procedures are applicable include, but are not limited to, the following:

- (a) Court-martial actions.
- (b) Nonjudicial punishment.
- (c) Officer evaluation reports.
- (d) NCO evaluation reports.
- (e) Enlisted reductions.
- (f) Type of discharge received.
- (g) Pending or requested discharge.
- (h) Complaints that a soldier has been wronged by the commanding officer.
- (i) Reports of survey.
- (j) Relief for cause.
- (k) Adverse information filed in personnel records.
- (l) Claims

k. Redress available for Department of Defense civilian employees through other channels

(1) Federal law and regulations and local collective bargaining agreements include procedures for processing grievances and appeals. Procedures are also included for processing equal employment opportunity (EEO) complaints made by civilian employees and NG military technicians pertaining to all aspects of their employment. Procedures prescribed by those publications, rather than IGAR procedures, should be used in processing these complaints. These complaints generally fall into the following four broad categories:

- (a) Grievances within the purview of DOD 1400.25–M.
- (b) Appeals of adverse actions within the purview of sections 7701–7703, title 5, United States Code (5 USC 7701–7703).

- (c) EEO complaints, including reprisals for protected EEO activity, within the purview of section 1614, title 29, Code of Federal Regulations (29 CFR 1614) and AR 690–600.

- (d) Complaints of retaliation or reprisal within the purview of 5 USC 2301 and 5 USC 2302.

(2) A fifth category of civilian complaints that may be acted on by IGs involves matters that do not directly affect the employment situation or well-being of the individual. Examples include complaints or allegations against third parties, reports of alleged misconduct, mismanagement, or other matters requiring command attention.

(3) When a civilian employee makes a complaint, report, or allegation to an IG, the IG must analyze the matter to determine the category into which it falls. Although IGs do not normally handle the complaints listed in (1)(a) through (1)(d) above, they will provide assistance in referring the civilian employee to the appropriate avenue of redress. In making this determination, the IG should seek assistance from the supporting staff judge advocate or command counsel, the civilian personnel advisory center, or the EEO officer, as appropriate. Inspectors general may also consult appropriate ARs and public laws.

(a) If the action request is a grievance (DOD 1400.25–M) or appeal (5 USC 7701–7703), IGs will refer the employee to the local Civilian Personnel Advisory Center (CPAC) for information and assistance. Inspectors general will advise the employee to use procedures provided by the governing regulation to obtain timely consideration and appropriate adjustment of the grievance or appeal. Inspector general involvement in these cases should be limited to the due process aspect, and then only to ensure the employee is allowed to present a grievance, receive an answer, and use the appeal process if necessary. If a local negotiated grievance procedure covers the matter, the employee should be informed that the negotiated procedure must be used.

(b) Inspectors general will not accept EEO complaints. Inspectors general will advise a civilian employee or third party who presents a complaint based on discrimination because of race, color, religion, sex, age, national origin, or handicap condition, or allegations of reprisal for protected EEO activity to contact the EEO officer or an EEO counselor for information and assistance in processing the complaint.

(c) If the employee alleges retaliation or reprisal for the lawful disclosure of information that the employee reasonably believes evidences a violation of any law, rule, or regulation; gross mismanagement; a gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety, then the employee may present the allegation to— Office of the Special Counsel, 1730 M Street, N.W., Suite 300, Washington, DC 20036–4505. The local command may also investigate or conduct inquiry into these cases. Non-appropriated fund (NAF) employees should be referred to IG, DOD.

(d) If the action request pertains to matters other than that directly affecting the employment situation or well-being of the individual (that is, the complaint is not applicable to categories listed above), the IG will employ the IGAR processing procedures described in this chapter.

(4) The commander may determine that a complaint falling within the categories listed above, whether formally presented or only vaguely and informally articulated, contains allegations or other information that require inquiry or investigation. In these cases, the commander may direct an IG investigation or IG inquiry into those allegations while simultaneously processing the employee's complaint or grievance through appropriate channels. The IG investigation

or IG inquiry must clearly be a separate action in which the IG is working for the commander and not the employee. The two actions must not be intermingled; neither action may interfere with nor delay completion of the other. Close coordination with the local CPAC and command legal office is essential.

l. Systemic issues. Inspectors general will always analyze individual issues for systemic problems. Inspectors general should review the IGARS database to note trends that may indicate a need for a systematic examination of a particular issue, function or Army system. Although complainants may be referred to other agencies, a large number of complaints recorded in the IGARS for any particular issue does not preclude IGs from inspecting, inquiring, or investigating a systemic issue within their sphere of activity. Nevertheless, followup with complainants who are referred to other agencies is necessary to ensure—

- (1) The complaint was addressed.
- (2) The complainant was afforded due-process.
- (3) IG credibility.
- (4) IG workload is documented.
- (5) Trends and systemic issues are identified and addressed.

4-5. Acknowledging receipt and selecting a course of action

a. Proper acknowledgment all IGARs. Inspectors general will acknowledge, verbally or in writing, individual complaints, allegations, or requests for assistance.

(1) Inspectors general receiving a verbal IGAR may acknowledge it at that time but also should provide a written response to formalize the acknowledgment. A record of the acknowledgment must be made in the case file.

(2) Inspectors general do not acknowledge anonymous complaints or requests for assistance. Members of Congress (MC) may refer anonymous letters on behalf of constituents. Although the constituent is anonymous to the IG and may be unknown to the MC, IGs will acknowledge receipt to the MC when appropriate.

(3) An individual may ask an IG for assistance and at the same time seek help from a Member of Congress. Once a MC intervenes, the complainant will not receive a response from the IG. Rather, the MC will receive the IG response from DAIG. Inspectors general must, therefore, inform the complainant that the response will come from the MC and not directly from the IG. This response to the complainant should be done in writing with a copy maintained in the case files.

(4) Inspectors general will inform the complainant that the final response will contain only that information that directly and personally affects the complainant. When the initiator is not the complainant, the IG will explain to the initiator that the response is subject to the release of information by the complainant.

(5) Inspectors general will provide an interim response to complainants when the final response will be delayed beyond the time indicated in the acknowledgment or when the requester submits additions to the IGAR that require additional time to process.

(6) Inspectors general will acknowledge IGARs referred by another IG. Cases referred from DAIG do not require an acknowledgment unless specifically directed.

(7) The IG is not required to acknowledge receipt of an information copy of a letter addressed to another agency.

(8) Command IGs and State IGs may receive allegations or complaints against subordinate commands (for example, a corps or MACOM receiving allegations or complaints about division-level activities). When this occurs and it is appropriate to refer complaints or allegations of impropriety to an IG at a lower level for resolution, the complainant will be so informed. Should the complainant express concern about this procedure, IGs will explain that this is the established procedure for handling complaints. Inspectors general will also explain that the purpose of this referral action is to allow the appropriate command the opportunity to identify and correct deficiencies within the command, thereby reinforcing the local chain of command's ability to correct problems once they are identified. The complainant will also be informed that the next higher command will review the completed casework of referred cases to ensure the responsible command thoroughly and impartially addressed the complainant's concerns. If the complainant still objects, the IG will notify the complainant that the case will be resolved at an appropriate level in accordance with the IG process.

b. Selection of courses of action. After a determination that the matters of concern are proper for IG involvement, there are normally four generic courses of action available: conduct an IG inspection; conduct an IG investigation or investigative inquiry; conduct an IG assistance inquiry; or refer to another agency. Inspectors general should determine the appropriate courses of action for each complaint, issue, and allegation determined in the IGAR. Often IGARs contain several issues that result in more than one course of action. Inspectors general will determine—

(1) If a systemic problem exists and warrants an IG inspection. If so, the process outlined in chapter 6 (inspection) will be used. If an inspection is not appropriate, the process outlined in chapter 7 (assistance) or chapter 8 (investigations) may be used.

(2) Whether the complaint contains allegations of wrongdoing by an individual, an adverse condition or issue. If so, the process outlined in chapter 8 will be used. Allegations against general officers or members of the Senior Executive Service require referral to USAIGA's Investigations Division (see para 8-3j). Allegations against an IG require referral to the next higher echelon IG (see para 8-3i).

(3) If the concerns are within their purview of directing authority (see para 1–9a). If an IG determines that a concern is outside of his or her authority, the IG will determine the IG of the appropriate organization or the appropriate command agency.

(4) If remaining issues require IG intervention. Teach and train the complainant on appropriate regulations and policy provisions; close the case if necessary.

4–6. Initiating referrals and making notifications

a. *Referral to the chain of command.* The chain of command (or supervisory chain) has the responsibility and the authority to address complaints. Inspectors general will decide matters that are appropriate for the chain of command and then monitor the case after the referral is made to ensure the chain of command takes proper action. When appropriate, IGs should refer allegations to commanders while protecting confidentiality of the source to the extent possible.

b. *IGARs submitted by members of other Services.* Military personnel and family members of other Services may present complaints to any Army IG. If the IGAR concerns Army related issues, IGs will process the IGAR as appropriate. If the IGAR contains issues that are appropriate for another Service, IGs will refer the issues to that Service IG and assist that Service IG as necessary.

c. *Allegations against a senior NCO or an Army officer.* Any allegation presented to an Army inspector general against a MSG, SGM, CSM, or any Army officer in the grade of major through colonel that resulted in the initiation of an IG investigation or investigative inquiry or a command-directed action such as an AR 15–6 investigation, commander’s inquiry, referral to USACIDC, and so forth, will be reported to TIG (ATTN: SAIG–AC) within 2 working days after receipt by rapid and confidential means. AR 600–8–29, Officer Promotions, establishes a requirement for a review of IG records in conjunction with senior officer promotion boards. Other IG records reviews are conducted at the direction of senior Army leaders. The DAIG Assistance Division is the proponent for post selection board review of IG records for other than general officers and members of the Senior Executive Service. The intent of these requirements is to ensure the selection of the best leaders and commanders, to consider information not available to the original board, and to protect the rights of individuals.

d. *Referred issues.* Issues that were identified as being appropriate for other activities and agencies are referred through the appropriate channels. When initiating referrals, IGs must protect confidentiality and comply with IG records release policies. When referring an IGAR through IG channels, do not assume that cases that are transmitted by electronic mail over the IGMET are secure and properly protected.

(1) Referrals of allegations against IGs will be made in accordance with paragraph 8–3i.

(2) Referrals of allegations against senior officials will be made in accordance with paragraph 8–3j.

e. *Notification.* If IGs initiate an inquiry or recommend an investigation they will verbally notify appropriate commanders or supervisors and the subjects or suspects of the inquiry/investigation and inform them of the nature of the allegations. The notifications will be documented and enclosed to the ROI. (See para 8–4.)

4–7. Conducting inspector general fact-finding

a. Fact-finding is the essence of what inspectors general do in fulfilling their role as the extension of the commander. Fact-finding involves the process of obtaining factual information in the conduct of IG inspection, assistance, and investigation functions to resolve the issues and allegations determined from an IGAR, whether the IGAR is from a complainant or a request from a commander. After the IG selects the appropriate course of action, one or more of the following informal or formal fact-finding processes ensues. The IG may—

(1) Conduct an IG inspection. For guidance on conducting an IG inspection, see chapter 6, The IG Inspection Function.

(2) Render IG assistance and conduct an IG assistance inquiry. For guidance on providing IG assistance, see chapter 7, The IG Assistance Function.

(3) Conduct an IG investigation or IG investigative inquiry. For guidance on conducting an IG investigation or investigative inquiry, see chapter 8, The IG Investigation Function.

b. Fact-finding is not conducted when a case is referred to another agency for action and when closing the case after IG Preliminary Analysis.

4–8. Making notifications of results

a. At the completion of the inquiry or investigation the subject/suspect must be notified of the results in writing.

b. At the completion of the inquiry or investigation any intermediate commanders, or individuals who were initially notified of the inquiry/investigation will be again notified. If it is inappropriate to notify any of the persons who were initially notified, the IG will notify a higher level commander of the results. Inspectors general will notify appropriate commanders of substantiated conclusions contained in their reports even if the commander was not initially notified of the investigative inquiry. Results of all allegations will be recorded in the IGARS database along with the IG’s recommendations and command’s response to the recommendations, if applicable. In all cases, the final subject/suspect notification will be conducted by the official IGARS office of record and recorded on the DA 1559.

c. If assistance was provided, information directly pertaining to the complainant regarding actions taken should be provided to the complainant.

4-9. Conducting followup

a. Followup ensures all issues have been thoroughly addressed and the IG responsibilities have been fulfilled. This includes followup on any needed corrective actions. Corrective actions may not satisfy complainants. The IG's primary concern is with ensuring IG actions, command decisions or proponent actions were completed. Followup should include a review of issues previously addressed to determine if further appeal procedures are available or due process should be examined by the IG. Inspectors general may personally conduct the followup or address the issue during a future inspection.

b. If a problem is not resolved, the IG must determine the reason for it. Some problems cannot be resolved until a standard, that is, law, regulation, or policy is changed. The IG's case is not closed until all appropriate actions are completed.

4-10. Closing the Inspector General Action Request

Closing an IGAR consists of providing the complainant a final reply, notifying the suspect/subject (see para 8-4b(7) for investigations and para 8-4b for inquiries), closing the file in the IGARS database, making the appropriate reports, and analyzing any developing trends. All IGARs will result in a final response to the complainant, except for anonymous complaints. The final response to the complainant should be written but may be made verbally. Responses will be annotated in the case file and the electronic database file. The complainants do not have a right to know the results of allegations that do not pertain to them directly. Inspectors general may advise the complainant to request such information using FOIA procedures, although there is no requirement to do so.

a. DA Form 1559 serves two primary purposes. It is the control form for the case file, and it is the base document that facilitates entry into IGARS. Inspectors general will enter IGAR information on completed cases into the IGARS database in accordance with the procedures contained in the IGARS user's manual issued with the database software (contact HQDA (SAIG-IR) for further guidance). The IG office of record is responsible for entering the case data. Other IG offices may enter information into their automation system database for case management purposes using the appropriate case identifier. The assigned case number of the IG office of record will be used throughout this process.

b. Those IG offices not electronically connected with DAIG will forward completed data to DAIG in accordance with guidance from DAIG Information Resources Management Division.

c. Complainants who are not satisfied with the response they received will be advised to seek redress through the IG of the next higher command. Complainants may contact DAIG/IG, DOD at anytime regarding requests for assistance, complaints, or allegations but should be encouraged to seek redress initially through lower level headquarters IGs.

DO NOT COVER

(Use letterhead of the command or State IG headquarters)

MEMORANDUM FOR ALL SOLDIERS AT (INSTALLATION OR ORGANIZATION)

SUBJECT: Right of Soldiers to Present Complaints to or Request Assistance from the Inspector General

1. All soldiers have the right to present complaints, grievances, or requests for assistance to the inspector general. These may include what soldiers reasonably believe evidences fraud, waste, and abuse.
2. Before visiting the inspector general, you should consider whether your concerns can be addressed more quickly and simply by referring them to your chain of command. You do not have to present your concerns to your chain of command before visiting the inspector general. However, you must obtain permission to be absent from your duties if you wish to visit the inspector general during your duty hours. You do not have to tell anyone why you want to speak with an IG.
3. You may visit, call, or write your local inspector general at--

NAME:

OFFICE HOURS:

ROOM:

ADDRESS:

TELEPHONE:

4. If you believe your local inspector general's response to you is not fair, complete, or in accordance with law and regulation; or if you believe your interests may be jeopardized by contacting your local inspector general, you may write to (give address of IG at appropriate HQ). You may also call the Department of the Army Inspector General (DAIG) or the Inspector General, Department of Defense (IG, DOD) Hotline. Their telephone numbers are--

DAIG: Toll free: 1-800-752-9747

IG, DOD: Toll free: 1-800-424-9098,

Commercial: (703)-693-5080, DSN: 223-5080

Figure 4-1 (PAGE 1). Sample permanent notice memorandum of rights of soldiers to present complaints

5. Department of the Army personnel are prohibited from taking any action that restricts you from filing a complaint, seeking assistance, or cooperating with the inspector general, or a member of Congress. They are also prohibited from taking any disciplinary or adverse action against you for filing a complaint, seeking assistance, or cooperating with the inspector general, a member of Congress or any agency established to receive such complaints. However, if you lie or knowingly make false accusations to the inspector general, you are subject to disciplinary action.

6. Per AR 20-1, paragraph 1-12, the IG has a duty to protect confidentiality to the maximum extent possible. This is true for all persons who ask the IG for help, make a complaint, give evidence, contact or assist an IG during an inspection or investigation, or otherwise interact with an IG.

FOR THE COMMANDER:

/S/

JOHN S. JONES

Captain, IN

Adjutant

Figure 4-1 (PAGE 2). Sample permanent notice memorandum of rights of soldiers to present complaints—Continued

DO NOT COVER

(Use letterhead of the detailed IG headquarters)

MEMORANDUM FOR CIVILIAN EMPLOYEES AT (INSTALLATION OR ORGANIZATION)

SUBJECT: Right of Civilian Employees to Present Complaints to or Request Assistance from the Inspector General

1. All civilian employees have the right to present complaints, grievances, or requests for assistance to the inspector general. These may include what the civilian employee reasonably believes evidences fraud, waste, and abuse.
2. Before visiting the inspector general, you should consider whether your concerns can be addressed more quickly and simply by referring them to your immediate supervisor first, or by using one of the procedures in paragraph 3.
3. Civilian Personnel Regulations prescribe procedures for civilian employees to use in submitting complaints that pertain solely to civilian employment matters. These include complaints on such personnel actions as reductions-in-force, removals, disciplinary measures, and similar actions. If you want to submit this kind of complaint, contact (name and address of local civilian personnel officer) who will give you information about the pertinent regulations and tell you the procedures to follow. However, if you are a member of a recognized bargaining unit and there is a negotiated grievance procedure, you must file your complaints concerning employment matters by following that procedure. If you want to submit a complaint about discrimination in employment because of race, color, religion, sex, age, national origin, or handicap condition, contact (name and address of Equal Employment Opportunity Officer).
4. If you have a complaint about matters other than civilian employment, or a complaint about violations of regulations or procedures in processing complaints about personnel actions, and you feel your complaint has not been resolved by your supervisor, you may visit, call, or write your local inspector general at--

NAME:

OFFICE HOURS:

ROOM:

ADDRESS:

TELEPHONE:

Figure 4-2 (PAGE 1). Sample permanent notice memorandum of rights of civilians to present complaints

5. If you believe your local inspector general's response to you is not fair, complete, or in accordance with law and regulation; or if you believe your interests may be jeopardized by contacting your local inspector general, you may write to (give address of IG at appropriate HQ). You may also call the Department of the Army Inspector General (DAIG) or the Inspector General, Department of Defense (IG,DOD) Hotline. Their telephone numbers are--

DAIG: Toll free: 1-800-752-9747

IG, DOD: Toll free: 1-800-424-9098,

Commercial: (703)-693-5080, DSN: 223-5080

6. You may report complaints about hazardous work conditions (unsafe or unhealthy) by using procedures in chapter 3, AR 385-10.

7. Per AR 20-1, paragraph 1-12, the IG has a duty to protect confidentiality to the maximum extent possible. This is true for all persons who ask the IG for help, make a complaint, give evidence, contact or assist an IG during an inspection or investigation, or otherwise interact with an IG.

8. Department of the Army personnel are prohibited from taking any action that restricts you from filing a complaint, seeking assistance, or cooperating with the inspector general, or a member of Congress. They are also prohibited from taking any disciplinary or adverse action against you for filing a complaint, seeking assistance, or cooperating with the inspector general, a member of Congress or any agency established to receive such complaints. However, if you lie or knowingly make false accusations to the inspector general, you are subject to disciplinary action.

FOR THE COMMANDER:

/S/

JOHN S. JONES

Captain, IN

Adjutant

Figure 4-2 (PAGE 2). Sample permanent notice memorandum of rights of civilians to present complaints—Continued

Chapter 5

The Inspector General Teaching and Training Function

5-1. Inspector general training

Since the time of George Washington's IG, Major General von Steuben, training has been an essential part of all IG activities. While IGs are no longer the primary trainers of soldiers, as General von Steuben was during the American Revolution, they possess a reservoir of experience and knowledge to assist commanders in achieving disciplined and combat-ready units.

5-2. Teaching and training

The IGs teach skills; provide information about Army systems, processes, and procedures; and assess attitudes while assisting, inspecting, and investigating. Through their example, IGs assist commanders in setting standards of behavior and appearance. Inspectors general pass on lessons learned to enable others to benefit from past experience. The IG teaching and training function is an integral part of the other IG functions of inspecting, assisting and investigating.

5-3. Training the Army at large

The IGs have a responsibility to train non-IGs on how the IG System operates and on specific standards, responsibilities, processes, and systems related to non-IG activities.

a. IG System. The effectiveness of the IG System is, to a great extent, a function of how receptive non-IGs are to the IG System. Therefore, IGs must teach leaders and their soldiers how IGs contribute to mission accomplishment and search for opportunities to inform them of the IG System's purpose, functions, methods, benefits, and constraints. The IG involvement in pre-command courses, officer professional development, the NCO Development Program, newcomer briefings, and other activities helps to explain the IG system to the Army at large. Failure to explain the IG concepts to commanders and others may result in the misuse of IGs.

b. Other matters. While inspecting, assisting, or investigating, IGs contribute to improving the Army by teaching and training others in policy and procedures.

(1) During periods of organizational change and quick operational pace, soldiers and their leaders may lack a complete understanding of required Army standards and procedures. Historically, IGs have trained soldiers and leaders on standards and procedures. This function has changed little since the American Revolution.

(2) Since IGs are selected based on their experience, they should possess valuable knowledge, experience, and insight that many non-IGs lack. Their knowledge of the Army increases through their training, experience as an IG, and the extensive research that IG duties require. The IGs gain a broad perspective on the Army that few other soldiers attain.

(3) Inspectors general incorporate teaching and training into all aspects of their duties. When inspectors notice that inspected personnel do not know regulatory requirements, they explain the requirements and the reason they were established. Additionally, IGs are able to pass on lessons learned and "good ideas" or benchmarks observed during other inspections.

5-4. Inspector General Course

The USAIGA's Training Division conducts a resident course for qualifying detailed and assistant IGs on IG standards, responsibilities, doctrine, and techniques.

a. Candidates. Army candidates for this course must be selected and approved through the IG certification process (see para 2-3 and app C). Army administrative support personnel, acting IGs, and IGs from other Services may attend the resident course on a space-available basis.

b. Graduates. Graduates of the USAIGA's resident IG Course are considered to be fully qualified to assume IG duties at the appropriate command level. However, these personnel may not master IG techniques until they have gained practical, on-the-job experience.

c. Instructors. The USAIGA instructors are normally experienced IGs who have served at DAIG or elsewhere in the IG System. These instructors also write course materials, policy and doctrinal publications, and prepare export training packages.

d. Course curriculum. The USAIGA's resident IG Course provides comprehensive instruction and training on the IG role and the four basic IG functions. Instruction is also provided on a myriad of other IG related topics with much of the training taking place in small group practical exercises.

e. Requirements.

(1) Graduation from the IG Course is a requirement for all detailed and assistant IGs and for temporary assistant IGs serving longer than 180 days. All IGs, except for RC M-day and TPU soldiers, will graduate from the course before assuming their duties. Reserve Components M-day and TPU soldiers will attend and graduate from the IG Course as

soon as possible after being appointed as detailed or assistant IGs. Inspector general functions will not be performed until the soldier completes the certification process except as specified in paragraph 2–2e. Soldiers who have previously served as an IG and are approved by TIG for a repetitive IG detail will attend the IG Course unless the requirement is waived by Chief, Training Division, USAIGA. Waivers are granted on a case-by-case basis, considering such factors as previous IG experience, projected IG assignment, and recent changes in IG policy, procedures, and issues.

(2) Requirements for graduation from IG School courses are determined by Chief, Training Division, USAIGA. The Deputy TIG (DTIG) is delegated the authority to approve or disapprove the graduation of all IG School students and the issuance of a certificate of training. TIG serves as the appellate authority for students who fail to successfully graduate from IG School courses.

f. Requests for attendance. USAIGA's Training Division will maintain a schedule of IG Course and Site Administration Course classes, forecasting a 12-month period. Requests for quotas for these courses are approved by the Chief, Training Division. Quota requests will be coordinated as follows:

(1) *Active Army.* Requests for course quotas for Active Army soldiers and DA civilians will be submitted by IG offices, or PERSCOM, to USAIGA's Training Division after the IG's nomination is approved by proper authority. (See para 2–3.)

(2) *ARNGUS.* Requests for course quotas for ARNGUS personnel will be submitted by the State AG or a designated representative of the AG, and the NGB, directly to USAIGA's Training Division after the IG's nomination is approved by proper authority. (See para 2–3.)

(3) *USAR.* Requests for course quotas for USAR personnel will be submitted by IG offices or AR-PERSCOM directly to USAIGA's Training Division after the IG's nomination is approved by proper authority. (See para 2–3.)

(4) *Sustainment training.* Inspectors general who have not completed the IG Course or DAIG sustainment training within the past 5 years will enroll in a DAIG sustainment training course within 3 months of their 5-year anniversary. Requests for sustainment training will be coordinated with DAIG Training Division.

g. Funding.

(1) Funding for attendance of detailed and assistant IGs at the resident IG Course is provided through a variety of sources. Coordination for and questions pertaining to funding for a specific student should be addressed to Training Division, USAIGA, when a quota for the course is requested. Funding for acting IGs, temporary assistant IGs (except those serving longer than 180 days who must attend the IG Course), and administrative support staff will be provided by the command to which the individual is assigned.

(2) The DAIG provides funding for training for the following students (locally nominated IGs) attending the IG Course, temporary duty (TDY) and return. If commanders request early curtailment of the IG detail, TIG may approve the request contingent upon the commander funding the training costs for the replacement IG.

(a) Active Army military and civilian IGs.

(b) ARNGUS AGR IGs.

h. Additional skill identifier/special qualifications identifiers. Award of the additional skill identifier (ASI) 5N to commissioned officers and special qualifications identifier (SQI) B to noncommissioned officers is authorized upon successful graduation from the resident IG Course. The IG's local military personnel office (MILPO) will award the official ASI 5N to officers and the SQI B to noncommissioned officers upon receipt of a course completion letter prepared by USAIGA's Training Division.

5–5. Other IG School courses and POI

a. IGMET Site Administrator Course. The Site Administrator Course provides system administrators with basic knowledge of the IGMET computer system and the ability to perform administrative functions using various software applications. The course is available to system administrators and assistant system administrators responsible for maintaining the IGMET computer system.

b. State IG module. The State IG module is a 3-day supplement to the standard IG Course that is required training for all State IGs. It is offered as optional training to all other Active Army personnel assigned as IGs in the ARNGUS.

c. Sustainment training. The IG School conducts sustainment training for IGs who have not received DAIG training for 5 or more consecutive years as an IG. A resident refresher course is currently conducted semiannually. Requests for attendance should be made directly to DAIG Training Division. Additional exportable training packages are also available from the Training Division.

5–6. Training acting inspectors general, temporary assistant inspectors general and administrative support staff

Limited resources prevent all categories of IGs from attending the IG resident courses. Therefore, acting IGs, temporary assistant IGs (with duty less than 180 days), and administrative support staff are trained locally by command and State IGs. Training for IGs should reflect TIG doctrine as promulgated through the resident IG Course. The USAIGA's Training Division creates and maintains programs of instruction (POIs) and exportable training packages for training IGs. These materials may be tailored to meet the needs of the local command.

a. *POI for nonresident training.* USAIGA's Training Division prepares a POI for command and State IGs to use in training acting IGs and administrative support staff. The POI is distributed to MACOM IG offices.

b. *POI for temporary assistant IGs.* Training programs for temporary assistant IGs, which are designed to prepare them for a particular inspection or other IG function, do not need to be submitted to DAIG for approval. Temporary assistant IGs will be trained in such matters as confidentiality, root cause analysis, teaching and training, and protection of IG records, as applicable to their IG duties.

c. *Other POIs.* Command and State IGs may conduct short IG training courses considered necessary to sustain understanding of new doctrine, procedures, or policies. To ensure standardization, POIs for such courses will be submitted to DAIG Training Division for approval prior to being used. (Training Division is a valuable resource for IGs who conduct IG training.)

5-7. Nuclear weapons and chemical surety technical inspector qualifications training

a. *Training program.* Officers, WOs, and civilian employees assigned to conduct technical inspections will undergo the following three-phase training program:

(1) Phase I: IG Course.

(2) Phase II: A technical training course conducted by either the Ordnance Missile and Munitions Center and School, Redstone Arsenal, AL; the Defense Ammunition Center, McAlester, OK; or similar activities approved by the DAIG Technical Inspections Division.

(3) Phase III: An on-the-job training (OJT) program. The training program must—

(a) Thoroughly familiarize the inspector with standardized current policies and procedures of the technical inspection system.

(b) Provide newly assigned inspectors the opportunity to observe at least two technical inspections before conducting an inspection.

(c) Provide a means of updating the chemical surety systems training for inspectors.

b. *Exceptions.* Requests for exceptions to the provisions of this paragraph will be forwarded to DAIG Technical Inspections Division (SAIG-TI).

Chapter 6

The Inspector General Inspection Function

Section I

Inspection Functions

6-1. Functional systems

a. Army leaders continually assess their organizations to determine the organization's capability to accomplish its wartime and peacetime missions. They accomplish this by analyzing and correlating evaluations of various functional systems such as training, logistics, personnel, resource management, force integration, and intelligence oversight.

b. FM 25-100 describes this assessment as a mental process that takes information from multiple evaluation sources (such as personal observation, inspection reports, after-action reviews, and training results) and determines the organization's strengths and weaknesses. An IG inspection is one of the many sources of information available to the commander.

c. The IG inspection function is the process of conducting IG inspections, developing and implementing IG inspection programs, oversight of intelligence activities, and participation in the Organizational Inspection Program (OIP).

6-2. The role of the inspector general in the OIP

a. The IGs will develop their IG inspection program as part of the OIP, in accordance with the commander's guidance.

b. AR 1-201 prescribes policy and responsibilities for the conduct of inspections in Army organizations. Inspectors general have the following responsibilities regarding the OIP:

(1) Advise commanders and staffs on inspection policy.

(2) Advise the commander on the effectiveness of the OIP.

(3) Conduct IG inspections per AR 1-201 and this regulation.

c. Detailed instructions for preparing, executing, and completing IG inspections are contained in paragraph 6-4. Inspectors general will consider the IG inspection process shown at figure 6-2 when planning, executing, and completing any IG inspection. This ensures a methodical, thorough process is consistently applied across the IG system when preparing, executing, and completing IG inspections. The inspection may still be tailored to meet the commander's needs, while preserving the integrity of the IG inspection process across the Army.

d. Inspector general technical inspections of organizations with nuclear and chemical missions are addressed in section II of this chapter.

e. Inspector general intelligence oversight inspections of intelligence activities are addressed in section III of this chapter.

6-3. Inspector general inspection policy

a. Inspectors general will conduct a deliberate process to identify, evaluate, and set priorities for potential inspections to be included in the IG inspection program. A recommended process for inspection selection is at figure 6-1.

(1) There are many ways to identify possible topics for inspections; commander's guidance, the mission essential task list (METL), IGAR trend analysis, input from functional staff proponents, quarterly training briefs, unit status reports, results of sensing sessions, installation newspapers, and the results of previous inspections are but a few possible sources.

(2) The goal is to develop a manageable number of key, high payoff inspection topics that are achievable by the IG.

(3) Once the commander has approved the topics for inspection, the IG will ensure that the inspections are reflected on the appropriate training and planning calendars.

b. Inspector general inspections may focus on either organizations, systems, or both. Inspections that focus on organizations or units and are comprehensive are considered general inspections. Inspections that focus on specific programs, systems or functional areas are considered special inspections. Normally, the preferred focus for IG inspections is on systems using the special inspection, since command and staff inspections are usually focused on organizations. The payoff derived from systemic inspections generally has a broader application within the directing authority's organization.

c. Inspector general inspections will—

(1) Identify noncompliance, determine the magnitude of the deficiency, and seek the root cause.

(2) Pursue systemic issues.

(3) Teach systems, processes, and procedures.

(4) Identify responsibility for corrective action.

(5) Spread innovative ideas.

(6) Train those inspected and, as appropriate, those conducting the inspection.

d. Inspectors general must analyze indicators of significant problems and plan inspections that will provide timely feedback and recommended corrections to appropriate decision-makers. This planning and analysis will ensure that an IG's inspection resources are employed in areas that provide the highest payoff to the commander and the Army. The planning and analysis process must result in a list of subject priorities for future inspections.

(1) When scheduling IG inspections, follow the principles and procedures presented in FM 25-100.

(2) The commander may decide to redirect the command's inspection effort. Unanticipated events may cause the commander to deviate from the published inspection plan by rescheduling planned inspections or to initiate an unscheduled, high-priority inspection.

e. Inspectors general must tailor inspections to meet their commander's needs. Inspections must be relevant, reliable, and responsive. To be relevant, inspections must provide practical, accurate feedback in time for the commander and staff to make informed decisions. To be reliable, the observations and findings must reflect what is actually occurring in the inspected unit, activity, or system. To be responsive, results must be provided as the inspection progresses so that appropriate fixes can be made or initiated. Depending on the nature of the inspection, some findings that are not critical or perishable may be held until the inspection is completed. Inspection results go directly to the commander, the staff, or subordinate commanders, as appropriate.

f. Deficiencies identified in an IG inspection will be subject to followup after a reasonable time for corrective action. It is preferable to conduct followup by inspection, phone call, or some other means rather than to require a reply by endorsement (RBE) to determine if appropriate corrective action has been implemented. An RBE is not normally required for IG inspections.

g. Inspector general inspection results will not be used to compare units, organizations, or as criteria for unit competitive awards. Inspector general inspections are not designed to reward or penalize units, commanders, or individuals.

h. Protecting the anonymity of units and individuals enhances the IG's reputation as a team player and trusted agent. While confidentiality is a priority concern, IGs will not promise confidentiality during an inspection. There are occasions when IGs must identify the source of their information or units inspected in order to fix problems or to ensure assistance is provided. In those instances, IGs must inform the individuals or unit commanders that identities will be revealed in the inspection report and explain why such action is necessary. This will help to maintain credibility in the IG system as being forthright in actions taken.

i. If an IG discovers serious deficiencies involving breaches of integrity, security violations, or criminality, the IG should consult with the supporting SJA, USACIDC, or provost marshal as appropriate to determine their recommended course of action. The IG may inform the commander directing the inspection of the SJA's, USACIDC's, or provost

marshal's recommended course of action, or the IG may choose to initiate an investigative inquiry. The IG will notify the appropriate subordinate commander so that immediate corrective actions can be implemented.

j. Inspectors general are authorized to conduct inspections of any Army unit assigned within the command. Inspectors general may inspect units of another command, so long as coordination and prior approval have been effected at the appropriate command level. For example, prior to conducting an IG inspection of a tenant unit assigned to another MACOM, the inspecting IG must coordinate with the appropriate MACOM IG. Outside continental United States (OCONUS) MACOM IGs, with prior approval, may inspect another MACOM's activities located within their geographic area. Installation IGs may inspect tenant activities, including Army and Air Force Exchange Service (AAFES) facilities and DOD activities, resident on the installation once coordinated and approved.

k. An IG may participate as a member of another command's IG inspection team.

l. An IG may not participate in a command inspection as the head of the inspection team or participate in a command inspection other than to inspect IG functions and IG areas of responsibility. This prohibition also applies to any staff inspection. An IG may participate as a member of a command inspection team for the purpose of inspecting a subordinate command IG office or to execute Intelligence Oversight or Organizational Inspection Program responsibilities. For example, a corps commander may decide to conduct a command inspection of a subordinate division. The corps IG may inspect the division IG as a part of the command inspection team. Although accompanying the rest of the command inspection team, the IG will be conducting an IG inspection. The results of the corps IG's inspection will be protected as IG records (see chap 3) and will be provided under separate cover to the inspecting commander; the results will not be included as a part of the overall command inspection report.

m. Any inspection conducted by an IG as a part of a command or staff inspection renders that part of the command or staff inspection an IG inspection. This does not preclude the IG from teaching and training a command or staff inspection team on how to conduct inspections, nor does it preclude the IG from accompanying either of those teams to observe and evaluate the inspection and the inspectors. In these instances, the IG will only provide findings that reflect the result of inspecting the inspectors and the inspection.

n. Inspectors general may conduct a sensing session or a command climate survey as a part of a command or staff inspection but must publish and disseminate the results separately as IG records in accordance with chapter 3. It is recommended that other staff proponents such as the EO advisor, chaplain, or EEO conduct sensing sessions during command or staff inspections. Command climate surveys should be conducted by the personnel staff proponent; the proponent for DA Pam 600-69, Unit Climate Profile Commander's Handbook, is HQDA, Office of the Deputy Chief of Staff for Personnel (ODCSPER). When conducting sensing sessions involving DOD civilian personnel, it may be necessary to coordinate the sessions with the local bargaining unit/union.

6-4. Inspector general inspection process

a. Preparation phase.

(1) Research. The purpose of the research sub-phase is to narrow the scope and focus of the inspection and to identify the high payoff items.

(2) Develop the concept. This is the blueprint of the inspection plan. The inspection concept also; assists in the preparation of the decision briefing for the commander, helps develop the initial notification letter to the commands involved in the inspection, and is the basis for preparation of the detailed inspection plan and the in-brief for the units to be inspected.

(3) Commander approves the concept. This is a decision briefing or paper for the directing authority. The end result is a directive signed by the directing authority approving the scope, methodology and objectives of the inspection.

(4) Plan in detail. After the directing authority has approved the inspection, the specific details about the inspection are determined, to include individual inspector and team inspection schedules, units to be inspected, exact dates of the inspection, focus of the inspection, and special needs such as facilities, documents, guides, or equipment and other details as required. The final product will be the detailed notification letter to the commands involved in the inspection. Both the initial and the detailed notification letter should be given the widest possible distribution; as a minimum, both letters must be given to the units to be inspected.

(5) Pre-inspection visits. These visits are used to validate your detailed plan. Normally, units selected for the pre-inspection visit are not chosen for the actual inspection. The pre-inspection visit is a training device for the IG inspection team; the results of the visit are left with the unit commander and are not normally reflected in the inspection report. Exceptions to this principle are at the discretion of the command or State IG.

(6) Train up. This is the step where individual inspectors are trained in the standards, methodology, and other technical details of the inspection. If augmentees (temporary assistant IGs) have been added to the team, they must also be trained on the provisions of AR 1-201 and AR 20-1, then administered the IG oath as members of the IG inspection team.

b. Execution phase.

(1) Visit units. This is the sub-phase where the IG actually inspects the units previously selected. When conducting the inspection, IGs must consider conducting an assistance session in conjunction with the inspection; in some cases,

this may be the only opportunity the members of the inspected command have to personally present issues and complaints to an IG.

(2) *In-Process review.* Although shown only once in figure 6–2, in-process reviews (IPRs) can be conducted at any point in the inspection process. The main purpose of the IPR is to share information amongst inspectors. Other uses include refocusing, redirecting, or reorganizing the inspection based upon the emerging findings. Suggested IPRs include an IPR during the detailed planning sub-phase; a train up IPR; an IPR at the end of the execution phase; and a report writing IPR. Inspectors general should consider conducting an IPR at the end of each day during the actual inspection; some of the information uncovered could be perishable and require immediate action. A daily IPR helps the inspection team determine the best way to proceed.

(3) *Updating the commander.* Inspectors general must consider when and how to update the directing authority during the inspection, or if an update is required. The duration and complexity of the inspection, as well as emerging and verified findings, are key considerations.

(4) *Analyzing results and crosswalking.* When analyzing the results of the inspection, IGs look for patterns and trends, using their experience and judgment to identify systemic issues and determine root causes. The purpose of the crosswalk is to pursue leads and to verify or refute issues.

(5) *Outbrief the proponents.* Proponents are those who resolve problems in their area of responsibility found during the inspection. Inspectors general brief proponents on the findings so that the proponents can begin fixing the problem. By briefing the proponents the IG may also learn more about the problem. This should be done as soon as a finding is made and not held until the end of the inspection.

c. Completion phase.

(1) *Outbrief the commander.* This is the step where the IG presents the results of the inspection to the directing authority. The proponents are normally invited to attend this briefing.

(2) *Taskers.* Taskers are the IG's recommendations contained in the inspection report. Once the commander approves the IG report of inspection, those recommendations are translated into taskings to the proponents to fix the problems identified in the report.

(3) *Final report.* The final report usually consists of a cover letter, an executive summary, and the findings. Minimally, the final report will consist of a cover letter signed by the commander or designated representative and the findings. The report will be protected as described in chapter 3.

(4) *Handing off.* The transferring of a verified finding that is beyond the ability or authority of the command to correct. Verified findings are the findings in the IG inspection report approved by the directing authority. These are really the recommendations approved by the commander. It can be sent through either command or IG channels.

(5) *Distributing the final report.* The final report should be given the widest possible dissemination following the provisions in chapter 3. This helps to ensure that all elements of the command are aware of the results of the inspection and can apply corrective action where appropriate even though not all elements were inspected. At a minimum, the units inspected will receive a copy of the final report.

(6) *Schedule followup.* A followup can take many forms, from a telephone call to another inspection. Followup closes the loop with all concerned, identifies what got fixed, what still needs to be fixed, and provides the commander feedback.

6–5. Inspector general inspection reports

a. Each IG inspection will involve a verbal or written report to the authority directing the inspection, or to staff members and subordinate commanders, as appropriate. As a minimum, the report will be given to the authority directing the inspection. Selected portions of reports, or appropriate extracts, will be provided to other commanders or agency heads who are responsible for solving identified problems. If corrective action is beyond the authority or capability of the inspected command, “handoff” procedures will be used as described in paragraph *i*. At the conclusion of each inspection, the inspecting IG will prepare a written report of the inspection and maintain that report in the IG office. The purpose of this written report is to ensure continuity of operations and to provide a baseline for followup inspections, inspection planning, and trend analysis. When reporting the results of an IG inspection, care must be taken to ensure that the findings are presented logically and thoroughly. Such attention to detail facilitates the detection and reporting of trends, assists with followup, standardizes procedures, and makes the transition during handoffs easier.

b. Inspector general inspection findings need to be thorough, detailed, and accurate in order to provide the inspected unit or agency, the directing authority, and the person or agency responsible for fixing the problem sufficient information to address the issues or problems discovered. While there is no specified format for reporting findings, all findings should include sufficient information so that corrective action can be taken. The recommended five-part format for IG inspection findings follows;

- (1) The finding statement, which is a concise statement of the problem.
- (2) The standard, which restates law, policy, or regulation; the way it ought to be.
- (3) Inspection results, which describe what was found during the inspection.
- (4) The root cause, which explains why something is not in compliance with standards.

(5) The recommendation, which details how to fix the problem and identifies the person or activity with responsibility to fix the problem.

c. The directing authority will determine distribution of all DAIG inspection reports on a case-by-case basis. (See sec II for IG technical inspections.) Command and State IGs are encouraged to provide their inspection reports to The Inspector General (ATTN: SAIG-ID), 1700 Army Pentagon, Washington, DC 20310-1700. (See paras 3-4 and 3-5 for guidance on dissemination of DAIG inspection reports.)

d. The use of formal replies to IG findings or reports is not required unless specifically directed by the commander. (See para 6-8d for actions required with regard to IG technical inspections.)

e. Inspector general inspection reports will identify significant problems involving readiness. With the exception of reports of IG technical and intelligence oversight inspections, reports will provide recommended solutions and fix responsibility for correcting identified deficiencies.

f. Ratings, such as satisfactory or unsatisfactory, will not be used by IGs as an overall unit rating. The use of overall ratings detracts from the desired corrective actions that are achieved through teaching and training and overcoming systemic weaknesses. The only exceptions to this are for Technical Inspections and Intelligence Oversight inspections.

g. During IG inspections, meritorious conditions or innovative problem solutions should be identified and formally recognized. Identifying and disseminating innovative ideas and lessons learned must receive the same emphasis as identifying and correcting deficiencies.

h. The IG inspection reports of National Guard (NG) activities, directed by authority other than the State AG, will be provided through the Chief, NGB (ATTN: IG) to the State AG (ATTN: IG).

i. Handoffs.

(1) When findings are beyond the authority or ability of the inspected command to correct, they will be transferred through IG or command channels to the appropriate HQ agency for corrective action. This is called a handoff.

(2) Findings that are handed off will be staffed for comments through the MACOM IG prior to being handed off to DAIG for action. The DAIG address is as follows: The Inspector General (office symbol), 1700 Army Pentagon, Washington, DC 20310-1700. The following office symbols apply:

(a) SAIG-TI for Technical Inspections

(b) SAIG-IO for Intelligence Oversight Inspections

(c) SAIG-ID for all other inspections

(3) The IG receiving the handoff will keep the originating IG informed of the location and status of the finding.

(4) Appropriate findings for handoff to DAIG include (but are not limited to) the following:

(a) When the findings involve DA action addressees or multiple MACOMs or they are of a magnitude requiring Army-wide actions.

(b) When the proponent is HQDA.

(c) When corrective action resulting from one MACOM's handoff to another MACOM did not solve the problem.

(d) When action is required from outside DA.

Section II

Technical Inspections

6-6. Inspections guidance

a. This section, used with AR 50-5, AR 50-6, and AR 50-7, provides guidance for the conduct of nuclear surety inspections (NSI), chemical surety inspections (CSI), and management evaluations. This section applies to IGs assigned to DAIG. Field IGs with questions or issues concerning technical inspections will contact SAIG-TI for guidance.

b. Compliance oriented technical inspections mirror, to a great extent, other IG-conducted inspections. As such, procedures for protection of confidentiality (see para 6-3h) and applicable inspections policy (see para 6-3) apply.

6-7. Objectives and jurisdiction

a. *Objectives.*

(1) *Nuclear.* NSI assess the adequacy and ensure standardization of nuclear procedures for Army organizations, facilities, and activities having nuclear missions. Nuclear management evaluations (NMEs) inquire into the nuclear functions and responsibilities of Army organizations, facilities, and activities to determine management, systemic, or functional problem areas in the Army Nuclear Surety Program. NSI and NME—

(a) Ensure adherence to approved nuclear technical, health, safety, security, and reliability standards and procedures.

(b) Provide MACOMs with inspection results for use in their OIP to assist in determining the status of unit nuclear mission capability.

(c) Keep Army leaders and appropriate authorities informed of the status of the Army's Nuclear Surety Program.

(2) *Chemical.* CSI assess the adequacy and ensure standardization of chemical procedures for Army organizations, facilities, and activities having chemical missions. Chemical management evaluations (CME) inquire into the chemical

functions and responsibilities of Army organizations, facilities, and activities to determine management, systemic, or functional problem areas in the Army Chemical Surety Program. CSI and CME—

(a) Ensure adherence to approved chemical technical, health, safety, accountability, security, reliability, and demilitarization standards and procedures.

(b) Provide MACOMs with inspection results for use in their OIP to assist in determining the status of chemical mission capability.

(c) Keep Army leaders and appropriate authorities informed of the status of the Army's Chemical Surety Program.

b. *TIG's technical inspection jurisdiction.* TIG establishes inspection policies and standard procedures for conduct of NSI, CSI, and management evaluations. Technical inspections of units and activities are conducted at intervals as specified in AR 50-5 and AR 50-6.

c. *DAIG NSI and NME procedures.*

(1) Conducts NSI of all Active Army units and activities having nuclear support missions.

(2) Conducts Reactor Facility Inspections (RFI) per AR 50-5 and AR 50-7.

(3) Conduct NME of nuclear surety functional areas to identify systemic issues within the Army, as appropriate.

(4) Request that HQDA agencies, MACOM, and other commanders provide personnel, on a TDY basis, as required by TIG, to assist in conducting NSI and NME. TIG will determine qualifications for these personnel.

d. *DAIG CSI and CME procedures.*

(1) Conducts CSI of all Active Army activities and contractors having chemical, storage support, demilitarization, or instructional missions.

(2) Chemical surety inspections (CSI). In general, these inspections examine the following functional areas:

(a) Mission operations.

(b) Safety.

(c) Security.

(d) Surety management.

(e) Accident and incident response.

(f) External support.

(g) Instructional programs.

(3) Conducts CME of chemical surety functional areas to identify systemic issues within the Army, as appropriate.

(4) Requests HQDA agencies and MACOM and other commanders provide personnel, on a TDY basis, as required by TIG, to assist in conducting CSI and CME. TIG will determine qualifications for these personnel.

6-8. Inspection procedures

a. *Inspection schedule.* The USAIGA's Technical Inspections Division, will develop schedules for NSI and CSI. These schedules will be published annually.

b. *Reports of inspections.* A separate written report will be made for each inspection. The IG responsible for making the inspection will prepare or supervise preparation of the report.

c. *Routing of inspection reports.* The USAIGA's Technical Inspection Division will forward one copy of reports of NSI and CSI they conduct per AR 50-5 and AR 50-6.

d. *Action required on NSI and CSI reports covered by AR 50-5 and 50-6.* The HQDA IG NSI and CSI reports will be processed per AR 50-5 or 50-6, respectively.

e. *Inspection rating.*

(1) Ratings for NSI are specified in AR 50-5.

(2) Ratings for CSI are specified in AR 50-6.

(3) No ratings will be assigned to nuclear and chemical management evaluations.

Section III

Intelligence Oversight Inspections

6-9. Inspections guidance

a. Inspectors general must provide intelligence oversight for the intelligence components within their command. IG's at all levels have the responsibility to inspect intelligence activities as part of their commander's OIP.

b. This section, used with AR 381-10 and Executive Order 12333, provides guidance for the conduct of intelligence oversight inspections. This section applies to all IGs.

6-10. Intelligence oversight purpose and procedures

a. AR 381-10 sets forth 15 procedures governing the activities of intelligence components that affect U.S. persons as defined in that regulation. Procedures 2 through 4 provide the sole authority by which such components may collect, retain, and disseminate information concerning U.S. persons.

b. These procedures enable DOD intelligence components to effectively carry out their authorized functions while

ensuring any activities that affect U.S. persons are carried out in a manner that protects the constitutional rights and privacy of such persons.

c. Procedure 14 requires each intelligence component to familiarize its personnel with the provisions of Executive Order 12333, AR 381-10, and applicable implementing instructions. At a minimum, such familiarization shall contain—

- (1) Applicable portions of Procedures 1 through 4.
- (2) A summary of other procedures that pertain to collection techniques that are, or may be, employed by the intelligence component.
- (3) A statement of individual employee reporting responsibility under Procedure 15.

d. Procedure 15 requires IGs, as part of their inspection of intelligence activities and components, to—

- (1) Seek to determine whether such components are involved in any questionable activities.
- (2) Ascertain whether any organization, staffs, or offices within their respective jurisdictions, but not otherwise specifically identified as DOD intelligence components, are being used for foreign intelligence or counterintelligence purposes to which Executive Order 12333 applies and, if so, ensure the activities of such components are in compliance with AR 381-10 and applicable policy.
- (3) Ensure that procedures exist within such components for the reporting of questionable activities and that employees of such components are aware of their responsibilities to report such activities.

6-11. Inspection methodology

a. The Intelligence Oversight Division (IOD) of the U.S. Army Inspector General Agency (USAIGA) has developed an inspection methodology to assist field IGs in the conduct of intelligence oversight inspections. This methodology can be an effective tool in determining compliance with AR 381-10, assessing soldier/civilian knowledge of the regulation, and identifying questionable activities.

(1) Inspectors general should identify intelligence components and personnel performing intelligence functions. Typically these are numbered Military Intelligence (MI) units and G-2/S-2 offices. They may be security personnel with additional intelligence duties. Some of these “dual-hatted” personnel may not realize they are subject to the provisions of AR 381-10.

(2) The intelligence component should brief the IG on their operations and their intelligence oversight program. Elements of importance are—

- (a) Intelligence oversight program existence (beyond a “paper” program).
- (b) A designated point of contact for intelligence oversight.
- (3) Inspectors general should determine whether the intelligence component handles U.S. person information and, if so, determine under what authority. Generally speaking, military intelligence organizations or offices, with the exception of strategic counterintelligence units, do not handle information on U.S. persons. When they do, it is generally because the organization/office is also performing non-intelligence functions, such as personnel security. At the installation level, the intelligence function is often an extra duty of the security officer. In such cases, AR 381-10 applies only to the intelligence portion of that individual’s duties.
- (4) Inspectors general should assess the ability of unit members to apply AR 381-10 in practical situations. The Deputy Chief of Staff for Intelligence (DCSINT), HQDA, has developed an Internet page with 25 scenarios and solutions. Additionally, the DOD IO office and IO offices of other Services have Internet sites containing useful information.
- (5) Both paper and electronic unit intelligence files should be checked. Threat files, particularly force protection files, can be problem areas. Military intelligence components do not have the mission to collect information on U.S. domestic threats. This is a law enforcement/Provost Marshal function. Some incidental information on a U.S. person may be in documents prepared by intelligence components outside the command. This incidental information does not necessarily violate AR 381-10, as long as the information is properly filed (that is, not retrievable by reference to the U.S. person) and is not extracted to produce intelligence products.
- (6) Inspectors general should determine if the intelligence component knows how to report a questionable activity as required by Procedure 15. Unit members should be able to identify the designated IO point of contact (POC). They should understand the IG’s role in IO, as well.

b. If, in the course of the inspection, it appears questionable activity has occurred, the intelligence component should submit a Procedure 15 report, in accordance with AR 381-10. Questions concerning questionable activities, or the conduct of IO inspections, can be answered by contacting IOD at U.S. Army Headquarters: The Inspector General (ATTN: SAIG-IOD), 1700 Army Pentagon, Washington, DC 20310-1700. Alternatively, e-mail: IOD@daig.ignet-army.mil, or telephone (703) 697-6698, 6697, or 6630 (DSN 227). Unclassified fax is DSN 225-7600, (703) 695-7600.

THE INSPECTION SELECTION PROCESS

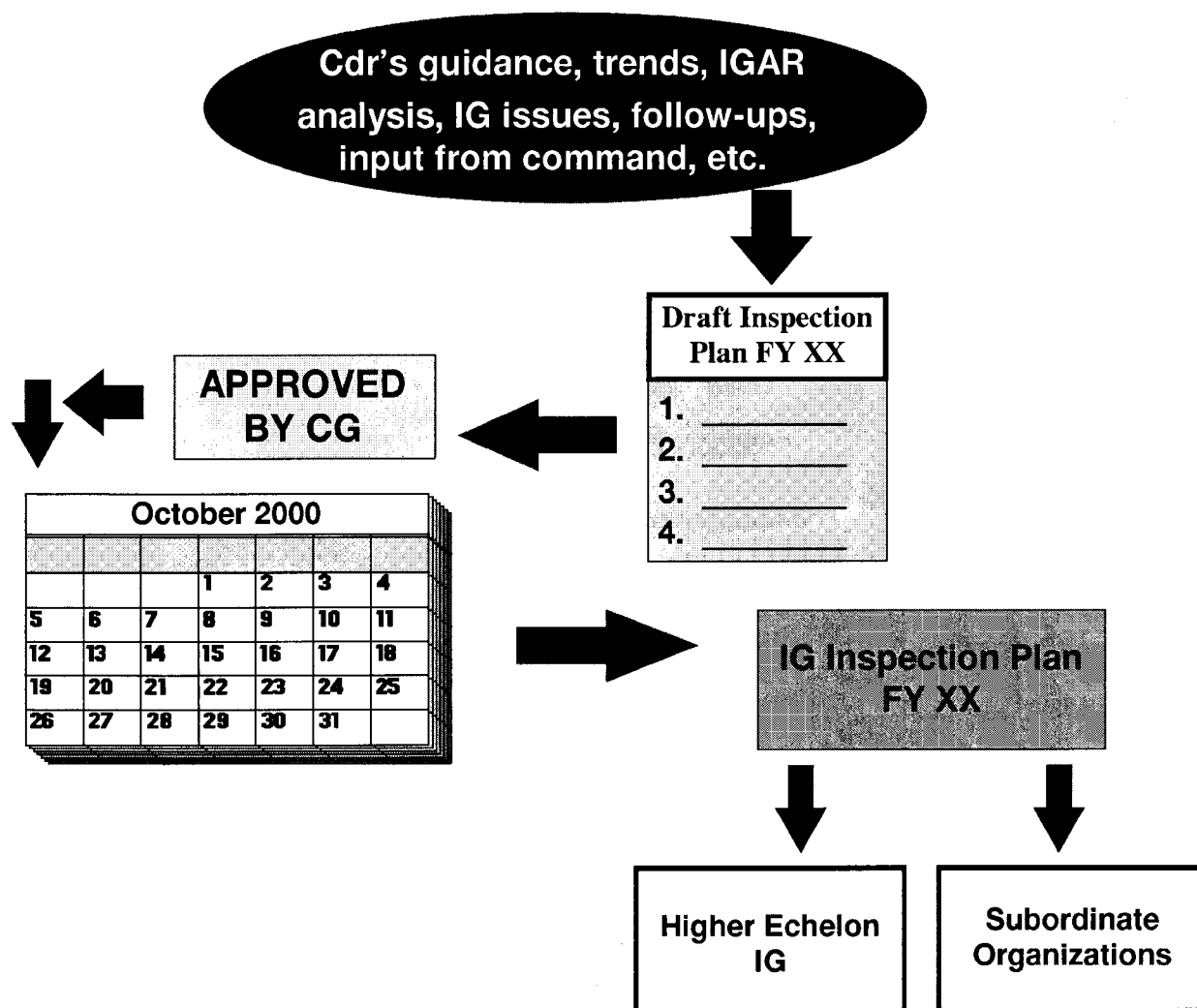


Figure 6-1. Recommended Inspection Selection Process

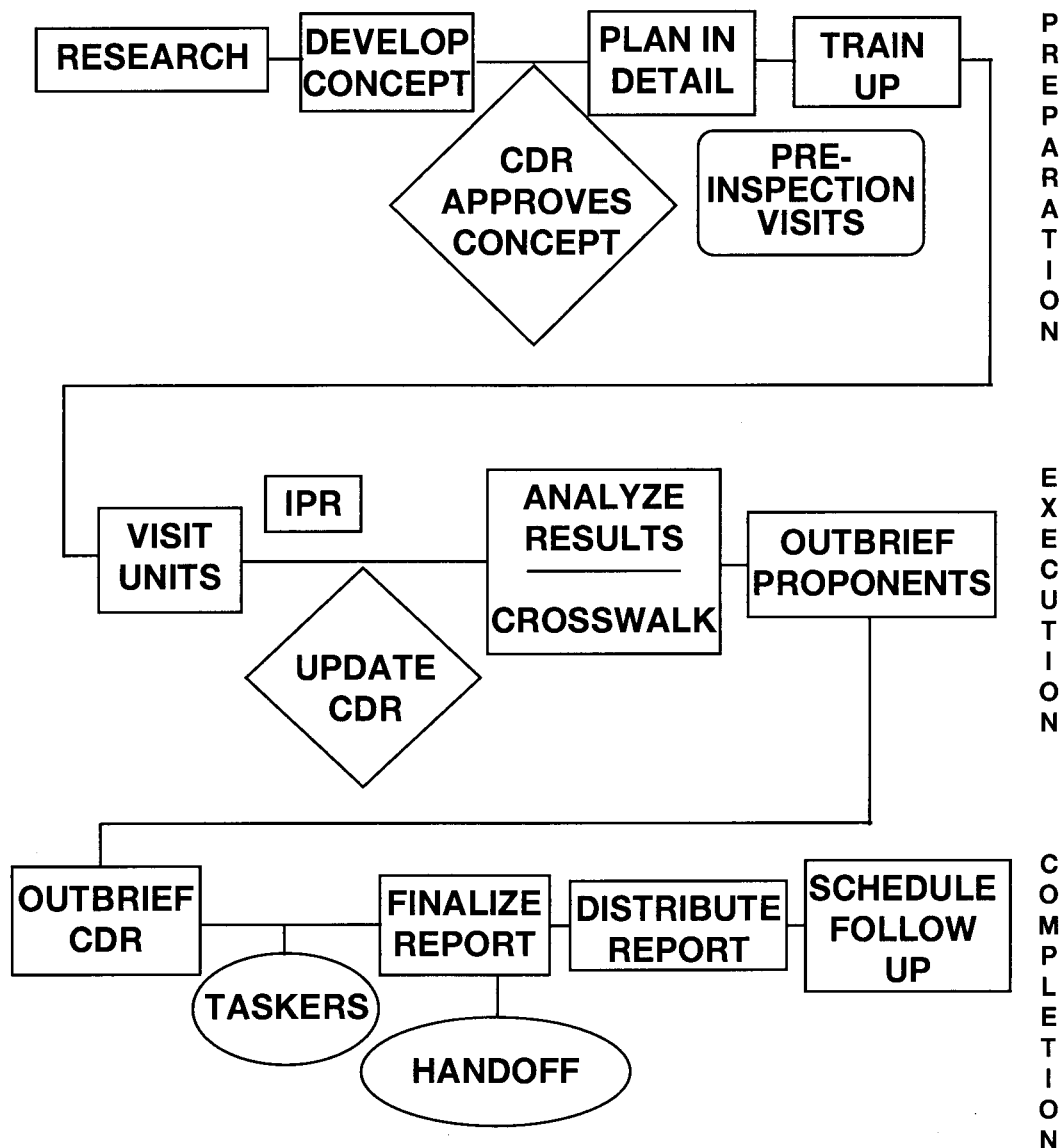


Figure 6-2. The Inspection Process

Chapter 7 The Inspector General Assistance Function

7-1. Assistance function

a. This chapter provides policy and guidance to IGs in the Active Army, the USAR, and the ARNGUS regarding the assistance function. The NG IGs will refer to paragraph 7-7 for additional policy and guidance unique to the ARNGUS.

b. For assistance in implementing policies and procedures in this chapter, contact the DAIG Training Division and the DAIG Assistance Division. The functional proponent for IGARS is the DAIG Assistance Division.

c. Inspectors general providing assistance to complainants should use IG (technical) channels, to include the MACOM IG as well as USAIGA's Assistance Division, as a resource for information in handling specific case issues. The Army Inspector General School is also available as a resource in handling process and doctrinal issues.

d. Army IGs will provide assistance on an area basis so that anyone can go to the nearest IG to request help or

information. (See paras 1–4b(3) and 1–4c(3).) In the absence of a MOA or Memorandum of Understanding (MOU) or support agreement between the commands and agencies involved or affected, these area requirements are intended to provide for IG coverage for routine assistance matters concerning local issues involving the Army at locations where the local Army IG is best suited to accomplish the appropriate resolution actions. Routine assistance matters involving local issues presented by personnel assigned to Army organizations without assigned IGs (for example, the Assistant Secretary of the Army (Acquisition, Logistics and Technology) PMs/PEOs, civilian personnel operations centers (CPOCs), Armed Forces Reserve Centers (AFRCs), and so forth), routine assistance matters involving local elements of Army organizations without assigned IGs, and routine assistance requirements involving local issues presented by personnel at locations geographically separated from their command IG, all fall within the parameters and meaning of these provisions for area support. Inspector general channels will be used to coordinate efforts, hand off cases, or to resolve concerns regarding IG jurisdiction. If necessary, DAIG will resolve systemic issues involving Army organizations without an IG and coordinate inspections or investigative actions. When processing a request for assistance, IGs will give priority attention to protecting confidentiality. (See para 1–12.)

7–2. Definitions

Significant IG assistance function terms are defined in the glossary.

7–3. Conducting an assistance inquiry

a. The IG assistance function begins with the receipt of an IGAR. Inspectors general employ the IGAP, including selecting appropriate courses of action for the IGAR. (Contact HQDA (SAIG–TR) for IGAP guidance.) In many cases, IGs exercise both the assistance and investigation functions concurrently, especially when IGARs contain multiple issues. When IGs determine that a request for assistance is appropriate for IG action, they will use the assistance inquiry as the fact-finding process to gather the information needed to resolve the IGAR issue. The assistance inquiry is an informal fact-finding process used to address or respond to a complaint involving a request for help, information or issues and not allegations of impropriety or wrongdoing. If statements are taken, they normally are not recorded or sworn. If reduced to writing, they are normally summarized. An assistance inquiry must be timely and thorough. It must provide the basis for responding to the issues raised in the IGAR and for correcting underlying deficiencies in Army procedures and systems. The assistance inquiry may simply provide the facts to answer a question from the complainant. Each IGAR will be documented in a case file that must contain evidence and/or information that supports the conclusions reached as well as a copy or detailed summary of the response to the complainant.

b. Unlike the IG investigative inquiry in which IGs must follow specific procedures, in the assistance inquiry, the IG responsible for processing the IGAR determines the best way to conduct the inquiry. The assistance inquiry process follows:

- (1) Analyze the complaint. Identify all aspects of the issues involved, both expressed by the complainant and derived by the IG. This is a continual process that began when the IG initially analyzed the issues during preliminary analysis. As the IG gathers more facts, issues are constantly assessed, evaluated, and analyzed for appropriate follow-on action.

- (2) Plan actions. Inspectors general should determine where to find the policy, standard, or process involved and research the issue thoroughly. It is often important to identify the proponent of the issue or subject matter. Subject matter experts, staff action officers, other witnesses to interview, and what documentary evidence is required must also be determined.

- (3) Collect and analyze information or evidence. This step includes implementing the plan and evaluating the facts and the evidence to ensure all issues are thoroughly addressed. The facts and evidence must lead to a reasonable conclusion or recommendation. Inspectors general should verify the facts with the proponent when it is appropriate. Inspector general technical channels can be used for additional assistance when necessary.

- (4) Recommend and/or apply solution. Inspectors general provide the information requested by the complainant or resolve the request for help. The complainant's supervisory chain and the proponent are involved as appropriate. The solution could be providing the impetus for another agency's action, for example, a revision of a policy, or a suggestion to the complainant of a particular course of action. Inspectors general always conduct teaching and training whenever necessary.

- (5) Follow up with complainant. Inspectors general ensure that the solution adequately addresses the complaint.

- (6) Close the case. A final response to the complainant is prepared that addresses the issues presented in the IGAR and protects the privacy of all involved individuals. The case file is reviewed for thoroughness and appropriate documentary evidence. Extraneous material must be removed from case files. IGARS database requirements will be completed and the case closed.

c. An appropriate format for recording the results of an IG assistance inquiry is to list each request or issue, present and provide a discussion of the relevant facts and evidence, and state a conclusion. The format for the ROI may also be used (see para 8–7). This format provides a logical and disciplined presentation of information or evidence that leads to a justifiable conclusion.

d. When an IG interviews a person, the IG may record impressions of the person's attitude, sincerity, and truthfulness. The IG will enter these observations in the IGAR file and will clearly indicate they are IG opinions.

Note. The file is subject to FOIA release.

e. If appropriate to the case, IGs will inform the complainant of established means of redress. Paragraphs 4–4 and 7–4 list some specific types of redress available. Inspectors general will limit their assistance in these cases to a review of whether due process was afforded the complainant.

f. A complainant may voluntarily withdraw an IGAR at any time. The IG will not suggest that a complainant withdraw an IGAR; however, if the complainant desires to do so, IGs will obtain a request from the complainant in writing. Inspectors general should be concerned that reprisal for presenting the complaint to the IG is not a factor in the request for withdrawal. Inspectors general will question the complainant to ensure reprisal has not occurred. When an IGAR is withdrawn, the commander or detailed IG may elect to continue to process some or all of the IGAR to address deficiencies in Army procedures or systems or to address an impropriety that developed after processing of the IGAR has begun.

7–4. Actions pertaining to certain types of Inspector General Action Requests

a. *Pay-related IGARs.* If pay complaints cannot be resolved by the local finance office, the IG should contact DFAS IG for assistance. The DFAS IG will either accept the case or inform the local IG to refer the case to one of the appropriate Defense Finance and Accounting Service Centers listed below:

- (1) Active Duty Pay - Indianapolis
- (2) Reserve Pay - Indianapolis
- (3) Retiree Pay (military and civilian) - Cleveland
- (4) Annuitant Pay - Denver
- (5) Garnishment - Cleveland
- (6) Vendor Pay - Indianapolis
- (7) Civilian Pay - Charleston

b. *Soldier nonsupport of family members or private indebtedness.*

(1) If a family member alleges lack of basic needs such as food or shelter, IGs should ensure that the immediate basic needs of the family are met. Local social support agencies, both military and civilian, should be contacted for assistance in this matter.

(2) Resolving nonsupport and indebtedness claims is a command responsibility; the IG's primary role is to ensure that the commander is aware of complaints and takes appropriate action. AR 608–99, as applicable, establishes commanders responsibilities in nonsupport cases.

(3) AR 600–15 prescribes commander's actions for private indebtedness cases. An IG becoming involved with these matters will determine if the complainant has forwarded the complaint to the soldier's commander. If not, the IG should offer assistance in formulating and properly routing the complaint. If the complainant has already initiated appropriate action, the IG should continue assistance only if the commander has not responded satisfactorily. In that case, the matter should be handled in IG channels only to the extent necessary to ascertain if the commander fulfilled obligations required by law and regulation.

(4) The Judge Advocate General (TJAG) is the proponent for AR 608–99. As such, issues involving nonsupport should be coordinated with the servicing SJA.

c. *Civilian Personnel Operations Centers.*

(1) *OCONUS.* OCONUS Civilian Personnel Operations Centers (CPOCS) fall under the responsibility of the MACOM. The local IG may provide assistance as stated in paragraph 7–1 and use IG channels to coordinate efforts or hand off cases; to resolve concerns regarding IG jurisdiction, if necessary; to contact the MACOM IG regarding systemic issues involving CPOC operations; and to coordinate inspections and investigate actions.

(2) *CONUS.* CONUS CPOCs fall under the responsibility of the CPOC Management Agency and ODCSPER field operating agency (FOA). The local IG may provide assistance as stated in paragraph 7–1 and use IG channels to coordinate efforts or hand off cases; to resolve concerns regarding IG jurisdiction, if necessary; to contact DAIG regarding systemic issues involving CPOC operations; and to coordinate inspections and investigate actions.

d. *Contractor activities.* The IGs must analyze the substance of complaints and requests for assistance from contractors involved in commercial activities, procurement activities, or contracting, to determine if they are proper for IG action. Contractor activities normally are within the jurisdiction of other established avenues of redress. Coordination with the supporting judge advocate, general counsel, or the DAIG's Legal Advisor is recommended.

7–5. Acting inspectors general

a. Acting IGs (AIGs) may be appointed to extend the IG assistance function to soldiers, family members, and DA civilian employees who do not have reasonable access to a detailed IG or assistant IG. The AIGs are most commonly appointed to give IG access at remote locations. Appointment of AIGs is discussed in paragraph 2–3.

b. AIGs will only process requests for assistance of a personal or administrative nature. Examples of the types of assistance appropriate for an AIG to handle are pay problems, loss of household goods, and obtaining an identification

card for a spouse. The AIG may conduct a limited assistance inquiry to help the complainant. For example, the AIG may call the DFAS to obtain information to help a complainant with a pay problem.

c. An AIG who receives a complaint or request for assistance for other than a routine administrative problem will hand off the request to the office of the supervising detailed IG for action. The AIG may listen to the complainant and record the IGAR but must advise the complainant that the detailed IG will process it.

d. The supervising detailed IG may task an acting IG to collect documents available at the acting IG's location for an inspection, inquiry, or investigation and to assist in making administrative arrangements for an inspection, assistance, or investigation team. An AIG's support of IG inspection, assistance, and investigation functions will not exceed providing this kind of limited administrative help.

7-6. Assistance visits

a. Inspectors general may make assistance visits to subordinate commands to evaluate the assistance function locally; identify or prevent problems with DA or local policies; assist soldiers and Army civilian employees and their families, IGs, and the chain of command; and gauge the pulse of the command.

b. Higher headquarters (HQ) IGs will coordinate with subordinate command IGs prior to an assistance visit. Normally, the coordination will be done 90–120 days prior to the visit, but it should be completed within the time frames required by the headquarters being visited. Subordinate command IGs will normally be invited to accompany the higher HQ IG team.

c. An assistance visit may include the following:

- (1) Arrival and exit briefings with the commander or Chief of Staff.
- (2) Tour of the installation and unit facilities and visits with the staff.
- (3) Evaluation and discussion of the IG assistance mission and other issues of interest to commanders.
- (4) IGAR (complaint) sessions.
- (5) Soldier, family member, Army civilian employee seminars or sensing sessions.
- (6) Interviews with commanders, command sergeants major, managers, and supervisors.

7-7. Assistance policy for National Guard personnel

a. *National Guard personnel, Federal, and non-Federal interest.* IGARs submitted by ARNGUS personnel that involve matters of Federal interest will be processed with the cooperation of, and in coordination with, the State AG using the procedures above. Matters involving non-Federal interest will be processed as prescribed by the State AG. IGARs submitted by ANG personnel are addressed in paragraph 1–10.

b. *EO complaints.* EO complaints of discrimination made by members of the NG on the basis of race, color, national origin, gender, or religion will be processed under NGB guidance rather than the IGAR System.

c. *Responses to Congress.*

(1) If an inquiry is received directly from a MC and there is no indication that the OCLL or DAIG has been contacted by that or any other MC on the same issue, the NG IG may respond directly to the MC, as is customary in that State for handling congressional replies. Inspectors general will contact DAIG Assistance Division to confirm that a parallel complaint has not been received from OCLL. If a parallel complaint was received at DAIG, a copy of the response to the Member of Congress will be provided to DAIG.

(2) When there is an indication that OCLL or DAIG has been contacted, the completed IG report will be forwarded through NGB to DAIG's Assistance Division.

Chapter 8

The Inspector General Investigation Function

8-1. Investigative fact-finding processes

a. Significant terms for the IG investigation function are defined in the glossary.

b. The IG investigation function encompasses two fact-finding methodologies.

(1) An IG investigation is a fact-finding examination by a detailed IG into allegations, issues, or adverse conditions to provide the directing authority a sound basis for decisions and actions. Inspector general investigations normally address allegations of wrongdoing by an individual and are authorized by written directives.

(2) An investigative inquiry is the fact-finding process followed by IGs to gather information needed to address allegations of impropriety against an individual that can accomplish the same objectives as an IG investigation. Command and State IGs normally use this investigative process when the involvement of the directing authority is not foreseen. This does not preclude directing authorities from directing an investigative inquiry. The command or State IG typically directs the investigative inquiry and provides recommendations to their commander or to subordinate commanders as appropriate. The investigative inquiry is the primary fact-finding process used by IGs to address allegations.

(a) An assistant IG may assist a detailed IG in the conduct of an investigation. Assistant IGs may conduct

investigative inquiries within the limits prescribed at paragraphs 2–2d(3) and 8–4 of this regulation. An acting IG may provide only limited administrative assistance.

(b) If a legal issue is involved, IGs should first contact their servicing SJA or Command Judge Advocate before seeking the advice of TIG’s Legal Advisor.

8–2. Duties of inspector general investigators

a. Inspector general investigators—

(1) Conduct IG investigations and investigative inquiries, following policy and procedures in this regulation. For additional information, IGs may contact DAIG Assistance or Investigations Division. Questions pertaining to specific cases directed by TIG should normally be referred to the DAIG Assistance Division. The DAIG Training Division also publishes guides containing doctrinal guidance for implementing the investigative policies of this chapter.

(2) Make or obtain conscious decisions on disposition of all allegations. Inspectors general will not discard an allegation solely because it appears frivolous, unimportant, not relevant to matters under investigation, or is subsequently withdrawn by the complainant.

(3) Obtain evidence sufficient to determine that an allegation is either substantiated or not substantiated. Preponderance of credible evidence is the standard of proof IGs use to substantiate or not substantiate allegations. Preponderance is defined as “superiority of weight.” Word allegations carefully; a substantiated allegation must always represent an impropriety. (See definition of allegation at glossary.)

(4) Include in the Report of Investigation (ROI) or Report of Investigative Inquiry (ROII) a complete, objective, and impartial presentation of all pertinent evidence gathered during the investigation/inquiry. The report should stand alone and should be fully understood by anyone who reads it. (See para 8–7 for additional discussions of ROI/ROII.)

(5) Do not recommend adverse action against an individual. Inspectors general are fact-finders who present the facts to the directing/approving authority in a ROI/ROII. The ROI/ROII will not contain recommendations for adverse action against an individual. However, administrative action to correct a mistake (for example, recovery of an improper TDY payment) may be made part of an IG investigation recommendation. The IGs may assist the directing authority by consulting with the SJA, USACIDC, Military Police Investigator (MPI), other staff activities, or subordinate commanders and present their recommendations to the directing authority.

(a) Inspector general records will not be used as the basis for adverse actions unless approved by TIG. (See para 3–3.)

(b) The directing/approving authority must consider possible adverse consequences of employing the ROI/ROII as the basis for an adverse action. An individual against whom adverse action is contemplated has due process rights that may require release of confidential testimony, personal information, and deliberative material (opinions, conclusions, and recommendations of investigations). Such release might compromise the integrity of the IG System and the IG’s ability to serve the commander as an impartial confidential fact-finder.

(6) Report systemic problems discovered during investigative activities to the appropriate authority and follow up to ensure corrective action is taken.

b. In all investigative activities, IGs will be sensitive to actual and potential concerns that people have about keeping both the fact and extent of their involvement confidential. (See paras 1–12 and 3–4b.)

c. Inspectors general will close the case using the ROI/ROII format outlined in this regulation at paragraph 8–7. One of the IG recommendations should be to “close the case” or “turn the case over to a follow-on investigator” as appropriate.

8–3. Jurisdiction

a. Inspectors general may investigate or conduct investigative inquiries into allegations of the following:

(1) Violations of policy, regulation, or law.

(2) Mismanagement, unethical behavior, fraud, or misconduct that, if true, may be of concern to the directing authority.

b. Inspectors general should not normally investigate or conduct investigative inquiries when—

(1) The alleged impropriety is of a nature that, if substantiated, would likely constitute criminal misconduct except as specified in paragraph c below. While many allegations of acts or omissions can theoretically be seen as criminal insofar as they could be phrased as a dereliction of duty, violation of a regulation, or conduct unbecoming an officer, this does not necessarily preclude an investigation or inquiry by an IG. The directing authority may still direct the IG to conduct an investigation or inquiry. Coordination or consultation with the appropriate legal advisor will be conducted in cases such as this and with USACIDC officials if appropriate.

(2) Substantiation of allegations appears certain at the outset of the IG analysis of the IGAR, and it appears certain adverse actions against individuals will occur. An example of this is the criminal allegation of assault that is punishable under the UCMJ. (See paras 3–3 and 8–9 and AR 195–2, app b.)

(3) The Army has established means of redress. (See para 4–4.)

(4) The chain of command decides to address the issues and allegations. If a subordinate commander has the ability

to conduct a commander's investigation or inquiry, the IG should afford the subordinate commander the opportunity unless otherwise directed by the IG's commander and directing authority (see paras *l* and *m* below).

(5) The allegations involve professional misconduct by an Army lawyer, military or civilian. Such allegations will be referred through the DAIG Legal Advisor to the senior counsel (for example, The General Counsel of the Army, TJAG of the Army, the Command Counsel of the U.S. Army Materiel Command (AMC), or the Chief Counsel of the U.S. Army Corps of Engineers) having jurisdiction over the subject lawyer, for disposition.

(6) The allegations involve mismanagement by a member of the Judge Advocate Legal Service serving in a supervisory capacity. Such allegations will be referred through the DAIG Legal Advisor to TJAG for disposition under the provisions of AR 27-1.

c. The SA has authorized TIG to investigate all Army activities. Only the SA, Under Secretary of the Army (USofA), CSA, VCSA, and TIG may direct conduct of DAIG investigations. Heads of HQDA agencies, commanders, and State AGs may request that TIG conduct an investigation, but they are not authorized to direct TIG to do so. In accordance with paragraph 1-4b(5), TIG may direct a command or State IG to conduct inquiries or investigations.

d. Commanders whose staffs include a detailed IG may direct IG investigations into activities within their command. Detailed IGs are authorized to inquire or investigate within their organizations and activities, as specified by their directing authority and this regulation. Installation IGs may conduct investigations and inquiries at tenant MACOM units after mutual agreement between the installation IG and the tenant unit's MACOM IG.

e. State AGs whose States have detailed IGs may direct IG investigations or inquiries into Federally related activities within their States to include both Army National Guard and Air National Guard matters. (See para 1-9.)

f. Allegations against subordinate commands or commanders within the IG's sphere of activity may be investigated as directed by the IG's commander (directing authority). Allegations against the IG's command or commander will be forwarded to the next higher IG for disposition unless the commander is a general officer or senior civilian. (See paras *h* and *i* below for exceptions.)

g. Any IGAR containing an allegation against a MSG, SGM, or CSM or any Army officer in the grade of major through colonel that has resulted in the initiation of an IG investigation, investigative inquiry, or a command directed action (for example, AR 15-6 investigation, commander's inquiry, UCMJ action, and so forth) will be reported to TIG (ATTN: SAIG-AC) within 2 working days after receipt by rapid and confidential means. (See paras 1-4b(5)(b) and 4-6c.)

h. Allegations against IGs will be reported to the next higher echelon IG for appropriate action within 2 working days after receipt by rapid and confidential means. An information copy of the report (with the IGAR, allegation, and the complaint attached) will be forwarded to TIG (SAIG-AC) and the MACOM IG concurrent with the report to the next higher echelon IG. TIG retains the authority to investigate the allegation under the provisions of paragraphs 1-4a(12) and 1-4(16)(d). Therefore, command and State IGs will notify TIG of any anticipated command or IG action before proceeding with resolving the allegation. The nature of the allegations will determine which IG office or level of command will conduct the investigation. The MACOM IG will consult with USAIGA's Assistance Division to determine the best course of action to resolve the allegation and inform Assistance Division of the assessment and recommendations.

(1) TIG concurrence must be obtained for appropriate action (inquiry or investigation) to resolve these allegations before such actions are initiated.

(2) If the allegations involve violations of AR 20-1 or IG policy, the next higher IG, in coordination with DAIG Assistance Division, will normally be required to conduct the inquiry or investigation.

(3) If the allegation deals with misconduct or other non-IG related offenses, the command may relieve the IG for cause and use other investigative (for example, AR 15-6 investigation) methods or administrative actions to determine the facts of the case after coordination with DAIG Assistance Division.

i. Investigations of allegations of improprieties by general officers, brigadier general selectees, and senior civilian employees of the Army will be conducted as follows:

(1) Only the SA, USofA, CSA, VCSA, and TIG may authorize or direct an IG inquiry or investigation into allegations of improprieties or misconduct by general officers, brigadier general selectees, and civilian employees of SES or equivalent grade or position. As a matter of Army policy, when such allegations are suspected against a senior official or found during an ongoing inquiry or investigation conducted by non-IG sources (for example, Commander's Inquiry, AR 15-6 or USACIDC or similar investigations), the commander or command concerned shall halt the inquiry or investigation as it regards any specific allegations against a senior official and report any and all such allegations directly to DAIG's Investigations Division for determination of further action. As an exception, equal employment opportunity inquiries or investigations may continue even if they involve senior officials provided DAIG has been notified.

(2) Any and all allegations of impropriety or misconduct (including criminal allegations) against general officers (including ARNGUS, USAR, and retired general officers), brigadier general selectees, and senior civilians must be forwarded by commanders or IGs directly to the DAIG Investigations Division by a rapid and confidential means within 2 working days of receipt. Inspectors general will not conduct any fact-finding into the nature of the allegations unless authorized by TIG, DTIG, or Chief, Investigations Division, DAIG.

(3) Inspectors general who receive allegations of impropriety against general officers and senior civilians may tell their commanders the general nature of the allegations and the identity of the persons against whom the allegations were made but will first contact DAIG Investigations Division for advice. An open investigation may already exist, and the commander may have already been informed by DAIG. To help protect the complainant's confidentiality, do not reveal either the source or specific nature of the allegations. TIG will ensure commanders, MACOM IGs, and CNGB receive additional information as appropriate. (See para 1–12.)

(4) If the IG who receives the allegation works for the subject of the allegation, or if there are any questions, the IG will contact the Chief, Investigations Division, DAIG, for guidance. This procedure is intended to allow DAIG to make the notification to the commander to prevent placing the IG in an ethical dilemma. See appendix D for additional information for procedures for investigations of allegations against senior officials.

(5) Address questions to The Inspector General (ATTN: SAIG-IN), 1702 Army Pentagon, Washington, DC 20310–1702, or The Inspector General (ATTN: SAIG-ZXL), 1714 Pentagon Army, Washington, DC 20310–1714.

j. Forward allegations against PMs or PEOs who are general officers or DA civilian employees of the SES or equivalent grade to DAIG's Investigations Division, per paragraph 8–3j. If allegations are made against the PM or PEO staff, the supporting MACOM or major subordinate command (MSC) IG, will normally conduct the IG inquiry or IG investigation (see para 1–4b(5)). The PM or PEO will be told the general nature of the allegation and the identity of the individual against whom the allegation has been made. At the conclusion of the investigation, the PM or PEO may be informed of the results of the investigation or inquiry, when appropriate. Final approval authority for the ROI or ROII remains with the directing authority.

k. Forward allegations reference whistleblower, reprisal, and/or improper mental health evaluation referrals to DAIG-AC within 2 working days.

l. When an allegation is referred to a commander, Criminal Investigation Division (CID), Department of the Army or non-Department of the Army agency, IGs will process the IGAR in accordance with the assistance and investigative guidance as developed by SAIG-TR in coordination with SAIG-AC. This written guidance is available from SAIG-TR.

m. Directing authorities may, at any time, terminate an IG inquiry or investigation that they directed. When this occurs, the IG conducting it will process the IGAR in accordance with procedural guidance of SAIG-AC.

8–4. Conduct of inspector general investigations and investigative inquiries

a. The IG investigation function includes IG investigations and IG investigative inquiries, which are most commonly conducted to resolve allegations of individual wrongdoing. IG investigations are conducted by detailed IGs and are limited to the matters approved by the directing authority. Detailed IGs will actively participate in IG investigations and will not permit assistant IGs to conduct the investigation de facto. A detailed IG who allows an assistant IG to gather all the evidence and then reviews and approves the assistant IG's work is not actively involved with the investigation. All IG reports of investigation and investigative inquiry will be written in the IG investigations format addressed at paragraph 8–7.

b. An IG investigation is a formal fact-finding process that incorporates the following procedures.

(1) Obtain a written directive from the directing authority (see the glossary for the definition of directive) and enclose it to the ROI. Normally, the detailed IG responsible for the investigation will obtain the directive from the directing authority.

(2) Verbally notify appropriate commanders or supervisors and the subjects or suspects of the investigation and inform them of the nature of the allegations. The notifications will be documented and enclosed to the ROI.

(3) Develop an investigative plan.

(4) Gather evidence and take sworn and recorded testimony. Comply with the Privacy Act and Freedom of Information Act notices and render rights warnings when required. The detailed IG must participate in these processes.

(5) Evaluate the evidence and write the ROI.

(6) Obtain a written legal review of the ROI from the supporting judge advocate. The command or State IG will then gain the approval of the ROI from the directing authority.

(7) Notify the appropriate commanders or supervisors, complainant (only allegations directly pertaining to the complainant), and subjects or suspects of the approved results of the investigation in writing and enclose the notifications in the ROI/case.

c. The IG investigative inquiry is less formal than an IG investigation and is used when there is an allegation that does not warrant an investigation. Inspectors general will conduct the investigative inquiry similar to an IG investigation (see para b) with the following exceptions.

(1) The command or State IG may direct the investigative inquiry.

(2) Witness statements are not required to be sworn and recorded testimony. The use of interview guides is optional but recommended, especially for subjects and suspects to ensure that due process is afforded and their rights are protected (see app E).

(3) A written legal review of the ROII from the supporting judge advocate will be obtained when there is a

substantiated allegation(s). On a case-by-case basis obtain legal review as required for ROII with not substantiated allegations.

(4) The directing authority or the command or State IG will approve the ROII (see para 8–7c).

(5) Actions under the provisions of paragraphs (1) through (3) above will be documented and enclosed in the ROII.

d. If the allegation(s) in the IG investigation/investigative inquiry is substantiated, it is mandatory for all Army IGs to formally notify the subject/suspect in writing as to the conclusions. It is the right of all subjects or suspects to address the unfavorable information against them (see para 4–10).

e. Expanding the scope of an IG investigation or investigative inquiry, or adding additional allegations or individuals not originally addressed in the beginning of the investigation, requires approval of the directing authority, command or State IG who initially directed the action. If the IG discovers matters requiring investigative action that are totally unrelated to an ongoing IG investigation or inquiry, the IG will report them to the directing authority or take appropriate action.

f. In most IG investigations and investigative inquiries, evidence will be obtained from documents and interviews of witnesses. Inspectors general always seek the best available evidence through the collection of relevant documents and the interviews of the best witnesses (first-hand witnesses). The best evidence from individuals is sworn and recorded testimony by persons with direct knowledge. Evidence of a lesser quality, such as memoranda of conversations, handwritten notes, unsworn statements, second-hand information (hearsay), is also acceptable. This type of evidence will be weighted accordingly.

g. Inspectors general will use interview guides when conducting interviews as part of an IG investigation. The interview guides are also recommended for use during investigative inquiries. Interview guides are formal scripts used by IGs while conducting interviews and will be read verbatim. The guides were carefully prepared to ensure technical correctness and that the IG addresses all relevant areas all witnesses, subjects, and suspects must know as part of the IG interview process. There are guides for conducting pre-tape briefings, read-ins, and read-outs (see app E). The guides are designed specifically to address those elements necessary to due process based upon the person's status in the interview. The essential elements of these guides are—

(1) *Pre-tape briefing (part I)*. The pre-tape briefing essentially explains the investigative procedure, the IG investigator's role, the ground rules for the interview, and other administrative elements of the interview prior to starting.

(2) *Read-in (part II)*. Use the appropriate interview guide depending on the status of individuals. Each interview guide is slightly different dependent upon the status of the person being interviewed.

(3) *The questioning phase of the interview (part III)*. This will be the major part of most interviews and consist of the questions relevant to the allegations.

(4) *The read-out (part IV)*. This will be read verbatim and conclude the interview.

h. Persons who provide testimony in IG investigations and inquiries will not be allowed to record their testimony by tape or any other means. (This is to protect the confidentiality of the witnesses, subjects, and suspects to the maximum extent possible.) After the IG investigation or investigative inquiry is completed and the directing authority has taken final actions, witnesses, suspects, and subjects may obtain copies of their transcribed testimony by following the procedures in paragraph 3–5a(2). Witnesses, suspects, and subjects may read their transcribed testimony prior to completion of the investigation or investigative inquiry but may not retain a copy.

i. To protect confidentiality of IG investigations and the rights, privacy, and reputations of all people involved in them, during notifications and interviews, IGs will ask people with whom they are talking not to disclose the matters under investigation or inquiry and not to discuss them with anyone, except their own personal counsel if they consult one, without permission of the IG. Inspectors general will not withhold permission for defense counsels to interview witnesses about matters under investigation, but defense counsels will not be provided names of IG witnesses because of IG confidentiality requirements. Defense counsels must find these witnesses through their own procedures.

j. Two investigative conclusions will be used by IGs. These conclusions will contain the specific allegation(s) and state that the allegation occurred (substantiated) or did not occur (not substantiated). These conclusions will establish the IG's findings regarding the violation by a specific individual of an established standard and will not be vague statements.

(1) Substantiated: The conclusion of “substantiated” will be used when a preponderance of credible evidence, as viewed by a reasonable person, exists to prove the allegation.

(2) Not substantiated: The conclusion of “not substantiated” will be used when a preponderance of credible evidence, as viewed by a reasonable person, does not exist to support the allegation.

(3) The “neither substantiated nor refuted” conclusion will not be used.

(4) The terms “partially substantiated” or “substantiated in part” will not be used.

8–5. Discussion of rights

a. A witness is a person who saw, heard, knows, or has something relevant to the issues being investigated and who is not a subject or suspect. A subject is a person against whom noncriminal allegation(s) have been made, such as a violation of a local policy or regulation that is not punitive. A suspect is a person against whom criminal allegations have been made (the alleged acts are violations of punitive articles of the UCMJ, regulations that are punitive, or other

criminal laws). A person may also become a suspect as a result of incriminating information that arises during an investigation or interview, or whenever the questioner believes, or reasonably should believe, the person committed a criminal offense. The appropriate rights warning for persons interviewed during an IG inquiry or investigation varies with their status. DA Form 3881, Rights Warning Procedure/Waiver Certificate will be used for interviews of suspects and in some cases may be used for subjects.

b. DA personnel who are witnesses or subjects may not lawfully refuse to answer questions properly related to an IG inquiry or investigation unless answering the question will incriminate them, will involve certain privileged communications, or will be in violation of their right to union representation as described below. (See MCM section V, Privileges, Military Rules of Evidence.) However, if an investigator suspects, or reasonably should suspect that a soldier or DA civilian (if civilian is in custody) being questioned has committed a criminal offense, the investigator must advise them of their rights under Article 31, UCMJ, and *Miranda v. Arizona*. Soldiers or DA civilians (if civilian is in custody) who are suspected of having committed a criminal offense have the right to have a lawyer present (the lawyer can advise the suspect but not speak for the suspect), the right to remain silent during questioning related to the matter, and the right to terminate questioning. Accordingly, after being properly advised of their rights, if soldiers or DA civilians (civilians in custody) invoke their rights or fail to affirmatively waive their rights, questioning must stop immediately, and the interview must be terminated. The IG will not complete the read-out. The interview will cease at this point. Because the circumstances under which questioning may be resumed are fact specific, the investigator should consult with the local legal office before initiating further discussions with these individuals. (See UCMJ, Art. 31, Military Rules of Evidence (M.R.E.) 304 and M.R.E. 305, MCM.) Whenever in doubt concerning these rules, the interviewer should consult with their servicing SJA or DAIG Legal Advisor.

c. Union representation at interviews (see section 7114(a)(2)(A), title 5, United States Code) (5 USC 7114(a)(2)(B)).

(1) All Army civilian employees who are represented by any labor organization that is certified as the exclusive representative of a bargaining unit, have a right to union representation at any investigative examination. If the employee reasonably believes that the examination may result in disciplinary action against the employee, representation may be requested by the employee. In addition, the local union contract may provide for union representation even when the employee does not request it. Inspectors general should know the contents of the local union contract or should coordinate with the local CPAC management-employee relations specialist.

(2) Although subjects and suspects are the most likely sources of such requests, witnesses may also make them. If a witness is otherwise entitled to representation, as specified in subparagraph (1) above, IGs should allow a union representative to be present.

(3) The union representative may comment, speak, or make statements; he or she may not, however, usurp or disrupt the meeting, or answer for the interviewee. In determining whether a given representative is being disruptive or usurping the interview, the IG should apply a standard of "reasonableness." The union representative's presence is in addition to any right that the employee may have to a lawyer.

(4) If the employee requests and is entitled to union representation, the IG must take every reasonable step to ensure that the union has the opportunity to represent the employee at an investigation or investigative inquiry interview. Such steps should include granting extensions and, if necessary, notifying the union that the employee is having difficulty obtaining a representative. Only when these steps have been taken may the IG proceed with the interview.

8-6. Unfavorable information

During an IG investigation or inquiry, unfavorable information (see glossary) obtained about a suspect/subject may result in an unfavorable comment in the ROI/ROII. The individual has a right to know of the unfavorable information during the IG inquiry or investigation. The IG will orally notify the person concerned (notification) of the allegations and interview the subject or suspect before the IG inquiry or investigation is completed. The IG will provide the person an opportunity to comment on the unfavorable information during the interview process. The comment may be—

- a. Presented orally, in person, sworn, and recorded.
- b. A suggestion to obtain the testimony of reasonably available witnesses the person desires be heard.
- c. Written statements, preferably sworn, made by the person or others who wish to make a statement on that person's behalf.
- d. The suggestion to obtain or consider other evidence, documentary or physical, the person wishes to present.

8-7. Reports of Investigation and Investigative Inquiry

a. *Preparation.* Inspectors general will prepare a separate written report for each IG investigation or inquiry. Complete the ROI or ROII as soon as practicable after completing the investigation or inquiry. Copies of documents that were not prepared by IGs, for example, AR 15-6 investigations, results of commander's inquiries, MP and USACIDC reports, and so forth that were considered or used by IGs to support findings, conclusions, recommendations, or resolution actions, will be included in the IG record. These non-IG work products will be a part of the IG record subject to the provisions in chapter 3.

b. *Format.* The format consists of—

- (1) An executive summary (when necessary) that provides names of suspects or subjects, the authority for the

investigation, the relevant background to the case, a restatement of the allegation, and a brief discussion or synopsis of each substantiated or unsubstantiated allegation.

(2) The main body of the ROI/ROII, which consists of—

(a) Introduction (optional) if the case is complex or has extensive background information that needs to be explained.

(b) Consideration of allegations in light of the relevant evidence—the complaint, the standard alleged to have been violated, any documentary evidence (including documentation of physical evidence), testimony and statements, a discussion that concisely analyzes all of the evidence considered, and a clear conclusion of “substantiated” or “not substantiated.” If there is more than one allegation to be considered, the format is repeated until all allegations are addressed. For further guidance regarding examples and detailed discussions of these formats, contact the Training Division, HQDA (DAIG–TR).

c. *Processing.*

(1) The command IG or State IG will—

(a) Review and approve the ROI/ROII and forward the report to the supporting judge advocate or command counsel for legal review. Legal reviews are required for all ROIs. Legal reviews are also required for ROIIIs containing allegations with “substantiated” conclusions. Legal reviews are encouraged for ROIIIs containing allegations with “not substantiated” conclusions but are not required.

(b) Submit the ROI to the directing authority.

(c) Approve or disapprove the ROII in part or in its entirety and provide commanders with their recommendations as appropriate.

(2) The directing authority will—

(a) Approve or disapprove the report in its entirety, or approve it in part. Approval or disapproval will be indicated on the report itself over the signature of the directing authority. Commanders may delegate approval and disapproval authority during their temporary absence. General officer commanders may permanently delegate approval and disapproval authority to a general officer deputy commander or a general officer chief of staff.

(b) Take action on the approved portions that are within the authority and responsibility of the directing authority. A record of the action taken will be made a part of the original report and all copies.

(3) An ROI/ROII, or any portion of it that requires action at levels above that of the directing authority, will be forwarded, with recommendations, through IG channels to the next higher commander in the chain of command. Each higher commander will indicate approval or disapproval and take appropriate action on matters within their authority. Remaining matters will be forwarded through IG channels, with appropriate recommendations, to the next higher commander.

(4) When the IG investigation/inquiry has been directed by TIG, the immediate commander of the IG who conducted it will indicate concurrence or nonconcurrence in the investigation’s conclusions. The report will then be forwarded through IG channels to TIG. As the directing authority and the IG office of record, TIG has final approval of the report. (In these cases, TIG normally directs an investigative action and allows local IGs and their directing authority to decide if an IG investigation or investigative inquiry is appropriate. The local IG is best able to define and adjust the scope of the investigative action based upon the IG’s analysis of the issues and allegations and the evidence gathered.)

8–8. Recording investigations into the inspector general electronic database

ROIs and ROIIIs will be entered into the IG electronic database using the procedures defined in paragraph 4–10 and the procedures provided by the IGARS user’s manual issued with the database software (contact HQDA (SAIG–IR) for further guidance). Inspectors general will ensure that the summary of the case accurately addresses the allegations, facts, conclusions, findings, and recommendations. The electronic case file should also reflect the commander’s actions taken when appropriate.

8–9. Other special investigations

In addition to the requirements and procedures discussed above, IGs will perform several other types of special investigations. Each is unique in some respects and is addressed below. All of the special investigations will require many of the same Army IG investigations procedures previously addressed, but each has its own special rules.

a. *Responses to the President or Congress.* An IG who receives a request directly from the President or a Member of Congress (MC), or from the installation or activity congressional liaison office, will notify DAIG’s Assistance Division expeditiously. (For ARNGUS IGs, see para 7–7a.) If the command or activity congressional liaison office receives a case on which the IG is currently working, or has already completed an IG inquiry, the local IG must inform the tasking official that the response will be forwarded through IG channels to DAIG’s Assistance Division. These cases are handled as IG cases. DAIG’s Assistance Division is the office of record for these cases and will contact the Office of the Chief, Legislative Liaison (OCLL) or the White House Liaison Office (WHLO) to have the case transferred to DAIG Assistance Division. Once the investigative inquiry is complete, the local IG will forward the ROI/ROII through the MACOM IG to DAIG’s Assistance Division. The DAIG Assistance Division will prepare the final

response to the complainant on behalf of the President or to the MC and furnish copies to OCLL or WHLO and the IG office (or offices) that processed the case.

b. DOD Hotline complaints. Department of Defense Directive 7050.1, Defense Hotline Program, requires that all corrective action taken regarding a case be presented in the completion report. This includes all action taken against the subject/suspect. The suspense for submission of the Hotline completion report is normally 60 days from receipt in SAIG-AC (45 days for cases with congressional interest). Inspectors general must make every effort to meet Defense Hotline completion suspense dates. When it becomes apparent that a Hotline completion suspense date will not be met, a substantive interim report with projected completion date will be sent to the Army Defense Hotline Coordinator at DAIG's Assistance Division. The DAIG Assistance Division is the Office of Record for all DOD Hotline complaints received in the Army. The format for the Defense Hotline completion report is to be in accordance with assistance and investigative guidance as developed by SAIG-TR in coordination with SAIG-AC. This written guidance is available from SAIG-TR.

c. Soldier allegations of whistleblower reprisal.

(1) Title 10, United States Code, section 1034 (10 U.S.C. 1034), revised by The Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, effective 16 October 1998, extends authority to Inspectors general within the military Departments to grant whistleblower protection for reprisal allegations presented directly to them by service members. This law, implemented by DODD 7050.6, requires Service IGs (*Note.* TIG has limited this authority to MACOM and higher level IGs) to investigate allegations of individuals taking or threatening to take unfavorable personnel actions or withholding or threatening to withhold favorable personnel action as reprisal against a member of the Armed Forces for making or preparing a protected communication. A protected communication is—

(a) Any lawful communication to a Member of Congress or an IG.

(b) A communication in which a member of the Armed Forces communicates information that the member reasonably believes evidences a violation of law or regulation, including sexual harassment or unlawful discrimination, gross mismanagement, a gross waste of funds or other resources, an abuse of authority, or a substantial and specific danger to public health or safety, when such a communication is made to any of the following:

1. A Member of Congress, an IG, or a member of a DOD audit, inspection, investigation, or law enforcement organization.

2. Any other person or organization (including any person or organization in the chain of command) designated under Component regulations or other established administrative procedures (that is, EOA, safety officer) to receive such communications. (See AR 600-20 for definition of chain of command.)

(2) If, upon presentation, a soldier makes a reprisal allegation that appears to meet the criteria outlined in 10 USC 1034, the IG who receives the allegation will contact DAIG Assistance Division (SAIG-AC) promptly by telephone (within 2 days) for specific instructions regarding how to proceed. The field IG should be prepared to discuss the timeliness of the allegation (an allegation of whistleblower reprisal may be determined to be untimely if the allegation is made more than 60 days after the soldier became aware of an adverse personnel action that he or she believes was taken in reprisal), the protected communications made by the soldier, and the adverse personnel actions alleged by the soldier to be acts of reprisal. The name, grade, social security number (SSN), unit assignment, address, and phone number of the soldier also will be required. The IG should be prepared to respond to the following specific questions:

(a) What protected communications does the soldier claim that he or she made?

(b) To whom were they made?

(c) When were they made?

(d) What matters were addressed in the protected communication (that is, gross mismanagement, waste, public safety, abuse, and so forth)?

(e) What are the adverse personnel actions alleged by the soldier?

(f) Who are the responsible management officials alleged by the soldier to have taken or threatened the adverse personnel action? Allegations against senior Army officials (that is, general officers and civilians in the grade of SES) must be reported to the DAIG Investigations Division (SAIG-IN) within 2 days of receipt.

(g) When were the adverse personnel actions against the soldier taken or threatened?

(h) When did the soldier first become aware of the adverse personnel actions?

(3) Based on the results of the coordination between DAIG-AC and the IG receiving the complaint, DAIG-AC will forward a letter to the soldier, formally acknowledging receipt of the complaint, and also will accomplish the required 1034 advisement to IG, DOD as appropriate.

(4) If, as a result of the coordination with DAIG-AC, it is determined that the soldier's allegations appear to meet the criteria for coverage under the law, then the IG receiving the complaint will be directed by DAIG-AC to forward the case to either their MACOM IG or to DAIG-AC to accomplish an IGAP. If the initial complaint is received at the MACOM, the MACOM will retain the complaint and accomplish IGAP (reporting requirements in accordance with para (2) still applies). The MACOM's IGAP will determine whether the complaint meets the criteria for coverage under the law and whether formal investigation is warranted. If it is determined during IGAP that the soldier's allegations do not appear to meet the criteria, then the MACOM IG will forward the case via IG channels to DAIG-AC for further review and reporting to IG, DOD. If it is determined during IGAP that the soldier's allegations meet the

criteria, then the MACOM IG will coordinate with DAIG-AC to determine which whistleblower investigation strategy to use and then proceed in accordance with DODD 7050.6. The MACOMs will coordinate all notification and reporting requirements with DAIG-AC. DAIG-AC will maintain oversight on all whistleblower cases.

(5) In accordance with DODD 7050.6 and DODD 6490.1, IG, DOD is the final approving authority for cases involving allegations of whistleblower reprisal and the improper referral for Mental Health Evaluation (see para e(2)). The command or State IG who investigates the reprisal allegations will obtain a directive authorizing the investigation from his or her directing authority. The investigating IG will obtain the directing authority's concurrence or nonoccurrence with the findings and conclusions of the investigation and will forward the ROI through IG channels to DAIG. Each intermediate IG will review the ROI and obtain his or her commander's endorsement regarding the findings and conclusion. ROIs will be prepared in accordance with the instructions in DODD 7050.6.

d. DOD and DA civilian employee allegations of reprisal for whistleblowing.

(1) Requirements of section 2302(b)(8), title 5, United States Code (5 USC 2302(b)(8)) provide similar coverage to appropriated fund employees as previously discussed above for members of the Armed Forces. Coverage to contractor employees is provided under section 2409(a), title 10, United States Code (10 USC 2409(a)). When a Government civilian employee presents to an IG an allegation of reprisal for protected disclosure, the IG must perform certain functions:

(2) Inform the appropriated fund civilian employee of the right to present the reprisal allegation to the Office of Special Counsel (OSC).

(3) Inform nonappropriated fund employees that they should make their complaint about reprisal to the IG, DOD in accordance with DODD 1401.3, Employment Protection for Certain Nonappropriated Fund Instrumentality Employees/Applicants.

(4) Inform contractor employees that their right to complain about reprisal is governed by the provisions of 10 USC 2409(a).

(5) If the employee elects not to present a complaint of reprisal to the OSC or IG, DOD but still wants to present the complaint to an IG, obtain that decision in writing and coordinate with the SJA and the commander to determine which type of IG action is appropriate. Inspectors general are cautioned that the provisions of paragraph 4-4k may apply if the complainant elects not to present the complaint to the appropriate agency.

e. Improper referral for mental health evaluation.

(1) DODD 6490.1, Mental Health Evaluation of Member of the Armed Forces, and DOD Instruction (DODI) 6490.4, Requirements for Mental Health Evaluation of Members of the Armed Forces, establish and implement DOD policy, assign responsibility, and prescribe procedures for the referral, evaluation, treatment and administrative management of soldiers who may require mental health evaluation, psychiatric hospitalization, or assessment for risk of potentially dangerous behavior. The directive prohibits improper referral as a punitive violation of Article 92, UCMJ, and the instruction requires the Military Departments to notify IG, DOD, within 10 working days after receipt of allegation(s) involving improper referral for a mental health evaluation (MHE) in violation of the directive.

(2) Inspectors general receiving allegations of improper referral for MHE will notify DAIG Assistance Division (either telephone facsimile or telephone) within 2 working days. This notification will include the name, grade, address or duty location, and phone number of the complainant; a synopsis of the specific allegation(s); any supporting data received by the IG; the name, grade, address, and phone number of the IG action officer; and any other information required during notification in accordance with DOD Instruction 6490.4.

(3) All allegations of improper referral for MHE must be analyzed for reprisal under the provisions of 10 USC 1034. If, as a result of initial review by DAIG, possible violation of DODD 7050.6 (Military Whistleblower Protection) cannot be ruled out, then DAIG will refer the allegations to the appropriate MACOM IG for IGAP (see c(4) above).

8-10. Coordination and cooperation

Coordination and cooperation among the OTIG; Security, Force Protection, and Law Enforcement Division (DAMO-ODL); Office of the Deputy Chief of Staff for Operations and Plans (ODCSOPS); and the USACIDC are governed by various directives and authority. (A Memorandum of Understanding (MOU) among the above parties, dated 24 March 1988, and modified by a MOU addendum dated 7 July 1992, expresses this coordination and cooperation.)

a. Concept.

(1) Applicable directives and regulations prescribe functions, authority, procedures, techniques, and scope of investigations by IGs, provost marshals or security officers, and USACIDC personnel.

(2) Inspector general investigations are aimed primarily at the collection and assessment of command, management, or leadership concerns as well as breaches of military professional ethics.

(3) USACIDC and MP investigations focus on criminal activity.

(4) Management weaknesses or systemic deficiencies may create a climate for crime or be the result of crime. Therefore, the same Army activity may necessitate both IG and law enforcement investigations.

b. Policy.

(1) TIG; the DCSOPS; the Commander, USACIDC; and their designated representatives mutually agree to a transfer

of essential information on a close-hold basis concerning major or sensitive investigations being conducted within their respective primary areas of responsibility.

(2) This policy will be followed at all levels. Exceptions can be those cases in which transfer of information is restricted by the SA or the CSA.

c. Procedures.

(1) Coordination among IGs, USACIDC, and the Provost Marshal should be accomplished at the following levels:

(a) Among OTIG, HQ of USACIDC, and ODCSOPS.

(b) Among MACOM IGs, provost marshals or security officers, and counterpart USACIDC elements.

(2) Transfer of investigative responsibility at any level will be accomplished with the knowledge of the appropriate commander or chief of staff.

(3) Once any party referred to in *b* above has started an investigation (or has been directed to start an investigation), based upon a referral of allegations from another party to this policy, the agency conducting the investigation will provide status or close-out reports of its investigation, as appropriate, to the party that referred the allegations.

(4) Any investigative agency, with the knowledge and approval of the agency commander, may be used in support of an investigation being conducted by another. Exceptions to the procedures above follow:

(a) *Criminal.* TIG and command and State IGs will ensure that information of a criminal nature developed as a subsidiary matter during their investigation will be protected and immediately provided to USACIDC personnel, a provost marshal, or a security officer, whichever is appropriate. Inspector general ROIs/ROIs will not be released without approval of TIG.

(b) *Noncriminal.* HQ of USACIDC and commanders of USACIDC elements at all levels will ensure that non-criminal information developed during their investigations and related to the exercise of command or administration of the Army is provided to the IG, either during the USACIDC investigation or upon completion, whichever is appropriate.

(c) *Exercise of command or administration.* Security, Force Protection, and Law Enforcement Division, ODCSOPS, and provost marshals or security officers at all levels will ensure that noncriminal information developed during their investigations and related to the exercise of command or administration of the Army is provided to the IG at the appropriate level as soon as possible.

(5) The USACIDC will normally investigate those felony offenses listed in AR 195-2 and similar felony offenses under applicable laws that involve as subjects senior-level personnel (active duty or retired general or flag officers, brigadier general selectees, members of the SES or Executive Schedule personnel). Other offenses involving these personnel as subjects may be investigated by the USACIDC if the complexity of the incident so dictates.

(6) Exceptions to this division of responsibility for investigation of allegations against senior officials will be approved by TIG and the Commander, USACIDC.

(7) USACIDC will report any and all allegations against senior officials, by rapid and confidential means, to TIG within 2 working days after receipt by any USACIDC element, whether or not USACIDC exercises investigative responsibility. TIG will immediately report all allegations of misconduct by senior officials within USACIDC investigative responsibility and all allegations of fraud, regardless of investigative responsibility, to USACIDC.

Chapter 9

The Role of Inspectors General in Military Operations

9-1. Inspector general role

a. The IG System was born during conflict and had its earliest contributions in training to standard and maintaining readiness. The IG System has played a key role across the spectrum of conflict, from the Revolutionary War through Operation Desert Storm and recent peace enforcement operations throughout the world. In war, and support and stability operations (SASO), when the command is deployed, or operating as a split command in more than one location, IGs have the same role as they do in peace-extending the eyes and ears, voice and conscience of the commander. The basic IG functions do not change; however, priority of focus during military operations must be on tasks and systems that directly relate to readiness to accomplish the command's mission during phases and types of military operations.

b. All IGs, whether in the theater of operations or in a supporting theater (CONUS and OCONUS), have a major operational mission. The IG's role in military operations is not static. It will be dictated by the command's mission and the phase of the war or SASO at the time. It is imperative that IGs become involved, early on, in the commander's planning process and understand the commander's intent and concept of the operation.

(1) As extensions of the eyes and ears of the commander, deploying unit IGs will generally focus on high payoff issues that impact on the unit's ability to rapidly mobilize, deploy, sustain itself, or prepare for military operations, conduct operations, redeploy, and get the unit ready for the next mission or reconstitution. Traditionally, IGs have

worked issues such as unit readiness for deployment and combat, training, ammunition distribution, mail service, standards of discipline, and other soldier welfare issues.

(2) Supporting theater IGs generally will be focused on many of the same issues as deploying unit IGs. Mobilization, deployment, sustainment, preparation for combat, redeployment, and reconstitution will all be issues of major concern. Traditionally, supporting IGs have played major roles in mobilization, training and readiness assessments, certifications, deployment and redeployment operations, and reconstitution.

(3) Both deployed and supporting IGs will continue to work soldier morale and welfare issues, family issues, civilian employee or other civilian issues and concerns, and other issues consistent with the fundamental missions of the IG System.

(4) State IGs have a unique focus during both war and SASO. They must be prepared to assist with the deployment of NG units and with those nondeploying units. State IGs must also be capable of responding to increased activity from family members of deploying and nondeploying NG units, as well as family members of personnel from all other Active Army and RC Services.

c. The IG must have an in-depth understanding and appreciation of the mission, operational situation, resources, and courses of action. This knowledge prepares the IG to answer concerns of soldiers and leaders and to more effectively and efficiently evaluate the execution of the command's mission.

d. An IG's ability to support the commander's operational contingency and deployment requirements will depend on prior planning and the IG's being an integral part of the unit's normal mission planning and exercise process. The IG must ensure that the commander and coordinating staff are familiar with and understand the IG's wartime role and the contributions the IG can make to the operational effort. This understanding must be established in peacetime through the IG's participation in training exercises with the commander and staff.

e. The IG's operational planning effort provides critical input to the IG mission essential task list (METL). Planning must incorporate flexibility, include provisions for full service operations (the ability to perform all four IG functions), and be oriented toward contingency operations in a developing theater. Planning should consider mobilization, deployment, sustainment, combat or SASO, redeployment, and reconstitution as applicable.

f. Upon activation and deployment of units, nondeploying supporting IGs must be capable of providing IG support to residual units or activities and families of deployed soldiers.

9-2. Organization

The organization of the IG office will vary, depending upon the status and location of the unit (that is, CONUS-based division or in-theater forward deployed). Considerations must be given to the need for both deployed and stay-behind capabilities in people and equipment. These considerations especially apply to dual-hatted tactical and installation IGs. The following factors may be considered in the planning process:

a. Identify proper TOE and TDA mix of personnel to retain flexibility for deploying elements while maintaining adequate resources at home station to meet supporting IG operational requirements.

b. Identify individual mobilization augmentees (IMA) and Individual Ready Reserve IG staffing needs. IMA personnel should be identified by name.

c. Determine training requirements for RC IG personnel who will be identified upon activation.

d. Consider appointing and training acting IGs to cover remote locations or dramatic increases in unit strength.

e. Determine method of coverage in the theater of operations where units may be widely dispersed. Indicate the methodology in the operation plan/operation order (OPLAN/OPORD).

f. Determine the bases of operations required at home station, staging bases, and deployed locations, to include the command posts from which the IG will operate.

9-3. Resources

a. *Equipment.* A periodic review of equipment authorization documents should be made to ensure that adequate provisions have been made (for example, tactical vehicles, tentage, camouflage netting, field telephones, tactical computers). IGNET electronic data hardware and software considerations, as well as supporting communications requirements, must be included as a part of contingency planning. Consideration must include both deploying and supporting IG requirements. IGNET connectivity is vital to the deployed IG's mission accomplishment.

b. *Personnel.* Manpower reviews of MTOEs and TDAs should be made to ensure adequate provisions have been made for workload increases to support wartime efforts. Training requirements for personnel selected to be IGs during wartime will be the same as those specified in paragraphs 2-3 and 5-4. Inspectors general must sustain their ability to perform all four IG functions in peacetime in order to conduct a full service operation when deployed.

c. *Publications.* Access to regulatory and policy standards contained in departmental and command publications is key to performing all four IG functions. Inspectors general must include this requirement in deployment and contingency planning. Some hard copy documents will be required, but access to publications through electronic connectivity or the use of electronic-base systems should also be considered.

9-4. Staff estimates

Inspectors general are essential members of the staff in all scenarios, including peacetime and wartime operations. Inspector general involvement in the military decision-making process from the receipt of the mission to the production of the order is continuous. The IG should have a clear understanding of the higher headquarters' order, the command's mission, and the commander's intent. The IG must ensure that the commander's expectations of the role and functions of the IG are addressed early in the mission analysis process. Once the IG understands the mission and the commander's intent, the IG is in a position to formulate or plan detailed mission requirements. This process should include anticipated IG actions during each phase of the operation such as mobilization, deployment, sustainment, redeployment and reconstitution.

9-5. Functions

a. Assistance. Both deployed and supporting IGs can expect increases in requests for information and assistance. Historically, assistance cases accounted for the majority of the deployed IG's workload. A thorough analysis of each phase of the operational spectrum will provide insights into the nature of requests that can be expected. Use of IG technical channels and increased flexibility will be essential to responsive support to commanders, soldiers, and other interested parties. Wherever possible, inquiries initiated outside the theater of operations should be routed to the appropriate IG for resolution. Typical requests for assistance include the following:

- (1) Early return of family members.
- (2) Emergency leave procedures.
- (3) Nonsupport of family members.
- (4) RC family support issues (ID card, health care, post exchange commissary privileges).
- (5) RC soldier entitlements.
- (6) Shipment or storage of household goods.
- (7) Family care plans.

b. Inspections. As units prepare for war, previously unscheduled inspections and unannounced inspections are often conducted. Inspectors general should be prepared to verify organizational readiness and identify mobilization issues for resolution. Generally, the commander will furnish broad guidance concerning "top issues." Inspector general issues will ultimately be determined by the unit's mission, commander's intent, and the operational environment. To be effective, the IG must include only those high payoff issues in the inspection plan that are approved by the commander. Inspectors general should use technical channels to share results of inspection trends and findings. The following represent the type and diversity of operational issues to consider—

- (1) Personnel or equipment readiness.
- (2) Processing for overseas movement.
- (3) Casualty affairs.
- (4) Mobilization or deployment operations.
- (5) Unit combat readiness or effectiveness.
- (6) Post mobilization or precombat training.
- (7) Ammunition resupply operations.
- (8) Combat feeding.
- (9) Enemy prisoners of war processing.
- (10) Graves registration.
- (11) Mail services.
- (12) Ports of debarkation processing.
- (13) Reconstitution.
- (14) Family assistance planning and execution.
- (15) Replacement system.
- (16) War trophies or contraband.
- (17) Accountability and serviceability of returning equipment.
- (18) Information management and information operations.
- (19) Operations security
- (20) Force protection and safety

c. Investigations. The IG investigation function during military operations differs little from peacetime garrison investigations. Investigations conducted while deployed are more difficult to complete because of the limited access to the commander, time and distance factors, and a generally greater reliance upon technical channel support from other IGs who may also be deployed. Records release policies for IG records such as ROIs do not change during military operations.

d. Teaching and training. Inspectors general have traditionally been the bridge that spans the gap of experience. The time-sensitive need for teaching and training soldiers, at all levels, on fundamental tasks essential to mission success is an inherent IG function. As extensions of the eyes and ears of the commander, the IG should view the teaching and

training function as a key factor in a unit's ultimate success and therefore plan its inclusion as a fundamental portion of all other IG activities. Especially important in this process is the IG's ability to rapidly acquire and understand the changing regulatory and policy standards inherent during major operations. The IG should be knowledgeable of information management operations and help to coordinate these requirements with the command information resource manager, functional proponents, and IGs operating in split locations.

e. *Law of war violations.* Inspectors general will receive reports of law of war violations and will process them in accordance with the provisions of DODD 5100.77, DOD Law of War Program.

9-6. Exercises

Realistic training scenarios provide an excellent tool to determine how to operate in all types of environments. As with any staff element, IGs should participate as full-fledged members of the staff in all command post exercises, field training exercises, Combat Training Center rotations, and mobilization, deployment readiness exercises. Command IGs should not be used in other non-IG capacities, such as liaison, rear command post commander, or detachment noncommissioned officer in charge (NCOIC), during training exercises that would detract from their wartime mission. During these exercises IGs should include concurrent, split operations training involving the home station installation IG office. Inspectors general should routinely publish instructions in their organization's exercise operational plans and orders.

Chapter 10 Information Management

10-1. Inspector General Worldwide Network (IGNET)

The IGNET is an automated information network that supports IG case data collection, data analysis, communications and administrative requirements of IGs worldwide. The network consists of individual local area networks (LAN) located at IG offices, interconnected across DOD Wide Area Network (WAN) infrastructure, or across switched telephone connections (dial-up by modem).

10-2. Purpose

The purpose of the IGNET is to provide the automated network infrastructure to support inspectors general worldwide to—

- a. Enable the collection, consolidation, and electronic interchange of IG case data at local site, MACOM, and DAIG using the Inspector General Action Request System (IGARS).
- b. Facilitate communications between IGs and other agencies primarily by e-mail or internal Intranet World Wide Web based connectivity. In selected instances video telephony and application sharing with document collaboration is used.
- c. Provide baseline office automation, administrative, and training software support through commercial off the shelf (COTS) and Government-developed software.

10-3. Inspector General Worldwide Network operations and responsibilities

a. Information Resource Management Division.

(1) *Program management.* The Chief, Information Resource Management Division (IRMD), is the Program Manager IGNET (PM IGNET) responsible for operation, maintenance, management, and security of the IGNET. PM IGNET responsibilities include preparation and submission of program budget input to the program objective memorandum (POM) process to ensure the program is adequately funded. PM IGNET maintains an IGNET architecture plan and manages configuration control of the IGNET. PM IGNET ensures IGNET compliance with Army automation policy, the Army Enterprise Architecture (AEA), compatibility with Defense Messaging System (DMS) migration, and that IGNET meets open architecture standards.

(2) *Network operations/administration.* IRMD personnel provide centralized IGNET operations and management internal to DAIG and in support of command and State IG sites. The DAIG IGNET network administrator will coordinate with the local director of information management (DOIM) responsible for providing WAN or dial-up connectivity for local IG sites on all configuration and installation of IGNET hardware and software.

(3) *Database management.* The IGNET database administrator is responsible for administration, maintenance, and management of all centralized IG databases.

(4) *Help desk.* The IRMD will maintain a technical help desk to support IGNET customers worldwide. The help desk will be manned during normal duty hours Monday through Friday (0730–1630 eastern standard time).

(5) Software maintenance.

(a) IGNET software maintenance. The PM IGNET is responsible for maintenance and modernization of IG

developed software consistent with the IGMET architecture plan. All problem reports and System Change Requests (SCR) will be submitted to the PM IGMET.

(b) *IGMET provided COTS software.* The IGMET PM will modernize/upgrade IGMET provided COTS software as required to maintain IGMET configuration and architecture.

(c) *Local unique software or locally provided COTS software.* The PM IGMET may approve the installation and use of locally provided software on IGMET servers and IGMET workstations. No software will be approved for use on the IGMET system unless it passes PM IGMET evaluation testing for compatibility. The PM IGMET will not authorize the installation of COTS software unless it is in license compliance.

(d) *Hardware maintenance.* IGMET-provided hardware covered under warranty will be serviced in accordance with warranty provisions. IGMET provided hardware that is out of warranty and has remaining life-cycle will be repaired or replaced at the discretion of the PM IGMET, based on technical and life-cycle cost considerations.

(e) *Intranet services.* The PM IGMET is responsible for maintaining and operating IG Intranet services in accordance with HQDA (SAIG-IR) guidance (contact HQDA (SAIG-IR) for further guidance regarding IGMET security).

(f) *Network security.* The PM IGMET has overall responsibility for the security of the IGMET. The IGMET security officer is responsible for ensuring that security procedures and protocols governing network operations are developed and issued; establishing procedures to control access and connectivity to the network; preparing and distributing instructions, guidance, and SOPs concerning network security; reviewing threats and vulnerabilities related to the network; reporting to the information systems security officer any suspicion of attempted or actual unauthorized entry to the network; evaluating planned changes to the network in terms of security; and for assisting with the preparation of accreditation documents for IGMET operations within DAIG.

(g) *Network connectivity.* The PM IGMET is the approval authority for IGMET site connectivity configurations. The PM IGMET will maintain configuration control and security consistent with the IGMET architecture plan. Because the local DOIM has the responsibility for installation, maintenance, and operation of the post network infrastructure, the PM IGMET will ensure that IG network connectivity configuration and installation is always coordinated with the local DOIM. To ensure architectural compatibility between IGMET and MACOM automation architectures, PM IGMET will coordinate IGMET architecture modernization with the MACOM Information Management Staff Office to make sure that IGMET connectivity supports future system configuration requirements.

b. Command and State IG Office.

(1) *Network operation/administration.* Each command and State IG will appoint in writing an IGMET site administrator who is responsible to perform limited system and network administration functions, as specified by HQDA (SAIG-IR). Personnel appointed as IGMET site administrators must successfully complete the IGMET Site Administrator Class. Coordination for class dates should be made with DAIG Training Division.

(2) *Database management.* The local IGMET site administrator is responsible for maintaining all local IG databases as prescribed by HQDA (SAIG-IR). Contact HQDA (SAIG-IR) for further guidance.

(3) *User assistance.* The local IGMET site administrator is the first line in providing IGMET user assistance. When a problem cannot be resolved by the local site administrator, it should be referred to the IGMET Help Desk.

(4) *Software maintenance.* The local IGMET site administrator is responsible for maintaining software accountability. The site administrator will install software upgrades and patches as directed by the PM IGMET. Before installing any locally obtained or developed software, the site administrator will coordinate for PM IGMET approval to ensure configuration compatibility and standards compliance.

(5) *Hardware maintenance.* The local IGMET site administrator is responsible for coordinating hardware maintenance. Hardware used in the IG office may be PM IGMET and/or locally provided automation equipment. In all cases, when the hardware is in-warranty, they should coordinate directly with the warranty service provider in accordance with provisions of the warranty. When hardware is no longer in warranty and is not covered under command-wide tier III or other local maintenance contracts, the site administrator will coordinate with the IGMET Help Desk for support. When there are command-wide tier III maintenance support contracts or local DOIM installation-wide maintenance contracts in effect, the site administrator will coordinate with the local DOIM as appropriate. Site administrators should obtain diagnostic support by contacting their local DOIM or the IGMET help desk.

(6) *Intranet services.* Inspectors general may establish an Intranet homepage on the IRMD maintained Intranet server to share information with other IGs (contact HQDA (SAIG-IR) for further guidance). Inspectors general can also establish a separate homepage on a command or DOIM maintained World Wide Web server to provide common use unrestricted information. Command and State IGs will not implement a separate World Wide Web server on any IGMET server or user workstation.

(7) *Information Management Plan.* The local site administrator will prepare an annual Information Management Plan (IMP). This plan will include current configuration information for all hardware, software, and peripherals. It should include projected modernization requirements and initiatives. It should reflect projected changes anticipated in manning that would impact equipment and software requirements. The document is intended to be a working document and tool to ensure that the automation needs of the local IG office are articulated and coordinated with both the local DOIM and with PM IGMET. Information provided in the IMP is to be used by both the local DOIM and PM IGMET for budgetary and support planning purposes.

c. DOIM.

(1) The DOIM is responsible for providing and supporting the installation-wide network infrastructure to which IGNET connects. This includes the physical network cable wiring. The DOIM is not responsible to provide the IGNET unique router, hubs, or modems. For the purpose of this chapter, DOIM is used inclusively for the functionally responsible office that provides DOIM-like services and management. For example, not all installations/agencies have DOIMs but may have an Information Management Directorate (IMD), G6-IR, and so forth instead.

(2) The DOIM is responsible for reviewing and commenting on the IG Information Management Plan (IMP) before it is submitted to the PM IGNET to ensure that the local site is not requesting incompatible hardware or software that is incompatible or damaging to the installation network infrastructure.

(3) The DOIM must coordinate with the PM IGNET whenever the DOIM makes changes to the installation network infrastructure, operating system or hardware that affect the connectivity or functionality of IGNET systems.

10-4. Security

a. The protection of sensitive IG data processed on the IGNET is essential to the integrity of the IG system. The security of IGNET includes physical security of automatic data processing (ADP) equipment, data security, and information security. The IGNET architecture is designed conceptually to use common communications channels whenever possible. WAN connectivity across installation networks requires that specific IGNET hardware and software implementation be coordinated with the local supporting DOIM, to ensure protection of IG data while allowing full IGNET WAN functionality.

b. Physical security is mainly concerned with ensuring that—

(1) Servers and computers that process or store IG data are physically secured within IG offices or in IG access controlled machine room space or equipment closets.

(2) Access to IG software, hardware, data, and information is limited to IGs or to personnel supervised by IGs. This does not preclude performance of hardware or software warranty or support maintenance. When non-IG personnel perform such maintenance, it will be under observation of IG personnel.

(3) WAN connectivity will be accomplished by connection of the IG LAN to the installation LAN through a PM IGNET provided and configured router. All IG servers and workstations will be isolated on a LAN segment that is behind the IG router. The PM IGNET may also coordinate the installation of additional security measures such as firewall software and encryption hardware/software as necessary to meet specific site or IGNET requirements. PM IGNET retains exclusive configuration control of IGNET provided routers or other IGNET security devices. Implementation of the router or any other security enhancement will be coordinated with the DOIM to ensure compatibility with local network infrastructure. Local DOIMs may introduce additional security systems to protect installation network infrastructure but must ensure that IGNET connectivity is not blocked. PM IGNET and the local DOIM will coordinate feasible configurations and technical implementations to ensure that IGNET functionality or security is not compromised.

(4) Many installation networks are migrating to V-LAN or like technologies. These emerging technologies provide significant operational benefits to the local DOIM in allowing centralized LAN management, maintenance, and security. They also introduce internal operational security concerns regarding potential non-IG access to IG data. When IGNET WAN connectivity must operate across a V-LAN, the DOIM and PM IGNET will coordinate and approve a configuration and procedures to ensure security of IG data and information.

(5) IGNET sites that require dial-up connectivity due to the unavailability of WAN connectivity will be configured by the PM IGNET with coordination for appropriate switched telephone lines made with the supporting DOIM.

(6) Facsimile modems will not be installed in IGNET servers or workstations without a PM IGNET approved configuration and implementation. Unapproved installations of facsimile modems create possible backdoor entry points for intrusion into IGNET and installation networks.

c. Data and information security considerations follow.

(1) AR 380-5 and AR 380-19 are the governing regulations for security (contact HQDA (SAIG-IR) for additional IGNET operational security guidance).

(2) Only IG offices will have access to the IGNET system. Only designated IG personnel within these offices will be allowed access to IG automated records or data.

(3) Access to IG software, hardware, data, and information is limited to IGs or to personnel supervised by IGs. This does not preclude performance of hardware or software warranty or support maintenance. When non-IG personnel perform such maintenance, it will be under observation of IG personnel.

(4) The IGNET is an accredited FOUO system that processes Sensitive But Unclassified (SBU) information. Its level of criticality is Group III—Mission Impaired. TIG is the Designated Approving Authority for IGNET accreditation. The Certifying Official for IGNET accreditation is the Chief, SAIG Information Resource Management Division. Each field site IG office is responsible to ensure that IGNET configuration meets or exceeds the minimum accreditation standards contained in the generic configuration of the IGNET accreditation plan. Field site inspectors general are responsible to coordinate local operational accreditation with their supporting DOIM or other responsible authority for any accredited network adjoining the IGNET at its accreditation boundary.

- (5) Classified data will not be entered into IGMNET, except at sites accredited for classified data.
- (6) Inspectors general will ensure that IG data stored in portable computers is afforded the same confidentiality and protection as other IG records.
- (7) All magnetic data storage media containing IG data will be handled in accordance with the IGMNET security procedures whenever they are replaced, repaired or disposed (contact HQDA (SAIG-IR) for further guidance).

10-5. Enhancements

- a. Inspectors general will not change IGMNET hardware or software configurations without PM IGMNET approval. This includes the introduction of command unique or COTS software that might be incompatible with or damaging to the IGMNET system. When approved, all non-IGMNET software must be maintained in accordance with its appropriate license provisions.
- b. Inspectors general will include additional hardware and software requirements to meet IG mission need in their Information Management Plan, (IMP). They will provide a copy of the IMP through their supporting DOIM for review and comment to ensure compatibility with installation architectural migration and then to PM IGMNET. Inspectors general will coordinate implementation of IG IMP initiatives with PM IGMNET and the supporting DOIM before implementation.
- c. Inspectors general are encouraged to coordinate with their supporting DOIMs to avail themselves of work station modernization opportunities consistent with DOIM ADP architecture initiatives. When the local DOIM provides modernized workstations to an IG office, PM IGMNET will upgrade and redistribute the legacy IGMNET provided platform within IGMNET, or transfer the legacy workstation to the supporting station as appropriate within prudent and economical life-cycle management. PM IGMNET will assume post warranty maintenance of DOIM provided workstations required to support IG mission functions when tier III or local maintenance contracts are not available.

Chapter 11

Department of Defense Inspector General Semiannual Report to the Congress

11-1. Semiannual report requirements

TIG is required by 5 USC App. 3, section 5, to submit semiannual reports to the IG, DOD summarizing the significant activities of auditors, investigators, inspectors, and their efforts to curb fraud, waste, and mismanagement. Semiannual reports are submitted to IG, DOD not later than 15 April and 15 October for the 6-month periods ending 28 February and 31 August (with the exception of the U.S. Army Audit Agency, which uses cutoff dates of 31 March and 30 September). TIG is responsible for developing the inspection information for the Army and consolidating information from the following organizations:

- a. The Auditor General submits internal audit (USAAA) information.
- b. The MACOM IGs submit inspection information.
- c. The Commander, USACIDC submits investigative information.

11-2. Investigations (provided by U.S. Army Criminal Investigation Command)

- a. Provide up to three brief synopses of the most significant fraud and crime prevention surveys or significant crime analysis reports completed during the period. Clearly indicate how each survey or report had a significant affect on operations or management.
- b. Provide summaries of fraud cases in which an indictment, conviction, or significant resolution (for example, substantial sentencing, recovery, or settlement in a case for which an indictment was previously reported) occurred during the reporting period. The summary for each case will include the names of the subjects, the case file number, a brief description of the fraud schemes, and criminal, civil, contractual, administrative, or other disposition of the investigation as it relates to each subject.
- c. TIG will provide a courtesy copy of the summaries to the IG, DOD, by 10 April or 10 October.

Appendix A References

Section I Required Publications

AR 1-201

Army Inspection Policy. (Cited in paras 1-9c, 6-2b, 6-2b(3), and 6-4a(6).)

AR 36-2

Audit Reports and Followup. (Cited in para 1-4a(15)(b).)

AR 381-10

US Army Intelligence Activities. (Cited in paras 1-4a(13), 1-4b(8), 1-4b(8)(a), 6-9b, 6-10a, 6-10c, 6-10d(2), 6-11a, 6-11a(3), 6-11a(4), 6-11a(5), and 6-11b(6).)

Section II Related Publications

A related publication is a source of additional information. The user does not have to read a related publication to understand this regulation.

AR 1-20

Legislative Liaison

AR 10-5

Headquarters, Department of the Army

AR 10-87

Major Army Commands in the Continental United States

AR 11-2

Management Control

AR 11-7

Internal Review and Audit Compliance Program

AR 15-6

Procedures for Investigating Officers and Boards of Officers

AR 15-180

Army Discharge Review Board

AR 15-185

Army Board for Correction of Military Records

AR 25-55

The Department of the Army Freedom of Information Act Program

AR 25-400-2

The Modern Army Recordkeeping System (MARKS)

AR 27-1

Judge Advocate Legal Services

AR 27-10

Military Justice

AR 27-20

Claims

AR 27–40

Litigation

AR 50–5

Nuclear Surety

AR 50–6

Chemical Surety

AR 50–7

Army Reactor Program

AR 71–32

Force Development and Documentation—Consolidated Policies

AR 140–10

Assignments, Attachments, Details, and Transfers

AR 190–54

Security of Nuclear Reactors and Special Nuclear Materials

AR 190–59

Chemical Agent Security Program

AR 195–2

Criminal Investigation Activities

AR 340–21

The Army Privacy Program

AR 350–41

Training in Units

AR 380–5

Department of the Army Information Security Program

AR 380–19

Information Systems Security

AR 380–381

Special Access Programs (SAPs)

AR 385–10

The Army Safety Program

AR 385–61

The Army Chemical Agent Safety Program

AR 530–1

Operations Security (OPSEC)

AR 570–4

Manpower Management

AR 600–8–19

Enlisted Promotions and Reductions

AR 600–8–24

Officer Transfers and Discharges

AR 600–8–29

Officer Promotions

AR 600–8–104

Military Personnel Information Management/Records

AR 600–9

The Army Weight Control Program

AR 600–15

Indebtedness of Military Personnel

AR 600–20

Army Command Policy

AR 600–37

Unfavorable Information

AR 600–85

Army Substance Abuse Program (ASAP)

AR 601–10

Management and Mobilization of Retired Soldiers of the Army

AR 608–99

Family Support, Child Custody, and Paternity

AR 614–30

Overseas Service

AR 614–100

Officers Assignment Policies, Details and Transfers

AR 614–200

Enlisted Assignments and Utilization Management

AR 623–105

Officer Evaluation Reporting System

AR 623–205

Noncommissioned Officer Evaluation Reporting System

AR 635–200

Enlisted Personnel

AR 670–1

Wear and Appearance of Army Uniforms and Insignia

AR 690–600

Equal Employment Opportunity Discrimination Complaints

AR 690–700

Personnel Relations and Services (General)

AR 735–5

Policies and Procedures for Property Accountability

Assistance Guide

Copies may be obtained by writing to The Inspector General (ATTN: SAIG–TR), 1700 Army Pentagon, Washington, DC 20310–1700.

DA Pam 385–61

Toxic Chemical Agent Safety Standards

DA Pam 600–69

Unit Climate Profile Commander's Handbook

DOD 1400.25–M

Department of Defense Civilian Personnel Manual (CPM)

DOD 5240.1–R

Procedures Governing the Activities of DOD Intelligence Components that Affect United States Persons

DOD 5400.7–R

DOD Freedom of Information Act Program

DOD 5500.7–R

Joint Ethics Regulation (JER)

DODD 1401.3

Reprisal Protection for Nonappropriated Fund Instrumentality Employees/Applicants

DODD 5100.77

DOD Law of War Program

DODD 5210.63

Security of Nuclear Reactors and Special Nuclear Materials

DODD 5405.2

Release of Official Information in Litigation and Testimony by DOD Personnel as Witnesses

DODD 5500.7

Standards of Conduct

DODD 5505.6

Investigations of Allegations Against Senior Officials of the Department of Defense

DODD 6490.1

Mental Health Evaluations of Members of the Armed Forces

DODD 7050.1

Defense Hotline Program

DODD 7050.6

Military Whistleblower Protection

DODI 6490.4

Requirements for Mental Health Evaluations of Members of the Armed Forces

FM 3–0

Operations

FM 25–100

Training the Force

FM 25–101

Battle Focused Training

FM 71–100

Division Operations

FM 100–5

Operations

FM 100–15

Corps Operations

IGNET Site Administrator Manual

Copies may be obtained by writing to The Inspector General (ATTN: SAIG–IR), 1700 Army Pentagon, Washington, DC 20310–1700.

IGARS Users Manual

Copies may be obtained by writing to The Inspector General (ATTN: SAIG–IR), 1700 Army Pentagon, Washington, DC 20310–1700.

IGNET Security Handbook

Copies may be obtained by writing to The Inspector General (ATTN: SAIG–IR), 1700 Army Pentagon, Washington, DC 20310–1700.

Inquiries and Investigations Guide

Copies may be obtained by writing to The Inspector General (ATTN: SAIG–TR), 1700 Army Pentagon, Washington, DC 20310–1700.

The Inspections Guide

Copies may be obtained by writing to The Inspector General (ATTN: SAIG–TR), 1700 Army Pentagon, Washington, DC 20310–1700.

NGR 10–2

State Area Command, Army National Guard. Obtain from Internet site www.ngbpdc.ngb.army.mil.

NGR 20–10/ANGI 14–101

Inspector General Intelligence Oversight Procedures. Obtain from Internet site www.ngbpdc.ngb.army.mil.

NGR (AR) 600–5

The Active Guard/Reserve (AGR) Program, Title 32, Full-time National Guard Duty (FTNGD). Obtain from Internet site: www.ngbpdc.ngb.army.mil.

NGR (AR) 600–21

Equal Opportunity Program in the Army National Guard. Obtain from Internet site www.ngbpdc.ngb.army.mil.

NGR 600–22

National Guard Military Discrimination Complaint System Obtain from Internet site www.ngbpdc.ngb.army.mil.

NGR 600–23

Nondiscrimination in Federally Assisted Programs. Obtain from Internet site www.ngbpdc.ngb.army.mil.

NGR (AR) 600–100

Commissioned Officers—Federal Recognition and Related Personnel Actions. Obtain from Internet site www.ngbpdc.ngb.army.mil.

NGR 635–101

Efficiency and Physical Fitness Boards. Obtain from Internet site www.ngbpdc.ngb.army.mil.

Section III**Prescribed Forms****DA Form 1559**

Inspector General Action Request. (Prescribed in paras 4–2 and 4–10.)

DA Form 5097

The Inspector General Oath. (Prescribed in para 2–5.))

DA Form 5097-1

Inspector General Oath (Non-IG). (Prescribed in para 2-5.))

DA Form 5097-2

Inspector General Oath (Acting IG). (Prescribed in para 2-5.))

DA Form 7433

Privacy Act Information Release. (Prescribed in para 4-2.))

Section IV

Referenced Forms

DA Form 2A

Personnel Qualification Record, Part I—Enlisted Peacetime

DA Form 2-1

Personnel Qualification Record, Part II

DA Form 11-2

Management Control Evaluation Certification Statement

DA Form 3881

Rights Warning Procedure/Waiver

Appendix B

Army Management Control Evaluation Checklist

B-1. Function

The management control function covered by this checklist is Inspector General Operations.

B-2. Purpose

The purpose of this checklist is to assist assessable unit managers and management control administrators in evaluating the key management controls identified below. It is not intended to address all controls.

B-3. Instructions

Answers must be based on the actual testing of key management controls (for example, document analysis, direct observation, sampling, simulation). Answers that indicate deficiencies must be explained and corrective action indicated in supporting documentation. These controls must be formally evaluated at least once every 5 years. Certification that this evaluation has been conducted must be accomplished on DA Form 11-2, Management Control Evaluation Certification Statement.

B-4. Test questions

a. Training.

(1) Has the Inspector General Course been completed by all detailed and assistant IGs, and temporary assistant IGs serving longer than 180 days?

(2) Is there a training program in place that ensures that a detailed IG trains acting inspectors general?

(3) Are there procedures in place to ensure that all personnel assigned IG duties are properly trained and utilized?

(4) Are procedures in place to ensure that administrative support employees are not performing IG functions?

b. Inspections.

(1) Are IG inspections planned and integrated into the unit's Organizational Inspection Program (OIP)?

(2) Are IG inspections oriented toward systemic issues and designed to determine the root causes of any noted problems or deficiencies?

(3) Is the IG "teach & train" function utilized as part of the inspection process?

(4) Are the results of IG inspections provided as feedback to all affected personnel and organizations?

(5) Are IG inspectors provided sufficient "train up" for all inspections?

(6) If required, are inspection teams augmented with subject matter experts?

(7) Are technical inspections conducted in accordance with applicable regulations and within the required time frame?

(8) Are procedures in place to ensure that followup is conducted?

c. Intelligence oversight.

(1) Has the IG identified all intelligence organizations subject to intelligence oversight inspection by the command?

(2) Is intelligence oversight included as part of the command's Organizational Inspection Program?

(3) Are there procedures for determining if intelligence and supporting SJA personnel of organizations understand and comply with the procedures in AR 381-10, U.S. Army Intelligence Activities?

(4) Are procedures in place for determining if all intelligence personnel are trained in intelligence oversight upon initial assignment and periodically thereafter?

(5) Are questionable activities and Federal crimes committed by intelligence personnel reported as required under AR 381-10?

(6) Are procedures in place to ensure that followup is conducted?

d. Investigations.

(1) Are procedures in place to ensure that all IG investigations and inquiries are performed in accordance with applicable regulations and with proper authority?

(2) Are allegations against any senior official (GO or SES) forwarded to HQDA (SAIG-IN) in accordance with established standards?

(3) Are allegations against officers in the grades of major to colonel forwarded to HQDA (SAIG-AC) within established standards?

(4) Are the procedures outlined in AR 20-1 adhered to during the course of an investigation or inquiry?

(5) Is all evidence and other information collected properly marked and safeguarded?

(6) When necessary, are individuals advised of their rights and afforded due process?

(7) Are all Reports of Investigation or Investigative Inquiry prepared and distributed in accordance with AR 20-1?

(8) Is a written legal review provided by SJA on all investigations and inquiries when required?

(9) Is a directive for investigation obtained when required?

- (10) Are all notifications made as outlined in AR 20–1 and the DAIG Assistance and Investigations (A&I) Guide?
- (11) Does the organization complete whistleblower reprisal investigations in accordance with DODD 7050.6, Military Whistleblower Protection?
- (12) Does the organization comply with DODD 6490.1, Mental Health Evaluations of the Armed Forces, when conducting inquiries into allegations concerning mental health evaluations?

e. Assistance.

- (1) Is the IG “teaching and training” function utilized with the IG assistance function?
- (2) Are requests for assistance that fall under another agency’s purview referred as appropriate?
- (3) Are requests for assistance analyzed to identify any systemic issues or trends?
- (4) Are procedures in place to ensure that IGs follow up on assistance requests?

f. Information resources.

- (1) Is automation equipment properly accounted for and is it operational?
- (2) Has correct information been provided to DAIG (SAIG–IR) reference local IG automation resources?
- (3) Does the IG office have a trained site administrator?
- (4) Is all required data from investigation and assistance cases entered into the Inspector General Action Request System (IGARS) database?
- (5) Are procedures in place to ensure that IGMET security (both physical and data) is maintained?
- (6) Are procedures in place to safeguard and protect IG files and information?
- (7) Are IG files and documents properly marked, stored, and disposed of in accordance with applicable regulations?

g. Legal.

- (1) Are IG records released under the Freedom of Information Act (FOIA) or For Official Use Only (FOUO) as authorized? (Applies to DAIG only.)
- (2) Are all FOIA requests received by field IG offices transferred to SAIG–ZXR (DAIG Records Release Office) for action?

B–5. Supersession

This checklist replaces the checklist previously published in DA Circular 11-series.

B–6. Comments

Submit comments to make this a better tool for evaluating management controls to The Inspector General (ATTN: SAIG–OP).

Appendix C

Nomination Procedures

For Active Army assignments as detailed IGs, assistant IGs, or temporary assistant IGs for more than 180 days, nominations are made by PERSCOM, either as a result of the requisition process, or of the identification of a local nominee by the commander or IG. For USAR AGR assignments as detailed IGs or assistant IGs, nominations are made by AR–PERSCOM as a result of the requisition process.

C–1. Local nomination

When a local nomination is made, a nomination message will be sent by the requisitioning authority to PERSCOM. For enlisted soldiers in the grades of sergeant first class or master sergeant, a message will be addressed to PERSCOM, ATTN: TAPC–EPM–A, and for master sergeants who are on an existing promotion list and sergeants major, to PERSCOM, ATTN: TAPC–EPZ–E. For commissioned officers and WOs, the message address is PERSCOM, ATTN: TAPC–OP and the appropriate career branch office symbol. The Military Personnel Branch, USAIGA (HQDA) (SAIG–OP), and the appropriate field PERSCOM and MACOM will be the only information addressees on the message.

C–2. Information for local nomination

A local nomination message will contain the following information:

- a.* Name, grade, social security number (SSN), military occupational specialty (MOS), or specialty code and branch of nominee.
- b.* Unit and position for which nominated, TDA paragraph and line number, or temporary position and length of TDY assignment.
- c.* Identification of incumbent, if any.
- d.* Point of contact.

C-3. Procedure for local nomination message

Upon receipt of a local nomination message, or when originating a nomination, PERSCOM will prepare and forward to DAIG a nomination packet that will include performance fiche (P-fiche); service fiche (S-fiche); photograph; officer record brief (ORB) with current height and weight data or DA Form 2-1 (Personnel Qualification Record-Part II) and DA Form 2A (Personnel Qualification Record, Part I-Enlisted Peacetime) with current height and weight data, and general test scores; physical profile and Army Physical Fitness Test pass or fail data.

C-4. Assignments of RC soldiers

a. For assignment of a USAR soldier as a detailed IG, assistant IG, or temporary assistant IG, the nomination packet will be sent to the appropriate headquarters with recommendations, through the U.S. Army Reserve Center (USARC) (ATTN: AFRC-IGA); U.S. Army Forces Command (FORSCOM) (ATTN: FCIG), to The Inspector General (ATTN: SAIG-OP), 1700 Army Pentagon, Washington, DC 20301-1700. Nominations will be forwarded through the chain of command with recommendations.

b. For AGR ARNGUS commissioned officers, the nomination packet will be sent to Chief, National Guard Bureau (ATTN: NGB-IG), 2500 Army Pentagon, Washington, DC 20310-2500.

c. For U.S. Army Special Operations Command (USASOC) RC soldiers, nomination packets will be sent through USACAPOC (ATTN: AOCP-IG) and USASOC (ATTN: AOIG), Fort Bragg, NC 28307-5200, to The Inspector General (ATTN: SAIG-ZA), 1700 Army Pentagon, Washington, DC 20310-1700. Both USAR and AGR ARNGUS nomination packets will contain the same information as in paragraph C-3. Hard copy efficiency reports may be substituted for P-fiche if the P-fiche is not available.

C-5. Clearance

Persons nominated for IG positions in the DA Intelligence Oversight Division must possess or be able to obtain a Top Secret security clearance based on a Single Scope Background Investigation. Assignment to the division constitutes agreement to undergo random Counterintelligence Scope Polygraph examination.

Appendix D

Procedures for Investigations of Allegations of Impropriety Against Senior Officials

D-1. Information reported to DAIG

All allegations of impropriety however received, to include criminal allegations, made against senior Army officials, wherever assigned, will be reported to the Investigations Division, DAIG, to arrive within 2 working days of discovery or receipt, by an Army organization or activity. The report will include the following information:

- a. Name of senior official involved.
- b. Rank or grade and duty position of senior official.
- c. Organization and location of senior official.
- d. Synopsis of the allegations and data received.
- e. Names and duty positions of persons receiving the allegations.

D-2. Report to senior leadership of the Army organization

The notification may be a copy of a report sent to the senior leadership of the Army organization if the information in paragraphs D-1a through D-1e above is included.

Appendix E

Interview Guides

E-1. Required use of interview guides

Interview guides were developed to ensure not only the correct conduct of interviews but also to ensure the rights of individuals are protected. The guides are meant to be used verbatim and are constructed to meet IG and legal requirements for each category of individuals: witnesses, subjects, suspects, and recall interviews.

E-2. Text of interview guides

See the following figures for text:

- a. Figure E-1, Pre-tape briefing guide.
- b. Figure E-2, Witness interview guide.
- c. Figure E-3, Recall witness interview guide.
- d. Figure E-4, Subject interview guide.
- e. Figure E-5, Recall subject interview guide.
- f. Figure E-6, Suspect interview guide.
- g. Figure E-7, Recall suspect interview guide.

The pre-tape briefing is part 1 of the interview process and sets the ground rules for the interview.

PRE-TAPE BRIEFING

USE YOUR OWN WORDS. BUT COVER EACH ITEM LISTED

1. Identify Investigators -- Show Military ID and IG Detail Card.
2. Show Directive.
3. Explain Investigative Procedure - "This is a four part interview..."
 - PRE-TAPE briefing (doing now).
 - Formal READ-IN. (Formality designed to ensure rights of individual fully explained and legal requirements are met.)
 - Questioning.
 - Formal READ-OUT.
4. Explain IG investigator's role
 - Confidential fact-finders for directing authority.
 - Collect and examine all pertinent evidence.
 - Make complete and impartial representation of all evidence.
 - No authority to make legal findings, impose punishment, or direct corrective action.
 - Dual Role of IG:
 - Protect best interests of U.S. Army.
 - Establish truth of allegations or establish that allegations are not true and clear a person's good name. Anyone can make allegations.
 - IG confidentiality:
 - Protect the confidentiality of everyone involved but do not guarantee that protection.
 - Will not reveal sources of information.
 - Will not tell you to whom we have talked.
 - Will not tell you specific allegations being investigated (except for subjects and suspects).
5. Interview ground rules
 - Sworn and recorded testimony. We normally take sworn and recorded testimony. Recorders improve accuracy.
 - All answers must be spoken. Tape recorder cannot pick up nods or gestures.
 - Classified information: If classified information comes up, we will discuss off tape first.
 - Break procedures: Can go off tape at any time, but
 - We never go off record.

Figure E-1 (PAGE 1). Pre-tape briefing guide

6. Release of your testimony

- The last question we ask you during the READ-OUT is whether you consent to release your testimony but not your personal identifying information, such as name, social security number, home address, or home phone number, to members of the public under the FOIA.
- FOIA allows members of the public to request Government records for unofficial purposes. It is your choice whether you want to protect your testimony from release outside the Federal Government.
- You will be asked to decide at the end of the interview if you consent to the release of your testimony but not your personal identifying information, such as name, social security number, home address, or home phone number (we do not infer anything from your answer).
- "NO" = Do not consent. "YES" = Do consent.
- Our report, INCLUDING YOUR TESTIMONY, will be used as necessary for official Government purposes and may be provided to the subject of any action that may result from information gathered in this inquiry/investigation if required by law or regulation or directed by proper authority.

7. *Privacy Act of 1974

- Disclosure of SSN is voluntary.
- Describes authority to ask for personal information.
- LET THEM READ PRIVACY ACT STATEMENT. Will refer to it during the formal read-in.

8. *Testimony Information Sheet (Header Sheet)

- Individual fills out first four (4) lines (name, grade, address, phone, SSN).
- Used by investigators for notes, acronyms, proper names, and so forth.
- Aids in preparing an accurate transcript.

9. Confirm Witness Status. (Refer to HQDA (SAIG-TR) for inquiries and investigations guidance.)

10. *Rights warning/waiver. EXECUTE DA FORM 3881 (When appropriate.)

11. Wrap-up

- Administrative procedure, not court of law.
- Can accept and use hearsay and opinion.
- We protect everyone's confidentiality but do not guarantee confidentiality. Your testimony may be released to the subject of any action that may result from information gathered in this inquiry/investigation if required by law or regulation or directed by proper authority.
- TO KEEP THIS CASE AS CONFIDENTIAL AS POSSIBLE YOU WILL BE ASKED NOT TO DISCUSS YOUR TESTIMONY WITH ANYONE WITHOUT OUR PERMISSION. NOTE:
 - * Provide interviewee with appropriate document.
 - ** Privacy Act pertains to U.S. citizens and resident aliens only, unlike FOIA, which applies to the world.

Figure E-1 (PAGE 2). Pre-tape briefing guide—Continued

WITNESS INTERVIEW GUIDE

(BEGIN READ-IN. DO NOT USE YOUR OWN WORDS.)

1. *The time is (state time). This tape recorded interview is being conducted on (date), at (location) (if telephonic, state both locations). Persons present are the witness (name), the investigating officers, (court reporters, attorney, union representative, others). This (investigation directed by/inquiry) concerns allegations that: (as stated in directive)*

NOTE: If the investigation concerns classified information, inform witness that the report will be properly classified and advise witness of security clearances held by IG personnel. Instruct witness to identify classified testimony.

2. *An inspector general is an impartial fact-finder for the commander. Testimony taken by an IG and reports based on the testimony may be used for official purposes. Access is normally restricted to persons who clearly need the information to perform their official duties. In some cases, disclosure to other persons, such as the subject of an action that may be taken as a result of information gathered by this inquiry/investigation, may be required by law or regulation, or may be directed by proper authority. Upon completion of this interview, I will ask you whether you consent to the release of your testimony but not your personal identifying information, such as name, social number, home address, or home phone number, if requested by members of the public pursuant to the Freedom of Information Act.*

3. *Since I will ask you to provide your social security number to help identify you as the person testifying, I provided you a Privacy Act Statement. (If telephonic, it may have been necessary to read the Privacy Act Statement.) Do you understand it? (Witness must state yes or no)*

4. *You are not suspected of any criminal offense and are not the subject of any unfavorable information.*

5. *Before we continue, I want to remind you of the importance of presenting truthful testimony. It is a violation of Federal law to knowingly make a false statement under oath. Do you have any questions before we begin? Please raise your right hand so I may administer the oath.*

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth so help you God?"

NOTE: The witness should audibly answer, "yes" or "I do." If the witness objects to the oath, the word "swear" may be changed to the word "affirm," and the phrase "so help me God" may be omitted.

6. *Please state your:* (as applicable)

Name

Grade (Active/Reserve/Retired)

Position

Organization

Figure E-2 (PAGE 1). Witness interview guide

Social security number (voluntary)
Address (home or office)
Telephone number (home or office)
(END READ-IN)

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

7. Question the witness.

NOTE: (1) If during this interview the witness suggests personal criminal involvement, the witness must be advised of his rights using DA Form 3881, Rights Warning Procedure/Waiver Statement. Unless rights are waived, the interview ceases. If during the interview you believe the witness has become a subject, advise the witness that he or she need not make any statement that may incriminate the witness.

NOTE: (2) If during the interview it becomes necessary to advise a witness about making false statements or other false representations, read the following statement to the witness, as applicable:

7a. For active duty or USAR/ARNG personnel subject to UCMJ:

I consider it my duty to advise you that any person subject to the UCMJ who, with intent to deceive, signs any false record, return, regulation, order, or other official document, knowing the same to be false, may be subject to action under the provisions of UCMJ, Art. 107. Additionally, under the provisions of the UCMJ, Art. 134, any person subject to the UCMJ who makes a false statement, oral or written, under oath, believing the statement to be untrue, may be punished as a court-martial may direct.

Do you understand? (Witness must state yes or no.)

7b. For USAR/ARNG and civilian personnel not subject to UCMJ:

I consider it my duty to advise you that under the provisions of section 1001, title 18, United States Code, whoever in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by a trick, scheme, or device, a material fact, or makes any false, fictitious, or fraudulent statement or representation, shall be fined not more than \$10,000 or imprisoned for not more than 5 years, or both. Additionally, any person who willfully and contrary to his oath testifies falsely while under oath may be punished for perjury under the provisions of section 1621, title 18, United States Code.

Do you understand? (Witness must state yes or no.)

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

(BEGIN READ-OUT)

8. *Do you have anything else you wish to present?*

9. *Who else do you think we should talk to, and why?*

Figure E-2 (PAGE 2). Witness interview guide—Continued

10. *We are required to protect the confidentiality of IG investigations and the rights, privacy, and reputations of all people involved in them. We ask people not to discuss or reveal matters under investigation. Accordingly, we ask that you not discuss this matter with anyone except your attorney, if you choose to consult one, without permission of the investigating officers.*

NOTE: Others present should also be advised against disclosing information.

11. *Your testimony may be made part of an official inspector general record. Earlier, I advised you that while access is normally restricted to persons who clearly need the information to perform their official duties, your testimony may be released outside official channels. Individual members of the public who do not have an official need to know may request a copy of this record, to include your testimony. If there is such a request, do you consent to the release of your testimony but not your personal identifying information, such as name, social security number, home address, or home phone number, outside official channels? (Witness must state "yes" or "no.")*

12. *Do you have any questions? The time is (state time), and the interview is concluded. Thank you.*
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

(END READ-OUT)

Figure E-2 (PAGE 3). Witness interview guide—Continued

RECALL WITNESS INTERVIEW GUIDE

(BEGIN READ-IN. DO NOT USE YOUR OWN WORDS.)

1. *The time is (state time). This tape recorded recall interview is being conducted on (date) at (location) (if telephonic, state both locations). The persons present are the witness (name), the investigating officers, (court reporter, attorney, union representative, others). This is a continuation of an interview conducted on (date) as part of an (investigation directed by/inquiry) concerning allegations of: (as stated in directive)*

NOTE: If the investigation concerns classified information, inform witnesses that the report will be properly classified and advise witnesses of security clearances held by IG personnel. Instruct witnesses to identify classified testimony.

2. *You were previously advised of the role of an inspector general, of restrictions on the use and release of IG records, and of the provisions of the Privacy Act. Do you have any questions about what you were previously told? (Witness must state yes or no.).*

3. *You were also informed you are not suspected of any criminal offense and are not the subject of any unfavorable information. During the previous interview, you were put under oath before giving testimony and were reminded it is a violation of Federal law to knowingly make a false statement under oath. You are still under oath.*

4. *For the record, please state your: (as applicable.)*

Name

Grade (Active, Reserve, Retired)

Position

Organization

Social security number (voluntary)

Address/Telephone (home or office)

(END READ-IN)

5. Question the witness.

NOTE: If during this interview the witness suggests personal criminal involvement, the witness must be advised of his rights using DA Form 3881, Rights Warning Procedure/Waiver Statement. Unless rights are waived, the interview ceases. If during the interview you believe the witness has become a subject, advise the witness that he or she need not make any statement that may incriminate the witness. See Witness Read-In Script for dealing with false statements.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

(BEGIN READ-OUT)

6. *Do you have anything else you wish to present?*

Figure E-3 (PAGE 1). Recall witness interview guide

7. *Who else do you think we should talk to, and why?*

8. *We are required to protect the confidentiality of IG investigations and the rights, privacy, and reputations of all people involved in them. We ask people not to discuss or reveal matters under investigation. Accordingly, we ask that you not discuss this matter with anyone except your attorney, if you choose to consult one, without permission of the investigating officers.*

NOTE: Others present should also be advised against disclosing information.

9. *In our first interview, I advised you that your testimony may be made part of an official inspector general record and that while access is normally restricted to persons who clearly need the information to perform their official duties, any member of the public could ask the Inspector General for a copy of these records. You (did/did not) consent to the release of your testimony. Do you consent to the release of the testimony you gave today but not your personal identifying information, such as name, social security number, home address, or home phone number? (Witness must state "yes" or "no.")*

10. *Do you have any questions? The time is (state time), and this recall interview is concluded. Thank you.*

(END READ-OUT)

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Figure E-3 (PAGE 2). Recall witness interview guide—Continued

SUBJECT INTERVIEW GUIDE

(BEGIN READ-IN. DO NOT USE YOUR OWN WORDS)

1. *The time is (state time). This tape recorded interview is being conducted on (date) at (location) (if telephonic, state both locations). Persons present are (subject's name), the investigating officers, (court reporters, attorney, union representative, others). This (investigation directed by/inquiry) concerns allegations that: (as stated in directive)*

NOTE: If the investigation concerns classified information, inform subject that the report will be properly classified and advise subject of security clearances held by IG personnel. Instruct subject to identify classified testimony.

2. *An inspector general is an impartial fact-finder for the commander. Testimony taken by an IG and reports based on the testimony may be used for official purposes. Access is normally restricted to persons who clearly need the information to perform their official duties. In some cases, disclosure to other persons, such as the subject of an action that may be taken as a result of information gathered by this inquiry/investigation, may be required by law or regulation, or may be directed by proper authority. Upon completion of this interview, I will ask you whether you consent to the release of your testimony but not your personal identifying information, such as name, social number, home address, or home phone number, if requested by members of the public pursuant to the Freedom of Information Act.*

3. *Since I will ask you to provide your social security number to help identify you as the person testifying, I provided you a Privacy Act Statement. (If telephonic, it may be necessary to have read the Privacy Act Statement.) Do you understand it?*

4. *Although you are not suspected of a criminal offense, we have information that may be unfavorable to you. We are required to give you the opportunity to comment on these matters. However, you do not have to answer any question that may tend to incriminate you. The information is that:*

5. *Before we continue, I want to remind you of the importance of presenting truthful testimony. It is a violation of Federal law to knowingly make a false statement under oath. Do you have any questions before we begin? Please raise your right hand so I may administer the oath.*

"Do you swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?"

NOTE: The subject should audibly answer, "yes" or "I do." If the subject objects to the oath, the word "swear" may be changed to the word "affirm," and the phrase "so help me God" may be omitted.

6. *Please state your:* (as applicable)

Name

Grade (Active, Reserve, Retired)

Figure E-4 (PAGE 1). Subject interview guide

Position
Organization
Social security number (voluntary)
Address/Telephone (home or office)

(END READ-IN)

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

7. Question the subject.

NOTE: (1) If during this interview, the individual suggests personal criminal involvement, the individual must be advised of his rights using DA Form 3881, Rights Warning Procedure/Waiver Statement. Unless rights are waived, the interview ceases.

NOTE: (2) If, during the interview, it becomes necessary to advise a subject about making false statements or other false representations, read the following statement to the subject:

7a. For active duty or USAR/ARNG personnel subject to UCMJ:

I consider it my duty to advise you that any person subject to the UCMJ who, with intent to deceive, signs any false record, return, regulation, order, or other official document, knowing the same to be false, may be subject to action under the provisions of UCMJ, Art. 107. Additionally, under the provisions of UCMJ, Art. 134, any person subject to the UCMJ who makes a false statement, oral or written, under oath, believing the statement to be untrue, may be punished as a court-martial may direct.

Do you understand? (Subject must state “yes” or “no.”)

7b. For USAR/ARNG and civilian personnel not subject to UCMJ:

I consider it my duty to advise you that under the provision of section 1001, title 18, United States Code, whoever in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by a trick, scheme, or device, a material fact, or makes any false, fictitious, or fraudulent statement or representation, shall be fined not more than \$10,000 or imprisoned for not more than 5 years, or both. Additionally, any person who willfully and contrary to his oath testifies falsely while under oath may be punished for perjury under the provisions of section 1621, title 18, United States Code.

Do you understand? (Subject must state “yes” or “no.”)

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

(BEGIN READ-OUT)

8. Do you have anything else you wish to present?

Figure E-4 (PAGE 2). Subject interview guide—Continued

9. *Who else do you think we should talk to, and why?*

10. *We are required to protect the confidentiality of IG investigations and the rights, privacy, and reputations of all people involved in them. We ask people not to discuss or reveal matters under investigation. Accordingly, we ask that you not discuss this matter with anyone except your attorney, if you choose to consult one, without permission of the investigating officers.*

NOTE: Others present should also be advised against disclosing information.

11. *Your testimony may be made part of an official inspector general record. Earlier, I advised you that while access is normally restricted to persons who clearly need the information to perform their official duties, your testimony may be released outside official channels. Individual members of the public, who do not have an official need to know, may request a copy of this record, to include your testimony. If there is such a request, do you consent to the release of your testimony but not your personal identifying information, such as name, social security number, home address, or home phone number, outside official channels? (Subject must state "yes" or "no.")*

12. *Do you have any questions? The time is (state time), and the interview is concluded. Thank you.*
(END READ-OUT)

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Figure E-4 (PAGE 3). Subject interview guide—Continued

RECALL SUBJECT INTERVIEW GUIDE

(BEGIN READ-IN. DO NOT USE YOUR OWN WORDS.)

1. *The time is (state time). This tape recorded recall interview is being conducted on (date) at (location); (if telephonic, state both locations). The persons present are (subject's name), the investigating officer, (court reporter, attorney, union representative, others). It is a continuation of an interview conducted on (date) as part of an (investigation directed by/inquiry) concerning allegations of: (as stated in directive)*

NOTE: If the investigation concerns classified information, inform subject that the report will be properly classified and advise subject of security clearances held by IG personnel. Instruct subject to identify Classified testimony.

2. *You were previously advised of the role of an inspector general, of restrictions on the use and release of IG records, and of the provisions of the Privacy Act. Do you have any questions about what you were previously told? (Subject must state "yes" or "no.")*

3. *You were also informed you are not suspected of any criminal offense. Therefore, I am not advising you of the rights to which such a person is entitled. I do want to remind you that you do not have to answer any question that may tend to incriminate you. You are reminded it is a violation of Federal law to knowingly make a false statement under oath.*

4. *Since our previous interview, our investigation has developed unfavorable information about which you have not yet had the opportunity to testify or present evidence. The unfavorable information is:*

5. *Earlier, we placed you under oath. You are advised you are still under oath.*

6. *For the record, please state your: (as applicable)*

Name

Grade (Active, Reserve, Retired)

Position

Organization

Social security number (voluntary)

Address/Telephone (home or office)

(END READ-IN)

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

7. Question the subject.

NOTE: See notes in Subject Read-In Script for dealing with false statements and Suspect Read-In Script for dealing with suggested criminal involvement.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

(BEGIN READ-OUT)

Figure E-5 (PAGE 1). Recall subject interview guide

8. *Do you have anything else you wish to present?*

9. *Who else do you think we should talk to, and why?*

10. *We are required to protect the confidentiality of IG investigations and the rights, privacy, and reputations of all people involved in them. We ask people not to discuss or reveal matters under investigation. Accordingly, we ask that you not discuss this matter with anyone except your attorney, if you choose to consult one, without permission of the investigating officers.*

NOTE: Others present should also be advised against disclosing information.

11. *In our first interview, I advised you that your testimony may be made part of an official inspector general record and that any member of the public could ask the Inspector General for a copy of these records. You (did/ did not) consent to the release of your testimony. Do you consent to the release of the testimony you gave today but not your personal identifying information, such as name, social security number, home address, or phone number? (Subject must state "yes" or "no.")*

12. *Do you have any questions? The time is (state time), and this recall interview is concluded. Thank you.*

(END READ-OUT)

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Figure E-5 (PAGE 2). Recall subject interview guide—Continued

SUSPECT INTERVIEW GUIDE

(BEGIN READ-IN. DO NOT USE YOUR OWN WORDS)

1. *The time is (state time). This tape recorded interview is being conducted on (date) at (location) (If telephonic, state both locations). Persons present are (suspect's name), the investigating officers, (court reporters, attorney, union representative, others). This (investigation directed by/inquiry) concerns allegations: (as stated in directive)*

NOTE: If the investigation concerns classified information, inform suspect that the report will be properly classified and advise suspect of security clearances held by IG personnel. Instruct suspect to identify classified testimony.

2. *An inspector general is an impartial fact-finder for the commander. Testimony taken by an IG and reports based on the testimony may be used for official purposes. Access is normally restricted to persons who clearly need the information to perform their official duties. In some cases, disclosure to other persons, such as the subject of an action that may be taken as a result of information gathered by this inquiry/investigation, may be required by law or regulation, or may be directed by proper authority. Upon completion of this interview, I will ask you whether you consent to the release of your testimony but not your personal identifying information, such as name, social number, home address, or home phone number, if requested by members of the public pursuant to the Freedom of Information Act.*

3. *Since I will ask you to provide your social security number to help identify you as the person testifying, I provided you a Privacy Act Statement. (If telephonic, it may have been necessary to read the Privacy Act Statement.) Do you understand it? (Suspect must state "yes" or "no.")*

4. *You are advised that you are suspected of the following allegations, which we want to question you about:*

(Advise suspect of general nature of all allegations made against him or her. Refer to action memorandum.)

5. *I previously advised you of your rights and you signed a DA 3881 waiver certificate.*

"Do you understand your rights?" (Suspect must state "yes" or "no.")

"Do you agree to waive them at this time?" (Suspect must state "yes" or "no.")

6. *Before we continue, I want to remind you of the importance of presenting truthful testimony. It is a violation of Federal law to knowingly make a false statement under oath. Do you have any questions before we begin? Please raise your right hand so I may administer the oath.*

"Do you swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?"

Figure E-6 (PAGE 1). Suspect interview guide

NOTE: The suspect should audibly answer, "yes" or "I do." If the suspect objects to the oath, the word "swear" may be changed to the word "affirm," and the phrase "so help me God" may be omitted

7. *Please state your:* (as applicable)

Name
Grade (Active/Reserve/Retired)
Position
Organization
Social security number (voluntary)
Address/Telephone number (home or office)

(END READ-IN)

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

8. Question the suspect.

NOTE: If, during the interview, it becomes necessary to advise suspect about making false statements or other false representations, read the following statement to the suspect as applicable.

8a. For active duty or USAR/ARNG personnel subject to UCMJ:

I consider it my duty to advise you that any person subject to the UCMJ who, with intent to deceive, signs any false record, return, regulation, order, or other official document, knowing the same to be false, may be subject to action under the provisions of UCMJ, Art. 107. Additionally, under the provisions of UCMJ, Art. 134, any person subject to the UCMJ who makes a false statement, oral or written, under oath, believing the statement to be untrue, may be punished as a court-martial may direct. Do you understand? (Suspect must state "yes" or "no.")

8b. For USAR/ARNG and civilian personnel not subject to UCMJ:

I consider it my duty to advise you that under the provisions of section 1001, title 18, United States Code, whoever in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by a trick, scheme, or device, a material fact, or makes any false, fictitious, or fraudulent statement or representation, shall be fined not more than \$10,000 or imprisoned for not more than 5 years, or both. Additionally, any person who willfully and contrary to his oath testifies falsely while under oath may be punished for perjury under the provisions of section 1621, title 18, United States Code. Do you understand? (Suspect must state "yes" or "no.")

NOTE: If, during this interview, the individual should become suspected of having committed an additional criminal offense, re-advise the suspect of his rights concerning the additional offense. The DA Form 3881 will be annotated and initialed by suspect and investigator(s).

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

(BEGIN READ-OUT)

Figure E-6 (PAGE 2). Suspect interview guide—Continued

9. *Do you have anything else you wish to present?*

10. *Who else do you think we should talk to, and why?*

11. *We are required to protect the confidentiality of IG investigations and the rights, privacy, and reputations of all people involved in them. We ask people not to discuss or reveal matters under investigation. Accordingly, we ask that you not discuss this matter with anyone except your attorney, if you choose to consult one, without permission of the investigating officers.*

Note: Others present should also be advised against disclosing information.

12. *Your testimony may be made part of an official inspector general record. Earlier, I advised you that while access is normally restricted to persons who clearly need the information to perform their official duties, your testimony may be released outside official channels. Individual members of the public who do not have an official need to know may request a copy of this record, to include your testimony. If there is such a request, do you consent to the release of your testimony but not your personal identifying information, such as name, social security number, home address, or home phone number, outside official channels? (Suspect must answer "yes" or "no.")*

13. *Do you have any questions? The time is (state time), and the interview is concluded. Thank you.*

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

(END READ-OUT)

Figure E-6 (PAGE 3). Suspect interview guide—Continued

RECALL SUSPECT INTERVIEW GUIDE

(BEGIN READ-IN. DO NOT USE YOUR OWN WORDS)

1. *The time is (state time). This tape recorded recall interview is being conducted on (date)_____ at (location) (if telephonic, state both locations). The persons present are (suspect's name), the investigating officers, (court reporter, attorney, union representative, others). It is a continuation of an interview conducted on (date) as part of an (investigation directed by/inquiry) concerning allegations of: (as stated in directive)*

NOTE: If the investigation concerns classified information, inform suspect that the report will be properly classified and advise suspect of security clearances held by IG personnel. Instruct suspect to identify classified testimony.

2. *You were previously advised of the role of an inspector general, of restrictions on the use and release of IG records, and of the provisions of the Privacy Act. Do you have any questions about what you were previously told?*

3. *During our previous interview, you were advised that you were suspected of:*

You were warned of your rights, and you signed a DA Form 3881 in which you consented to answer questions. I will show you that DA Form 3881 now. You are reminded it is a violation of Federal law to knowingly make a false statement under oath.

NOTE: Show DA Form 3881 to suspect.

4. *Since our previous interview, I have obtained new information about which you have not yet had the opportunity to comment.*

NOTE: If new information is criminal, re-advise the suspect of his rights and annotate/initial DA Form 3881. If new information is unfavorable, advise the suspect that he or she does not have to answer any question that may incriminate the suspect.

5. *Earlier, we placed you under oath. You are advised you are still under oath.*

6. *For the record, please state your: (as applicable)*

Name

Grade

Position

Organization

Social security number (voluntary)

Address/Telephone (home or office)

(END READ-IN)

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Figure E-7 (PAGE 1). Recall suspect interview guide

7. Question the suspect.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
(BEGIN READ-OUT)

8. *Do you have anything else you wish to present?*

9. *Who else do you think we should talk to, and why?*

10. *We are required to protect the confidentiality of IG investigations and the rights, privacy, and reputations of all people involved in them. We ask people not to discuss or reveal matters under investigation. Accordingly, we ask that you not discuss this matter with anyone except your attorney, if you choose to consult one, without permission of the investigating officers.*

NOTE: Others present should also be advised against disclosing information.

11. *In our first interview, I advised you that while access is normally restricted to persons who clearly need the information to perform their official duties, your testimony may be made part of an official inspector general record and that any member of the public could ask the Inspector General for a copy of these records. You (did/did not) consent to the release of your testimony. Do you consent to the release of the testimony you gave today but not your personal identifying information, such as name, social security number, home address, or phone number? (Suspect must answer "yes" or "no.")*

12. *Do you have any questions? The time is (state time), and this recall interview is concluded. Thank you.*

(END READ-OUT)

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Figure E-7 (PAGE 2). Recall suspect interview guide—Continued

Glossary

Section I Abbreviations

AAFES

Army and Air Force Exchange Service

ABCMR

Army Board for Correction of Military Records

ADAPCP

Alcohol and Drug Abuse Prevention and Control Program

ADP

automatic data processing

AEA

Army Enterprise Architecture

AG

Adjutant General

AGR

Active Guard Reserve

AIG

Acting IG

AMC

U.S. Army Materiel Command

ANG

Air National Guard

ARNGUS

Army National Guard of the United States

AR-PERSCOM

U.S. Army Reserve Personnel Command

ARSTAF

Army Staff

ASA(RDA)

Assistant Secretary of the Army (Research, Development, and Acquisition)

ASI

additional skill identifier

CFR

Code of Federal Regulations

CID

Criminal Investigation Division

CINC

Commander-in-Chief

CME

chemical management evaluation

CNGB

Chief, National Guard Bureau

CONUS

continental United States

CONUSA

the numbered armies in the continental United States

CPAC

civilian personnel advisory center

CPOC

civilian personnel operations center

CSA

Chief of Staff, U.S. Army

CSI

chemical surety inspection

CWO

chief warrant officer

DA

Department of the Army

DAIG

Department of the Army Inspector General

DCSINT

Deputy Chief of Staff for Intelligence

DCSPER

Deputy Chief of Staff for Personnel

DFAS

Defense Finance and Accounting Service

DIS

Defense Investigative Service

DMS

Defense Messaging System

DNA

Defense Nuclear Agency

DOD

Department of Defense

DODD

Department of Defense directive

DODI

Department of Defense instruction

DOIM

director of information management

DSN

Defense Switched Network

DSS

Defense Security Service

DTIG

Deputy of The Inspector General

ECC

Executive Communications and Control

EEO

equal employment opportunity

EO

equal opportunity/Executive order

EOA

equal opportunity advisor

EUSA

Eighth U.S. Army

FOA

field operating agency

FOIA

Freedom of Information Act

FORSCOM

Forces Command

FOUO

For Official Use Only

FPM

Federal Personnel Manual

GAO

General Accounting Office

GS

General Schedule

HQDA

Headquarters, Department of the Army

IFOR

Implementation Force

IG

inspector general

IG, DOD

Inspector General, Department of Defense.

IGAP

Inspector General Action Process

IGAR

Inspector General Action Request

IGARS

Inspector General Action Request System

IGNET

Inspector General Worldwide Network

IGPA

Inspector General Preliminary Analysis

IGPERS

Inspector General Personnel System

IMA

individual mobilization augmentee

IMD

Information Management Directorate

IMP

Information Management Plan

IPR

in-process review

IR

internal review

IRAC

Internal Review and Audit Compliance

JSAC

Joint State Area Command

LAN

Local area network

LSSI

Limited Scope Surety Inspection

MACOM

major Army command

MC

Member of Congress

MCM

Manual for Courts-Martial

M-day

mobilization day

METL

mission essential task list

MHE

mental health evaluation

MILPO

military personnel office

MOA

Memorandum of Agreement

MOS

military occupational specialty

MOU

Memorandum of Understanding

MP

military police

MPI

military police investigator

MSC

major subordinate command

MSPB

Merit Systems Protection Board

MTOE

modification table of organization and equipment

NAF

nonappropriated fund

NCO

noncommissioned officer

NCOER

Noncommissioned Officer Evaluation Report

NCOIC

noncommissioned officer in charge

NCR

National Capital Region

NG

National Guard

NGB

National Guard Bureau

NGR

National Guard regulation

NME

nuclear management evaluation

NSI

nuclear surety inspection

OCAR

Office of the Chief, Army Reserves

OCLL

Office of the Chief of Legislative Liaison

OCONUS

outside continental United States

ODCSOPS

Deputy Chief of Staff for Operations and Plans

ODCSPER

Office of the Deputy Chief of Staff for Personnel

OER

officer evaluation report

OGC

Office of The General Counsel, Army

OJT

on-the-job training

OPLAN

operations plan

OPORD

operations order

ORB

Officer Record Brief

OSC

Office of Special Counsel

OTIG

Office of The Inspector General

PA

Privacy Act

PAO

Public Affairs Office/public affairs officer

PBAC

Program Budget Advisory Committee

PCS

permanent change of station

PEO

program executive officer

PERSCOM

U.S. Total Army Personnel Command

PM

program manager

POC

point of contact

POI

program of instruction

POM

Program Objective Memorandum

RA

Regular Army

RBE

Reply by Endorsement

RC

Reserve Components

RFI

Reactor Facility Inspection

ROI

Report of Investigation or Inquiry

ROII

Report of Investigative Inquiry

SA

Secretary of the Army

SAIG

Secretary of the Army Inspector General

SAP

Special Access Program

SASO

support and stability operations

SBU

Sensitive But Unclassified

SCR

system change requests

SECDEF

Secretary of Defense

SES

Senior Executive Service

SJA

staff judge advocate

SOP

standing operating procedure

SQI

special qualifications identifier

SQT

Skill Qualification Test

SSN

social security number

TAG

The Adjutant General

TB

Technical Bulletin

TDA

tables of distribution and allowances

TDY

temporary duty

TIG

The Inspector General

TJAG

The Judge Advocate General

TMDE

Test, Measurement, and Diagnostic Equipment

TPU

troop program unit

TRADOC

U.S. Army Training and Doctrine Command

UCMJ

Uniform Code of Military Justice

UIC

unit identification code

USAAA

U.S. Army Audit Agency

USACIDC

U.S. Army Criminal Investigation Command

USAF

U.S. Air Force

USAIGA

U.S. Army Inspector General Agency

USAR

U.S. Army Reserve

USARPAC

U.S. Army Pacific

USAREUR

U.S. Army Europe

USAR-PERSCOM

U.S. Army Reserve Personnel Command

USARSO

U.S. Army South

USASL

U.S. Army Standards Laboratory

USASOC

U.S. Army Special Operations Command

USofA

Under Secretary of the Army

USC

United States Code

VCSA

Vice Chief of Staff, U.S. Army

WHLO

White House Liaison Office

WO

warrant officer

XO

executive officer

Section II**Terms****Abuse**

Intentional or improper use of Government resources. Examples include misuse of grade, position, or authority or misuse of resources such as tools, vehicles, or copying machines.

Action memorandum

The action memorandum is an internal administrative decision memorandum to the directing authority used in conjunction with the directive that authorizes an IG investigation. It provides a summary of the complaint, known facts and issues, and defines the scope and limits of the investigation into the allegations that are specified in the memorandum.

Adverse action

For this regulation, adverse action is any administrative or punitive action that takes away an entitlement, results in an entry or document added to the affected person's official personnel records that could be considered negative by boards or superiors, or permits the affected person to rebut or appeal the action. Adverse action includes "unfavorable information" as described in AR 600-37, UCMJ action, or with regard to civilian employees, "personnel action" as defined in 5 USC 2302, or a "disciplinary action" pursuant to AR 690-700 and DOD 1400-25-M. A commander or supervisor desiring to take such action against an individual based solely on an Inspector General document requires TIG release of that document.

Allegation

An allegation is a statement or assertion of wrongdoing by an individual that is formulated by the IG. An allegation contains four essential elements: who, improperly, did what or failed to do, in violation of an established standard. Allegations are refined by the IG based upon evidence gathered during the course of an investigation or inquiry.

Army senior leadership concerns

Topics in which senior leaders have expressed interest or concern to TIG. These are issues the IGs should be aware of and, as appropriate, schedule into their inspections. These issues will be updated in IG publications.

Assistance inquiry

An informal fact-finding process used to address or respond to a complaint involving a request for help, information or issues, and not allegations of impropriety or wrongdoing.

Audit

The independent appraisal activity within the Army for the review of financial, accounting, and other operations, as a basis for protective and constructive service to command and management at all levels.

Chemical management evaluation

An evaluation to determine the adequacy of support, technical and command guidance and to identify management, systemic, or functional problem areas in the Army Chemical Surety Program at any level.

Chemical surety inspection

Inspection of chemical surety organizations in the Army, to determine their capability to accomplish assigned chemical missions in a safe and secure environment through examination of the following functional areas: mission operations, safety, security, surety management, and accident and incident control. This inspection is conducted by the USAIGA or the IG office of a MACOM.

Chemical Surety Program Inspection

A chemical surety inspection (CSI) or a limited scope surety inspection (LSSI) of an organization with a chemical surety mission.

Command IG

The senior detailed inspector general of a MTOE or TDA organization of the Active Army or USAR. The command IG works directly for the commander, normally a commanding general, installation commander, or director of the organization.

Complainant

Any person or organization submitting an IGAR. The person can be a soldier, family member, member of another Service, Government employee, or member of the general public. The organization can be any public or private entity.

Complaint

An expression of dissatisfaction or discontent with a process or system such as leave policies or the pay system.

Corrective action

Any action deemed necessary to rectify a violation or deficiency or to provide redress, to include changes in regulations or practices, administrative or disciplinary action against offending personnel, or referral to responsible officials or agencies for appropriate remedial action.

DAIG

Department of the Army Inspector General (DAIG) is used when combining the Office of the Inspector General (OTIG) and the U.S. Army Inspector General Agency (USAIGA).

Directing authority

An Army official who has authority to direct an IG investigation or inspection be conducted. At DA, directing authorities are SA, USofA, CSA, VCSA and TIG. Commanders or directors who are authorized detailed IGs on their staffs may direct IG investigations and IG inspections within their commands. SA, USofA, CSA, VCSA and TIG may direct IG investigations and IG inspections within subordinate commands as necessary. Although command and State IGs may direct IG investigative inquiries, they are not considered as directing authorities.

Directive

A directive authorizes an IG investigation or IG inspection. It is the investigator's authority to investigate specific allegations and the inspector's authority to conduct the IG inspection. A directive consists of two parts, the Action Memorandum and the directive (authorization document) signed by the directing authority. (See Action Memorandum.)

Federal interest

As used in this regulation, the term means those areas in which the Federal Government has legitimate concern. By definition, if the matter is not of Federal interest, it is a matter of State interest. In the abstract, the role of the Active Army IG in Army National Guard (ARNG) matters is relatively simple. If the issue the IG is looking at involves a Federal interest, the Active Army IG may inspect, investigate, or assist. If the issue does not involve a Federal interest, the Active Army IG cannot act. Application of the simple contact principle is not so easy. Lines of demarcation can not

be drawn, thus each case must be looked at independently to determine if a Federal interest exists. The authority of the active IG to act in ARNG matters is very broad but not without limitations. All questions of Federal versus State interest will be discussed with the SJA office.

a. Under regulations prescribed by the SA, the SA may have an inspection made by IGs or, if necessary, by any other commissioned officers of the Regular Army detailed for that purpose, to determine whether—

- (1) The amount and condition of property held by the ARNG are satisfactory;
- (2) The ARNG is organized as provided in this title;
- (3) The members of the ARNG meet prescribed physical and other qualifications;
- (4) The ARNG and its organization are properly uniformed, armed, and equipped and are being trained and instructed for active duty in the field, or for coast defense;
- (5) ARNG records are being kept in accordance with this title; and
- (6) The accounts and records of each U.S. Property and Fiscal Officer (USPFO) and property are maintained.

b. Based on the above, the following are included within the area of Federal interest: the organization, training, operations, supply, procurement, and fiscal matters connected with ARNG; examination of material prepared relevant to the returns and reports State AGs are required to make to the SA; activities that, if true, would be a basis for withdrawal of Federal recognition, and exercise of the command function, although generally a matter of State interest. These include, but are not limited to, substandard performance of duty and moral or professional dereliction. (For further guidance, contact the Chief, National Guard Bureau (ATTN: NGB-IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202-3259.)

Followup inspection

An inspection of the action taken to correct deficiencies found during a previous inspection or audit. Its aim is to assess whether the corrective action is effective and complete, producing desired results, not causing new problems, economical and efficient, and practical and feasible.

Fraud

Any intentional deception designed to deprive the United States unlawfully of something of value or to secure from the United States for an individual a benefit, privilege, allowance, or consideration to which he or she is not entitled. Such practices include, but are not limited to, the offer, payment, or acceptance of bribes or gratuities; making false statements; submitting false claims; using false weights or measures; evading or corrupting inspectors or other officials; deceit either by suppressing the truth or misrepresenting material fact; adulterating or substituting materials; falsifying records and books or accounts; arranging for secret profits, kickbacks, or commissions; and conspiring to use any of these devices. The term also includes conflict of interest cases, criminal irregularities, and the unauthorized disclosure of official information relating to procurement and disposal matters.

General inspection

A comprehensive inspection focused on the overall economy, efficiency, discipline, morale or readiness aspects of a unit, organization or activity. The objective of a general inspection is to produce a comprehensive picture of the unit's status at that time.

Handoff

An administrative procedure that transfers a verified finding that is beyond the authority or ability of the inspecting command to act on, from one command or agency IG to another command or agency IG.

IG assistance function

The process of receiving, inquiring into, and responding to complaints and requests for information or help that are presented or referred to an IG. Inspectors general provide assistance on an area basis so that complainants can go to the nearest IG for help.

IG inquiry

An assistance inquiry or investigative inquiry conducted by an IG (see assistance inquiry and investigative inquiry).

IG inspection

An inspection conducted by a detailed IG, oriented toward the identification of problems, determination of their root causes, development of possible solutions, and assignment of responsibilities for correcting the problems. Generally, IG inspections focus on issues rather than on units. The scope and content are determined by the commander to whom the inspector general is assigned.

IG inspection function

The process of developing and implementing IG inspection programs, conducting IG inspections, and providing oversight of the OIP and intelligence activities.

IG investigation

A fact-finding examination by a detailed IG into allegations, issues, or adverse conditions to provide the directing authority a sound basis for decisions and actions. Inspector general investigations normally address allegations of wrongdoing by an individual and are authorized by written directives. Conduct of IG investigations involves systematic collection, examination of testimony and documents, and may incorporate physical evidence. The results are reported using the ROI format addressed in chapter 8 of this regulation.

IG investigation function

The process of receiving, examining and responding to allegations, issues or adverse conditions presented or referred to an IG. The investigation function encompasses IG investigations and IG investigative inquiries.

Information management plan

The IMP is the basic document to identify information requirement initiatives in the Sustaining Base Environment. User-originated information requirement initiatives are validated within user's parent MACOM IMP.

Initiator

The actual source of the IGAR for entry on DA Form 1559. Normally, the complainant is also the initiator of an IGAR. However, often a third party such as a relative of the complainant, may be the initiator.

Inspector General Action Request

A complaint, allegation, or request for information or help presented or referred to an IG. An IGAR may be submitted in person, over the telephone, through written communication, by electronic communications or through DOD Hotline referral.

Inspector General Action Request System (IGARS)

Subsystem of IGMET that provides an automated means of recording, storing, and analyzing data pertaining to IG casework.

Inspector general channels

Relationship among detailed IGs throughout the Army. Connotes a confidential channel for passing IG information. Also referred to as IG technical channels.

Inspector general office of record

Office of the command or State IG maintaining responsibility for an IGAR to include final approval of the IG record, response to the complainant, notification of subject/suspect, and data entry into the IGARS. For every IGAR, there can be only one IG office of record although more than one IG office may maintain a copy of the record. When the IGAR or IG record falls within more than one commander's sphere of activity, the IG office of record is the highest level IG office that assumes responsibility for the IGAR even though the higher echelon IG may ask or direct the lower command level IG to action the IGAR or assist in the resolution process. Except for TIG, IGs referring IGARS to IG offices at higher, lower, or adjacent levels for resolution should request but cannot direct that the other IG office serve as the IG office of record.

Inspector General Personnel System (IGPERS)

Subsystem of IGMET that stores and retrieves selected information on personnel assigned to the IG corps.

Inspector general records

Inspector general records are any written, recorded, or electronic media IG work-product. These include, but are not limited to, any correspondence or documents received from a witness or a person requesting assistance; IG reports of inspection, inquiry, and investigation; IGMET or other computer ADP files or data; and DA Form 1559 when entries are made on either side. Inspector general records may contain documents that were not prepared by IGs. (See also definition of "personal notes" below.)

Inspector general system

All Army inspectors general over whom TIG has policy oversight and certification authority. The system is not a stovepipe because IGs work for their respective commanders but, within the IG System, must adhere to IG policy as established and promulgated by TIG.

Inspector General Worldwide Network (IGNET)

An information management system designed to support data collection, analysis, communication, and administrative requirements of IGs. The IGNET database uses both manual and automated techniques to record selected data generated as a result of IG activities. This data is processed to produce management information products at each IG office.

Investigative inquiry

A fact-finding examination by an IG into allegations, issues, or adverse conditions. The investigative inquiry is the fact-finding process followed by IGs to gather information needed to address allegations of impropriety against an individual that do not require an investigation. The process for an investigative inquiry is addressed in chapter 8 of this regulation.

Legacy

The existing in place hardware platforms with associated software.

Machine room

Any physical room space where centralized computers and peripheral devices are located to support network operations. Typically, the room is physically separate, secure, with dedicated climate and power.

Mismanagement

A collective term covering acts of waste and abuse. Extravagant, careless, or needless expenditure of Government funds or the consumption or misuse of Government property or resources, resulting from deficient practices, systems, controls, or decisions. Abuse of authority or similar actions that do not involve criminal fraud.

Nuclear Management Evaluations

An evaluation to determine the adequacy of support, technical, and command guidance and to identify management, systemic, or functional problem areas in the Army Nuclear Surety Program at any level.

Nuclear Surety Program Inspection

Any of several types of nuclear-capable unit inspections, including Defense Nuclear Surety Inspections (DNSI), Joint Nuclear Surety Inspection (JNSI), nuclear surety inspection (NSI), Reactor Facility Inspections (RFI), surveillance inspections (SI), and limited scope surety inspections (LSSI).

Personal notes

Records or notes created or used by IGs that are not a part of IG records. Personal notes have these characteristics: used as a memory jogger by the writer only, destroyed at the writer's option, maintained separately from file kept per office SOP or indexing system, and not distributed to other IGs for their official use. Personal notes are not subject to release under the FOIA. (See AR 25-55.)

Program manager

Individual chartered by the SA who reports directly to the Program Executive Officer, who reports to the Army Acquisition Executive.

Protected communication

- a. Any lawful communication to Member of Congress or an IG.
- b. A communication in which a member of the Armed Forces communicates information that the member reasonably believes evidences a violation of law or regulation, including sexual harassment or unlawful discrimination, gross mismanagement, a gross waste of funds or other resources, an abuse of authority, or a substantial and specific danger to public health or safety, when such a communication is made to any of the following:
 - (1) A Member of Congress, an IG, or a member of a DOD audit, inspection, investigation, or law enforcement organization.
 - (2) Any other person or organization (including any person or organization in the chain of command) designated under Component regulations or other established administrative procedures (that is, EOA, safety officer) to receive such communications. (See AR 600-20 for definition of chain of command.)

Report of Investigation

Report of Investigation or Inquiry is a written report used by IGs to address allegations, issues, or adverse conditions to provide the directing authority a sound basis for decisions. The directing authority approves the ROI. The ROI format is addressed at chapter 8 of this regulation. These same formats may be used by IGs who investigate or inquire into issues and adverse conditions.

Report of Investigative Inquiry

Report of Investigative Inquiry is a written report used by IGs to address allegations, issues, or adverse conditions to provide the directing authority, command or State IG a sound basis for decisions. The directing authority, command or State IG approves the ROII. The ROII format is addressed at chapter 8 of this regulation.

SAIG

An office symbol for OTIG and USAIGA.

Senior official

Includes general officers (Active Army and Reserve Components), colonels selected for promotion to brigadier general, retired general officers, and current or former civilian employees of the Department of the Army SES or equal positions and comparable political appointees.

Special inspection

An inspection of a function or set of functions that focuses on problem resolution, rather than on units. Its scope is limited and specifically defined.

Special subjects for inspection

Specific areas within the Army community that have been identified by Army senior leaders as having systemic implications Army-wide. Also, issues that have been designated for IGs to inquire into by TIG. These topics are updated in IG publications. Feedback to TIG may be required from IGs in the field.

State Adjutants General

Includes The Adjutants General (TAG) of a State, the Commonwealth of Puerto Rico, or territory who is the senior National Guard officer and a State official whose authority is recognized in Federal law. TAGs are appointed by the State, territory or commonwealth governor, with the exceptions of South Carolina (where they are elected in a general election), and in Vermont (where they are elected by the State legislature). The senior National Guard officer in the District of Columbia, the Commanding General, is appointed by the President and serves in a role similar to that of a TAG.

State IG

The Active Army senior detailed inspector general (normally a colonel or lieutenant colonel) of a State, commonwealth, territory, or District of Columbia. The State IG normally works directly for the State AG and is senior rated by the CNGB. All States do not have Active Army State IGs.

State interest

The limited number of activities of which Active Army IGs are prevented from inspecting, investigating, or assisting. (See Federal interest.) An example of a State interest is the funds derived from the rental of armory facilities for public or private use.

Systemic issue

Situation evidenced by a failure of an established process to function as designed does not entail an allegation of impropriety against an individual.

Tier III

Contractor maintenance support

Triangle of confidentiality

The complainant, IG, and IG's commander form the triangle of confidentiality. The triangle signifies the IG's responsibility to protect the identity of the complainant to the greatest extent possible while serving as the extension of the commander. The triangle does not imply that total disclosure will be made to all sources of information or can be made to all parties involved in the triangle. The intent behind the triangle is also three-fold: to protect privacy, maintain confidence in the IG System, and minimize the risk of reprisal action.

Unfavorable information

Any credible, derogatory information that may reflect on an individual's character, integrity, trustworthiness, or reliability.

VLAN (Virtual LAN)

A switched network that is logically segmented by functions, project teams or applications without regard to the

physical location of the users. Each switch port can be assigned to a VLAN. Ports assigned to a given VLAN share broadcasts. Ports not assigned to the VLAN cannot share those broadcasts.

Warrant officer

Commissioned warrant officers and warrant officers without commissions.

Waste

The extravagant, careless, or needless expenditure of Government funds, or the consumption of Government property that results from deficient practices, systems, controls, or decisions. The term also includes improper practices not involving prosecutable fraud.

World Wide Web

A network of interlinked stations, services, communications, and so forth.

World Wide Web-based

An application or implementation of hardware or software that is compatible with the defined communications protocols and data transmission formats required to transmit data across the web.

Section III

Special Abbreviations and Terms

This publication uses the following abbreviations, brevity codes, and acronyms not contained in AR 310–50.

CDO

component-designated official

IO

Intelligence Oversight

IOD

Intelligence Oversight Division

IRMD

Information Resource Management Division

JNSI

Joint Nuclear Surety Inspection

OIP

Organizational Inspection Program

P-fiche

Performance fiche

RBE

Reply by Endorsement

R-fiche

Restricted fiche

S-fiche

Service fiche

SI

surveillance inspection

STARC

State area command

Index

This index is organized alphabetically by topic and by subtopic within topic. Topics and subtopics are identified by paragraph number.

Acronym (See glossary.)

Access to documents

- IG authorization, 1–8, 1–9

Anonymity

- Personal request, 1–12
- During inspections, 6–3

Assistance

- Acting IG's duty, 2–2, 7–5
- Assistance procedures for ARNG personnel, 7–7
- Assistance visits, 7–6
- Conduct of an IG inquiry, 7–3
- Confidentiality, 1–12, 4–2, 7–1
- Nonsupport, 7–4
- Pay-related IGARs, 7–4
- Withdrawal of IGAR, 7–3

Communications with

- IGs, 1–11
- Members of Congress, 1–11, 4–5, 7–7
- Reprisals for, 1–11, 6–6

Complaints

- Civilian rights, figure 4–2
- Duty to protect confidentiality, 1–12
- Soldier rights, figure 4–1
- Duty restrictions
- Appointments, 2–2, 2–4, 2–7
- Assignments, 2–2, 2–3, 2–4

IG personnel actions

- Active Army IG nominations, 2–3
- Acting IG nominations, 2–3
- Civilian nominations, 2–3
- Extensions or curtailments, 2–4
- Length of assignment, 2–4
- Local nominations, 2–4
- Nomination approval, 2–3
- Nominations for TI, app C
- Nomination procedures, app C
- Oath for acting IGs, 2–5
- Oath for non-IGs, 2–5
- Oath for detailed, assistant, or temporary assistant IG, 2–5
- Removal, 2–4
- Reserve Component IG nominations, 2–3

Inspections

- Command inspections, IG participation, 6–3
- Comparing results or units, 6–3
- Confidentiality, 6–3
- Deficiencies, 6–3
- Focus, 6–3
- Followup, 6–3, 6–4
- Formal replies to IG inspection findings, 6–5
- Handoff findings, 6–4, 6–5
- Inspection Process, 6–4
- Inspection Selection Process, 6–3

- Intelligence Oversight, 6–9, 6–10, 6–11
- Organization Inspection Program, 1–4, 6–2
- Policy, 6–3
- Rating an inspected unit, 6–3
- Reports, 6–4, 6–5
- Sensing Sessions, 6–3

Inspector General Action Process

- Acknowledgment is required, 4–5
- Analysis of IGAR, 4–3, 4–4
- Confidentiality, 1–12, 4–2
- DA Form 1559, 4–2, 4–10
- DOD Hotline complaints, 4–2
- EO complaints, 4–4, 7–7
- IGAR for Congress, 4–2
- IGARs by members of other Services, 4–6
- IGNET entries, 4–2, 4–10
- Inspector General Action Process, chapter 4
- Privacy Act Information Release (DA Form 7433), 4–2
- Redress available through other channels, 4–4
- Referring IGARs, 4–3, 4–4, 4–6
- Required IG notices to be posted at DA activities, figures 4–1, 4–2
- Responding to IGARs, chapter 4
- Timeliness of Complaint, 4–2
- Withdrawal of IGAR, 4–2

Inspectors general (table 2–1)

- Acting IG, 2–2
- Assistant IG, 2–2
- Concept, 1–6
- Detailed IG, 2–2
- Office or Administrative support staff, 2–2
- Temporary assistant IG, 2–2

Investigations

- Adverse recommendation, 8–2
- Allegation investigation of commands, commanders, general officers, and SESs, 8–3
- Allegation investigation of IGs, 8–3
- Authority to direct conduct of investigation, 8–3
- Conduct of IG investigations, 8–4
- Confidentiality, 8–2
- Criminal activity, 8–3
- IG jurisdiction, 8–3
- Interview, 8–4
- Subject, 8–5
- Suspect, 8–5
- Union representation at interviews, 8–5
- Use of ROI as basis for adverse action, 8–2
- When not to investigate, 8–3
- Witnesses, 8–5
- Witness' refusal to answer question, 8–5

Records

- ADAPCP information, 3–2
- Adverse actions, 3–3
- Amendment, 3–6
- Commander's restrictions, 3–4
- Destruction of IG records, 3–2
- FOIA release requests, 3–5
- Forwarding requests, 3–5

- IGNET access, 9–3, 9–5
- IGPERS, 2–3
- Markings, 3–2
- Obtaining within DA, 3–4
- Official use, authority not included, 3–4
- Personal information, 3–5
- Privacy Act release request, 3–5
- Release of information to Members of Congress, 3–5
- Release of records to Members of Congress, 3–5
- Restriction of IG records requested, 3–4
- Release to accused or counsel, 3–4, 3–5
- Release to Army investigators, 3–4
- Release to labor organizations, 3–5
- Release to other Government agencies, 3–5
- Release to the media, 3–5
- Release to witnesses, 3–5
- Review by other Government investigations, 3–5

Relationships

- IG to commander, 1–6, 1–7, 1–8, 1–9
- IG to IG system, 1–6, 1–8, 1–9
- IG to State AG, 1–7
- IG to soldiers, family members, civilians, 1–6

Reprisals

- For communicating with IG or Member of Congress, 1–11
- Reporting, 1–11

Statutory authority 1–5

Technical Inspections

- Action required on NSI and CSI reports, 6–8
- Authority for, 6–6
- Chemical procedures (introduction), 6–7
- Chemical Surety Program Inspections, 6–7
- Chemical Management Evaluation (CME) procedures, 6–7
- Confidentiality of persons, 6–6
- Inspection reports, 6–8
- Jurisdiction for technical inspections or evaluations, 6–7
- Nuclear procedures (introduction), 6–7
- Nuclear Surety Program Inspection (NSPI), 6–7
- Scheduling of inspections, 6–8
- Ratings for inspections, 6–8

Training

- Acting IGs, 2–2, 5–6
- Awarding ASI/SQI, 5–4
- Funding, 5–4
- Requests for quotas, 5–4
- Technical inspector training, 5–7

Wartime & SASO

- Exercises, 9–6
- Functions, 9–5
- IGs role, 9–1
- Organization, 9–2
- Resources, 9–3

Whistleblower legislation 3–3, 8–9

UNCLASSIFIED

PIN 000296-000

USAPA

ELECTRONIC PUBLISHING SYSTEM

OneCol FORMATTER .WIN32 Version 171

PIN: 000296-000

DATE: 03-19-02

TIME: 09:49:37

PAGES SET: 113

DATA FILE: C:\wincomp\r20-1.fil

DOCUMENT: AR 20-1

DOC STATUS: REVISION