

Army Regulation 20-1

**Inspections, Assistance, and
Investigations**

Inspector General Activities and Procedures

Rapid Action Revision (RAR) Issue Date: 3 July 2012

**Headquarters
Department of the Army
Washington, DC
29 November 2010**

UNCLASSIFIED

SUMMARY of CHANGE

AR 20-1

Inspector General Activities and Procedures

This rapid action revision, dated 3 July 2012--

- o Clarifies that all inspectors general must possess or be able to obtain and maintain at least a secret-level security clearance or interim secret-level security clearance, unless a higher-level clearance is needed (paras 2-2*b* and B-4*a*(7)).
- o Revises guidance on tour lengths for a detailed inspector general and an assistant inspector general (table 2-1 and paras 2-5*a* through 2-5*c*).
- o Adds a standing exception for the release of reprisal reports of investigation and investigative inquiry for possible adverse action (para 3-3*a*).
- o Adds procedures for the release of substantiated reprisal reports of investigation and investigative inquiry (para 7-4*b*(3)(*d*)).
- o Includes guidelines for inspectors general who receive allegations of reprisal from Department of Defense contractors, civilians, or nonappropriated fund employees that give evidence of a specific danger or hazard to someone's health or safety (para 7-4*c*(4)).
- o Specifies that positions for inspector general Soldiers within the modified table of organization and equipment and the table of distribution and allowances will not be used as placeholders for noninspector general Soldiers (para B-2*a*).
- o Requires that the position descriptions of all 1801-series civilian inspectors general indicate alignment under career program 55 and include additional physical and deployment requirements (para B-4*d*).
- o Clarifies that if a civilian inspector general volunteers to deploy to a combat theater, then he or she must be able to carry the necessary equipment while deployed (para B-4*d*(6)).
- o Makes additional rapid action revision changes (chap 2: updates figs 2-1 through 2-3).
- o Makes administrative changes (app A: adds ADP 3-0 and FM 3-92, corrects title for AR 690-950-4, and removes obsolete FM 3-0 and FM 100-15 in related publications; deletes unused acronyms and corrects abbreviations as prescribed by Army Records Management and Declassification Agency).

Inspections, Assistance, and Investigations

Inspector General Activities and Procedures

By Order of the Secretary of the Army:

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History. This publication is a rapid action revision (RAR). This RAR is effective 3 August 2012. The portions affected by this RAR are listed in the summary of change.

Summary. This regulation prescribes the responsibility and policy for the selection and duties of inspectors general throughout the Army. It describes inspector general functions, including teaching and training, inspections, assistance, and investigations. 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 DODD 5505.6.

Applicability. This regulation applies to the active Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve, unless otherwise stated. It also applies to Department of the Army civilian employees and nonappropriated fund employees. During mobilization, the proponent may modify chapters and policies contained in this regulation.

Proponent and exception authority. The proponent of this regulation is The Inspector General. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing, to a division chief within the proponent agency or its direct reporting unit or field operating agency, in the grade of colonel or the civilian equivalent. Activities may request a waiver to this regulation by providing justification that includes a full analysis of the expected benefits and must include formal review by the activity's senior legal officer. All waiver requests will be endorsed by the commander or senior leader of the requesting activity and forwarded through their higher headquarters to the policy proponent. Refer to AR 25–30 for specific guidance.

Army internal control process. This regulation contains internal controls and identifies key internal controls that must be evaluated (see appendix E).

Supplementation. Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from The Inspector General, 1700 Army Pentagon, Washington, DC 20310–1700.

Suggested improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to The U.S. Army Inspector General School, 5500 21st Street, Suite 2305, Fort Belvoir, VA 22060–5935.

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

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Glossary

Chapter 1

The Inspector General System

Section I

Introduction

1–1. Purpose

This regulation prescribes policy and procedures concerning the mission and duties of The Inspector General (TIG). It also prescribes duties, missions, standards, and requirements for inspectors general (IGs) throughout the Army. Responsibilities are prescribed for commanders; State Adjutants General (AGs); and heads of agencies, activities, centers, and installations for the 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. TIG will—

(1) Inquire into, and periodically report on, the discipline, efficiency, economy, morale, training, and readiness of the Army to the Secretary of the Army (SA) and the Chief of Staff, Army (CSA), in accordance with Section 3020, Title 10, United States Code (10 USC 3020).

(2) Extend the eyes, ears, voice, and conscience of the SA and CSA.

(3) Perform other duties as prescribed by the SA or CSA.

(4) Periodically propose programs of inspection to the SA and CSA and recommend additional inspections and investigations as may appear appropriate.

(5) Cooperate fully with the Department of Defense Inspector General (DODIG) in connection with the performance of any duty or function by the DODIG, under 5 USC 3, regarding the Department of the Army (DA).

(6) Maintain and safeguard the integrity of the Army IG system and report on the effectiveness of the system to the SA and CSA.

(7) Develop and publish policy and doctrine for the Army IG system.

(8) Oversee the Army IG inspection program by—

(a) Providing the SA and CSA a continuing assessment of the command, operational, managerial, logistical, material, and administrative readiness of the Army.

(b) Serving as the functional proponent for Army inspection policy as outlined in AR 1–201.

(c) Conducting inspections of systemic issues as directed by the SA and CSA.

(d) Directing inspections as prescribed by law, regulation, or as necessary.

(e) Reporting inspection results to the directing authority complete with findings, applicable root causes, recommended solutions, and a recommended person or agency charged with implementing each solution.

(f) Conducting inspections of Army Special Access Programs (SAPs) and sensitive activities in accordance with AR 380–381 and reporting the results as directed by the SA or CSA.

(g) Providing intelligence oversight in accordance with AR 381–10 of intelligence activities conducted under the provisions of Executive Order 12333 (EO 12333) and DOD 5240.1–R.

(h) Conducting security and technology protection inspections at selected Army Research, Development, and Engineering Centers (RDECs); laboratories; and test facilities.

(i) Publishing inspection guidance for the DA nuclear, chemical, and biological surety programs and nuclear reactor facilities.

(j) Conducting inspections of DA nuclear, chemical, and biological surety programs and nuclear reactor facilities.

(k) Conducting nuclear, chemical, and biological management evaluations.

(l) Conducting inspections of chemical warfare material responses and related support functions as directed by the SA.

(m) Conducting information assurance inspections throughout the Army.

(n) Verifying the implementation of approved inspection recommendations and reporting the status of those recommendations to the Army's senior leaders biannually.

(9) Provide assistance to persons on matters of interest to the Army by—

(a) Providing a system for resolving problems for Soldiers, DA civilian employees, contract employees, and retirees and protecting confidentiality to the maximum extent possible.

(b) Processing DOD Hotline cases related to Army activities.

(c) Processing equal opportunity complaints, to include complaints of sexual harassment, as inspector general action requests (IGARs) as an alternative to normal equal opportunity complaint channels but not subject to the time lines or procedures imposed by AR 600–20.

(10) Oversee Army IG investigations and special investigations by—

(a) Performing investigations and investigative inquiries directed by the SA and CSA and submitting the relevant reports of investigation (ROIs) and reports of investigative inquiry (ROIIs) to the respective directing authority.

(b) Assessing or investigating alleged violations of the Army’s professional ethic (see AR 600–100).

(c) Processing DOD whistleblower reprisal investigations related to Army activities.

(d) Serving as the component-designated official for senior-official allegations under the provisions of DOD directive 5505.6 (DODD 5505.6).

(11) Conduct teaching and training throughout the Army by—

(a) Teaching Army policy, procedures, systems, and processes to help inspected units and organizations improve operations and efficiency and accomplish command objectives.

(b) Disseminating information, innovative ideas, and lessons learned as a result of inspections and changes in policy.

(c) Assisting the SA and CSA in teaching and training leaders on the fundamental tenets of the Army professional ethic (see AR 600–100).

(d) Training detailed IGs and assistant IGs by overseeing The U.S. Army Inspector General School and providing initial-entry and sustainment training.

(12) Serve as the functional and personnel proponent for the Army IG system by—

(a) Selecting quality personnel to serve as IGs; approving or disapproving nominations of officers and noncommissioned officers (NCOs) to serve as IGs in specified categories (see chap 2 and app B, of this regulation); approving or disapproving DA civilians to serve as detailed IGs; and approving or disapproving the removal or early release of officers and NCOs from IG duty except for those personnel relieved for cause.

(b) Serving as the personnel proponent responsible for IG personnel selection and assignment policies and the development, implementation, and sustainment of a civilian career program.

(c) Managing IG information systems.

(13) Perform coordinating staff functions by—

(a) Conducting overseas contingency operation planning for the Department of the Army Inspector General (DAIG) and the IG system.

(b) Serving on boards, committees, councils, and similar organizations as directed by the SA and CSA.

(c) Maintaining custody of DAIG records on behalf of the SA; serving as the access and amendment refusal authority for Privacy Act (PA) requests for all IG records; and serving as the initial denial authority for Freedom of Information Act (FOIA) requests for all IG records.

(14) Serve as the IG for Headquarters, Department of the Army (HQDA) and any National Capital Region field operating agency when the field operating agency does not have an IG.

(15) Execute internal control responsibilities in accordance with AR 11–2.

(16) Serve as the HQDA focal point for interacting with the DODIG and other government IGs by—

(a) Maintaining liaison with IGs from within DOD, other military Services, other statutory IGs, and other agencies concerning Army IG activities.

(b) Coordinating inspection and audit topics and schedules with the Government Accountability Office, the DODIG, and the U.S. Army Audit Agency to resolve potential schedule conflicts and, if unresolved, deciding, within the scope of the SA’s and CSA’s guidance, whether to change or perform an inspection.

(c) Providing information on DODIG reports to HQDA and all Army IGs as needed.

(d) Serving as the Army’s point of contact for receiving and controlling DODIG investigations, to include directing the appropriate Army agency or command to prepare responses to investigations.

b. Inspectors general will—

(1) Determine the state of the command’s discipline, efficiency, economy, morale, training, and readiness as directed by the commander, director with an assigned IG, or State AG.

Note. Henceforth, the term commander refers to the commander, commanding general, director, and State AGs, unless otherwise specified.

(2) Execute the Army IG system and its functions of inspection, assistance, investigation, and teaching and training on behalf of the commander; the command; and the Soldiers, Family members, DA civilian employees, contract employees, and retirees within the command, and inform the commander of the effectiveness of these functions.

(3) Conduct inspections as directed by the SA; CSA; Vice Chief of Staff, Army (VCSA); the commander; or TIG as prescribed by law or regulation, to include—

(a) Conducting intelligence oversight inspections of intelligence activities and components within the command as part of the Organizational Inspection Program (OIP) in accordance with EO 12333, DOD 5240.1–R, and AR 381–10.

(b) Inspecting annually all military or government-owned quarters and housing facilities under the jurisdiction of the

Armed Forces occupied by recovering Servicemembers and submitting the report to the applicable regional medical command IG; the facility's commander; the commander of the hospital affiliated with the facility; the installation senior commander; the garrison commander; The Surgeon General; TIG; SA; the Assistant Secretary of Defense for Health Affairs; and the commanding general, U.S. Army Installation Management Command (IMCOM).

(c) Conducting followup assessments of inspections when required or directed by the commander to evaluate the adequacy and effectiveness of the corrective action taken.

(4) Provide assistance on an area basis (or as directed by TIG) to commanders, Soldiers, Family members, civilian employees, retirees, and others who seek help on matters of Army interest (see para 6-1c, below) and enter those assistance cases into the Inspector General Action Request System (IGARS) electronic database to support local and Armywide trends analysis.

(5) Conduct investigations to resolve allegations of impropriety brought to an IG by—

(a) Conducting investigations and investigative inquiries as directed by the commander, TIG, or command IG—or as prescribed by law or regulation—and then providing a report of such investigations and investigative inquiries to the directing authority.

(b) Reporting to TIG by entering into the IGARS database within 2 working days after receipt the complete name of the subject(s) or suspect(s) and the specific allegation(s) identified in the IGARS database any IGAR that has resulted in the initiation of an Army IG investigation, investigative inquiry, or command-directed investigation against an Army enlisted Soldier, noncommissioned officer, warrant officer, commissioned officer (non-promotable colonel and below), or Army civilian employee (see para 7-1k(1)). Additional reporting requirements for allegations against colonels appear in paragraphs 1-4b(5)(c) and 7-1l(1).

(c) Reporting to TIG through DAIG's Investigations Division (office symbol SAIG-IN) within 2 working days of receipt through IG communications any allegation against a colonel presented to an IG that has resulted in the initiation of an IG investigation, investigative inquiry, or command-directed investigation (see para 7-1k(2), below).

(d) Reporting to TIG through DAIG's Investigations Division within 2 working days of receipt from any source any allegation of impropriety by a general officer, a promotable colonel, a member of the civilian senior executive service (SES), and any other DA civilian employee of comparable grade or position (Special Government employees are not considered DA civilian employees of comparable grade or position under this regulation, and IGs will handle allegations against these individuals using normal IG procedures) (see para 7-1l, below).

(e) Reporting to TIG through DAIG's Intelligence Oversight Division (office symbol SAIG-IO) within 2 working days by secure means any inspector general action request (IGAR) containing an allegation against any person assigned to a SAP or sensitive activity as defined in AR 380-381.

(f) Reporting allegations against all Army IGs (both uniformed and civilian) within 2 working days after receipt through IG communications to the next higher echelon IG for action concurrent with an information copy to TIG through DAIG's Assistance Division (office symbol SAIG-AC) and to the Army command (ACOM), the Army service component command (ASCC), or the direct reporting unit (DRU), see para 7-1j(1), below).

(g) Reporting to DODIG and simultaneously to TIG through DAIG's Assistance Division, within 2 working days of receipt through IG communications, any allegation of whistleblower reprisal and improper mental health evaluation (MHE) referral that meets the minimum requirements outlined in DODD 7050.06 and DODD 6490.1, respectively.

(h) Referring suspected law of war violations immediately to the chain of command for action concurrent with a report via confidential means to the next higher echelon IG and to TIG via DAIG's Assistance Division; or, if the violation involves a senior official, a report to TIG via DAIG's Investigations Division (SAIG-IN) (see para 8-6, below).

(6) Teach and train by—

(a) Teaching policy, procedures, systems, and processes to help organizations and activities improve operations and efficiency and accomplish command objectives.

(b) Disseminating information, innovative ideas, and lessons learned.

(c) Training acting IGs, temporary assistant IGs, and administrative support personnel who are not required to attend The U.S. Army Inspector General School using instructional materials provided by the school.

(d) Assisting leaders at all levels in teaching the Army professional ethic, the Warrior Ethos, and the Army's Civilian Corps Creed.

(7) Manage IG information and IG records in accordance with the provisions set forth in chapter 3, to include—

(a) Serving as the IG office of record, on behalf of the SA, for local IG records and as the IG office of inquiry for all other tasked cases.

(b) Forwarding to TIG through DAIG's legal advisor (office symbol SAIG-ZXL) all requests for release under FOIA and for access and amendment of IG records under the PA (see chap 3).

(c) Forwarding or transmitting to TIG through IG communications within 2 working days of request by DAIG any on-hand IG record required to support time-sensitive personnel management decisions by the Army leadership.

(8) Review internal control requirements and responsibilities, to include—

(a) Complying with the basic requirements of internal control as outlined in AR 11-2 (see app E, below).

(b) Assisting the local office responsible for internal control in ensuring that internal control policies, standards, and requirements have been effectively implemented within the organization.

(9) Provide staff functions as required, to include—

(a) Participating in the Program Budget Advisory Committee cycle at the ACOM, ASCC, DRU, installation, or State levels and developing the budget for all IG functions and activities, to include identifying required budget and manpower resources and establishing the means to account for funds during budget execution.

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

(c) Forwarding issues that the command cannot resolve locally upwards through IG technical channels (if the commander chooses not to use command channels).

(d) Participating in the staff coordination process for policy and other procedural documents by pointing out areas of inconsistency or conflict but without concurring or nonconcurring with the document (IGs use the terms “noted,” “noted with comment,” or “reviewed” in the staffing process) (see para 1–6j, below).

(e) Cooperating and coordinating with the local internal review and audit compliance offices in connection with the performance of any inspection or investigation to preclude duplication of effort and to obtain audit reports and other information as required.

(10) Reporting any questionable intelligence activities to DAIG’s Intelligence Oversight Division (office symbol SAIG–IO) in accordance with procedure 15, AR 381–10.

(11) Inspecting the effectiveness of—and compliance with—the Army’s Voting Assistance Program within the ACOMs, ASCCs, and DRUs annually, and reporting the results to DAIG’s Inspections Division (office symbol SAIG–ID) not later than 30 November of each year (ACOM, ASCC, and DRU IGs only).

c. Commanders, State AGs, principal HQDA officials, and all leaders or 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 6–1a, below).

(2) Ensure that persons registering complaints with any IG (including the DODIG and other Service IGs) are afforded protection from reprisal actions as a result of their contact with the IG (see paras 1–12 and 1–13, below).

(3) Provide, if a senior commander, IG support for installation tenant organizations, installation activities under the IMCOM, the activities of other commands under the senior commander’s operational control, and other Army agencies (written support agreements are not necessary unless the supported agency requires special or mission-unique support).

(4) Provide, if a commander of a life-cycle management command (LCMC), IG support to program executive officers (PEOs) and program managers (PMs).

(5) Report directly to TIG through DAIG’s Investigations Division within 2 working days of receipt, all allegations of impropriety by a general officer, a promotable colonel, a member of the civilian SES, and any other DA civilian employee of comparable grade or position. Reporting 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 equal opportunity officer, does not violate this regulation, but such reports to non-IG authorities does not eliminate the reporting requirement to TIG or allow commanders to inquire into or to investigate the allegations (see para 7–1l, below).

(6) Report immediately to TIG the relief for cause of any IG (uniformed or civilian) (see chap 2).

(7) Request concurrence from TIG for the early curtailment of an IG’s assignment except for those Soldiers relieved for cause (see para 2–5b, below).

(8) Request approval from TIG to use IGs to perform non-IG duties (see para 2–7d, below).

d. The Commander, USACIDC, and installation provost marshals will—

(1) Ensure that allegations referred to them from IGs concerning serious criminal misconduct are investigated or processed as appropriate.

(2) Refer to the appropriate command or State IG for disposition of those allegations not based on criminal misconduct that come into USACIDC via IG channels.

(3) Share any information with an IG when permitted by law and applicable regulations that may assist in the completion of an IG investigative inquiry or investigation.

1–5. Statutory authorities

a. *Statutory authorities for the Army inspector general system.* These are as follows:

(1) The statute 10 USC 3014 establishes TIG within the Office of the SA and provides authority for the SA to assign TIG sole responsibility within HQDA for IG functions.

(2) The statute 10 USC 3020 outlines TIG’s statutory requirements and provides for deputies and assistants for TIG.

(3) The statute 10 USC 3065 provides for the detailing of commissioned officers as IGs.

(4) The statute 10 USC 10149 authorizes the screening of U.S. Army Reserve (USAR) IGs.

(5) The statute 32 USC 315 is the authority for the detailing of commissioned officers and enlisted personnel of the active Army for duty with the Army National Guard of the United States (ARNGUS).

b. *Other statutory authorities bearing directly upon the Army inspector general system.* These are as follows:

- (1) The EO 12333 provides guidelines and procedures on U.S. intelligence activities.
- (2) Section 106, Part 731, Title 5, Code of Federal Regulations (5 CFR 731.106) categorizes IG billets as public trust and high-risk positions requiring periodic background screening.
- (3) The statutes 10 USC 615 and 14107 provide the basis for pre- and post-promotion board screening.
- (4) The statute 10 USC 1034 provides for lawful protected communications by military personnel to Members of Congress and IGs and prohibits retaliatory personnel actions in reprisal for those protected communications.
- (5) The statutes 10 USC 1566 and 42 USC 1973ff provide for uniformed and overseas citizens the right to submit absentee ballots for U.S. elections.
- (6) The statute 32 USC 105 provides for IG inspections of the ARNGUS on matters of Federal concern.
- (7) Public Law 102–484 provides procedures for referring a member of the Armed Forces for a mental health evaluation, assigning responsibilities to commanders and mental health care personnel, providing rights to members of the Armed Forces, and directing the Inspector General of the Department of Defense to investigate allegations of improper referral for a mental health evaluation or oversee investigations conducted by IGs in the Services.
- (8) Public Law 110–181 requires the regional medical command IGs to inspect annually all housing facilities occupied by recovering Servicemembers and to provide reports on each inspection of a facility to the post commander at such facility, the commanding officer of the hospital affiliated with such facility, the surgeon general of the military department that operates such hospital, the secretary of the military department concerned, the Assistant Secretary of Defense for Health Affairs, and the congressional defense committees. In addition, each regional medical command must post each such report on the Internet Web site of such regional medical command.

Section II

Inspector General System

1–6. Inspector general concept and system

a. Inspector general attributes. The Army IG system is comprised of officers, NCOs, and DA civilians who embrace and exemplify Army Values, the Warrior Ethos, and the Army Civilian Corps Creed. The IGs hold a position of public trust, so broad experience, strong communication skills, and impeccable ethics are key attributes that strengthen and continually build upon the viability and effectiveness of the Army IG system.

b. The inspector general system. The Army IG system is unique in both scope and implementation. The IGs work only for the commander or directing authority but respond to SA and CSA requirements via TIG as the IG system’s proponent. The system complements and supports command channels while providing the SA and CSA visibility on systemic issues down and across the force. This dual window allows the SA and CSA to address the critical Armywide issues that could adversely affect the Army’s readiness capabilities.

c. Command inspectors general. Each IG staff section assigned to a command or any of the several States contains a commissioned officer or civilian who is designated as the command IG (only active Army commissioned officers may serve as State command IGs) (see para 2–2b, below). The command IG leads the IG staff section and works directly for the commander or, in the case of the States, the State AG. The command IG communicates the commander’s vision, intent, philosophy, and guidance to the other members of the IG staff section, who in turn execute the four IG functions within the command or State based upon this guidance. Although this regulation addresses the relationship all IGs share with their commanders or State AGs in a general sense, the true foundation of the IG system is the relationship forged between the command IG and the commander.

d. The four inspector general functions.

(1) All IGs serve their commanders and their commands by performing the four IG functions—inspections, assistance, investigations, and teaching and training—for the specific purpose of enhancing the command’s readiness and warfighting capability. The IGs use these functions to seek out systemic issues that adversely affect the command and the Army and then inspect those systemic issues to identify problem areas and make recommendations that directly address the causes of these problem areas. The two main concepts that bear directly upon and often characterize the execution of these four functions are the IG tenet of confidentiality (see para 1–12, below) and the restrictions placed on the distribution and use of IG records (see chap 3, below).

(2) The IGs function within a system of Armywide IGs who cooperate and assist each other in executing these functions on behalf of their respective commands—even though they serve other commands and commanders. The effective functioning of the IG system depends on the mutual cooperation of all IGs through IG technical channels not simply within each particular command or State but throughout the Army as a whole.

(3) All IGs operate within an environment consisting of the commander, the commander’s staff, the commander’s Soldiers, Family members, DA civilian employees, retirees, contract employees, and other civilians. These individuals represent the IG’s constituency, and all IGs bolster the chain of command by performing the four IG functions in support of this constituency.

e. The inspector general and commander relationship.

(1) All IGs extend the eyes, ears, voice, and conscience of their commanders and are responsible for advising these commanders on the state of their commands and for enhancing the command’s readiness and warfighting capability by

performing the four IG functions. To be effective, all IGs must understand the commander's goals, expectations, standards, vision, operating methods, and personality.

(2) The relationship between the command IG and the commander represents the foundation of the Army IG system. The command IG must become the commander's confidant—one of the individuals with whom the commander can discuss, with complete trust, any aspect of the command in times of both war and peace. The command IG must inform the commander of IG observations, findings, and impressions on all aspects of the command. The commander has a responsibility to learn and understand the IG concept and system and to advise the command IG on how the commander expects the IG staff section to serve the command effectively.

(3) The trust and confidence shared between all IGs and their commanders extends beyond the confidential relationship established by commanders and their staffs. Command IGs and their staff sections must remain solely under the command and control of the commander to avoid any possibility or perception of external influence on the staff section's personnel, budget, and operations. The command IG's relationship with the commander is one of extraordinary trust and confidence, and the commander will grant the command IG (and all IGs within the IG staff section) a high degree of independence and unlimited access to information in performing IG duties. To protect this independent and unique relationship, the command IG is a member of the commander's personal staff, and the commander will rate, and should senior-rate, the command IG (see AR 623–3). In addition, the commander will senior-rate those IGs within the IG staff section whom the command IG rates. (See the definition of “directing authority” in the glossary.)

f. Role of inspectors general.

(1) All IGs are confidential advisors and fact-finders to the commander. Selfless service is the cardinal attribute of successful IGs, and all IGs must adhere to—and be advocates of—the Army Values, the Warrior Ethos, and the Army Civilian Corps Creed. Everyone within a command will respect IGs for their level of expertise, candor, credibility, reliability, and trustworthiness. The Inspector General selects uniformed Army IGs using a nominative process, and command IGs select civilian IGs through normal personnel recruitment procedures (see chap 2 and app B, below).

(2) The IGs must maintain a clear distinction between being an extension of the commander and their sworn duty to serve as fair, impartial, and objective fact-finders and problem solvers. At the same time, they must also be sufficiently independent so that those individuals requesting IG assistance will continue to do so—even when the complainant feels that the commander may be part of the problem. Commanders must understand this distinction for their IGs to be effective.

(3) The IGs must work through and with the chain of command if the IG system is to be viable, effective, and relevant. The IG system must reinforce and bolster the chain of command at all times without undermining it. Therefore, IGs have the responsibility, unless directed otherwise by their commanders, to share verbally and in writing—but without direct attribution—any observations, findings, trends, and assistance requests with subordinate commanders to whom the observations or findings apply. When speaking with subordinate commanders, IGs must not violate the IG tenet of confidentiality (see para 1–12, below) by attributing the information to its source unless the individual who provided the information agrees to the release of his or her identity or if the IG is referring the matter to the commander for action. Subordinate commanders are not entitled to the same confidential IG information that the IG's commander or directing authority may receive. However, if the IG's commander wants to share confidential IG information with a subordinate commander or anyone else outside the IG-commander relationship (such as the chief of staff), he or she may do so but must contact TIG for approval if the information pertains to investigations.

g. Assignment of inspectors general. The IGs are assigned to commands, agencies, activities, centers, communities, installations, and States in accordance with established authorization documents (the modified table of organization and equipment (MTOE) and the table of distribution and allowances (TDA)). General officers who are commanders and SES civilians in lead director positions will have an assigned command IG on their personal staffs complete with an IG staff section. The first command echelon that normally has an assigned command IG is the division headquarters. As a result, the division IG staff section is the basic building block of the Army IG system's force structure. Command IG assignments move upward from the division to the corps, reserve command, State, ACOM, ASCC, and DRU levels. Some brigade combat teams commanded by colonels in both the active Army and reserve component (RC) may have IGs, but upon approval by TIG and only on a temporary basis due to operational and other reasons. Separate brigades commanded by general officers will always have a command IG assigned to the commander's personal staff. The IGs assigned to a mission support element but who work in a senior commander's IG staff section will work for, and report to, the command IG and the senior commander. Commanders will determine the size of their IG staff sections in accordance with AR 71–32 and other applicable regulations (see para 2–1 and app B, below).

h. The inspector general's sphere of activity. The IG's sphere of activity includes everything for which the commander is responsible and over which the commander or State AG has Federal authority. The IGs must be fully aware of this sphere of activity when determining jurisdiction of IGARs and IG issues within the IG system. The IG is responsible for IGARs from within the IG's sphere of activity. Generally, if the IG's commander is responsible for resolving the issues or allegations involved because they reside in the commander's area of responsibility, then that commander's IG is responsible for the IGAR. For example, if the complainant is from one command and the subject of the allegation is from another command, then the IG of the commander responsible for resolving the allegation (normally the commander of the subject's command) is the responsible IG and is also the IG office of record for the

IGAR. The ACOM, ASCC, and DRU command IGs will resolve all jurisdictional issues. When more than one ACOM, ASCC, or DRU is involved, DAIG's Assistance Division (office symbol SAIG-AC) will resolve the jurisdictional issue. When the matter contains classified material or relates to intelligence oversight, DAIG's Intelligence Oversight Division will resolve the jurisdictional issue. The IGs will still provide assistance on an area basis and attempt to resolve all IGARs, even those IGARs submitted from personnel outside the IG's sphere of activity as long as the IGAR is a matter of Army interest and does not create a jurisdictional conflict with another command's IG. 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 Chief, National Guard Bureau (NGB-IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202-3259.

i. Inspector general technical channels.

(1) Inspectors general may request, and are expected to provide, assistance to others within the IG system using IG technical channels. Technical channels guarantee the effective functioning and value of the IG system to each IG's command and to the Army as a whole. For example, when a proponent cannot implement or correct a verified inspection finding at a particular IG's level of command, the IG can use IG technical channels to hand off the finding to the next higher headquarters (unless the commander prefers to handle the matter through command channels). Inspectors general may also refer issues and allegations to other IG staff sections either as an office of record or office of inquiry (office-of-inquiry referrals only apply to vertical echelons of command). The receiving IG staff section must agree to accept the referral (DAIG's Assistance Division will adjudicate any problems associated with referrals of this nature). The IGs must be prepared to assist others within the IG system as well as other IGs outside the Army IG system.

(2) The IG technical channels are for mutual assistance and information-sharing purposes, and IGs within the vertical command chain are not to use IG technical channels to task or otherwise interfere with a subordinate command's commander-IG relationship. A vertical command relationship for IGs does not exist; IGs work for their commanders and not other IGs. Only TIG has the authority to reach down to a lower echelon command IG and task that IG to inspect, assist, investigate, or produce information and records.

(3) Higher echelon IGs should normally coordinate visits through the lower echelon IG as a matter of professional courtesy and should not bypass a lower echelon IG staff section to visit a subordinate command directly.

j. Inspectors general and command policy. Inspectors general will not establish command policy except as provided by TIG through this regulation and AR 1-201. Inspectors general have no directive authority outside IG channels beyond that normally associated with their grade. Additional authority must come from the IG's commander. Inspectors general have no authority to inspect or investigate without the written permission of the commander, who is the IG's directing authority. However, IGs may assist, conduct investigative inquiries, and teach and train without the commander's written permission. The restriction against establishing command policy does not preclude IG involvement in the policy formulation and staffing process. Inspectors general normally provide input to a proponent-coordinated staff action by pointing out conflicts in regulatory and/or policy guidance and commenting 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 written." The IG's final response must be either "noted", "noted with comment", or "reviewed" and not "concur" or "nonconcur." Concurrence with a policy could result in a future conflict of interest if the IG later inspects or investigates against that particular standard.

k. Office space. The IG office space should not be located in or next to the headquarters or in a remote location that is not readily accessible to non-IGs. The ideal location is in a heavily trafficked area where Soldiers, civilians, and others can blend in and not appear conspicuous when entering the IG office, which reinforces confidentiality and reduces the potential for reprisal. Additionally, IGs cannot share open office space with non-IGs. This requirement stems from the potential breach of confidentiality when complainants visit the staff section's office and because of the potential for non-IGs to overhear confidential IG telephone conversations, view IG information on desks and computer screens, and overhear conversations between and among IGs. Inspector general staff sections must have the ability to secure under lock and key all hard-copy IG records. Only IGs will have keys to these containers; custodians or other personnel will not maintain back-up keys for storage containers that contain IG records. Command IGs should enforce a clean-desk policy to ensure that IG records are not left in the open for non-IGs to view. Commands must accommodate these IG office-space requirements within resource constraints.

1-7. Inspector general access to information

a. Access to documents, records, evidence, and other data. No officer, employee, Servicemember, or DOD component may deny IGs access to all documents, records, and evidentiary materials needed to discharge their duties, to include data stored in electronic repositories. 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 (as permitted by law and applicable regulations), copies of an individual's restricted fiche (after compliance with AR 600-8-104), and financial disclosure statements. This authority includes direct access to pertinent extracts as allowed by applicable regulations.

b. Access to medical records. When accessing medical records, IGs must remain aware that health care information

is sensitive medical information, is protected by the PL 104–191, and must be protected. Accordingly, IGs must comply with all Health Insurance Portability and Accountability Act release forms or requests and maintain the information in a safe, secure, and confidential manner. Re-disclosure is prohibited except where permitted by the PA.

c. Restricted access. Inspectors general are not authorized access to material subject to the attorney-client privilege or any other legally recognized privilege (see para 7–1h, below).

d. Access to classified or sensitive information. Inspectors general are also authorized access to classified or sensitive information. However, the IG must present proof of an appropriate level security clearance or special access to review classified documents. The IG's security clearance may be included on the IG's locally produced credentials. An IG must also present sufficient justification to the record holder to obtain sensitive records. If 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 and obtain 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 the assistance inquiry, inspection, or investigation; who denied access; who verified denial and approved denial; and the reason access was denied.

1–8. The Inspector General

a. The Inspector General as confidential advisor to the Secretary of the Army and the Chief of Staff, Army. The Inspector General is *responsible* to the SA and serves as the SA's confidential advisor and representative. The Inspector General is *responsive* to the CSA and also serves as the CSA's confidential advisor and representative. The Inspector General leads and provides headquarters management of the U.S. Army Inspector General Agency (USAIGA), establishes policy and doctrine for the IG system, and maintains the viability and integrity of the IG system (see para 1–4a, above). The Inspector General has the authority to direct command and State IGs to conduct inspections, assistance inquiries, and investigations (see para 1–6i(2), above).

b. The Inspector General and the inspector general system. The IG system is not a typical "stovepipe" system, because IGs work for their respective commanders. However, all IGs working within the IG system must adhere to IG policy, doctrine, and other mandated procedures as established and promulgated by TIG. Through this policy oversight and certification authority, TIG maintains and safeguards the viability and integrity of the IG system.

c. Office of the Inspector General, U.S. Army. The OTIG is the secretariat-level IG staff office that coordinates IG activities on behalf of the SA. The OTIG includes TIG; Deputy, The Inspector General (DTIG); the Principal Director to the Inspector General for Inspections; a sergeant major; an executive officer; executive assistants; and administrative support personnel.

d. United States Army Inspector General Agency. The USAIGA is a field operating agency of the OTIG. The agency comprises operational and support divisions that perform the IG functions on behalf of the SA and CSA and the overall Department of the Army.

e. Department of the Army Inspector General. The term DAIG is used when referring to both the OTIG and USAIGA as one entity.

1–9. Inspector general guidelines for U.S. Army Reserve matters

The U.S. Army Reserve Command (USARC) IG staff section is the senior IG staff section in the USAR. The commanding general of USARC is a unique position; the incumbent serves both as a member of the DA staff as the Chief, Army Reserve, and as the commanding general of USARC. Accordingly, the USARC IG staff section will report directly to DAIG on IGARs and command products concerning nonsenior officials on behalf of the office of the Chief, Army Reserve.

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

a. The National Guard Bureau (NGB) and the Chief, National Guard Bureau serve as the senior joint headquarters 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 Joint Forces Headquarters (JFHQ) of the national guard (NG) within the States.

b. With some exceptions, IG activities within the Army National Guard (ARNG) are the same as those in the active Army and the USAR. Exceptions appear in appropriate sections of this regulation. For Air National Guard (ANG) matters, Army personnel serving as IGs in the ARNG will adhere to the following guidelines:

(1) The State IG staff section may receive and process IGARs from ANG personnel or Family members at the discretion of the State AG.

(2) The ARNG IGs will not normally inspect ANG units.

(3) The ARNG IGs will request technical support for an investigation required from outside the State by contacting the Chief, National Guard Bureau (NGB–IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202–3259.

(4) Any active Army or ARNGUS IGs conducting IG investigations or investigative inquiries on ANG personnel will follow the applicable Air Force or ANG regulations and investigative procedures.

c. Any active Army officers have the authority to inspect and perform other IG functions on those aspects of the NG having a Federal interest.

d. Pursuant to 10 USC 3020 and 32 USC 105, TIG is responsible to the SA and CSA for supervising Federal IG (active Army or ARNGUS on extended active duty in a Title 10 status) activities with regard to the NG. The ACOM, ASCC, DRU, and subordinate commanders assist TIG in executing this responsibility with regard to the activities of Federal IGs assigned to those commands. The Chief, National Guard Bureau also assists TIG in executing this responsibility with regard to Federal IGs assigned to the NGB or the JFHQ of the NG of the States. The Inspector General retains general authority to direct IG inspections of those ARNG areas or activities of Federal interest.

e. The ACOM, ASCC, and DRU commanders; subordinate commanders; and the Chief, National Guard Bureau; may, in accordance with AR 10–87 or other applicable regulations or directives, direct IG inspections of ARNGUS units, activities, and functions whose areas or activities have a Federal interest. The policies contained in this regulation apply to the conduct of those inspections. Inspections by Federal IGs assigned to an ACOM, ASCC, DRU, a subordinate command, the NGB, or a NG JFHQ does not preclude DAIG or another appropriate authority from inspecting the same units, functions, or activities. In appropriate cases, as determined by TIG, responsibility to conduct an inspection of the ARNG by Federal IGs in particular cases will be transferred to DAIG. The Inspector General, acting through the IG, NGB, has the authority to task Federal IGs assigned or detailed to JFHQs to assist in a DAIG investigation of ARNG activities of Federal interest in that State.

f. The JFHQs in each State currently provide opportunities for ANG IGs to work in State IG staff sections. The ANG IGs work at the direction of the State AG or the command IG (normally an Army officer). The command IG will follow these guidelines when selecting a member of the ANG to work in a State IG staff section:

(1) The ANG IGs must successfully complete The U.S. Army Inspector General School in order to work Army IG assistance cases in accordance with this regulation and have access to the Inspector General network (IGNET) and the IGARS database.

(2) During the temporary absence of the command IG, the State AG may designate an ANG IG as the acting command IG if he or she is the senior officer.

(3) The ANG personnel working in a State IG staff section will be considered assistant IGs only, despite their grade, and perform only the functions of an assistant IG. The only exception will be ANG IGs serving as acting command IGs; these ANG IGs will be considered as inspectors general for the duration of their temporary duty as the command IG and may lead Army inspections and investigations in accordance with this regulation (see para 2–2, below).

1–11. Inspectors general and the U.S. Army Installation Management Command

Inspectors general assigned to the senior commander on an installation have a unique relationship with the IMCOM, because these IGs support their commander (their directing authority) and the IMCOM garrison commander. The senior commander's command IG is the overall command IG for the installation and may have an IG staff section augmented with additional IGs to compensate for the added requirement of supporting the installation. These command IGs work solely for the senior commander. However, in situations where the IMCOM commander (or an IMCOM regional director or commander) must be made aware of IG information pertinent to IMCOM activities on the installation, the IG, with the approval of the senior commander, may provide confidential IG information to the IMCOM commander or an IMCOM regional director or commander. This is done through the IMCOM organization's IG. The IGs may contact DAIG's Legal Division for advice on the release of such information. Likewise, other tenant units that lack an organic, geographically co-located IG will receive support from the senior commander's command IG except for those specific areas defined under training readiness authority or that are relevant only to the larger parent command. In these cases, the parent command's IG will provide support and keep the senior commander's IG informed on matters that may affect installation activities.

Section III

Confidentiality and Punitive Prohibitions

1–12. Confidentiality

a. *The inspector general tenet of confidentiality.* All IGs have a duty to protect to the maximum extent possible the personal identity of a complainant, witness, or any other individual providing information to the IG, particularly when the individual specifically requests confidentiality. Persons who ask the IG for help; make a complaint; provide testimony, information, or evidence as part of an IG inspection or investigation; or otherwise interact with an IG often do so because they have an expectation of confidentiality. Their expectation often centers on the safeguarding of the individual's personal identity and the nature of the individual's contact with the IG. Although confidentiality and the measures necessary to protect it will vary from circumstance to circumstance, the IG always treats confidentiality carefully and as a priority. While IGs will never promise confidentiality, IGs will endeavor to maintain confidentiality as a matter of primary importance and a key to the IG system's viability and success.

b. *Confidentiality as a core concept.* Confidentiality and discretion are core concepts for IGs, though IGs do not have a complete legal privilege of confidentiality. Rather, IG confidentiality results from the IG's special relationship with the commander, the deliberative process, protection in both the FOIA and the PA, and as a necessary incident to

the protections of 10 USC 1034. The information that IGs gather such as testimony, the contents of certain conversations with persons seeking IG assistance, or information offered when participating in an IG sensing session represent official, nonpublic government information.

c. Inspectors general and the chain of command. Normally, pre-decisional matters contained in IG records may be protected from release under the FOIA. Facts are typically not considered pre-decisional. Since IGs advise commanders and only offer recommendations, all IG advice on command matters is inherently pre-decisional. As such, confidential communications between an IG and a commander are critical to ensure an open, candid exchange of command information. The IGs not only serve their immediate commanders but also serve as extensions of all commanders in the chain of command and of the Army as an institution. The IGs must remember, however, that they are members of their directing authority's personal staff and may share IG information with that authority. Release of confidential IG information to other staff officers and subordinate commanders must follow the procedures outlined in this regulation. The information IGs gather belongs to the Army; and IGs may provide some of that information without attribution, verbally or in writing as required, to the commanders and staff members who have an official need to know the information and who use it in the performance of their official duties. Therefore, IGs must protect the confidentiality of all information gathered in the performance of IG duties as a matter of the highest priority.

d. Protected communications with inspectors general. The statute 10 USC 1034, as implemented in DODD 7050.06 and this regulation, states that IGs treat the information they receive in official communications as confidential and with the utmost discretion, particularly the names of complainants or witnesses who specifically request the protection of their identities. The law provides redress to persons who suffer reprisal as a result of the intentional or inadvertent release of IG communications to third parties. The protection of 10 USC 1034 is significant because it covers any communication with an IG. The scope of protections afforded in this act signals to IGs that communications with an IG must be treated with greater discretion than other forms of non-public government information or other pre-decisional information.

e. Confidentiality and the inspector general functions. The degree of confidentiality and the specific information kept confidential vary according to each of the three main IG functions of inspections, assistance, and investigations (see fig 1-1).

(1) *Inspections.* Inspectors general will not normally reveal the names of individuals who provide information during the course of an inspection. Inspectors general also do not identify units that collectively provide information as part of an inspection. The primary purpose of an IG inspection is to resolve systemic issues by determining their root causes and not to assign personal or collective blame. While IGs prepare inspection reports, they must ensure that they protect the identity of those individuals and units that provide information during an inspection. An IG must recognize that the commander will not be the only one to view the final report. The report may list the units or agencies visited in an appendix but in no way will connect a finding or any other information to a specific source such as a person or unit. This requirement allows IGs at the lowest level to disseminate the report widely without revealing confidential IG information so that the command may implement the recommendations. When IGs conduct general, compliance-oriented inspections, the report becomes much more restrictive, because the IG findings are directly linked to a specific unit and that unit's commander. Therefore, only the inspected commander and the directing authority can receive copies of the report. Further release of the report requires adherence to the procedures for the release of confidential IG information as outlined in this regulation. Inspector general inspection teams conducting out-briefings of inspected units may reveal an information source at the team leader's discretion if revealing that source promotes best business practices or highlights the proper way to do something. An IG who opts to reveal such information must use extreme discretion when doing so and then must qualify that release by explaining to the unit commander that the commander cannot use the IG information to reward, punish, or evaluate the person or unit.

(2) *Assistance.* When a person seeks assistance from the IG, the IG must often reveal the person's identity to obtain the help needed to resolve the issue. The IG will inform the person of that necessity, and the IG file and case notes will reflect that notification.

(3) *Investigations and investigative inquiries.* When a person provides information about an impropriety or wrongdoing, the IG may disclose the complainant's identity to another IG; the local, supporting legal advisor; and/or the directing authority without the complainant's consent unless the IG determines that such disclosure is unnecessary or prohibited during the course of an investigative inquiry or investigation. The IG must not disclose further the complainant's identity without the complainant's consent unless the IG determines that such disclosure is unavoidable or mandated by a higher authority during the course of an investigative inquiry or investigation. If the IG determines that disclosure is unavoidable, the IG will inform the person prior to disclosure. If the person objects, the IG will consult with the local legal office before proceeding. The IG will include in the record and case notes all efforts to notify the person and the circumstances of disclosing the person's name.

f. Requests for anonymity. When someone requests anonymity, the IG will take more extensive measures to protect the person's identity. The IG will not use the person's name as a file identifier or as a means to retrieve a file. The file must prominently state the request for anonymity, and the IG will minimize using the person's name in any IG file or record. The IG can avoid compromising anonymity by simply referring to the person as complainant, witness, or similar title—but not by name. For allegations of statutory whistleblower reprisal or improper MHE referral, the

complainant must provide his or her identity; IGs will not grant anonymity in these cases (see paras 7–4b and 7–4d, below).

g. *The triangle of confidentiality.* A helpful notion to understand confidentiality is through the model known as the triangle of confidentiality (see fig 1–1, below). The triangle contains three parties—the commander, the complainant (or person providing information to an IG), and the IG—and is an extension of the commander-IG relationship. In general, IGs may share the most sensitive, attributable IG information within the triangle, although the IG is under no obligation to reveal sources if they are not pertinent to the issues or topics under consideration. The third person in the triangle—the complainant or person providing information to the IG—is normally allowed to know only those things that directly affect him or her and no more.



Figure 1–1. Triangle of confidentiality

(1) The IG must distinguish between who stands in the roles of the commander and the complainant. The commander is most often the immediate commander, the IG’s directing authority. However, if a complaint is about the conduct of that commander, an IG will not reveal confidential IG information to that commander regarding the complaint. In such circumstances, IGs will report that information either to a higher level IG; a higher level commander; or, in the case of senior officials, to DAIG’s Investigations Division.

(2) Certain staff members of either the commander or subordinate commanders may enter into the triangle temporarily if, at the discretion of the IG, they need to know confidential IG information to perform their duties. For example, a finance office requires the name and social security number of a Soldier seeking assistance with a pay problem. However, even this necessary release of IG information to the finance office represents a confidentiality challenge. Identifying this Soldier in order to correct the pay problem also reveals the fact that the Soldier sought IG assistance. Therefore, IGs must inform persons seeking IG assistance that the IG might have to release information about the case to certain officials.

(3) The IG may consult with staff experts to determine standards for use in inspections, assistance inquiries, and investigations. In some cases, the extent of these consultations may require the IG to administer the oath to the staff

member as a temporary assistant IG. In other cases, the IG may simply ask for assistance. Inspectors general must exercise discretion in dealing with the other staff members. With the exception of the staff judge advocate (SJA) and the attorneys in the Office of the SJA, or OSJA, staff members generally do not have a need to know IG information. While all staff members must comply with obligations regarding non-public government information and classified information, they are under no special obligation to protect information such as attorneys or IGs as described in this section.

(4) The SJA and the attorneys in the OSJA provide legal advice to the commander, subordinate commanders, and their respective staff members. The SJA and the OSJA's attorneys are also the IG's immediate legal advisors. Inspectors general can reveal confidential IG information to the SJA and the OSJA's attorneys (except for those OSJA attorneys representing individual military and civilian clients) to seek legal advice or to provide more complete advice to the commander. The attorney-client privilege exists between the attorney working on behalf of the Army and the Army as an institution and does not exist with the commander personally, except to the extent that the commander represents the Army. Certain military and government civilian attorneys such as legal assistance attorneys and Trial Defense Service attorneys may legally form attorney-client relationships with individual Soldiers, civilian employees, and authorized dependents. The IGs must exercise discretion when communicating with these attorneys as they may not need to be part of—or enter into—the triangle of confidentiality. The legal assistance attorneys and Trial Defense Service counsel, for example, may represent a military or civilian complainant and seek to communicate with an IG for assistance on matters related to their client's situation. In this situation, these attorneys may provide information that becomes subject to IG confidentiality.

(5) Soldiers and civilians are responsible for maintaining confidentiality beyond the conclusion of the IG detail or tour. Former IGs who fail to safeguard properly sensitive IG data are subject to disciplinary action in accordance with the provisions of this regulation.

1–13. Prohibited activity

a. Prohibition on restricting lawful communication with an inspector general; Member of Congress; or a member of an audit, inspection, 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 an IG, DOD, and the IGs of other Services and Federal agencies. For appropriated fund civilians, the prohibition further includes disclosures to the special counsel or another employee designated by the head of the agency to receive such disclosures (see 5 USC 2302). For nonappropriated fund (NAF) employees, the prohibition includes disclosures to any civilian employee or member of the armed forces designated by law or by the Secretary of Defense to receive such disclosures (see 10 USC 1587).

b. Prohibitions against reprisal.

(1) *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 2302(b)(8) or 10 USC 1587 as applicable.

(2) *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 for making or preparing a (lawful) protected communication. Lawful communications are those communications made to an IG; Member of Congress (MC); member of a DOD audit, inspection, or investigation organization; law enforcement organization; or any other person or organization (including any person or organization in the chain of command starting at the immediate supervisor level) designated under regulations or other established administrative procedures (such as the equal opportunity advisor or safety officer) to receive such communications. (See DODD 7050.06 for the definition of “chain of command” as it applies to military whistleblower reprisal matters.) The term “lawful communication” encompasses information that the Soldier reasonably believes provides evidence of 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. Refer to the current version of DODD 7050.06 for up-to-date guidance on identifying a protected communication.

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

d. Persons subject to the Uniform Code of Military Justice. Persons subject to the UCMJ who violate the above prohibitions are subject to punishment under UCMJ, Art. 92. They are also subject to adverse administrative action authorized by the United States Code or Federal regulations.

e. Persons not subject to the Uniform Code of Military Justice. Any DA civilian employees who violate the above prohibitions are subject to disciplinary action or criminal prosecution authorized by the United States Code or Federal regulations.

f. Reporting prohibited actions. Persons who believe an action prohibited by paragraphs 1–13a through c, above, has occurred will report the circumstances to the chain of command or to the local IG. Alternatively, persons who believe a prohibited action has occurred may report the circumstances to a higher headquarters IG. For guidance to IGs on resolving reprisal cases, see paragraphs 7–4b and c, below.

Chapter 2

Inspector General Personnel

2–1. Inspector general positions

a. Command positions. Command IG positions are designated in approved MTOEs and TDAs. A command IG position is required on each MTOE or TDA in which a general officer serves as the commander; the general officer will in turn serve as the command IG’s directing authority (see the definition of directing authority in the glossary). The HQDA-appointed SES civilians serving as a lead director will have a command IG and IG staff section as well. The first echelon of command in which an IG staff section appears is at the division level, making the division IG staff section the basic building block of IG force structure. Separate brigades commanded by general officers will also have a command IG and IG staff section. The IG standards of grade are in accordance with DA PAM 611–21 for all MTOEs and TDAs.

b. Staff sections. Each command IG will have an accompanying IG staff section based upon approved MTOEs and TDAs. Divisions, corps, and ASCCs have established MTOEs for IG staff sections. Commanders may supplement these MTOE structures with TDA positions as required using DAIG’s manpower determination model. All members of an IG staff section, to include administrative support personnel, will be assigned to MTOE or TDA positions. Commanders will designate IG positions in approved MTOEs and TDAs in coordination with DAIG’s Operations and Support Division (office symbol SAIG–OP) to enable TIG, as the proponent of the IG system, to maintain visibility of IG force structure and to advise commanders on IG force structure issues. Any and all modifications to an IG staff section’s table of organization and equipment (TOE), MTOE, and TDA requires TIG’s approval.

c. Augmentation. When a brigade combat team is deploying, the home-station directing authority may augment the in-theater directing authority’s IG staff section with a qualified IG from the home-station IG staff section. The augmenting IG will work for the command IG in theater and *not* for the brigade combat team or any other brigade commander.

d. Establishing tables of distribution and allowances. Commanders reporting directly to HQDA have the authority to establish IG positions in TDAs (see AR 614–100). Additionally, State AGs have the authority to modify the JFHQ TDA in accordance with the guidelines established by the NGB in National Guard Regulation 10–2 (NGR 10–2). (For further guidance, contact the Chief, National Guard Bureau (NGB–IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202–3259.) All commanders establishing TDAs for IG staff sections may use DAIG’s manpower determination model, available from DAIG’s Operations and Support Division.

e. Personnel reporting requirement. Each command IG will submit on 1 October and 1 April of each fiscal year an MTOE or TDA report, in accordance with appendix B, paragraph B–6d, to TIG through DAIG’s Operations and Support Division.

f. Contractors. Inspector general duty is inherently governmental. Contractors cannot and will not serve as IGs. The only exceptions are for contract personnel performing administrative functions such as systems administration and the transcription of verbatim testimony.

2–2. Inspector general categories

a. Categories of service. The IG system consists of officers, warrant officers (WOs), NCOs, and civilians serving in one of the following five categories:

- (1) Detailed IG.
- (2) Assistant IG.
- (3) Temporary assistant IG.
- (4) Acting IG.
- (5) Administrative support staff members (includes contract personnel performing administrative functions).

b. Title and baseline requirements. TIG establishes the prerequisites for service as an IG. Persons serving as detailed IGs, assistant IGs, temporary assistant IGs, and acting IGs carry the title of “inspector general”. The IG (commissioned officer or DA civilian (DAC)) who serves as the commander’s IG and the chief of an IG staff section carries the title of “command IG”. All persons who fall into these five IG categories must possess or be able to obtain and maintain a secret-level security clearance (see paras B-4a(7) and B-5). Some IG positions may require a top-secret-level clearance. Only TIG may make exceptions to this security clearance requirement as necessary. Likewise, TIG is the sole authority to approve requests for exceptions to policy concerning grade qualifications for all IG categories and to approve requests for detailed IG status. Table 2–1 lists the five IG categories and the actions each category of IG performs.

**Table 2–1
Inspector general categories of service**

Category	Detailed IG	Assistant IG	Temporary assistant IG	Acting IG	Administrative support person
Grade/eligibility	<ul style="list-style-type: none"> - Commissioned officers (captains with successful company command and above) - Commissioned WOs - Civilians in grade of general schedule 12 (GS–12) and above 	<ul style="list-style-type: none"> - Promotable staff sergeants and above - Civilians GS–9 to GS–13 	<ul style="list-style-type: none"> - Commissioned officers - WOs - NCOs - DACs - Selected non-DACs 	<ul style="list-style-type: none"> - Commissioned officers in the rank of captain or above (exceptions approved by TIG) - Civilians in grade of GS–12 and above 	In accordance with MTOE and/or TDA (contractors may serve in this capacity as well)
Approval	<ul style="list-style-type: none"> - TIG approves uniformed IGs - TIG approves DACs 	<ul style="list-style-type: none"> - TIG approves uniformed IGs - Command approves DACs with notice to TIG 	<ul style="list-style-type: none"> - TIG approves for more than 180 days - ACOM, ASCC, or DRU approves for 90 to 180 days - Local command approves for fewer than 90 days 	<ul style="list-style-type: none"> - ACOM, ASCC, or DRU approves for active Army and USAR officers (or senior Army forces commanders in joint or combatant commands) and civilians - State AG approves for ARNGUS - Exceptions by TIG 	Local command approves
Training	The U.S. Army Inspector General School	The U.S. Army Inspector General School	<ul style="list-style-type: none"> - Command IG - The U.S. Army Inspector General School if duty exceeds 180 days 	<ul style="list-style-type: none"> - Command IG - The U.S. Army Inspector General School on a space-available basis 	<ul style="list-style-type: none"> - Command IG - The U.S. Army Inspector General School on a space-available basis
Take IG oath	Yes	Yes	Yes	Yes	Yes (except for contract personnel)
Inspections	Lead	Lead	Assist	No	No (unless approved and graduated from The U.S. Army Inspector General School)
Assistance	Lead	Lead	Assist	Assistance only and under the supervision of a command IG	No (unless approved and graduated from The U.S. Army Inspector General School)
Investigations or investigative inquiries	Lead	Assist	Assist	No	No (unless approved and graduated from The U.S. Army Inspector General School)
Teaching and training	Lead	Lead	Assist	Assist	No
Administer oaths	Yes	Yes (but administers the IG oath only to temporary assistant and acting IGs)	No	No	No (unless approved and graduated from The U.S. Army Inspector General School)

Table 2-1
Inspector general categories of service—Continued

Category	Detailed IG	Assistant IG	Temporary assistant IG	Acting IG	Administrative support person
Tour length	- Officers and commissioned WOs: 3 years and/or in accordance with Army assignment policies and Army leadership priorities (4th-year extensions approved by commander and assignment manager, and 5th-year extensions approved by assignment manager and TIG) - DACs: indefinitely	- WOs and NCOs: 3 years and/or in accordance with Army assignment policies and Army leadership priorities (4th-year extension approved by commander and assignment manager, and 5th-year extensions approved by assignment manager and TIG) - DACs: indefinitely	- Officers, WOs, and NCOs, in accordance with AR 614-100, AR 614-200, and AR 140-10 - DACs, in accordance with the civilian personnel advisory center (CPAC)	Specified by the command	Specified by the command
Wear IG insignia	- Officers only - DACs may wear IG lapel pins if available	- WOs and NCOs only - DACs may wear IG lapel pins if available	Officers, WOs, and NCOs only if duty exceeds 180 days	No	No
Education goals	- Officers: Captains Career Course (captains and above); MEL 4 (major and above except for ARNG and USAR); undergraduate degree (required); master's degree is desirable - WOs: undergraduate degree; senior WO training course - Education requirements for those civilians designated as detailed IGs are the same as those requirements listed in the assistant IG column	- NCOs: high school or GED (required); senior leader course (formerly ANCOC); undergraduate degree is desirable - Civilians: undergraduate degree (associate's degree for civilians in the grade range of GS-9 and GS-11 is desirable); master's degree for GS-15s is desirable; CES Basic Course, Intermediate Course, and Advanced Course or their military equivalents (civilians in the grade range of GS-12 through GS-15 only) is desirable (Advanced Course not required for GS-11s and below); Continuing education for senior leaders is desirable for GS-15s	The requirements for detailed and assistant IGs apply for temporary assistant IGs whose duty exceeds 180 days	None	CES Foundation Course is desirable

c. Detailed inspectors general. Detailed IGs are the primary category of IGs and may lead and do all of the four IG functions and administer oaths. Detailed IGs are commissioned officers and commissioned warrant officers detailed to serve as IGs. These commissioned officers must qualify for the detail under AR 614-100. In addition, DA civilians in the grade of GS-12 and above may serve as detailed IGs. Commands may hire these civilians (pending TIG approval) directly into detailed IG positions; the position descriptions must outline the duties and capabilities of a detailed IG and be titled as *detailed inspector general* (see para B-4).

(1) Only detailed IGs may serve as command IGs.

(2) All State command IGs must be active Army commissioned officers in the grade of colonel or lieutenant colonel (commissioned warrant officers or DA civilians are not eligible for this duty position).

(3) Only detailed IGs may administer the IG oath to other detailed or assistant IGs.

(4) When a command or State IG is about to complete or curtail an IG detail and another detailed IG is not readily available to assume or act in the position of command or State IG, the next higher level IG in the vertical chain will ensure that a detailed IG is available to provide technical assistance to the subordinate-level IG staff section until a detailed IG is assigned.

(5) Only U.S. personnel may serve as detailed IGs.

d. Assistant inspectors general. Assistant IGs may lead the IG functions of inspections, assistance, and teaching and training; assist detailed IGs in conducting investigations and investigative inquiries; and administer oaths (but not the IG oath to detailed IGs and other assistant IGs). Assistant IGs are NCOs in the grade of promotable staff sergeant and above and DA civilians in the grade of GS-9 and above. Commands may hire these civilians directly into assistant IG positions; the position descriptions must outline the duties and capabilities of an assistant IG and be titled as *assistant inspector general*. Noncommissioned officers must qualify for the assignment in accordance with AR 614-200. Military technicians may serve as assistant IGs in accordance with AR 614-200 if their dual status is only for IG duty (see app B).

(1) Assistant IGs may lead inspections only with the command IG's approval and oversight.

(2) Assistant IGs will assist detailed IGs in the conduct of investigations or investigative inquiries by assisting in gathering testimony either by pairing with the detailed IG or with another assistant IG. Assistant IGs may also gather testimony without the direct presence of a detailed IG or another assistant IG.

e. Temporary assistant inspectors general. Temporary assistant IGs are commissioned officers, chief warrant officers, enlisted Soldiers, DA civilian employees, and selected non-DA civilians who are subject-matter experts temporarily detailed to augment an IG inspection or investigation team for a specified period of time. Commanders with authority over the required individuals may task them to serve as temporary assistant IGs. However, the commander must request through normal command or tasking channels those individuals required as temporary assistant IGs but who are from outside the command. Additional guidance is available in AR 614-100 for commissioned and warrant officers, AR 614-200 for enlisted Soldiers, and AR 140-10 for USAR personnel.

(1) Individuals detailed as temporary assistant IGs must possess the required specialty training, expertise, and field experience.

(2) Temporary assistant IGs will work under the direct supervision of a detailed IG; will not lead an inspection, investigative inquiry, or investigation; and will not process IGARs. Temporary assistant IGs may assist a detailed or assistant IG with IGARs only if their special expertise is required.

(3) The term of service for a temporary assistant IG depends on the duration of the inspection or investigation in which the individual has been assigned to support, or is at the discretion of the commander involved. The Inspector General must approve Soldiers and civilians assigned as temporary assistant IGs who perform IG duties for more than 180 days. The ACOM, ASCC, and DRU commanders will approve Soldiers and civilians assigned as temporary assistant IGs to perform IG duties in excess of 90 (but fewer than 180) days. The ACOM, ASCC, and DRU commanders may delegate this authority to the first general officer in the chain of command. The local commander authorized a command IG will approve temporary assistant IGs assigned for 90 days or less.

(4) Command IGs will ensure that persons selected to serve as temporary assistant IGs receive appropriate training before assisting with IG functions. At a minimum, they must receive training on the basic IG concept and system, the IG tenet of confidentiality, and the restrictions and limitations placed upon the use of IG records. Temporary assistant IGs who are expected to serve longer than 180 days must be locally nominated for IG duty, in accordance with appendix B, and will attend The U.S. Army Inspector General School as soon as possible. Exceptions require TIG approval.

(5) Temporary assistant IGs will not administer oaths.

(6) Command IGs may designate as temporary assistant IGs those personnel assigned to IG offices who are candidates for nomination to IG duty or are approved for duty and waiting to attend The U.S. Army Inspector General School.

f. Acting inspectors general. Acting IGs are commissioned officers in the grade of captain or above or civilians in the grade of GS-12 and above appointed to this additional—but temporary—duty by an ACOM, ASCC, or DRU commander or the senior Army Forces commander when serving under a joint or combatant command. An acting IG assists a detailed IG (usually a command 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 Inspector General may approve exceptions (submitted through DAIG's Operations and Support Division) in cases where a commissioned officer in the rank of captain or civilian in the appropriate grade is not available to serve as an acting IG.

(1) Detailed IGs may forgo the need to recommend an acting IG by conducting periodic IG assistance visits, publishing toll-free numbers, using fax transmittals, receiving IGARs in conjunction with inspections, and crafting memorandums of agreement with other IGs.

(2) Acting IGs will only provide assistance by receiving IGARs and referring them to the supervising detailed IG. The acting IG may resolve IGARs that are simple in nature as defined by the supervising detailed IG.

(3) Acting IGs will not have access to the IGARS database or maintain IG case files except for those records

necessary to close a case or complete another IG action on the supervising detailed IG's behalf. After closing a case or completing another IG action, the acting IG will forward all IG records to the supervising detailed IG.

- (4) Acting IGs will not lead or assist with inspections, investigative inquiries, or investigations.
- (5) Acting IGs may assist detailed and assistant IGs with teaching and training.
- (6) Acting IGs will not administer oaths.
- (7) Supervising detailed IGs (normally a command IG) will supervise; provide technical advice and guidance; and train acting IGs on their duties and responsibilities, to include all necessary doctrinal procedures.
- (8) Commissioned officers in the chain of command, or those who routinely assume duties in the chain of command, will not be designated as acting IGs. For example, a battalion executive officer will not be assigned as an acting IG. If the executive officer assumed temporary command of the battalion, the officer's effectiveness as an acting IG would be compromised. The Inspector General will approve all exceptions, which must be submitted through DAIG's Operations and Support Division.
- (9) Acting IGs will not be assigned to conduct non-IG investigations such as AR 15-6 investigations, commander's inquiries, financial liability investigations of property loss, line of duty investigations, and UCMJ, Art. 32 investigations (see para 2-7, below). Although these duties may not conflict directly 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.
- (10) When an acting IG is approved, the command or State will announce the designation of the acting IG by memorandum with a courtesy copy provided to TIG. The command or State IG will also send a memorandum to the acting IG specifying the extent of the acting IG's authority to receive and act upon requests for assistance and will identify the detailed IG charged with supervising the acting IG's activities.

g. Administrative support staff members. Administrative support staff members are Soldiers and civilian employees who serve in administrative support positions (such as administrative assistants, secretaries, drivers, computer operators, clerks, typists, and so forth) in an IG staff section. Although they are not assistant IGs, they will take the IG oath (see para 2-6, below) because they are part of the IG system and will have access to IG records and the IGARS database. Administrative support staff members will not perform any of the IG functions but are obligated to protect confidentiality in accordance with paragraph 1-12, above.

(1) Administrative support staff members are not required to attend The U.S. Army Inspector General School but may do so on a space-available basis.

(2) The command IG, after consulting with and receiving permission from TIG through DAIG's Operations and Support Division, may designate school-trained administrative support staff members to serve temporarily as assistant IGs on an emergency basis for specified periods of time. These designated administrative support staff members may perform all the duties of an assistant IG (see para 2-2d, above).

(3) Contract personnel serving in IG staff sections as administrative support staff members will normally perform support functions such as transcribing testimony. These contract personnel will not take the IG oath, but any contract providing support to an IG staff section will include provisions requiring contractor personnel to maintain the confidentiality of IG records and information.

2-3. Wear of inspector general insignia

a. Detailed inspectors general. Detailed IGs who are commissioned officers or commissioned warrant officers will wear the IG insignia following the successful completion of The U.S. Army Inspector General School (see AR 670-1). These commissioned officers and commissioned warrant officers will not wear the IG insignia in official photographs. Civilian detailed IGs may wear lapel versions of the IG insignia if available.

b. Assistant inspectors general. Noncommissioned officers serving as assistant IGs will wear the enlisted version of the IG insignia following successful completion of The U.S. Army Inspector General School (see AR 670-1). These NCOs will not wear the IG insignia in official photographs. Civilian assistant IGs may wear lapel versions of the IG insignia if available.

c. Temporary assistant inspectors general. Commissioned officers and warrant officers and NCOs assigned as temporary assistant IGs will wear the IG insignia when the duration of their IG service exceeds 180 days. Civilian temporary assistant IGs may wear lapel versions of the IG insignia if their IG duty exceeds 180 days.

d. Acting inspectors general. Acting IGs will not wear IG insignia.

e. Administrative support staff members. Administrative support staff members who are NCOs or enlisted Soldiers will not wear the IG insignia. Civilians or contractors serving as administrative support staff members will not wear lapel versions of the IG insignia or any other insignia that might identify them as IGs.

2-4. Inspector general certification

a. Certification steps for military inspectors general. All officers, warrant officers, and NCOs assigned to IG duty must follow a three-step IG certification process as follows: nomination (see app B); selection, which is approval of the nomination; and training, which is the successful completion of The U.S. Army Inspector General School (see chap 4). The Inspector General certifies all uniformed Army IGs to perform IG duties after they complete the three-step process,

but certification is not complete until the gaining commander (or command IG) administers the IG oath to the newly assigned IG. Upon successful completion of The U.S. Army Inspector General School, officers will be awarded an additional skill identifier (ASI) of 5N, and NCOs will be awarded special qualification identifier (SQI) "B."

b. Certification steps for Army civilian inspectors general. All DA civilians hired as detailed or assistant IGs must follow a two-step IG certification process as follows:

(1) Selection and hiring by the local command IG and training. Selection and hiring standards for civilian IGs appear in appendix B.

(2) Like military IGs, certification is not complete until the gaining commander (or command IG) administers the IG oath to the newly hired IG.

c. Nominations and requisitions. The Inspector General approves the nominations of all officers, warrant officers, and NCOs to serve as detailed and assistant IGs within the Army IG system. The U.S. Army Human Resources Command (USAHRC) makes nominations for active Army assignments as detailed IGs, assistant IGs, and temporary assistant IGs serving more than 180 days either as a result of the requisition process or of the identification of a local nominee by the commander or command IG. The Inspector General will not consider multiple nominations for one duty position. Specific nomination and requisition procedures appear in appendix B.

2-5. Length of inspector general assignments

a. Tour length. Detail for officers, WOs, and NCOs serving in an IG duty position is in accordance with current Army assignment policies and Army leadership priorities. Soldiers are nominated to fill IG positions using the procedures in appendix B.

(1) Inspector general duty is career-enhancing and provides a unique opportunity for officers and NCOs to gain a broad perspective and understanding of the Army not usually available in any other assignment. Selection for IG duty represents an investment in these Soldiers that will continue to benefit the Army long after their IG tour of duty is complete.

(2) Inspector general duty is based on Soldiers having contemporary and extensive Army experience. As such, the best candidates will have served in diverse assignments and possess subject-matter expertise in how the Army runs. Their experience shall include a thorough understanding and practice in Army culture; Army doctrine; and current tactics, techniques, and procedures. They must have impeccable professional and ethical reputations and an Army record that reflects outstanding performance and demonstrated potential for future promotion and service. Likewise, they must be excellent communicators. These essential attributes establish credibility for the IG in the eyes of the Soldiers, Family members, and civilians seeking IG assistance as well as senior leaders who rely on IGs for advice and counsel.

(3) Inspector general assignments will normally not exceed a traditional assignment period of 36 months (or a tour elected in accordance with AR 614-30). This time limitation ensures that IG experience does not become dated, keeps officers and NCOs competitive in their basic branches, and further benefits the Army by returning Soldiers with IG skills and experience to the Army at large.

(4) Commanders who are directing authorities are encouraged to nominate as IGs those Soldiers from within the command who are leaving command or senior NCO positions, who meet the attributes outlined in paragraph 2-5a(2), and who have the complete confidence of the commander. Commanders who are directing authorities must first gain the concurrence of the respective HRC, USARC, or NGB assignment managers before these commands nominate a Soldier for TIG approval for IG duty.

(5) A specified length of assignment for detailed DACs and assistant IGs (to include military technicians) does not exist. DAC assignments are indefinite; however, the command (or State) IG determines the length of assignment for civilians in accordance with applicable civilian employment policies.

b. Curtailment or removal from inspector general duty. Inspectors general may be curtailed or released from IG duty for several reasons as outlined below.

(1) TIG may remove any Soldier or DAC from service as an IG for violations of law or regulation or the professional Army ethic, which represents a combination of the Army Values; the Warrior Ethos; the Civilian Corps Creed; and for IGs, the IG oath (see AR 600-100 and AR 600-20).

(2) Commanders who are directing authorities may relieve military IGs for cause or loss of medical qualifications without TIG approval when appropriate in accordance with AR 600-20. DAC IGs may lose their IG status based on misconduct verified by an investigative action. Commanders who are directing authorities must notify TIG through DAIG's Operations and Support Division (and NGB or USARC as applicable) of any relief action immediately.

(3) TIG may decertify any IG relieved for cause or removed for misconduct or loss of medical qualifications and may permanently rescind the individual's access to the IGSNET and IGARS. The command will reassign decertified Soldiers to a non-IG position within the organization. Civilian IGs will likewise be reassigned to another position in the command or terminated in accordance with the DOD Civilian Personnel Management System. The same procedure applies to long-serving IGs who fail to recertify at The U.S. Army Inspector General School every 4 years (see para 4-2b(5)).

(4) Assignment managers may reassign Soldiers to move anytime within the 36-month assignment period based on

the needs of the Army and Army leadership priorities. In all instances, officers, WOs, and NCOs approved by TIG for IG duty will not be reassigned or removed until TIG is notified by assignment managers via DAIG's Operations and Support Division and a viable replacement is nominated and subsequently approved by TIG.

(5) In an effort to protect the integrity of the IG system and to ensure proper IG support, commanders who are directing authorities who consider curtailing a Soldier's IG detail must coordinate through the respective HRC, USARC, or NGB assignment managers to obtain TIG approval prior to curtailment. TIG will normally approve a commander's request for curtailment 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 curtailment or removal of an IG without prejudice. The commander or the Soldier will initiate a request for curtailment and removal without prejudice on DA Form 4187 (Personnel Action) or in memorandum format with a justification and an anticipated release date. The immediate supervisor and the commander who is the directing authority must endorse curtailment requests, and these requests will be processed through normal personnel channels through the Soldier's assignment manager (at USAHRC, USARC, or NGB). The assignment manager will forward requests to DAIG's Operations and Support Division for TIG approval. Replacements for all approved curtailments will be processed through normal personnel channels.

(6) All ARNGUS requests for IG duty curtailments for both active Army and ARNGUS Soldiers will be forwarded through the IG, NGB, prior to being sent to TIG for approval.

(7) All requests for duty curtailments for USAR Soldiers will be forwarded through the IG, USARC, prior to being sent to TIG for approval.

c. Extensions of inspector general duty. Many officers, WOs, and NCOs request 4th-year and 5th-year extensions to IG duty. The approval process for these extensions varies by component as follows:

(1) For regular Army Soldiers, the Soldier's commander and assignment manager are the approval authorities for extending a detailed or assistant IG from a third to a fourth year. Extensions beyond 4 years first require the assignment manager's concurrence and then TIG's approval. The immediate supervisor must endorse extension requests for subsequent processing through normal personnel channels to the Soldier's assignment manager. The assignment manager will provide copies of all approved extensions to DAIG's Operations and Support Division. If the assignment manager disapproves the extension request, he or she will send a copy of the disapproval to DAIG's Operations and Support Division. If the assignment manager approves an extension request for an IG detail beyond 4 years, he or she must forward that request to DAIG's Operations and Support Division with the MTOE or TDA line and paragraph number for coordination and final approval by TIG.

(2) For USAR Soldiers, the IG, USARC is the approval authority for all 4th-year extensions. The immediate supervisor of all USAR IGs must endorse the extension request and forward it to IG, USARC. Active guard reserve IGs must submit the extension request to the Soldier's career manager at USAHRC. The career manager must approve the 4th-year extension request and forward the recommendation to IG, USARC, for approval. The IG, USARC will forward all extension requests for IG duty beyond 4 years that USARC supports to DAIG's Operations and Support Division for coordination and final TIG approval. The IG, USARC will notify TIG via DAIG's Operations and Support Division that a USAR Soldier has been extended for a fourth year. The notification will include a valid MTOE or TDA line and paragraph number. TIG must approve all 5th-year extension requests.

(3) For ARNGUS Soldiers, the State AG may approve all 4th-year extensions. If the assignment manager approves an extension request for an IG detail beyond 4 years, he or she must forward that request through the IG, NGB, to DAIG's Operations and Support Division for coordination and final approval by TIG. The IG, NGB will notify TIG via DAIG's Operations and Support Division that a National Guard Soldier has been extended for a fourth year. The notification will include a valid MTOE or TDA line and paragraph number. TIG must approve all 5th-year extension requests.

d. Consecutive or repetitive inspector general tours. The Inspector General must approve all nominations for consecutive or repetitive IG tours. Officers, warrant officers, and NCOs will normally not serve consecutive or repetitive tours as an IG. Forward all requests to DAIG's Operations and Support Division for coordination and final approval by TIG.

2-6. Inspector general oath

a. Significance of the oath. Officers, warrant officers, NCOs, and DA civilians serving as IGs and administrative support staff members will take the IG oath. The oath exists in three variations: detailed or assistant IG, temporary assistant IG, and acting IG. The core language is the same for each oath; the only difference is the nature of the individual's IG duty that prefaces the core language. The oath reminds all IG personnel—regardless of category—of the special trust and confidence inherent in their positions.

b. Administering the oath. The commander as the directing authority should administer the oath to the command IG (at a minimum) and every IG serving in the IG staff section, preferably in a public forum where a significant portion of the command may witness it. If the commander is unable to administer the oath to all IGs in the staff section, the command IG will administer it instead. Detailed IGs may administer the IG oath to any category of IG, but assistant

IGs may only administer the IG oath to temporary assistant IGs and acting IGs. Temporary assistant IGs and acting IGs will not administer the IG oath. Contractor personnel working in an IG staff section will not take the IG oath.

c. Re-administering the oath. When a commander departs the command, the command IG may choose to execute another IG oath with the incoming commander as a way to express to that new commander the special relationship shared by both individuals. However, a new oath is not required. Inspectors general serving in the command's IG staff section may execute a new IG oath with the incoming commander at that commander's discretion. If an IG moves to an IG staff section in another command, the IG will execute a new oath with his or her new commander. All individuals with prior IG experience who are nominated for a second, nonconsecutive IG detail must execute the IG oath upon arriving at his or her new command.

d. The oath certificate. Inspectors general of all categories who graduate from The U.S. Army Inspector General School will receive an IG oath certificate as part of their graduation packets. Command IGs may request the oath certificate from The U.S. Army Inspector General School for individuals who do not attend the school, such as temporary assistant IGs or acting IGs. Since TIG and the Secretary of the Army sign each certificate, command IGs must request DA Form 5097 (The Inspector General Oath) (fig 2-1, below), DA Form 5097-1 (Inspector General Oath (Non-IG) (fig 2-2, below), and/or DA Form 5097-2 (Inspector General Oath (Acting-IG) (fig 2-3, below) from The U.S. Army Inspector General School. Command IGs who must administer the oath to temporary assistant IGs, acting IGs, and administrative support staff members may do so using a memorandum for record until the requested form arrives from the school. All IG oath certificates, including replacement certificates for IGs of all categories who are re-administered the oath, are only available from The U.S. Army Inspector General School (SAIG-TR), 5500 21st Street, Suite 2305, Fort Belvoir, VA 22060-5935.




Department of the Army

I, [NAME OF RECIPIENT] ,

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.

[SIGNATURE OF RECIPIENT]

Inspector General

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

Date : [DATE]

[SIGNATURE OF DIRECTING AUTHORITY]

[SIGNATURE OF THE INSPECTOR GENERAL]

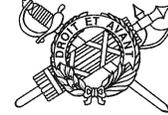
The Inspector General

[SIGNATURE OF THE SECRETARY OF THE ARMY]

Secretary of the Army

DA FORM 5097, NOV 1989

Figure 2-1. Sample DA Form 5097, The Inspector General Oath



Department of the Army

I, [NAME OF RECIPIENT],

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.

[SIGNATURE OF RECIPIENT]

Date : [DATE]

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

[SIGNATURE OF DIRECTING AUTHORITY]

[SIGNATURE OF THE INSPECTOR GENERAL]
The Inspector General

[SIGNATURE OF THE SECRETARY OF THE ARMY]
Secretary of the Army

DA FORM 5097-1, NOV 1989

Figure 2-2. Sample DA Form 5097-1, Inspector General Oath (Non-IG)



Department of the Army

I, [NAME OF RECIPIENT],

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.

[SIGNATURE OF RECIPIENT]

Acting Inspector General

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

Date : [DATE]

[SIGNATURE OF DIRECTING AUTHORITY]

[SIGNATURE OF THE INSPECTOR GENERAL]

The Inspector General

[SIGNATURE OF THE SECRETARY OF THE ARMY]

Secretary of the Army

DA FORM 5097-2, NOV 1989

Figure 2-3. Sample DA Form 5097-2, Inspector General Oath (Acting-IG)

2-7. Inspector general duty restrictions

a. Intent. Officers, warrant officers, NCOs, and DA civilians serving as IGs must not perform duties that might interfere with their status as fair, impartial fact-finders and confidants within the command. Inspectors general are never off the record, IGs do not establish command policy, and IGs do not recommend adverse personnel action. The restrictions set forth in this paragraph are intended to preclude conflicts of interest, prevent the prejudice of impartiality, and protect the integrity of the IG system but not to exclude IGs from performing management functions normal for staff sections such as budgeting and contributing to goal-setting for the command. Keeping the intent of IG duty restrictions in mind, IGs will not—

(1) Be assigned to any evaluation or assistance functions not led by an IG such as command maintenance and evaluation teams, aviation resource management survey teams, command and staff inspection teams, or other similar teams.

(2) Be appointed as investigating officers under Articles 32 and 138: Uniform Code of Military Justice, the AR 15-6, or any other regulation providing for the appointment of investigating officers or members of administrative separation boards. However, IGs will serve as members of a court-martial panel if directed to do so by the general or special courts-martial convening authority. In addition, TIG, DTIG, the Principal Director to the Inspector General for Inspections, or the DAIG executive officer may appoint IGs within DAIG as investigating officers on matters within DAIG in accordance with AR 15-6, or for financial liability investigations of property loss in accordance with AR 735-5. In this case, the officer follows the procedures prescribed in the applicable regulation to perform the investigation or financial liability investigation of property loss and not IG procedures as outlined in this regulation.

(3) Be assigned duties that may subsequently disqualify them from making or assisting in impartial inquiries or investigations within their sphere of activity. Examples include staff duty officer or NCO; line of duty investigator;

casualty assistance officer or NCO; member of an interior guard force; member of a contracting awards board; member of a civilian awards board; member of a local awards board, promotion board, or command board; member of a pay-pool panel (unless IGs are the sole members of the pay pool panel and only IGs comprise the pay-pool population); internal control coordinator; member of a funeral detail; or member of any committee or function which may present a conflict of interest with IG duties and responsibilities unless that committee or function is directly related to IG matters.

b. Roles and restrictions in the Organizational Inspection Program. Due to the IG's role as OIP advisor to the commander, commanders may designate IGs to serve as the command's OIP coordinator. These IGs may assist in the organization, coordination, and training of inspectors for the commander's command inspection program but are restricted from leading or physically inspecting as part of the command inspection effort (see AR 1–201). For specific guidance regarding the IG's role and restrictions in command and staff inspections within the OIP, see paragraph 5–1g, below.

c. Restrictions for temporary assistant inspectors general. Temporary assistant IGs will not perform other duties while supporting an IG inspection or investigation until released by the command IG or the directing authority. Temporary assistant IGs will not provide IG information to their parent commands and will refer any and all inquiries to the command IG.

d. Exceptions for non-inspector general duty. Commanders must gain TIG approval to use their IGs for non-IG duties due to operational requirements, taskings, and other demands—even if the tasking or requirement is only for 1 day in duration. Examples of non-IG duties are— charge of quarters NCO, special project officer, transition team leader, strategic initiatives officer, event coordinator, and officer in charge. Inspectors general will advise their commanders that TIG reserves the right to approve or disapprove all such requests. Send all requests to TIG in memorandum format via DAIG's Operations and Support Division.

Chapter 3

Inspector General Records

3–1. Nature of inspector general records

a. All IG records, including USAR, ARNG, and ARNGUS IG records, are the property of the SA. Inspectors general maintain these records on behalf of the SA. The SA's designated authority for all IG records is TIG. The Inspector General, DTIG, the Principal Director to the Inspector General for Inspections, and their designated representatives (DAIG's legal advisor and deputy legal advisor) have the authority to release IG records.

b. The IG records are protected documents that contain sensitive and confidential information and advice. Unauthorized use or release of IG records can undermine the public's trust in the IG system and hamper an IG's effectiveness as a trusted advisor to a commander or State AG (see para 1–12, above).

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

d. Non-IG records are documents contained within an IG file 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, investigative inquiries, and investigations, release of these records remains under the jurisdiction of the originating organization. Inspectors general will refer requests for non-IG records to the appropriate custodian for release determination and direct response to the requester.

3–2. Protection of inspector general records

a. Inspectors general will mark all unclassified IG records “for official use only (FOUO)” and “Dissemination is prohibited except as authorized by AR 20–1.” The markings will appear on all IG reports starting on the bottom of the front cover, on every page that contains IG sensitive information, and on the outside of the back cover in accordance with 32 CFR part 518. Non-IG records do not require this marking.

b. An IG will mark classified IG records and removable media storage devices in accordance with AR 380–5, AR 25–55, and all other applicable security classification guides. Inspectors general will also mark these records as follows: “When declassified, document becomes for official use only. Dissemination is prohibited except as authorized by AR 20–1.”

c. An IG will mark removable media storage devices containing IG data with the appropriate DA label (see AR 25–55 and AR 380–5) and with the “FOUO” and “Dissemination is prohibited except as authorized by AR 20–1” markings as well.

d. 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, IGs will protectively mark file copies of such correspondence if that correspondence leaves IG channels.

e. Internal management documents designed to circulate within an IG office and that govern routine matters do not require protective markings; however, they are still protected as FOUO material. Any IG sending an email message containing IG information will ensure that the following footer is included in the message: INSPECTOR GENERAL SENSITIVE INFORMATION The information contained in this email and any accompanying attachments may contain Inspector General sensitive information, which is protected from mandatory disclosure under 5 USC 552. Matters within IG records are often pre-decisional in nature and do not represent final approved DA policy. Dissemination is prohibited except as authorized under AR 20–1. Do not release outside of DA channels without prior authorization from The Inspector General. If you are not the intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information is prohibited. If you received this email in error, please notify us immediately by return email or by calling (ADD PHONE NUMBER).

f. The disposition and destruction of IG records will be in accordance with AR 25–400–2 and with additional guidance furnished by DAIG’s Information Resource Management Division (SAIG–IR). Refer to the Army Records Information Management System record retention schedule at <https://www.arims.army.mil> for further information. In addition, the destruction of IG records must conform to AR 25–55, chapter 4, and AR 380–5 as appropriate.

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

a. Inspector general records will not be used as the basis for adverse action (see glossary) against any individual unless specifically authorized by the SA, the Under Secretary of the Army, the CSA, the VCSA, or TIG. Requests must be submitted to TIG via DAIG’s Records Release Office (SAIG–ZXR) by mail to The U.S. Army Inspector General Agency (SAIG–ZXR), 1700 Army Pentagon, Room 1E132, Washington, DC 20310–1700, or e-mailed to: office.saig-zxlignet@conus.army.mil. Any request to use the results of an IG investigation for adverse action must state why the command did not initiate a command investigation into the alleged misconduct and why a follow-on command investigation would be unduly burdensome, disruptive, or futile. Command investigations preclude the necessity of using IG records for adverse action and thereby safeguard the integrity of the IG system. An exception to this rule is the use of DODIG-approved reports of investigation or investigative inquiry containing substantiated nonsenior official allegations of violations of 10 USC 1034 (reprisal) as a basis for adverse action (see para 7–4b(3)(d)).

b. Commanders and supervisors seeking to use IG records as the basis for adverse action should request only the minimum amount of evidence necessary. The request should describe precisely which portions of the IG records are necessary to support the adverse action and why. Assistance in determining whether an action is deemed adverse may be obtained from the servicing legal office. The IG will encourage consultation between the commander or supervisor concerned and the servicing legal office regarding the need for IG records for adverse action and the availability of other evidence. IG opinions, conclusions, and recommendations are not evidence and will not be used as a basis for adverse action.

c. Commanders and supervisors will not initiate flagging actions for individuals under IG investigation, because such an action could be construed as adverse in nature. Commanders or supervisors seeking approval for the use of IG records for adverse action may flag the individual in accordance with AR 600–8–2 upon TIG, DTIG, or Principal Director to the Inspector General for Inspections approval to use IG records to support the adverse action. This provision does not preclude USAHRC or another similar DA-level agency from initiating a DA-level flag on individuals identified, as the result of a DAIG record screen, as having a substantiated finding from an IG investigation or investigative inquiry or pending IG investigation in order to stop a promotion or assignment until the IG investigation is concluded.

3–4. Requests for inspector general records

a. Requests for IG records can be for official use or be a request under the FOIA. Requests for IG records must be in writing and submitted for action to The U.S. Army Inspector General Agency (SAIG–ZXR), 1700 Army Pentagon, Room 1E132, Washington, DC 20310–1700, or emailed to office.saig-zxlignet@conus.army.mil.

b. Requests for an “Official Use” release must be in writing and reasonably identify the IG records sought (that is, the name of the complainant or subject, date of the 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. Persons and agencies may ask to obtain IG records for official use by providing their local detailed IG, or the IG office of record, a written request that clearly states the reason they need the IG records. The IG will retain written notations concerning the release and its justification with the record-file copy of the case.

c. Procedures for requesting records under the FOIA for nonofficial use are as follows:

(1) DAIG’s Records Release Office is the only component of DAIG designated to receive and process FOIA requests. IG field offices and DAIG divisions should direct FOIA requestors to submit their requests directly to DAIG’s Records Release Office.

(2) Requests must be submitted in writing or via email and reasonably identify the IG records sought. When possible, IGs will assist requesters in identifying the specific information they are seeking, thereby limiting the volume of records copied and processed for release.

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

(4) An IG who receives a FOIA request will forward the scanned original request and responsive record to DAIG’s

Records Release Office via encrypted e-mail (office.saig-zxl.ignet@conus.army.mil) or fax within 2 working days. Records sent by mail, commercial courier, or a similar method will use the 3-day delivery option.

(a) All records forwarded must be legible, single-sided, and properly aligned.

(b) The IG office of origin will prepare a forwarding memorandum containing the date the office received the request, any specific local concerns or recommendations, a list of witnesses who did not consent to release of their testimony, and the source of each non-IG work-product document forwarded by the IG office of origin. Telephone coordination with DAIG's Records Release Office is encouraged, especially before copying and forwarding voluminous exhibits to a requested record.

(c) Inspectors general will enter the FOIA request in IGARS in the case notes of the existing case or as a 1-minute IGAR.

3–5. Release authority for inspector general records

a. The Inspector General, DTIG, the Principal Director to the Inspector General for Inspections, or their designated representatives (DAIG's legal advisor and deputy legal advisor) may approve the release of IG records outside IG channels. Normally, release of IG records will only be made after case closure.

b. Inspectors general may release information from IG records to respond to requests for assistance, advice, or information; answer complaints; and prepare closure letters. An IG should seek consent before releasing personal information to resolve a case and record this consent in the IGAR case notes. Inspectors general will consult DAIG's Records Release Office or the command legal advisor when they are uncertain whether the use of personal information will cause either an unwarranted invasion of privacy or a breach of IG confidentiality.

c. The chief of DAIG's Assistance Division may release complaints and attachments to the Army staff and Secretariat for command investigations or inquiries. The new warning statement placed by DOD IG on all new DOD Hotline cases states that it is a Department of Defense IG document and may contain information that could identify an IG source. The identity of an IG source must be protected, and access to the documents is limited to persons with the need to know for the purpose of providing a response to the DOD IG. The documents cannot be released, reproduced, or disseminated (in whole or in part) outside of the DOD without the prior written approval of the DOD IG or authorized designee. Subjects, witnesses, or others cannot receive, review, or make copies of this document.

d. Command IGs may release IG records FOUO as follows:

(1) *Release of a report of investigation or report of investigative inquiry to the directing authority for informational purposes only and not for adverse action.* Directing authorities may have an official need for an ROI or ROII. Such official uses may include verbal counseling of a substantiated subject or suspect, or background information to justify initiating a follow-on command investigation. Inspectors general will advise directing authorities on the confidentiality of IG information, the protection of IG records, and the restrictions on release to others. The Inspector General, DTIG, DAIG's legal advisor, or the deputy legal advisor must approve any dissemination of the ROI or ROII beyond the directing authority.

(2) *Release of an inspection report to the directing authority and to other Army agencies and commands as required.* Once the IG releases the report to the directing authority, he or she may in turn release the report to members of his or her own staff and/or command or to other Army commands or agencies as necessary. The directing authority or the IG must advise all recipients about the FOUO restrictions on IG inspection reports.

(3) *Release of records or information to Army investigators.* Department of the Army investigators include personnel such as investigating officers, officers conducting financial liability investigations of property loss, Criminal Investigation Command (CID) investigators, military police investigators, and similar investigators performing law enforcement or other investigations under Army regulations and outside IG channels. These personnel are entitled to IG information described below when that information is relevant to an authorized investigation. They will not be provided additional information without approval of TIG, DTIG, the legal advisor, or the deputy legal advisor or a higher authority. In particular, IGs may not allow DA investigators to interview them about matters involving IG information without approval from DAIG's Records Release Office.

(a) Inspectors general may inform investigators of allegations or matters the IG office examined; however, IGs will not reveal any IG findings, opinions, conclusions, or recommendations.

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

(c) An IG may provide investigators a list of witnesses, the witnesses' contact information, and a brief synopsis of their relevant testimony. The IG will not reveal which witness is the complainant (see para 1–12, below). Written statements, transcripts, and recorded tapes taken by the IG will not be released.

(4) *Release of inspection reports.* Inspectors general may share DAIG inspection reports posted to the IGHNET Web page with their commands if the commands have an official need for the report. Inspectors general will limit distribution of these reports using the FOUO classification.

(5) *Release of civilian screening results to Civilian Personnel Operations Centers.* Any IGs who are hiring officials

may release to CPOCs the results of any IG screens that make a candidate unsuitable for service as an IG (see para B-4b(6), below).

3-6. Requests for official use

a. The Inspector General, the DTIG, the Principal Director to the Inspector General for Inspections, the legal advisor, and the deputy legal advisor may release IG records to individuals, commands, or agencies within the Federal or a state government having a need for these records in the performance of their official duties as an FOUO release. The following restrictions apply to all IG records released for official use.

(1) The IG records will not be reproduced or further disseminated without specific permission of TIG, DTIG, the Principal Director to the Inspector General for Inspections, the legal advisor, or the deputy legal advisor.

(2) Use or attachment of IG records as exhibits or enclosures to non-IG agency records or reports is not authorized without written approval of TIG, the DTIG, the Principal Director to the Inspector General for Inspections, the legal advisor, or the deputy legal advisor.

(3) Commanders at any level will not use IG records to compare their 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, or other evaluation that is maintained in official personnel records. However, rating officials and supervisors can use the underlying conduct that may have been the subject of investigation or inquiry for which evidence is readily available from non-IG records or sources. The ACOMs, ASCCs, and DRUs may request permission from TIG, the DTIG, or the Principal Director to the Inspector General for Inspections through DAIG's Records Release Office to use IG inspection results for adverse action from inspections conducted by the DAIG's Information Assurance, Intelligence Oversight, and Technical Inspections Divisions.

(5) Any IG records provided FOUO will be returned to DAIG's Records Release Office or securely destroyed within 60 days or after the records have served their purpose. If destroyed, the FOUO recipient will inform DAIG's Records Release Office that the records have been destroyed in a secure fashion such as "burn bag" incineration or shredding. These records are only on loan to the recipient and remain under the authority of TIG. Recipients of IG records are not to incorporate them into a system of records subject to the PA (5 USC 552a) because the recipient's system of records may not be subject to the same PA exemptions as the IG system of records.

(6) The requesting agency's intended use of IG records must be in compliance with the "Department of Defense Blanket Routine Uses" published in the Federal Register to receive the records without the consent of individuals mentioned in the IG records. The term "Routine Uses" means that the requesting agency will use the record for the stated purpose. The release of IG records for "Routine Uses" is strictly discretionary.

b. Examples of FOUO releases include—

(1) Release of IG records to investigative personnel outside of DA or outside the parameters of paragraph 3-5.

(2) Release of records to the General Officer Management Office when acting as the agent of the CSA and VCSA in general officer assignment, promotion, and other personnel matters.

(3) Use of IG records to respond to requests for information from the White House and Congress while acting as a body (or through its committees, joint committees, or subcommittees).

(4) Requests for records from the Civilian Senior Leader Management Office.

3-7. Requests for inspector general records under the Freedom of Information Act

a. The FOIA is a statutory right of access to Federal Government information. The Government's policy is to disclose requested records unless exempt or excluded from disclosure under the FOIA and PA (5 USC 552 and 552(a)).

b. Examples of FOIA requests include the following:

(1) *Requests for records by a Member of Congress.* The IG will treat requests for copies of IG records by an MC, on the MC's own behalf or on the behalf of a constituent, as a request for records under the FOIA.

(2) *Release of witness statements.* Individuals who have provided statements must submit a FOIA request to obtain a copy of their own testimony.

(3) *Media requests.* An IG is not authorized to discuss specific inspections, assistance inquiries, investigative inquiries, or investigations with media representatives. All IGs will refer media inquiries to the local public affairs officer. Inspectors general will neither confirm nor deny that a specific subject or topic is, or has been, under investigation or inquiry. Inspectors general will not answer questions concerning hypothetical situations that might occur in performing their duties. There is no prohibition against an IG answering questions of a general nature after coordination with the local public affairs officer. Requests for IG records from media representatives will be referred to DAIG's Records Release Office.

3-8. Release of records and reports under the military whistleblower reprisal statute

a. An IG may provide information relating to complaints of whistleblower reprisal and improper MHE referral directly to DODIG Military Reprisal Investigations upon request without TIG or DAIG's Records Release Office approval. This information includes, but is not limited to, the original complaint with supporting documentation; IG records or investigation material; official personnel and medical records (orders, evaluations, and so forth); AR 15-6

investigations, commander's inquiries, or equal opportunity investigations; and any other information deemed relevant to resolving an official complaint. This exemption only applies when DODIG Military Reprisal Investigations requests the information in support of a preliminary inquiry or investigation. If any questions arise, the Whistleblower Investigations and Oversight Branch in DAIG's Assistance Division may be contacted at (703) 601-1060 or DSN 329-1060.

b. The Department of the Army Inspector General Records Release Office processes the release of whistleblower reprisal ROIs to complainants upon case closure per 10 USC 1034. Paragraph 7-4b(3) (d), below, outlines the specific procedures for releasing whistleblower reprisal ROIs to complainants. Release is also made to the subject's general court-martial convening authority (GCMCA); the report can be used as a basis for whatever action, if any, the GCMCA deems appropriate.

3-9. Inspector general records in support of litigation

a. *Litigation.* "Litigation" includes, but is not limited to, all phases of courts-martial, State and Federal civil lawsuits, Equal Employment Opportunity Commission hearings, and Merit Systems Protection Board proceedings.

b. *Requests for records for discovery in a judicial proceeding.* Discovery is the disclosure of relevant information between opposing counsel before and during litigation. The following procedures apply:

(1) 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 DAIG's Records Release Office for action. The Records Release Office will release requested IG records to the Government representative for a 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 DAIG's Records Release Office for release of relevant portions of IG records to the Government counsel and defense counsel.

(4) The Records Release Office will redact information that is not relevant or is FOIA-protected from requested IG records and will forward the records to the Government representative. The Government representative is authorized to release the records to opposing counsel.

(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 confidentiality and records protection policy to prevent disclosure of the IG records.

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

(7) In the event the presiding judge orders the release of the IG records, the Government representative must request the judge issue a protective order to prevent the opposing party and counsel from making further dissemination of the IG records.

c. *Subpoenas and similar court orders.* The U.S. Army Legal Services Agency Litigation Division (JALS-LT) is the proponent for all aspects of litigation involving DA personnel. (See AR 27-40 for specific guidance; AR 27-40, appendix C, contains information on litigation extracted from DODD 5405.2.)

(1) Inspector general personnel may not disclose any official information from IG files or any information acquired during the performance of IG duties without prior written approval from TIG, the DTIG, the Principal Director to the Inspector General for Inspections, the legal advisor, or the deputy legal advisor.

(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 will notify the local SJA and DAIG's legal advisor within 48 hours. The IG must never ignore a subpoena.

(3) Inspectors general will inform requesters to set forth, in writing and with specificity, the nature and relevance of the official information sought.

(4) If a response to a subpoena or court order is required before the TIG, the DTIG, the Principal Director to the Inspector General for Inspections, the legal advisor, or the deputy legal advisor authorizes release, the IG will advise the requesting official of the IG policy of records protection and confidentiality; inform the requesting official that the request is being reviewed expeditiously; and seek a stay of the subpoena or order pending a final determination by DAIG.

(5) If a court of competent jurisdiction or other appropriate authority declines to stay the order or subpoena, the IG will notify the local SJA and DAIG's legal advisor immediately. In those rare cases in which circumstances require a response before TIG acts, the IG will respectfully decline to comply with the subpoena or order (see 340 US 462 (1951)). Continuing coordination between the IG, the local SJA, and the appropriate U.S. Army Legal Services Agency litigating division is critical in these types of cases.

3–10. Requests by labor organizations

a. The right of access, under 5 USC 7114(b)(4), requires agencies to furnish labor organizations with information related to collective bargaining and includes IG records that meet the criteria listed in the statute. Inspectors general will send requests for IG records by labor organizations through the servicing legal office to obtain an opinion on whether the requested documents are releasable under 5 USC 7114. Inspectors general will forward the request, a copy of the requested records, the written opinion of the labor law attorney, and a copy of the collective bargaining agreement to DAIG's Records Release Office. Advance coordination with the Records Release Office will prove helpful.

b. 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.

3–11. Factual amendment of inspector general records

a. This paragraph pertains to requests to amend factual errors such as ranks, name spellings, and the like contained in IG records. Information pertaining to requests to reconsider an IG finding, or matters of IG opinion, judgment, or conclusions, appears in paragraph 3–12, below.

b. Persons will direct requests for the factual amendment of IG records to—

(1) The authority that directed the record's creation (for example, the directing authority of an ROI).

(2) The Inspector General, the DTIG, or the Principal Director to the Inspector General for Inspections for cases in which DAIG is the office of record.

c. Directing authorities may amend personal information on individuals contained in the record provided that adequate documentary evidence supports the request. This amendment authority is limited to those portions of the record containing facts (for example, the spelling of a name). For changes to other parts of an IG record, see paragraph 3–12, below.

d. Amendment requests for which the directing authority recommends denial must be supported by memoranda and forwarded to DAIG's Records Release Office. 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.

e. Should the directing authority review or re-look a case and, based on new evidence, determine that a subject should be added or deleted, a function code should be changed, and/or a determination of an allegation is warranted, the directing authority must submit that request to TIG in accordance with paragraph 3–12, below.

3–12. Requests for reconsideration of inspector general findings, opinions, judgments, or conclusions

All requests to add or delete a subject, alter a function code, and/or alter an allegation determination in an IG record will be forwarded or directed to DAIG's Assistance Division (SAIG–AC) for referral to the appropriate divisions within DAIG for review prior to action by TIG, the DTIG, or the Principal Director to the Inspector General for Inspections. Only TIG may approve or disapprove requests to amend determinations in IG records. All requests to amend determinations in IG records will include one copy of the record for which the amendment is sought; any documents in support of or related to the disputed record; acknowledgement to the requester; and recommendations, with supporting rationale, concerning whether the amendment should be approved or disapproved. Requests for amendments concerning opinion, judgment, or conclusion may be granted upon a showing of fraud, mistake of law, mathematical miscalculation, or newly discovered evidence.

Chapter 4

The Inspector General Teaching and Training Function

4–1. Teaching and training as a function

a. Teaching and training as both an embedded and independent function. Teaching and training is the fourth of the Army IG system's four functions and is traditionally embedded in the first three—inspections, assistance, and investigations. While inspecting, assisting, or investigating, IGs enhance the warfighting and readiness capabilities of the Army by teaching and training commanders, Soldiers, and civilians at all levels on current Army policy and doctrine. But current operational tempo and the demands of Army force generation (ARFORGEN) have prompted IGs to perform teaching and training as a separate function independent of the other three functions. This is to help re-establish unit systems following redeployment and to serve as a critical substitute for experience when commanders have lost their more experienced officers and noncommissioned officers and need help training new staffs and subordinate commanders. The Readiness Assistance Visit is an example of how IGs—who are selected based on their experience, knowledge, demonstrated maturity, wisdom, and judgment—are ideally suited to assist unit commanders in the ARFORGEN reset force pool. Specifically, they help commanders re-establish internal systems that have withered following redeployment and the reassignment of the unit's experienced leaders (see The Teaching and Training Guide

available from The U.S. Army Inspector General School or the school's Web site at http://tigs-online.ignet.army.mil/tigu_online/index.htm). An IG's knowledge of the Army also increases while serving as an IG due to the extensive research and analysis that IG duties require. As a result, IGs develop a broader perspective of the Army that few Soldiers in other duty positions attain. The benefit of this broad perspective is that IGs can incorporate teaching and training into all aspects of their duties. For example, when IGs notice that inspected personnel are unaware of regulatory requirements, they explain the requirements and the reason the Army established those requirements. Additionally, IGs pass on lessons learned and good ideas observed during other inspections, assistance visits, and teaching-and-training sessions. During these current periods of transformation, organizational change, and high operational pace, the IG teaching and training function has become more critical than ever as IGs ensure that Army leaders have a complete understanding of current Army policies and procedures.

b. Teaching the Army inspector general 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 have a responsibility to teach their commanders, Soldiers, and civilians at all levels about how IGs contribute to mission accomplishment. Inspectors general must find opportunities to explain the IG system's purpose, functions, methods, benefits, and constraints to members of the command. Inspectors general should use pre-command courses, officer professional development programs, NCO development programs, newcomer briefings, and other similar venues from which to teach the IG system to the Army at large. Failure to explain the IG system to commanders and others may result in commanders misusing—or simply not using—their IGs.

4-2. The U.S. Army Inspector General School

a. Mission and functions. The U.S. Army Inspector General School represents DAIG's Training Division (SAIG-TR) and is the Army IG system's primary resident training venue for qualifying officers, warrant officers, NCOs, and DA civilians to serve as Army IGs. The school's mission is to plan, program, budget, and execute resident, exportable training for officers, warrant officers, NCOs, and civilians designated or assigned to duties as an IG; to qualify prospective IGs to execute doctrinal IG functions in all operational settings and then sustain those skills; and to write and promulgate Army IG policy and doctrine on behalf of TIG. The U.S. Army Inspector General School provides both initial IG qualification training and sustainment training courses within the guidelines established by AR 350-1.

b. Requirements. The commandant of The U.S. Army Inspector General School determines the requirements for graduation from the basic IG qualification course and the sustainment-training course. The DTIG may approve or disapprove the graduation of any students and the issuance of certificates of training. The Inspector General serves as the appellate authority for students who fail to meet the school's academic requirements as outlined in the school's academic program. The specific requirements for personnel attending the school are as follows:

(1) All Army IG candidates selected as detailed or assistant IGs must graduate the basic IG qualification course at The U.S. Army Inspector General School as the final step of the IG certification process (see para 2-4, above). Upon graduation, they are fully qualified Army IGs and may assume IG duties.

(2) All IG candidates will not perform IG functions until completing the IG certification process. Inspector general candidates who are awaiting attendance at the basic IG qualification course may serve in their assigned IG staff sections as temporary assistant IGs and only within the capabilities of that IG category. This rule applies to mobilization day (M-day) and troop program unit (TPU) Soldiers who normally face delays in attending the course.

(3) Army administrative support personnel, acting IGs, and IGs from other Services may attend the basic IG qualification course on a space-available basis.

(4) Temporary assistant IGs serving (or planning to serve) in excess of 180 days must graduate the basic IG qualification course.

(5) All detailed and assistant IGs who serve beyond 4 years must re-certify as an Army IG by attending the sustainment-training course, which updates serving IGs on current IG policy and doctrine. Inspectors general serving beyond 4 years must complete the course within 4 months of the end of that 4-year period. The Inspector General may automatically de-certify any IG serving beyond 52 months who has not re-certified at the sustainment-training course. Only TIG may make exceptions to this requirement based upon sustainment-training availability or other factors beyond IG control. Serving IGs who fail to re-certify at the sustainment-training course have one additional opportunity to return and graduate the course successfully before TIG de-certifies that IG.

(6) Officers, warrant officers, NCOs, and civilians who return to IG duty for a repetitive tour after a break of any duration must attend the basic IG qualification course again, unless the commandant of The U.S. Army Inspector General School (also the chief of DAIG's Training Division) waives the requirement. The commandant may require that the individual attend the sustainment-training course in lieu of the basic IG qualification course. The commandant grants all waivers on a case-by-case basis and considers such factors as duration of the break in IG duty, previous IG experience, projected IG assignment, and recent changes in IG policy and doctrine.

c. Registration. The registrar will maintain a schedule of all classes forecasted for a 12-month period. The school normally conducts eight basic IG qualification courses and two sustainment-training courses per year. The commandant approves all quota requests for these classes. Coordination for quotas will occur as follows:

(1) *The active Army.* The IG staff sections or the USAHRC submit requests for course quotas for active Army Soldiers to The U.S. Army Inspector General School after proper approval of the nomination (see para 2–4, above). Command IGs or their staff sections coordinate directly with the registrar at The U.S. Army Inspector General School to register newly hired DA civilians to attend the next available class concurrent with a report to DAIG’s Operations and Support Division.

(2) *Army National Guard of the United States.* The State AG, or a designated representative of the AG, and the NGB will submit requests for course quotas directly to the registrar at The U.S. Army Inspector General School after proper approval of the nomination (see para 2–4, above, and app B, below).

(3) *The U.S. Army Reserve.* The USAR command IGs (or their staff sections) or USAHRC will submit requests for course quotas for USAR personnel directly to the registrar at The U.S. Army Inspector General School after proper approval of the nomination (see para 2–4, above, and app B, below).

d. Student funding for The U.S. Army Inspector General School. Funding for attendance of inspectors general and assistant IGs comes from a variety of sources. Coordination for, and questions pertaining to funding for, a specific student should be directed to the registrar when requesting a quota for a course.

(1) Individual commands will fund acting IGs, temporary assistant IGs (except those serving longer than 180 days), and administrative support staff members attending The U.S. Army Inspector General School.

(2) The U.S. Army Inspector General School will fund active Army military IGs, civilian IGs, and ARNGUS IGs who attend the school on temporary duty (TDY) with return. If a commander requests to curtail an IG’s detail, TIG may approve the request if the commander agrees to pay the training costs for the replacement IG.

(3) The Army Reserve Active Duty Management Directorate in USAHRC (ARADMD–HRC) funds the USAR’s AGR personnel who attend The U.S. Army Inspector General School.

(4) The Army Reserve funds all nominated TPU personnel who attend the school, to include individual mobilization augmentation (IMA) and individual ready reserve (IRR) Soldiers.

4–3. Other inspector general training

a. Acting inspectors general, temporary assistant IGs, and administrative support staff members. Limited resources and space prevent all categories of IGs from attending the basic IG qualification course at The U.S. Army Inspector General School. Therefore, command and State IGs will locally train acting IGs, temporary assistant IGs (serving less than 180 days), and administrative support staff members who are unable to attend the course on a space-available basis. The training must reflect current IG policy and doctrine as promulgated by The U.S. Army Inspector General School. See the paragraph on exportable training packages below for IG training resources. Training programs for temporary assistant IGs do not require school approval but must include, at a minimum, the basic IG concept and system, the IG tenet of confidentiality, and the restrictions and limitations placed upon the use of IG records. The supervising detailed IG must document in a memorandum all training conducted for acting IGs, temporary assistant IGs, and administrative support staff members.

b. Exportable training packages. The U.S. Army Inspector General School creates and maintains on its public Web site (http://tigs-online.ignet.army.mil/tigu_online/index.htm) exportable training packages for each IG function to train acting IGs, temporary assistant IGs, and administrative support staff members and to provide focused refresher training for serving IGs. Command IGs may tailor these materials to meet the needs of the local command with assistance and guidance from the school as necessary.

c. State module. The NGB IG conducts a 2-day State IG module that supplements the basic IG qualification course at The U.S. Army Inspector General School and is required for all State (command) IGs. The NGB IG offers this training as an option for all other active Army personnel assigned as IGs in the ARNGUS.

d. Unique Department of the Army Inspector General-level training requirements. The Department of the Army Inspector General’s Technical Inspections Division (office symbol SAIG–TI), Information Assurance Division (SAIG–IA), and Intelligence Oversight Division (SAIG–IO) have unique training qualification requirements for individuals assigned to inspection responsibilities, in addition to those requirements outlined in paragraph 2–4 and appendix B for IGs. Each division will establish, coordinate, and oversee the fulfillment of these specific requirements and update the requirements as necessary. All divisions require, at a minimum, on-the-job training programs that include observing and/or participating in one or more inspections before becoming a qualified inspector.

e. Teaching and training in technical channels. The IG staff sections with subordinate command IGs may routinely sponsor training workshops to share ideas, clarify IG policy and doctrine, and receive guidance about the senior commander’s priorities, philosophy, and so on. The U.S. Army Inspector General School can assist with training materials and resources as required. Higher echelon IG staff sections will also conduct routine staff assistance visits of subordinate command IG staff sections as a way to mentor and assist those staff sections in conducting their daily responsibilities and activities (see AR 1–201).

Chapter 5 The Inspector General Inspections Function

Section I Broad Inspection Policy

5-1. Inspector general inspections—purpose and procedures

a. Inspections as an inspector general function. The IG inspections function is the primary IG function and the one that allows IGs to have the greatest impact on readiness and warfighting capability throughout the Army. The primary purpose of all IG inspections is to resolve systemic issues throughout the Army and, in doing so, to evaluate the effectiveness of Army policies, determine the root causes of noncompliance, and recommend changes to policy proponents. Inspector general inspections support the ARFORGEN by providing commanders with a unique capability to address malfunctioning systems within the command during the reset, train/ready, and available phases of ARFORGEN. However, high operational tempo and deployment demands may mean that IGs must *temporarily* shift the primary purpose of their inspections to more compliance-based readiness assessments of individual organizations (see subparagraph 5-1e, below, for the types of inspections IG can conduct). Overall, the inspections function entails conducting IG inspections, developing and implementing IG inspection programs, checking intelligence activities for policy compliance, and assisting the commander in maintaining a viable OIP. All IG inspections will adhere to the Army inspection principles outlined in AR 1-201.

b. The Army's functional systems and assessing readiness. The Army comprises a variety of functional systems (training, logistics, maintenance, operations, force integration, personnel, and so on) that come together at various echelons of command in order to ensure that our commands and the units that comprise these commands are fully prepared to perform their wartime missions successfully. Commanders at all echelons constantly rely upon feedback from personal observation, field training exercises, command post exercises, physical training tests, inspections conducted as part of the OIP, and other evaluations to assess the readiness of these functional systems within the context of the units they command in order to make an informed determination of their unit's overall mission readiness. Field Manual 7-0 (FM 7-0) describes this assessment as a continuous process that represents the end and the beginning of the training management cycle. This assessment is part of each commander's broader Organizational Assessment Program as outlined in FM 7-0. The IG inspections, which normally focus on larger problems associated with individual functional systems (known to IGs as systemic issues) contribute (under the umbrella of the OIP) to the commander's Organizational Assessment Program as one of the many feedback sources the commander considers when determining the command's readiness.

c. Focus on systemic issues. Systemic issues normally include functional systems such as personnel and logistics and tend to surface through a general pattern of noncompliance throughout the various echelons of a command. The problems are often beyond the ability of local commanders to solve, so something may be wrong with the system. The IG's mission is to identify and model the system and then focus on the problem areas affecting the system's smooth functioning and resulting in noncompliance difficulties throughout the command. These suspected problem areas help the IG to isolate the problems within the system after thorough research and lead to the development of clear inspection objectives. The IG can then gather information focused on answering those objectives and determine the root causes behind the noncompliance difficulties. These root causes lead to recommendations that, when implemented, will solve the problems identified by the objectives and fix the system so that it functions smoothly.

d. Inspection selections process. Inspectors general will use a deliberate process to identify, evaluate, and set priorities for potential inspections of systemic and other issues for approval by the directing authority and inclusion in the IG inspection program within the command's OIP. Inspectors general will consider the selection process outlined in The Inspections Guide available from the school or the school's Web site at http://tigs-online.ignet.army.mil/tigu_online/index.htm. Inspectors general should reasonably expect to complete four or more inspections of systemic issues a year, but the size of the IG staff section and the commander's priorities will ultimately determine the number of inspections conducted.

e. Inspection types and focus. Inspections may focus on either organizations, functional systems, or both. Inspectors general may conduct three types of inspections: general, special, and follow-up. Inspections that focus on organizations or units and are comprehensive in nature are considered general inspections. General inspections are compliance-oriented and assume that the standards against which the IG measures the organization are correct as written. Inspections that focus on functional systems (that is, systemic issues) are special inspections. The primary focus for IG inspections is the special inspection, since command and staff inspections already focus on organizations (see AR 1-201). Special IG inspections of systemic issues do not assume that the established standards are correct; instead, IGs consider the possibility that the problem with the system may be outdated or ineffective standards or policies. The payoff derived from systemic inspections has a broader, more widespread impact within the directing authority's organization. The final type of inspection—the follow-up—assesses the implementation of solutions recommended by an approved IG inspection and, although listed as the third inspection type, is normally the final step of all IG inspections.

f. Fundamental guidelines. All IG inspections will adhere to certain fundamental guidelines in addition to the inspection principles outlined in AR 1–201. All IG inspections will—

- (1) Identify patterns of noncompliance, determine the magnitude of the deficiencies, and seek the root causes of problem areas.
- (2) Pursue systemic issues.
- (3) Teach systems, processes, and procedures.
- (4) Identify responsibilities for corrective action.
- (5) Spread innovative ideas.
- (6) Train those inspected and, as appropriate, those conducting the inspection.
- (7) Make recommendations when appropriate.
- (8) Verify the implementation of those recommendations.

g. Inspectors general and the organizational inspection program. Inspectors general will develop and implement their IG inspections programs as part of the command's OIP, in accordance with the commander's guidance and AR 1–201. Inspectors general have specific responsibilities with regard to the OIP as outlined in AR 1–201. These responsibilities complement the policy on IG inspections outlined in this regulation.

(1) An IG may participate as a member of a command inspection team only for the purpose of inspecting a subordinate command's IG staff section or to perform an intelligence oversight and/or information assurance inspection. Although accompanying the rest of the command inspection team, the IG will be conducting an IG inspection. Likewise, the results will remain protected as IG records (see chap 3, below) and will appear under separate cover to the inspecting commander, who is also the IG's directing authority. The results will not be included as a part of the overall command inspection report. See AR 1–201 for specific guidelines on the IG's involvement in command inspection programs.

- (2) An IG may not lead or participate in non-IG staff inspections or staff inspection programs.
- (3) An IG may participate as a member of another command's IG inspection team.
- (4) Army IGs may participate in joint IG inspections with combatant command IGs, joint task force (JTF) IGs, Combat Support Agency IGs, and DOD IGs consistent with Army ACOM, ASCC, or DRU authorities and responsibilities, as outlined in AR 10–87 and other operational directives issued by the Joint Staff.

h. The inspections process. Detailed doctrinal guidelines for preparing, executing, and completing IG inspections appears in The Inspections Guide, and is available from The U.S. Army Inspector General School or its Web site at http://tigs-online.ignet.army.mil/tigu_online/index.htm. Inspectors general will use the three-phased, 17-step process outlined in the guide to conduct IG inspections of all types, even though the guide's focus is on special IG inspections of systemic issues. This process adheres to the five inspection principles outlined in AR 1–201 and ensures that IGs throughout the IG system consistently apply a methodical, thorough process when preparing, executing, and completing IG inspections. The process, as outlined in The Inspections Guide, represents IG doctrine and is authoritative in nature; IGs may shape, tailor, and adapt the techniques and steps therein to compress inspections in order to meet the commander's guidance and needs while still preserving the integrity of the IG inspections process across the Army. The only prescriptive provisions to the process appear below—

(1) *Preparation phase (Step 1, research).* All IGs will obtain a written directive from the directing authority before conducting an IG inspection. This directive authorizes the IG to inspect any Army unit assigned within the command. Inspectors general may inspect units of another command as long as prior coordination at the command level has occurred and that coordination is captured in the inspection directive. Outside the continental United States (OCONUS) ACOM, ASCC, and DRU IGs, with prior approval, may inspect tenant activities of another ACOM, ASCC, or DRU if located within their geographic area of responsibility.

(2) *Execution phase (Step 10, analyze results/crosswalk).* All IG inspections must end with a written report that the IG provides to the directing authority and others as necessary (see para 5–2, below).

(3) *Completion phase (Step 15, hand-off).* When approved recommendations are beyond the ability of the inspected command to implement, either the IG or the commander will transfer those recommendations through IG technical or command channels to the appropriate command echelon or agency for corrective action in a process called hand-off.

(a) If the commander chooses to conduct hand-off through command channels, he or she will normally do so through the operations staff section. The IG's role in this case is to monitor the process and stay informed of any action taken as part of the IG's follow-up responsibilities.

(b) If the commander directs the IG to conduct the hand-off through IG technical channels, the IG will send the recommendation (or recommendations) up through vertical IG technical channels to the ACOM, ASCC, or DRU IG for action as required. If a subordinate IG's command or the ACOM, ASCC, or DRU IG's command can implement the recommendation, then that command will do so and report completion to the originating IG staff section. If a DAIG must receive the hand-off because the ACOM, ASCC, DRU, or another command in the vertical chain could not implement the recommendation, the recommendation involves DA action and is of a magnitude requiring Armywide action, the proponent is at the HQDA level, or the recommendation requires action outside DA, then the ACOM, ASCC, or DRU IG will forward the hand-off request to DAIG's Analysis and Inspections Follow-up Office. Their office symbol is SAIG–AI. The Analysis and Inspections Follow-up Office will ensure that the recommendation is

staffed appropriately within DAIG, forwarded to the appropriate proponent or staff agency in HQDA, and tracked appropriately. Inspectors general will forward hand-offs involving technical inspections of nuclear, biological, and chemical surety and intelligence oversight to the Analysis and Inspections Follow-up Office through DAIG's Technical Inspections Division (SAIG-TI) and Intelligence Oversight Division (SAIG-IO), respectively.

(4) *Completion phase (Step 17, follow-up)*. All IGs will follow-up each inspection in one of the following ways: calling or visiting the staff agencies or individuals charged with implementing the recommendations (known as the proponents) to determine if the tasks are complete; checking with the tasking authority to determine if the proponents have closed out the taskers; or, if necessary, conducting a full re-inspection of the topic. The commander may require that each individual or staff agency charged with a corrective action reply in writing by memorandum once the task is complete. The IG's role in this case would be to review the memorandums as part of IG followup activities (memorandums are not normally required for IG inspections unless specifically directed by the directing authority).

i. Scheduling inspections. When scheduling IG inspections, IGs will follow the principles and procedures outlined in FM 7-0. Unanticipated events may cause the commander to deviate from the published inspection plan by rescheduling planned inspections or initiating an unscheduled special inspection. Command, staff, and IG inspections involving designated units may occur simultaneously if their combined scheduling allows the commander to adhere to the inspection principles outlined in AR 1-201 and meet other operational imperatives.

j. Disseminating good news and lessons learned. Innovative ideas, good news, positive trends, and lessons learned must receive the same emphasis in IG inspections as identifying and correcting deficiencies. All findings in IG inspection reports should not be limited to pointing out problem areas but will also be positive in nature when the information supports such findings. In cases where recognizing innovative ideas and good news demands that the IG identify a unit or an individual, the IG may do so but only as part of an out-briefing to an inspected commander and with the further caveat that the commander cannot use such attributed information to compare, reward, or evaluate individuals or units. Revealing such sources allows units to know precisely where to find examples of successful behavior within the organization so that other units or individuals may emulate that success and know where to go for advice on how to improve areas that require improvement.

k. Release of information during out-briefings. Inspectors general may not release attributed information to commanders, staff members, or proponents during out-briefings except for information provided in accordance with the good-news provision listed in paragraph *j*, above. Out-briefings to commanders and their staff members immediately following an inspection visit should focus only on what the IG found and not the sources of the information. Likewise, proponent out-briefings will only include the IG findings and recommendations and not the sources of that information.

l. Discovering breaches of integrity, security, or safety during inspections. If an IG discovers serious deficiencies involving breaches of integrity, security violations, or criminal behavior, the IG will consult the supporting SJA, the USACIDC, the command security officer, or the provost marshal, as appropriate, to determine a recommended course of action. The IG may inform the commander directing the inspection of a recommended course of action or choose to initiate an investigative inquiry if necessary. The IG will notify the appropriate subordinate commander so that the commander may initiate immediate corrective action. If the IG discovers a serious safety deficiency during the course of gathering information from units, the IG will present that information directly to the applicable commander, complete with all the necessary attribution, in order to save life or limb.

m. Compressed inspections. Periods of high operational tempo, normally found in a deployed or wartime environment, may cause the IG to compress certain steps in the IG inspections process in order to provide rapid feedback that allows the commander to make informed decisions quickly. The key to compressing the IG inspections process is to avoid putting the validity of the findings and recommendations at risk. In these situations where timely completion of the inspection is critical, the IG, in coordination with the directing authority, must identify the purpose and scope of the inspection and choose carefully which steps to compress or omit. When directed to conduct a compressed inspection, the IG must brief the directing authority on the associated risk of compressing the inspections process. For example, the IG will voice any concerns if the inspection team does not have ample time for research, development of the inspection plan, and train-up during the preparation phase of the inspection. Also, if a lack of time compels the IG to contact a very small number of units or individuals to gather information, the commander will recognize that the findings may not fully represent what is actually occurring within the command. The five guiding principles for deciding which steps the IG may compress or omit in the inspections process appear in AR 1-201. The Inspections Guide also provides further doctrinal guidance on compressed inspections.

5-2. Inspector general inspection reports

a. Purpose and nature of inspection reports. The purpose of written IG inspection reports is to provide a record for follow up inspections and trends analysis. Inspectors general will only write fully *redacted* inspection reports; in other words, the process of writing the report will automatically omit all sources of information such as names and units (unless the report is the result of a general, compliance-oriented inspection). This approach allows for widest dissemination of the report by the local IG and prevents anyone from using the report to reward, punish, or compare individuals or their units.

b. Report distribution. The IG will make a copy of the report available to the directing authority. Based on the directing authority's guidance, the IG may distribute the report as necessary to staff agencies, proponents, other

commands, higher and lower echelon IG staff sections, and so on. Inspectors general must also provide a list of all approved IG inspection reports to the ACOM, ASCC, or DRU and TIG on a quarterly basis as follows: 1 January, 1 April, 1 July, and 1 October. Send all lists directly to DAIG's Information Resource Management Division (SAIG-IR) at the following email address: office.saig-ir.webmaster@ignet.army.mil and include the inspection title, the date of the inspection report, the IG office that conducted the inspection, and contact information for the IG office (see AR 1-201). The IG inspection reports of NG activities, directed by an authority other than the State AG, will be provided to the IG, NGB, and to the State command IG. If the report contains—or may contain—sensitive information, then the commander or IG must contact DAIG's Records Release Office for dissemination guidance.

c. Recommendations. The IG 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 based upon an analysis of the root causes and fix responsibility for correcting identified deficiencies.

d. Ratings. Inspectors general will not use ratings such as satisfactory or unsatisfactory to rate individual units. The use of such ratings suggests a quality judgment by the IG that is inappropriate and that compromises the IG's fair and impartial status. The only exceptions to this guidance are for DAIG-level technical inspections, DAIG-level information assurance inspections, DAIG-level intelligence oversight inspections of SAPs and sensitive activities, and CID technical inspections of investigative practices and sub-programs.

e. Use of inspection reports. The IG inspection reports will not be used to compare units or organizations or as criteria for competitive unit awards. Inspection results will not be used to reward, punish, or compare commanders, individuals, or their units.

f. Confidentiality considerations. Protecting the anonymity of units and individuals enhances the IG's reputation as a fair and impartial fact-finder and trusted agent. Confidentiality remains a priority; however, IGs cannot guarantee confidentiality during an inspection. An IG normally writes IG inspection reports in redacted form only; names of individuals or units never appear in the reports except as an annex or appendix. However, situations may arise when an IG must identify a specific source of information in order to fix problems or to ensure that assistance is provided (usually in reports for general, compliance-oriented inspections). In those instances, the IG must inform the individuals or unit commanders that their identities will appear in the inspection report and then explain why such action is necessary. This explanation will help maintain the credibility and integrity of the IG system. In these cases, distribution of the final inspection report is severely limited (in many cases, the report only goes to the commander as directing authority), and the IG must caution the recipients of the report that they cannot use information linked to any individuals or units to evaluate, reward, compare, or punish those individuals or organizations.

Section II

Intelligence Oversight Inspections

5-3. Intelligence oversight inspections—purpose and procedures

a. The intelligence oversight role. All IGs throughout the Army will conduct intelligence oversight inspections of intelligence components and activities conducting foreign intelligence (to include any intelligence disciplines) or counterintelligence within their commands. Intelligence oversight inspections are a requirement for all IGs, and these inspections will be part of the IG inspection program within the command's OIP. This section, used with AR 381-10, DOD 5240.1-R, and EO 12333, provides guidance for the conduct of intelligence oversight inspections. The Intelligence Oversight Guide, available from The U.S. Army Inspector General School or its Web site at http://tigs-online.ignet.army.mil/tigu_online/index.htm, outlines the doctrine for conducting intelligence oversight inspections.

b. The purpose of intelligence oversight inspections. Intelligence oversight is the responsibility of intelligence components or those activities that undertake intelligence activities. The purpose of IG intelligence oversight inspections is to provide oversight and verify that intelligence components and activities are complying with appropriate laws, executive orders, and policy with an emphasis on ensuring that these components and activities perform their authorized intelligence functions in a manner that protects the constitutional rights of U.S. persons.

c. Inspection approach and methodology. Intelligence oversight inspections are general, or compliance-oriented, inspections. A sample methodology is outlined in The Intelligence Oversight Guide. The three-phased, 17-step IG inspections process outlined in The Inspections Guide still applies but with a different approach and methodology. Executive Order 12333 and AR 381-10 set forth 15 procedures that enable all DOD intelligence components to carry out their authorized functions while ensuring that any activities that affect U.S. persons are carried out in a manner that protects the constitutional rights and privacy of such persons. Procedure 14 requires each intelligence component to familiarize its personnel with the provisions of EO 12333, AR 381-10, and applicable implementing instructions. Procedure 15 requires both the intelligence components and IGs to report violations of any governing intelligence regulation to DAIG's Intelligence Oversight Division. These violations are termed questionable intelligence activities. Since Procedure 15 reports are nonpunitive in nature, they do not place the IG in a dilemma by reporting information that might be used for adverse purposes (unless the violation is criminal in nature). Procedure 15 reports are not IG records and are not subject to IG records release procedures. Inspectors general will forward all Procedure 15 reports directly to DAIG's Intelligence Oversight Division at the following address: The U.S. Army Inspector General Agency

(SAIG–IO), 1700 Army Pentagon, Room 5C559, Washington, DC 20310–1700. Or by email at the following address: office.saig-io.ignet@ignet.army.mil.

d. Inspection frequency. The commander’s OIP will normally determine the frequency of intelligence oversight inspections within the command. However, IGs at all levels will ensure that they inspect their intelligence components a minimum of once every 2 years.

e. State intelligence oversight inspections. State-level IGs assigned to a JFHQ provide intelligence oversight for assigned intelligence components and activities for both the ARNG and the ANG. These State-level IGs will adhere to applicable DOD directives and U.S. Air Force instructions governing the role of Air Force IGs in the conduct of intelligence oversight inspections when inspecting intelligence components and activities of ANG.

5–4. Army headquarters-level intelligence oversight inspections

a. Department of the Army Inspector General-level intelligence oversight inspections. The Department of the Army Inspector General’s Intelligence Oversight Division conducts general, compliance-oriented inspections of Army intelligence activities, in accordance with AR 381–10 and applicable intelligence regulations, with an emphasis on the integration of intelligence oversight in daily operations.

b. Special Access Programs and sensitive-activity inspections. The Department of the Army Inspector General’s Intelligence Oversight Division conducts general, compliance-oriented inspections of SAPs and sensitive activities in accordance with AR 380–381 and other applicable policy. Inspections are scheduled on a recurring basis in coordination with the Technology Management Office, Army Audit Agency, and affected commands. Inspections evaluate managerial procedures and practices pertaining to operations, personnel, materiel, financial management, and secure-environment contracting; assess the security of SAPs, sensitive activities, and alternate compensatory control measures; and identify issues, situations, or circumstances that affect SAP and sensitive-activity mission performance. The Department of the Army Inspector General’s Intelligence Oversight Division enters findings resulting from these inspections into the Management Control Resolution Process and evaluates them quarterly for closure. The Director of the Army staff is briefed annually on progress made during the year to resolve issues and correct deficiencies identified in these inspections.

c. Inspections of the Research, Development and Engineering Centers, laboratories, and test facilities. The Department of the Army Inspector General’s Intelligence Oversight Division conducts general, compliance-oriented inspections of selected Army RDECs, laboratories, and test facilities on a 3-year rotational basis. A memorandum of understanding with the Deputy Under Secretary of Defense for Laboratories and Basic Science and the DODIG establishes guidance for these inspections.

Section III Technical Inspections

5–5. Technical inspections—purpose and procedures

The Department of the Army Inspector General’s Technical Inspections Division (SAIG–TI) conducts general, compliance-oriented, technical inspections of chemical, biological, radiological, nuclear, and other technical operations as required by regulations and directing authorities. The majority of the division’s inspections are of organizations required to comply with the Army’s nuclear, chemical, and biological surety programs. The division will also conduct special inspections of non-surety chemical, biological, radiological, nuclear, and ammunition operations or other technical inspections as directed by the Army Secretariat, TIG, or senior Army leadership. The division may conduct unannounced or special technical investigations as deemed necessary by the Army Secretariat, TIG, or senior Army leadership. Any IGs with questions or issues concerning technical inspections or investigations must contact DAIG’s Technical Inspections Division for guidance.

5–6. Sensitive activity inspections

a. Purpose and objective. Sensitive activity inspections conducted by DAIG’s Technical Inspections Division assess the adequacy of procedures for Army organizations, facilities, and activities having nuclear, chemical, and biological surety missions. Management evaluations inquire into the nuclear, chemical agent, and biological surety management functions and responsibilities of Army organizations, facilities, and activities to determine management, systemic, or functional problem areas. In general, sensitive activity inspections examine the functional areas specified in the 50-series Army regulations (see table 5–1, below) and identify systemic issues within the Army as appropriate. The objectives of these inspections and evaluations are to—

(1) Ensure adherence to approved nuclear technical, health, safety, accountability, security, environmental, and reliability standards and procedures involving sensitive-activity operations.

(2) Ensure adherence to approved chemical technical, health, safety, accountability, security, reliability, environmental, and demilitarization standards and procedures involving sensitive-activity operations.

(3) Ensure adherence to approved biological technical, health, safety, accountability, security, and reliability standards and procedures involving sensitive-activity operations.

(4) Determine the adequacy of support and guidance provided to each organization conducting sensitive-activity operations.

(5) Determine and pursue systemic issues affecting the commander's capability to perform his or her assigned sensitive-activity mission.

(6) Provide ACOMs, ASCCs, DRUs, and PEOs or PMs with inspection results for use in their OIP or surety programs to assist in determining the status of a unit's nuclear, chemical agent, and biological sensitive-activity mission capability.

(7) Keep Army leaders and appropriate authorities informed of the status of the Army's nuclear, chemical, and biological sensitive-activity programs.

Table 5-1
Sensitive-activity inspections

Technical inspection category	Inspection scope
Nuclear surety inspection	<ul style="list-style-type: none"> - Mission operations - Security - Logistics and facilities - Surety management - Medical support - External support
Reactor facility inspections	<ul style="list-style-type: none"> - Documents - Medical support - Operational inspection - Security - Reactor facility operational parameters - External support - Physical layout - Physical components - Safety and occupational health - Personnel
Chemical surety inspections	<ul style="list-style-type: none"> - Mission operations - Security - Safety - Surety management - Emergency response - Demilitarization operations - Medical support - External support
Biological surety inspections	<ul style="list-style-type: none"> - Mission operations - Security - Safety and occupational health - Surety management - Emergency response - Medical support - External support
Ballistic missile defense security inspections	<ul style="list-style-type: none"> - Security - Individual Reliability Program management - Medical support - External support
Nontraditional agent inspections	<ul style="list-style-type: none"> - Mission operations - Security - Safety - Personnel reliability management - Emergency response - Demilitarization operations - Medical support - External support

b. Inspection jurisdiction for the Technical Inspections Division. The Department of the Army Inspector General's Technical Inspections Division conducts scheduled nuclear surety inspections, reactor facility inspections, chemical surety inspections (CSIs), biological surety inspections, and management evaluations of affected commands and organizations throughout the Army. The CSIs and biological surety inspections of organizations having management responsibility for administering Army contracts involving Army- or DOD-supplied chemical agents or biological select agents and toxins will include an assessment of the contract oversight program. The division will also conduct as required periodic and unannounced surety inspections of specific operations involving surety material that do not fall within the normal CSI, biological surety inspection, nuclear surety inspection, and reactor facility inspection window. The purpose of these inspections is to validate corrective actions or to inspect surety operations where routine scheduling is not possible such as those operations conducted by mobile or short-term destruction operations. Inspected activities, ACOMs, ASCCs, and DRUs will follow inspection report requirements and issue-resolution processes in the 50-series Army regulations.

5-7. Technical Inspections Division special inspections

The Department of the Army Inspector General's Technical Inspections Division will conduct special inspections of nonsurety chemical, biological, radiological, nuclear, and ammunition operations or other inspections as directed by the Army Secretariat, TIG, or senior Army leadership. The division will conduct these inspections in accordance with The Inspections Guide and coordinate these special inspections with the respective command IGs when available.

Section IV

Information Assurance Inspections

5-8. Information assurance inspections—purpose and procedures

a. Inspectors general and information assurance. The Department of the Army Inspector General's Information Assurance Division conducts general, compliance-oriented inspections throughout all components of the Army. Inspectors general at all levels may inspect information assurance (IA) within their commands using a special inspection (or systemic) approach to reinforce the IA program or to examine continuing patterns of IA noncompliance. Information assurance is a readiness issue, and IGs at all levels must assist their commands in improving or maintaining the command's IA posture. This section, used with AR 25-2 and other DOD and Army policies, provides standards for conducting IA inspections at the local IG and DAIG levels.

b. Purpose and objectives of information assurance inspections. The IA inspections conducted by DAIG's Information Assurance Division measure the readiness of the command's IA program and the level of risk exposure to the Army's LandWarNet. Information assurance is a strategic enabler for net-centric operations and has a profound impact on the Army's operational capability. In accordance with AR 25-2 and other applicable IA requirements, commanders are responsible for managing IA resources and implementing IA policy. Commanders must also appoint IA personnel to provide technical and administrative oversight of the command's IA program. Command IGs are not part of this structure but must coordinate with the command's IA personnel to determine readiness trends that may warrant a special IG inspection of the program. The Department of the Army Inspector General's Information Assurance Division conducts the general, compliance-oriented inspections of IA programs throughout the total Army (active, reserve and National Guard). Commanders may task command IGs to conduct general or special (compliance or systemic) IA inspections to verify or validate IA trends within the command. The objectives of these inspections are to—

- (1) Improve the IA readiness and posture of the command's IA program.
- (2) Determine adherence to DOD and Army IA policy, guidelines, and standards designed to reduce risk exposure to the Army's LandWarNet.
- (3) Determine and pursue systemic issues affecting the command's IA posture.
- (4) Inform commanders on the status of their IA programs.

5-9. Information assurance inspection follow-up procedures

The Department of the Army Inspector General's Information Assurance Division, in coordination with DAIG's Analysis and Inspections Follow-up Office, will facilitate all IA compliance follow-up actions (phase 4 of the information assurance compliance methodology) by using the IA compliance plan of action and milestones. The DAIG IA inspection team provides a draft plan of action and milestones to the commander or director at the inspection out-briefing. The plan of action and milestones captures all noncompliant findings during the inspection and recommends corrective action for eliminating or mitigating the compliance-related shortcoming.

5-10. The annual information assurance report

Following the completion of each fiscal year IA inspection cycle, DAIG's Information Assurance Division produces an annual IA report for the Army's senior leadership. It summarizes the findings for the fiscal year, identifies IA trends and systemic issues at the Army level, and formulates a way ahead for the following year. The Information Assurance

Division distributes the report to ACOMs, ASCCs, DRUs, command IGs, and other IA stakeholders as required. The report is posted on the IGMET home page in the reports section for the Information Assurance Division.

5-11. Headquarters, Department of the Army inspections of systemic information assurance issues

The Department of the Army Inspector General's Information Assurance Division primarily conducts general, compliance-oriented inspections of command IA programs throughout the Army. However, the division may use the special, systemic-oriented inspection approach if the compliance trends indicate that an Armywide problem with IA is occurring or if the senior Army leadership directs the division to inspect the entire program from top to bottom. In these cases, the division will adhere to the 3-phased, 17-step IG inspections process outlined in The Inspections Guide.

Chapter 6

The Inspector General Assistance Function

6-1. Inspector general assistance—purpose and procedures

a. Assistance as an inspector general function. Assistance is the IG function that provides Soldiers, Family members, DA civilians, retirees, and contract employees the ability to seek help from the IG on matters affecting their health, welfare, and personal readiness. However, anyone may submit a complaint, allegation, or request for information or assistance to any Army IG concerning a matter of Army interest. The IG's role, as the commander's representative, is to resolve these issues within the limits of the IG system. Complaints often contain both issues and allegations, but the assistance function focuses IGs on resolving only the issues. By definition, an issue is a complaint, request for information, or request for assistance to the IG that does not identify someone by name as the violator of a standard. Someone charged by name with an impropriety results in an allegation. See chapter 7 for specific policy guidance on how to identify and resolve allegations. Issues that have merit and require resolution are "founded" while issues that do not have merit and require no action are "unfounded." All complaints presented to an IG containing either issues or allegations (or both) are termed Inspector General Action Requests, or IGARs. When complaints contain both issues and allegations, the IG resolves the issues by conducting an assistance inquiry as part of an investigation or investigative inquiry. Individuals who bring IGARs to IGs are termed complainants. The IGs will always adhere to the guidance on confidentiality in paragraph 1-12 and the rules placed upon IG records in chapter 3 when performing the assistance function. Permanent notices, samples of which appear in figures 6-1 and 6-2, will be posted in all commands throughout the Army and signed by the commander to notify Soldiers and civilian employees of their right to present complaints to the IG.

DO NOT COVER

(Use command or State IG headquarters letterhead)

MEMORANDUM FOR ALL SOLDIERS AT (INSTALLATION OR ORGANIZATION)

SUBJECT: The Right of Soldiers to Present Complaints 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 complaints or grievances may include what Soldiers reasonably believe to be evidence of fraud, waste, and abuse.

2. Before visiting the Inspector General, you should consider whether your chain of command can address your concerns in a more prompt manner. However, you are not required to present your concerns to your chain of command before contacting the Inspector General. Remember to obtain permission to be absent from your duties if you wish to visit the Inspector General during duty hours. You are not required to tell anyone why you want to speak to an Inspector General.

3. You may visit, call, or write your local Inspector General using the following contact information:

Name:

Office hours:

Building / Room:

Address:

Telephone:

4. If you believe that your local Inspector General's response to your concerns is not fair, complete, or in accordance with law or regulation—or if you believe that contacting your local Inspector General may jeopardize your interests—you may write to (give address of the Inspector General at the appropriate headquarters). You may also call the Department of the Army Inspector General (DAIG) or the Inspector General, Department of Defense, Hotline. Their telephone numbers are as follows:

DAIG Assistance Line: 1-800-752-9747 (toll free)

IG, DoD, Hotline: 1-800-424-9098 (toll free)

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. These same individuals are 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 will be subject to disciplinary action.

6. In accordance with Army Regulation 20-1, paragraph 1-12, the Inspector General has a duty to protect confidentiality to the maximum extent possible. This requirement to protect confidentiality is true for all persons who ask the Inspector General for help, make a complaint, contact or assist an Inspector General during an inspection or investigation, or otherwise interact with an Inspector General.

//signature//

JOHN S. JONES

MG, USA

Commanding

Figure 6–1. Sample permanent notice memorandum of the rights of Soldiers to present complaints

DO NOT COVER

(Use letterhead of the IG headquarters)

MEMORANDUM FOR CIVILIAN EMPLOYEES AT (INSTALLATION OR ORGANIZATION)

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

1. All civilian employees have the right to present complaints or requests for assistance to the Inspector General. These complaints or grievances may include what the civilian employee reasonably believes to be evidence of fraud, waste, and abuse.

2. Before visiting the Inspector General, you should consider whether your immediate supervisor can address your concerns in a more prompt manner or follow one of the procedures outlined in paragraph three below. Remember to obtain permission to be absent from your duties if you wish to visit the Inspector General during duty hours. You are not required to tell anyone why you want to speak to an Inspector General.

3. Civilian personnel laws and regulations prescribe procedures for civilian employees to use in submitting complaints related to employment. If you are a bargaining-unit employee, your complaint may be covered by a negotiated grievance procedure. Your servicing Civilian Personnel Advisory Center (CPAC) can provide you with further information. If you want to submit a complaint about employment discrimination due to race, color, religion, sex, age, national origin, or disability, contact (name and address of Equal Employment Opportunity officer). Appropriated fund employees' complaints regarding whistleblower reprisal or prohibited personnel practices may also be addressed to the Office of Special Counsel; non-appropriated fund (NAF) employees should address such complaints to the Office of the Inspector General, Department of Defense.

4. If you have a complaint about matters other than civilian employment, or a complaint about possible regulatory or procedural violations concerning personnel actions that you feel your supervisor has failed to (or cannot) resolve, you may visit, call, or write your local Inspector General using the following contact information:

Name:
Office hours:
Building / Room:
Address:
Telephone:

5. If you believe that your local Inspector General's response to your concerns is not fair, complete, or in accordance with law or regulation—or if you believe that contacting your local Inspector General may jeopardize your interests—you may write to (give address of the Inspector General at the appropriate headquarters). You may also call the Department of the Army Inspector General (DAIG) or the Inspector General, Department of Defense, Hotline. Their telephone numbers are as follows:

DAIG Assistance Line: 1-800-752-9747 (toll free)

IG, DoD, Hotline: 1-800-424-9098 (toll free)

6. You may report complaints about hazardous work conditions (unsafe or unhealthy) by following the procedures outlined in paragraph 8-4, DA PAM 385-10.

7. In accordance with Army Regulation 20-1, paragraph 1-12, the Inspector General has a duty to protect confidentiality to the maximum extent possible. This requirement to protect confidentiality is true for all persons who ask the Inspector General for help, make a complaint, contact or assist an Inspector General during an inspection or investigation, or otherwise interact with an Inspector General.

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. These same individuals are prohibited from taking any disciplinary or adverse action against you for filing a complaint, seeking assistance, or cooperating with the Inspector General, Special Counsel, or another employee designated by the head of the agency to receive such disclosures. However, if you lie or knowingly make false accusations to the Inspector General, you may be subject to disciplinary action.

//signature//
JOHN S. JONES
MG, USA
Commanding

Figure 6-2. Sample permanent notice memorandum of the rights of civilian employees to present complaints

b. Command redress. As a general rule, IGs will encourage the Soldier or civilian employee to discuss first with the chain of command any issues, allegations, or requests for assistance with the commander, chain of command, or supervisor as provided in AR 600–20. Allowing the chain of command to handle the matter underscores the chain of command’s importance and credibility. If the complainant does not wish to do so, the IG will accept the IGAR unless specific redress procedures are available (see para 6–3g, below). The IGs will always reinforce the chain of command and be careful not to undermine it by simply accepting an IGAR without first asking if the complainant notified the chain of command. When appropriate, IGs will direct Soldiers and DA civilian employees to the appropriate avenue of redress. Also, IGs will limit their involvement in matters that have established redress procedures to teaching and training and a due-process review once the Soldier or civilian employee has used that redress process but is still unsatisfied that he or she has received due process.

c. Jurisdiction. Army IGs will provide assistance on an area basis so that anyone may go to the nearest IG staff section for help or information. In the absence of a memorandum of agreement, memorandum of understanding, or support agreement between the commands and agencies involved or affected, the requirement to provide support on an area basis ensures IG coverage for routine assistance matters on local Army issues that the local IG is best suited to resolve. Routine assistance matters involving local issues presented by personnel from Army organizations without assigned IGs, 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 fall within the scope and intent of these provisions for area support. In all cases, IGs will determine which commander has the authority to resolve the issue. The IG will inform the complainant that if the issue falls within the jurisdiction of another commander and IG, then that IG must resolve the issue. The IG will then offer the complainant the option to address the issue directly with the IG who has jurisdiction over the matter or to refer the matter to that IG on the complainant’s behalf. An IG will use technical channels to coordinate efforts, resolve cases, or resolve concerns regarding IG jurisdiction. The Department of the Army Inspector General’s Assistance Division (SAIG–AC) is the final authority for resolving jurisdictional issues. If necessary, DAIG will address systemic issues involving those Army organizations without an IG and coordinate inspections or investigative actions as necessary.

d. The Inspector General action process. Inspectors general will use the 7-step Inspector General action process (IGAP) outlined in “The Assistance and Investigations Guide” to perform IG assistance in all components of the Army. The guide is available from The U.S. Army Inspector General School or its Web site at http://tigu-online.ignet.army.mil/tigs_online/index.htm. The process outlined in the guide represents IG doctrine and is authoritative in nature; IGs may shape, tailor, and adapt the techniques and steps therein as necessary. The IG functions of assistance and investigations share the IGAP, so many IGs receiving complaints containing both issues and allegations often perform both functions concurrently. When resolving issues, IGs will rely on the assistance inquiry that is part of Step 4, conduct IG factfinding of the IGAP to address or respond to a request for help or information. Timely and thorough assistance inquiries provide the basis for responding to the complainant’s issues and for correcting underlying deficiencies in Army procedures and systems. Unlike the more formal procedures used for investigations and investigative inquiries (see chap 7), the IG determines the best way to conduct the assistance inquiry. The only prescriptive provisions to the process appear below (step 4 has no prescriptive provisions and is not listed here)—

(1) *Step 1, receive the inspector general action request.*

(a) The IG or complainant will complete DA Form 1559 (Inspector General Action Request) as a base-control document and to capture the workload for all requests for assistance presented to an IG (except for 1-minute IGARs as defined in paragraph 6–1d(2)(k), below).

(b) Inspectors general will explain to all complainants the IG tenet of confidentiality, the PA, and the false-charge statement and then document the discussion in the case notes contained in the IGARS database.

(c) Inspectors general will not make promises or commitments to complainants except that the IG will look into the matter.

(2) *Step 2, conduct inspector general preliminary analysis.*

(a) Inspectors general will acknowledge, verbally or in writing, the receipt of all IGARs (except for anonymous complaints) and record the acknowledgement in the case file.

(b) Inspectors general will analyze each complaint for issues, allegations, and systemic problems as well as the complaint’s potential for embarrassment or adverse impact on the command such as readiness, discipline, morale, efficiency, and so forth.

(c) Inspectors general receiving anonymous complaints forwarded through congressional channels will acknowledge receipt to the originating MC when appropriate (see para 6–1f(1), below).

(d) An IG who receives the same complaint that a complainant submitted to an MC will inform the complainant in writing that the final response will come from the MC and not the IG. If the originating MC is no longer in office, the incumbent MC will provide the response. The Department of the Army Inspector General’s Assistance Division will respond to the MC (see para 6–1f(1), below).

- (e) The IG will inform the complainant that the final response will contain only the information that directly and personally affects the complainant.
- (f) Inspectors general will explain to third-party complaint initiators that any response to them is subject to the release of information by the intended complainant except when the information is released pursuant to a PA exception.
- (g) Inspectors general will provide an interim response to complainants when the final response will be significantly delayed due to operational demands, complexity of the case, or the receipt of additional information. Inspectors general will provide interim responses every 60 days until the matter is resolved and the case closed.
- (h) Inspectors general will acknowledge—principally through the IGARS database—all IGARs referred by another IG.
- (i) An IG who receives IGARs concerning subordinate or other commands will inform the complainant that the IG will refer the issues and/or allegations to the appropriate command to allow that command the opportunity to resolve the matters. If the complainant objects, the IG will notify the complainant that the case will be resolved at an appropriate level in accordance with IG policy.
- (j) The IG receiving the IGAR will *always* open a case in the IGARS database after determining all issues and allegations and their appropriateness for IG action.
- (k) Inspectors general will use the 1-minute IGAR function in the IGARS database only for simple requests for information (function code 1A) that the IG can resolve or answer quickly or requests for IG-to-IG support (function code 1B).
- (l) Inspectors general will not include in the IGARS database information from protected programs or other classified information in accordance with AR 380–5, AR 380–381, and AR 381–10.
- (3) *Step 3, initiate referrals and make initial notifications.*
- (a) When referring a case to the local chain of command that warrants continued IG interest, the IG will keep the case open to monitor the chain of command's actions and document those actions in the IGARS database before closing the case.
- (b) Inspectors general may refer IGARs to an appropriate agency outside the chain of command on behalf of the complainant but must remain mindful of confidentiality concerns and determine if the case requires monitoring until completion.
- (c) Inspectors general may refer issues to other IG staff sections due to jurisdictional or other reasons and close the case in IGARS as necessary. Referring IG staff sections may only retain office-of-record status in the vertical chain of command (such as ACOM down to corps or division) and with the agreement of the receiving IG staff section, which will in turn become the office of inquiry. The office of record will only close the case once the office of inquiry has reported its factfinding results.
- (d) The DAIG's Assistance Division is the only external IG organization that can direct an IG staff section in the field to work an issue or conduct an investigation. This tasking authority does not exist among IGs, regardless of echelon, below DAIG level. If a disagreement between two IG staff sections occurs with regard to a referral, DAIG's Assistance Division will adjudicate.
- (e) Inspectors general will refer to DAIG's Intelligence Oversight Division all nonroutine IGARs involving an individual or issue associated with a SAP or sensitive activity by secure means.
- (4) *Step 5, make notification of results.* At the completion of the assistance inquiry, the IG will notify the complainant of the results that pertain directly to the complainant verbally or in writing and then annotate the notification in the case file and IGARS database.
- (5) *Step 6, conduct follow-up.*
- (a) Inspectors general will ensure that, upon closing the file, they have addressed all issues and allegations appropriately.
- (b) Follow-up will include a review of issues previously addressed to determine if further appeal procedures are available or if the IG must examine due process.
- (c) An IG will not close the case until all appropriate actions have been completed.
- (6) *Step 7, close the inspector general action request.*
- (a) Inspectors general will ensure that the synopsis entered into the IGARS database includes an evaluation of the facts and evidence examined, as well as a conclusion that the issues were "founded" or "unfounded."
- (b) Inspectors general will, upon closing the case in the IGARS database, analyze the issue (or issues) addressed for trends and systemic implications throughout the command.
- (c) Those IGs who lack connectivity to the IGARS database will forward completed case data to DAIG in accordance with guidance provided by DAIG's Information Resource Management Division (SAIG–IR).
- (d) Inspectors general will encourage complainants who are not satisfied with the IG's conclusions to seek redress through the next higher IG before elevating the matter to TIG or DODIG.
- e. *Time limit.* Complainants must present their issues and allegations to an IG in a timely manner in order for IGs to resolve them effectively. An IG is not required to look into a complaint if the complainant has failed to present the matter within 1 year of learning of the alleged problem or wrongdoing or if more than 3 years have elapsed since the

date of the problem or wrongdoing. The ACOM, ASCC, or DRU IGs and DAIG may accept complaints submitted 3 to 5 years after the alleged problem or wrongdoing where extraordinary circumstances justify the complainant's delay in reporting the allegation or issue—or in cases of special Army interest. The ACOM, ASCC, or DRU IGs may also approve for action complaints received by lower echelon IG staff sections in the vertical chain that occurred between 3 and 5 years after the alleged problem or wrongdoing and where extraordinary circumstances exist. The ACOM, ASCC, or DRU IGs and DAIG will serve as the office of record when referring such cases to a lower level IG. The Inspector General is the final authority for complaints beyond 5 years. This time limit does not invest IGs with the authority to decline a referral from DODIG and an MC; in addition, the time limit does not apply to the requirement to report allegations against senior officials in accordance with paragraph 1–4b(5)(d), above.

f. Special correspondence. Inspectors general routinely receive written allegations or requests for assistance in a variety of ways. Normal correspondence includes letters (and in some cases audio or video tapes) that the IG must attach to the hard-copy DA Form 1559 as part of the case file. Call-in complaints are acceptable, but receipt of a telephonic complaint does not constitute acceptance until the IG verifies the source. The following types of written complaints represent special situations and, in some cases, require special handling:

(1) *White House and Congressional correspondence.* The Army White House Liaison Office (WHLO) refers requests from the President, Vice President, or their spouses to DAIG or to an Army staff agency. 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 the Army staff, the chain of command, or to DAIG (see para 6–6, below, for ARNG responses to MCs). If the WHLO or OCLL forwards the matter to DAIG, then DAIG's Assistance Division will in turn refer the matter to the appropriate Army IG staff section for action while retaining office-of-record status. The receiving IG staff section will be the office of inquiry and may conduct an assistance inquiry, investigative inquiry, or investigation based upon the nature of the complaint. Once the IG action is complete, the IG will forward the results through the ACOM, ASCC, or DRU IG to DAIG's Assistance Division, which will prepare the final response to the complainant on behalf of the President or to the MC, and furnish copies to the WHLO or OCLL and the IG staff section (or sections) that processed the case. Any IG who receives a request directly from the President or an MC, or from the installation or activity congressional liaison office, will promptly notify DAIG's Assistance Division so that the Assistance Division can contact the WHLO or OCLL to have the case transferred to DAIG.

(2) *Secretary of Defense, Secretary of the Army, and Chief of Staff, Army correspondence.* The Inspector General may receive referrals from the Secretary of Defense, SA, CSA, and the Executive Communications and Control office. The Department of the Army Inspector General's Assistance Division, on behalf of TIG, will forward these referrals to Army staff agencies, ACOMs, ASCCs, and DRUs for input and responses to these referrals.

(3) *The DOD Hotline.* The hotline coordinator in DAIG's Assistance Division receives these cases from the DODIG Hotline Office. The division refers these cases for assistance inquiry or investigation to ACOM, ASCC, or DRU IGs or to Army staff principals for command inquiry or investigation under AR 15–6. These agencies or commands must reply using the Hotline completion format specified in DODI 7050.01 (see para 7–4a, below).

(4) *Electronic mail.* Inspectors general will treat IGARs sent by email as a call-in complaint and ask the complainant to confirm the IGAR in writing to verify the originator of the complaint. The IG will acknowledge receipt by sending a generic email message only if the complainant did not provide a mailing address or telephone number. When acknowledging receipt by email, the IG must use a generic subject line to ensure the complainant's confidentiality. The IG will never reply to the actual message but instead develop and send a new message to avoid sending confidential IG information back through an open email server. Receipt of an email complaint, like a call-in complaint, does not constitute acceptance by the IG until the IG verifies the source or, if anonymous, that the complaint is in fact legitimate.

6–2. Special types of complaints and complainants

a. Anonymous complaints. Inspectors general will not ignore anonymous IGARs. Inspectors general will analyze all anonymous complaints for issues and allegations and then take action to resolve them to protect the interests of the government. When processing anonymous allegations and complaints, IGs will not attempt to identify the complainant or create the appearance of doing so. Determining the facts related to the IGAR is the IG's primary concern. If the IG does not have enough information to resolve the complaint, the IG will close the case and note that fact in the synopsis. Because the complaint is anonymous, the IG is not required to reply to the complainant even if the IG later learns the complainant's identity. Inspectors general will not accept anonymous or third-party allegations of statutory whistleblower reprisal or improper MHE referral (see para 1–12f, above). The affected individual must want the IG to investigate the allegation and be willing to cooperate; only the DODIG can close a case based upon the complainant's request or failure to cooperate with the investigator.

b. Habitual complainants. Some complainants will repeatedly bring complaints to an IG. If a case has been closed, the IG will review any new material and determine if he or she should re-open the case. Inspectors general will not automatically reject habitual complaints without first analyzing, in an impartial manner, the complaints for new matters.

c. Third-party complainants. Third-party complainants are individuals who provide a complaint on behalf of a

Soldier or civilian employee. Most third-party complainants tend to be parents or other Family members. The PA prohibits the release of PA-protected information to third parties without the consent of the individual to whom the information pertains unless an applicable PA exception applies that permits disclosure. Inspectors general will obtain a DA Form 7433 (Privacy Act Information Release Statement) authorization or some other form of written authorization from the complainant prior to releasing any personal information pertaining to the complainant. If the information will be released pursuant to a PA exception, the IG will still attempt to obtain a signed DA Form 7433 from the individual to whom the information pertains. In such cases, failure to obtain the individual's written (or even verbal) consent will not preclude the release of personal information. In general, IG responses to third parties are direct in nature and simply acknowledge receipt of the complaint. If the individual is a Soldier or civilian employee participating in an alcohol or drug rehabilitation program, refer to AR 600-85 for an example of the consent statements for release of information.

d. Emotional complainants. Many complainants will have strong emotions regarding the matters they present to the IG and have, on occasion, displayed strong anger or resentment. All complainants, however, must behave appropriately and adhere to proper professional or military courtesy as necessary when presenting their IGARs to the IG. Inspectors general will advise complainants who become verbally abusive, disrespectful of military rank and authority, or threatening in any other manner that such behavior is unacceptable. In such cases, IGs will caution the complainant that the IG may bring continued abusive, disrespectful, or threatening behavior to the attention of the appropriate command or supervisory authority. The IG must be cautious, however, to avoid referring such behavior to a command or individual at a time that might result in reprisal against the complainant as defined by the whistleblower protections. If the IG makes such a referral, he or she must ensure that the referral occurs for the abusive, disrespectful conduct and not for the protected, lawful communication with the IG. The IG will carefully weigh the severity of the complainant's behavior against the potential effect on the IG system and on the complainant's right to make a protected communication before referring such behavior to the appropriate command or supervisory authority.

e. Withdrawn complaints. At any point following receipt of a complaint, the complainant may ask to withdraw the IGAR. The IG must determine whether to continue the case based on the interests of the Army or the command. The complainant's permission to proceed with the case is not necessary. However, IGs will determine why the complainant elected to withdraw the complaint. Possible reprisal, coercion, or duress are appropriate issues of concern for IGs. The IG will not suggest that a complainant withdraw a complaint. But, if the complainant desires to do so, the IG will require a written request to document the withdrawal or annotate the request in the case notes if the complainant declines to submit the withdrawal request in writing. If the IG continues with the complaint, the IG has no further requirement to notify the complainant.

f. Abusers of the inspector general system. The IG must assume that each complaint received is legitimate and worthy of further inquiry. Complainants have the responsibility to present truthful information concerning allegations or other information. However, in situations where a complainant has a documented history of submitting baseless and unfounded issues and allegations, or has presented a pattern of complaints that are false, malicious, deceptive, frivolous, or defamatory, the command IG may require the complainant to present any and all subsequent matters in writing *only* via fax or mail. While not intended to discourage the submission of additional matters, this procedure will prompt the complainant to be deliberate, specific, and truthful. Before imposing this condition on a complainant, the command IG must obtain the directing authority's approval and inform DAIG's Assistance Division. The IG will then notify the complainant of the requirement in writing, clearly state the reasons for the requirement, and provide the complainant with the IG fax number and mailing address. The IG will include a copy of the notification in the case file; adhere to the IGAP by reviewing all additional submissions for new evidence, issues, and allegations; and annotate any actions taken in the case notes. The IG may also advise the directing authority that he or she may choose to resolve the complainant's numerous issues or allegations by other means.

g. 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, the IG will process the IGAR as appropriate. If the IGAR contains issues that are appropriate for another Service, the IG will refer the issues to that Service IG through DAIG's Assistance Division and then assist that Service IG as necessary. If the matter involves the ANG, DAIG's Assistance Division will refer it to the NGB IG.

h. Pay-related inspector general action requests. If the local finance office cannot resolve a pay issue, the IG will contact the U.S. Army Finance Command's (USAFINCOM's) IG (part of the Defense Finance and Accounting Service) for assistance. The USAFINCOM IG only provides technical-support assistance to other IGs and does not accept referrals. The USAFINCOM IG will resolve the pay matter and then provide the information to the IG office of record.

i. Military technicians. Military technicians in both the ARNG and USAR are Federal civilian employees who, as a condition of their employment as outlined in 10 USC 10216, must maintain membership in the selected reserve. The inherent dual status of military technicians requires IGs to determine the technician's status (military or civilian) with regard to the issue or when the technician was alleged to have committed an impropriety. Knowing the individual's correct status will determine how best to resolve the matter. Contact DAIG's Assistance Division for questions concerning a technician's status.

6-3. Matters inappropriate for inspector general action or with limited inspector general involvement

Several types of complaints are not appropriate for IG action, require minimal IG involvement, or are a combination of both of these factors. The IG will always advise complainants of the appropriate recipient for the complaint and normally allow the complainants to present the matter to that agency. The IG may elect to refer the issue on behalf of the complainant but must be mindful of confidentiality concerns. The IG will still open a case in IGARS and note the referral action. Matters not appropriate for IG action—or for which IGs have a limited or infrequent role—are as follows:

a. Soldier nonsupport of Family members. Inspectors general have a limited role in matters involving Soldier nonsupport of Family members. Resolving nonsupport claims is a command responsibility, and the IG's primary role is to act as an information conduit to the Soldier's immediate commander. The IG must ensure that the Soldier's immediate commander is aware of all complaints, provided copies of documentation, and takes appropriate action. It is AR 608-99, as applicable, that establishes the commander's responsibilities in nonsupport cases. The Judge Advocate General (TJAG) is the proponent for AR 608-99, so local or servicing SJAs are best suited to answer a complainant's or commander's detailed questions regarding this policy. The IG's actions upon receiving a complaint of nonsupport are as follows:

(1) Ensure that the Family members' immediate needs such as food and shelter are met by contacting the appropriate military support agency and the appropriate commander so that both may assist the complainant using a combination of military and civilian resources. The IG will monitor this process until the Family members' immediate needs are met.

(2) The IG will inform the complainant that he or she must notify the commander directly, or the IG may opt to refer the complaint directly to the commander on the complainant's behalf. Inspectors general are authorized to provide the complainant with the commander's contact information. The commander must respond in writing to the complainant within 14 days. The IG will monitor the situation by confirming that the commander responds to the complainant before closing the case in IGARS.

(3) When requested by the Soldier's commander, IGs may use IG technical channels to communicate with the complainant or gather additional information by other means.

(4) If the complainant has specific questions about AR 608-99, the IG will refer the complainant to the local or servicing legal assistance officer.

(5) If the commander fails to respond within 14 days and the complainant returns to the IG for assistance, the IG will contact the commander's next higher commander and allow the chain of command to resolve the matter. If no further action occurs, the IG may investigate the Soldier's commander for failing to adhere to the requirements of AR 608-99.

b. Private indebtedness. Resolving indebtedness claims is a command responsibility as outlined in AR 600-15. The IG will determine if the complainant has forwarded the indebtedness claim to the Soldier's commander. If not, the IG may assist the complainant in properly routing the complaint. If the commander fails to act after the complainant forwards the complaint to the command, the IG may investigate the Soldier's commander for failing to adhere to the requirements of AR 600-15.

c. Contractor activities. Contractor activities normally fall within the jurisdiction of other established avenues of redress and are not appropriate for IG action except in rare cases. Inspectors general will analyze the substance of complaints from contractors and their employees who are involved in commercial, procurement, or contracting activities on behalf of the Army to determine if the matters may be appropriate for IG action. In most cases, the IG will refer the matter to the Principal Assistant Responsible for Contracting and/or the contracting officer representative or coordinate with that person—as well as the command's SJA, general counsel, or DAIG's legal advisor to determine how best to resolve the contract-related complaint.

d. Not of Army interest. In cases where the issues are clearly not Army related, the IG will not accept the IGAR and will advise the complainant to present the matter to the appropriate agency or Service.

e. Civilian Personnel Operations Centers. Issues and allegations related to CPOCs require immediate referral to the U.S. Army Civilian Human Resources Agency, a field-operating agency of the Deputy Chief of Staff, G-1 (DCS, G-1). For both continental United States (CONUS)- and OCONUS-based CPOCs, the local IG may provide assistance in direct coordination with a DCS, G-1 representative. The IG may also use IG channels to coordinate or refer the matter or to resolve concerns regarding IG jurisdiction. For OCONUS-based Civilian Personnel Operations Centers, IGs may contact the ACOM, ASCC, or DRU IG regarding systemic issues involving CPOC operations and coordinate inspections and investigation actions. For CONUS-based Civilian Personnel Operations Centers, IGs may contact DAIG regarding systemic issues involving CPOC operations and coordinate inspections and investigation actions.

f. Hazardous work conditions. All IGs will advise complainants presenting IGARs concerning hazardous work conditions (unsafe or unhealthy) to follow the procedures outlined in AR 385-10.

g. Redress available through other means. Many situations exist in which either law or regulation provides Soldiers a remedy or means of redress. Soldiers must seek and exhaust the prescribed redress or remedy before an IG can provide assistance. Once the Soldier has used the available redress procedures, the IG is limited to a review of the redress process to determine if the Soldier was afforded the due process provided by law or regulation. Examples of

situations where specific redress, remedy, or appeals procedures are applicable include, but are not limited to, the following:

- (1) Courts-martial actions.
- (2) Non-judicial punishment.
- (3) Officer evaluation reports.
- (4) NCO evaluation reports.
- (5) Enlisted reductions.
- (6) Type of discharge received.
- (7) Pending or requested discharge.
- (8) Financial liability investigations of property loss.
- (9) Relief for cause.
- (10) Adverse information filed in personnel records (except for allegations of reprisal).
- (11) Claims.

h. Redress available for Department of Defense civilian employees through other channels. Federal law and regulations, DOD guidance, Army regulations, and local collective bargaining agreements include procedures for processing grievances and appeals. Procedures are also available for processing Equal Employment Opportunity (EEO) complaints made by employees pertaining to the terms and condition of their employment. Inspectors general will advise civilian employees to use the procedures prescribed by the applicable laws, regulations, and agreement rather than IGAP procedures in processing these complaints. Inspectors general may act upon matters that do not directly affect the civilian's employment situation or well-being such as allegations against third parties and reports of alleged misconduct, mismanagement, or other matters requiring command attention. Civilian complaints with other means of redress generally fall into the following five broad categories:

- (1) Grievances under DOD 1400.25–M, subchapter 771, under a negotiated collective bargaining agreement require referral to the local civilian personnel advisory center (CPAC).
- (2) Appeals of adverse actions within the purview of 5 USC 7701–7703 require referral to the local CPAC.
- (3) Any EEO complaints, including those matters regarding reprisals for protected EEO activity within the purview of AR 690–600, require referral to the EEO officer or counselor.
- (4) Complaints of retaliation or reprisal within the purview of 5 USC 2301 and 5 USC 2302 require referral to the U.S. Office of Special Counsel, 1730 M Street NW, Suite 218, Washington, DC 20036–4505. Complaints of retaliation or reprisal within the purview of 10 USC 1587 require referral to the Office of the Inspector General, Department of Defense, 400 Army Navy Drive, Arlington, Virginia 22202–4704.
- (5) Other statutory or regulatory complaint or appeal processes that may provide redress.

i. Soldier equal opportunity complaints. When an equal opportunity complaint is presented to an IG, the IG will normally refer the complainant to the supporting equal opportunity office for action. If an equal opportunity complaint requires IG action, the IG will use the IGAP rather than the equal opportunity process to resolve complaints. But in accordance with AR 600–20, and paragraph 1–4a(9)(c) of this publication, IGs will use an IGAR to process the complaint as an alternative to normal equal opportunity complaint channels. When the complainant seeks redress for past alleged discriminatory practices that have become part of official Army records, the IG will advise the complainant to use the appeals procedures provided by law or Army regulations pertaining to the particular adverse action. Examples include officer or noncommissioned officer evaluation reports appeals, courts-martial appeals, and other action listed in subparagraph *g*, above.

j. Command climate sensing sessions. Inspectors general will only conduct command climate sensing sessions if specifically directed to do so by the directing authority. Other staff proponents such as the equal opportunity advisor, chaplain, or EEO advisor are trained to conduct these sensing sessions and will perform them as requested during command or staff inspections or under other circumstances as directed by the commander. If the commander directs the IG to conduct a command climate sensing session, the IG will always recommend first that the appropriate staff proponents conduct the sensing session, because the IG must act on every issue or allegation that surfaces during the session. The DA PAM 600–20 provides guidance on how to conduct command climate sensing sessions, and the proponent for this pamphlet is the DCS, G–1. If an IG must conduct a command climate sensing session that includes DA civilian employees, the IG must first coordinate with the servicing CPAC to determine if the IG must notify a union. This provision does not preclude IGs from assessing the command's morale. An IG may assess morale using interviews, sensing sessions, and other IG information-gathering techniques and may report the information informally or formally to the commander. In all cases, the information gathered is IG information and subject to the provisions governing IG records outlined in chapter 3.

k. Criminal allegations. Inspectors general will not normally conduct investigative inquiries or investigations when the alleged impropriety is of a nature that, if substantiated, would likely constitute criminal misconduct. See paragraph 7–1i(1) for further guidance.

6–4. Acting inspectors general

a. Purpose. Acting IGs are most commonly appointed to provide IG access to remote locations and to ensure that

Soldiers, Family members, and DA civilian employees have reasonable access to the Army IG system. The appointment of acting IGs is discussed in further detail in paragraph 2–2, above.

b. Duties. Since acting IG duty is an additional responsibility and to prevent conflicts of interest, acting IGs will only provide simple assistance to complainants who provide IGARs that are personal or administrative in nature such as minor pay problems, loss of household goods, or obtaining an identification card for a spouse. In these cases, the acting IG is authorized to conduct a limited assistance inquiry to resolve the matter. The acting IG will promptly refer any other complaints that are not of a routine administrative nature to the supervising command or detailed IG for action. The acting IG will receive the IGAR but must notify the complainant that the detailed or command IG will process and resolve the matter.

c. Other duties. Supervising detailed and/or command IGs may task an acting IG to collect documents at the acting IG's location for an inspection, assistance inquiry, investigative inquiry, or investigation or to assist in making administrative arrangements for an inspection, assistance, or investigation team. Acting IG support for the inspections, assistance, and investigations functions will not exceed this kind of limited administrative help.

6–5. Assistance visits

a. Visits to subordinate commands. Inspectors general may conduct assistance visits to subordinate commands to evaluate the assistance function locally; identify or prevent problems with DA or local policies; provide assistance to Soldiers, Family members, and DA civilians; assist subordinate IGs and the chain of command; and assess the morale of the command.

b. Staff assistance visits. Command IGs of higher echelon IG staff sections may conduct staff assistance visits (SAVs) of lower echelon IG staff sections to review their processes in conducting the four IG functions and to identify areas to sustain and improve. The SAVs will not be a premise for interfering with the guidance or prerogatives of a lower echelon commander with his or her IG. See AR 1–201 for further guidance on SAVs.

c. Coordination of visits. Higher echelon command IGs will coordinate with lower echelon command IGs prior to an assistance visit or SAV. Normally, the coordination will occur 90 to 120 days prior to the visit but may be adjusted based upon coordination and agreement by both command IGs. The visiting assistance or SAV team will normally invite the subordinate command's IGs to accompany them during the visit when venturing outside the IG staff section's office.

6–6. Guidelines for Army National Guard assistance matters

a. Federal and non-Federal interest. Inspectors general will process IGARs submitted by ARNGUS personnel based on their individual status and that involve matters of Federal interest with the cooperation of, and in coordination with, the State AG using the procedures outlined in this chapter. An IG may process matters of non-Federal interest as prescribed by the State AG but must do so within the guidelines established in this regulation. Inspector general action requests submitted by ANG personnel are addressed in paragraph 1–10, above.

b. Equal opportunity complaints. Inspectors general will process discrimination complaints made by members of the NG on the basis of race, national origin, gender, or religion under NGB guidance rather than using the normal IG assistance function.

c. Responses to Congress. If an ARNG IG receives an inquiry directly from an MC and there is no indication the MC has contacted OCLL or DAIG on the same issue, the ARNG IG may respond directly to the MC as is customary in that State for handling congressional replies. An IG will contact DAIG's Assistance Division to confirm that DAIG has not received a parallel complaint from OCLL. If DAIG received a parallel complaint, the ARNG IG will provide DAIG with a copy of the response to the MC. When there is an indication that DAIG or OCLL has been contacted, the IG will forward the completed report through NGB to DAIG's Assistance Division.

d. Responses to State officials. If a State's command IG receives inquiries directly from the governor and/or State representatives or senators, the command IG may respond directly to the State official as is customary in that State for handling State inquiries.

Chapter 7

The Inspector General Investigations Function

7–1. Inspector general investigations—purpose and procedures

a. Investigations as an inspector general function. Investigations is the IG function that provides the commander or directing authority another means through which to resolve allegations of impropriety. Inspectors general may investigate violations of policy, regulation, or law; mismanagement; unethical behavior; fraud; or misconduct. Commanders may opt for an IG investigation or investigative inquiry when extreme discretion is necessary or the allegation requires preliminary factfinding before deciding to resolve the alleged impropriety in command, IG, or other channels. The primary purpose of IG investigations and investigative inquiries is to resolve allegations of impropriety; to preserve confidence in the chain of command; and, if allegations are not substantiated, to protect the good name of the subject

or suspect. Inspectors general who conduct investigations or investigative inquiries obtain evidence to determine if the allegations are "substantiated" or "not substantiated" (see para 7–2*b*, below) and if any issues associated with the allegation (or allegations) are "founded" or "unfounded" (see para 6–1*a*, above). The preponderance of credible evidence is the standard of proof IGs use to substantiate or not substantiate allegations. Preponderance is defined as superiority of weight and indicates that the alleged impropriety probably occurred. Within the investigations function, IGs have two factfinding methodologies they may use in Step 4 of the IGAP—investigative inquiries and investigations. The definitions of these two methodologies are as follows:

(1) *Investigation*. A formal factfinding examination into allegations, issues, or adverse conditions of a serious nature that provides the directing authority a sound basis for making decisions and taking action. Inspector general investigations involve the systematic collection and examination of evidence that consists of testimony recorded under oath; documents; and, in some cases, physical evidence. Only the directing authority can authorize IG investigations using a written and signed directive. Inspectors general normally do not resolve allegations using this methodology but instead rely on the investigative inquiry defined below. Inspectors general report the conclusions of their investigations using an ROI.

(2) *Investigative inquiry*. An informal factfinding examination into allegations, issues, or adverse conditions that are not significant in nature—as deemed by the command IG or the directing authority—and when the potential for serious consequences (such as potential harm to a Soldier or negative impact on the Army’s image) are not foreseen. The IG investigative inquiries involve the collection and examination of evidence that consists of testimony or written statements; documents; and, in some cases, physical evidence. Command IGs direct investigative inquiries and provide recommendations to the directing authority or subordinate commanders as appropriate. The directing authority reserves the right to direct an investigative inquiry if he or she feels an investigation is not appropriate. Inspectors general resolve most allegations using this methodology and report their conclusions using an ROII.

b. The Inspector General action process. Inspectors general will use the 7-step IGAP outlined in “The Assistance and Investigations Guide” to perform IG investigative inquiries and investigations. The guide is available from The U.S. Army Inspector General School or its Web site at http://tigs-online.ignet.army.mil/tigu_online/index.htm. The process outlined in the guide represents IG doctrine and is authoritative in nature; IGs may shape, tailor, and adapt the techniques and steps therein as necessary. The IG functions of assistance and investigations share the IGAP, so IGs receiving complaints containing both issues and allegations often perform both functions concurrently. The only prescriptive provisions to the process appear below:

(1) *Step 1, receive the inspector general action request*. The provisions in subparagraphs 6–1*d*(1)(a) through (c), above, apply.

(2) *Step 2, conduct inspector general preliminary analysis*. The provisions in subparagraphs 6–1*d*(2)(a) through (f), (h) through (j), and (l) apply. The following prescriptive measures also apply to this step of the IGAP when conducting investigations or investigative inquiries:

(a) Inspectors general will promptly notify the next higher IG and the directing authority of any allegation that, if substantiated, would adversely affect public perception of the command such as matters of media interest; complaints of sexual harassment; and reports of fraud, waste, and abuse.

(b) If the IG knows the complainant’s identity, the IG must interview the complainant during this step or Step 4.

(3) *Step 3, initiate referrals and make initial notifications*. The provisions in subparagraphs 6–1*d*(3)(a) through (e), above, apply. The following prescriptive measures also apply to this step of the IGAP:

(a) Inspectors general will inform complainants that the IG may refer any issues and allegations to the chain of command or other non-IG entity for resolution. Although a complainant’s disagreement with the referral does not preclude a referral, the IG will consider the complainant’s preference when deciding to refer the issue. Inspectors general will adhere to the records-release provisions of chapter 3, above, when referring allegations to the chain of command.

(b) Inspectors general performing investigations or investigative inquiries will verbally notify the subject’s, or suspect’s, commander or supervisor prior to conducting any interviews in the commander’s or supervisor’s organization, except for the complainant interview if necessary, and verbally notify the subjects or suspects of the nature of the allegations prior to conducting subject or suspect interviews or requesting statements.

(c) If the IG refers an allegation to the command and the command elects to take appropriate action, the IG will review the command product to ensure that the command’s investigating officer formally notified the subject or suspect of his or her status, that the subject or suspect had unfavorable information about him or her, and that the subject or suspect had an opportunity to comment. If the IG can use the command product with the subject or suspect interview, without an additional IG subject or suspect interview, a further initial notification is not required (see para 7–3*c*, below). If the IG determines that the command’s investigating officer did not properly notify the subject or suspect of his or her status, or cannot exclusively use the command product and must conduct a separate subject or suspect interview, then the IG will notify the subject or suspect of his or her status prior to conducting the IG interview. Furthermore, if the IG notifies the subject or suspect of unfavorable information during this step, a copy of the notification must be included in the ROI or ROII (see para 7–1*b*(6), below).

(d) Record all notifications using the formats in “The Assistance and Investigations Guide” for later attachment to

the ROI or ROII. The subject or suspect notification is evidence that the IG afforded the subject or suspect the right to know all allegations. The IG will record these notifications in the IGARS case notes.

(4) *Step 4, inspector general factfinding.* The following provisions for this step apply to investigations and investigative inquiries as specified.

(a) The IG assigned to conduct the investigation will obtain a written directive from the directing authority (investigations only).

(b) The IG will verbally notify the subject or suspect and the appropriate commanders or supervisors of the investigation or investigative inquiry and the allegations.

(c) The IG will develop a written investigative plan that includes a witness list with the complainant, subject-matter experts, witnesses, and the subject or suspect; an interview sequence; and questions for each witness.

(d) (Investigations only but recommended for investigative inquiries): The IG will take recorded testimony under oath from all witnesses, subjects, and suspects in compliance with PA and FOIA notices and render rights warnings for suspects with DA Form 3881 (Rights Warning Procedure/Waiver Certificate) when required in accordance with the guides and scripts contained in "The Assistance and Investigations Guide."

(e) Inspectors general will transcribe into written form all recorded testimony, taken under oath, for attachment as an exhibit in the ROI or, if applicable, the ROII. All investigating officers will verify the accuracy of the written verbatim or summarized testimony against the recorded version before including it as an exhibit in the ROI or ROII.

(f) Persons who provide testimony in IG investigations and investigative inquiries and their legal counsel (if present) will not record their testimony by tape or other means to protect the confidentiality of witnesses, subjects, and suspects. Witnesses, subjects, and suspects may review their testimony for accuracy prior to completion of the investigation or investigative inquiry but will not alter the content. Clarifications, modifications, or additions to one's testimony will require a subsequent interview or a sworn, written statement at the investigator's discretion.

(g) Inspectors general will ask people with whom they speak during notifications and interviews not to disclose the matters under investigation or investigative inquiry 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 IGs will not provide defense counsels with witness names due to IG confidentiality requirements.

(h) Notify DAIG's Assistance Division within 2 working days of any subject or suspect who fails to answer a question or provide information during the course of an IG investigation or investigative inquiry so that TIG may notify the commander to assess the individual's continued access to classified material (see AR 380-67).

(i) The IG will capture the results of the investigation or investigative inquiry in an ROI, ROII, or hotline completion report (see para 7-2, below).

(j) The IG will obtain a written legal review of the ROI, ROII, or hotline completion report in memorandum or letter format if the report contains any substantiated allegations or resolves a complaint of statutory whistleblower reprisal or improper mental health referral. The IG will include this legal review in the ROI or ROII. Legal reviews are not required for ROII or hotline completion reports that do not contain substantiated findings.

(k) The IG will obtain the directing authority's approval for investigations and the command IG's approval for investigative inquiries.

(5) *Step 5, make notification of results.* The provision in subparagraph 6-1d(4), above, applies. The following prescriptive measures also apply to this step of the IGAP:

(a) The IG will notify the subject or suspect of the approved results of the investigation or investigative inquiry in writing (by return receipt if using the postal system) and record that action in the IGARS database. The information in the database must accurately address the allegations, conclusions, recommendations, and command actions.

(b) As part of the written notification, the IG will explain to subjects or suspects with substantiated allegations or other unfavorable information the procedures necessary to obtain copies of the ROI or ROII under FOIA (see para 7-1f, below).

(c) The IG will notify the subject's or suspect's commander or supervisor of the approved findings. If notifying any of these persons is inappropriate, the IG will notify a higher level commander of the results.

(d) Inspectors general will notify appropriate commanders of substantiated conclusions even if the IG did not initially notify the commander of the investigative inquiry or investigation.

(e) Inspectors general will notify subjects or suspects of any unfavorable information that the IG included in the ROI or ROII for which the subject or suspect was not apprised (see para 7-1f, below).

(f) Inspectors general will maintain all notification records with the case file if the IG cannot attach the record to the electronic IGARS file.

(6) *Step 6, follow-up.* The following prescriptive measure applies to this step of the process. The IG will ensure that any responses from the subject or suspect to unfavorable information that will appear in ROI or ROII are maintained with the case file if the IG cannot attach the record to the electronic IGARS file. Similarly, the IG will ensure that any notification of unfavorable information made to the subject or suspect, as opposed to unfavorable information made

known and documented during the interview process, is maintained with the case file if the IG cannot attach the notification to the electronic IGARS file.

(7) *Step 7, close the inspector general action request.* The provisions in subparagraphs 6–1d(6)(a) through (d), above, apply. The following prescriptive measure also applies to this step of the process: The IG will notify the complainant in writing, record the action in the IGARS database, and maintain the notification record with the case file if the IG cannot attach the record to the electronic IGARS file.

c. Common guidelines with the assistance function. The guidance on command policy, general IG jurisdiction, time limits, emotional complainants, and so on outlined in paragraphs 6–1c through 6–1f and 6–3, above, apply to the investigations function.

d. Jurisdiction and directing authorities. The SA has authorized TIG to investigate all Army activities. Only the SA, the Under Secretary of the Army, the CSA, the VCSA, and TIG may direct 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. The Inspector General may direct a command IG at all levels and in all components to conduct an investigation or investigative inquiry.

(1) Inspectors general may investigate allegations against members of the command or subordinate commanders within the IG’s sphere of activity as authorized by the directing authority.

(2) Command inspectors general may direct investigative inquiries within the IG’s sphere of activity.

(3) The next higher IG will investigate allegations against the IG’s commander unless that commander is a senior official. If the commander is a senior official, the IG will forward the allegation to DAIG’s Investigations Division within 2 working days (see para 7–1l).

(4) Expanding the scope of an IG investigative or investigative inquiry, or adding additional allegations or individuals not originally addressed in the beginning of the investigation, requires the approval of the directing authority or command IG as applicable.

(5) If the IG discovers matters requiring investigative action that are unrelated or not subordinate to the allegations being addressed in the ongoing investigation or investigative inquiry, the IG will report them to the directing authority or command IG for appropriate action. If the IG is not directed to investigate these new allegations, the IG will record them in the “Other Matters” paragraph and recommend referral to the command or appropriate agency in the recommendations paragraph, both of which are found in the ROI or ROII. If these new allegations are resolved in the same investigation or investigative inquiry, the IG will document the genesis of the allegations in the background or introduction paragraph of the ROI or ROII.

(6) Inspectors general may conduct investigations and investigative inquiries at tenant units belonging to other ACOMs, ASCCs, and DRUs after coming to a mutual agreement between the IG who must conduct the investigation and the ACOM, ASCC, or DRU IG. The Department of the Army Inspector General’s Assistance Division will resolve all jurisdictional issues.

(7) State AGs may direct IG investigations or investigative inquiries into Federal activities within their States, to include investigating matters concerning both the ARNG and ANG.

(8) Directing authorities may not terminate an IG investigation or investigative inquiry unless TIG approves. Any allegation framed as a result of a protected communication to an IG that the command elects to investigate must still be resolved in the IG system using the approved command product as part of the evidence or possibly as the primary piece of evidence (see para 7–3), below. When a directing authority directs the IG to terminate an investigation or investigative inquiry, the IG will notify DAIG’s Assistance Division for guidance within 2 working days.

e. Inspector general investigators. Only detailed IGs may conduct IG investigations and investigative inquiries. Detailed IGs will actively lead these investigations with the assistance of assistant IGs, but assistant IGs may not conduct the investigation or investigative inquiry alone and unsupervised on behalf of a detailed IG who is leading the effort in name only. Actively leading the investigation or investigative inquiry means that the detailed IG is participating in evidence-gathering and knows of all factfinding activities conducted by the assistant IG. When personnel are limited and the detailed IG cannot be present for every interview, assistant IGs are authorized to administer the oath to a subject, suspect, and witness and conduct an interview without a detailed IG present.

f. Unfavorable information. The IG must inform the subject or suspect of all unfavorable information that the IG includes in the final ROI or ROII and afford the subject or suspect an opportunity to respond. Unfavorable information is any derogatory information that reflects negatively on an individual’s character, integrity, trustworthiness, or reliability. This information includes the allegations and any unfavorable information that the IG will include in the final ROI or ROII, including information contained in the “Other Matters” section. The IG may inform the subject or suspect orally or in writing. Once the IG has informed the subject or suspect, the IG must document this step and attach it to the ROI or ROII. Additionally, the IG can disclose evidence related to the unfavorable information to the subject or suspect if that evidence will aid the IG’s factfinding effort. When disclosing such evidence, the IG must always take steps to protect confidentiality. If the IG uses a command product in completing the ROII or ROII, and the command investigator fully informed the subject or suspect of the unfavorable information and afforded the subject or suspect an opportunity to respond, then the requirement to inform and provide an opportunity to respond under this section has been met. If the IG alters an allegation in the ROI or ROII from that contained in a command product, adds

an additional allegation, or includes additional unfavorable information not contained in the command product, the IG must inform the subject or suspect of this new unfavorable information and provide the individual an opportunity to respond. No subject or suspect may be required to respond to unfavorable information. A subject or suspect who chooses to respond may do so by—

- (1) Submitting to an interview by the IG.
- (2) Providing a sworn, written statement.
- (3) Submitting matters through the subject or suspect's attorney.
- (4) Requesting that the IG consider certain documentary evidence.
- (5) Requesting that the IG consider certain physical evidence.
- (6) Requesting that the IG interview reasonably available witnesses with knowledge on the matter under investigation.

g. Rights of subjects, suspects, and witnesses. The rights of individuals in IG investigations and investigative inquiries depend upon their status as subjects, suspects, or witnesses. A subject is a person against whom noncriminal allegations have been made. A suspect is a person against whom criminal allegations have been made when the alleged acts are violations of punitive articles of the UCMJ, punitive sections of regulations, or other criminal laws. A person may become a suspect as a result of incriminating information that arises during an investigation or interview or whenever the IG believes the person has committed a criminal offense. A witness is a person who saw, heard, knows, or has something relevant to the issues under investigation and who is not a subject or suspect. Subject-matter experts who impart to the IG their expertise are witnesses.

(1) Suspects—both Soldiers and DA civilians—have the right to have a lawyer present when providing recorded testimony under oath (the lawyer may advise the suspect but not speak for him or her); the right to remain silent during questioning related to the matter; and the right to terminate the questioning. Accordingly, if suspects invoke their rights or fail to waive their rights after the IG properly advises them of such rights, the IG will ask them about their FOIA option, record the time, and terminate the interview without a read-out. Invoking one's rights and remaining silent does not constitute a failure to cooperate and cannot be the basis for any adverse or corrective action. Because the circumstances under which the IG may resume questioning are specific to the facts, the investigator will consult with the local legal office before initiating further discussions with these individuals (see Art 31: Uniform Code of Military Justice and rules 304 and 305: Military Rules of Evidence). When in doubt concerning these rules, the IG will consult with the servicing SJA or DAIG's legal advisor (SAIG-ZXL).

(2) Department of the Army personnel who are witnesses or subjects may not lawfully refuse to answer questions properly related to an IG investigation or investigative inquiry unless answering the question will incriminate them, will involve certain privileged communications (see para 7-1*h*, below), or will be in violation of their right to union representation as described in subparagraph *g*(3), below. However, if an IG suspects that a Soldier or DA civilian under questioning has committed a criminal offense, the IG must advise that person of his or her rights under UCMJ, Art. 31 and 384 U.S. 436 as applicable.

(3) Any DA civilian employees who belongs to a bargaining unit represented by a labor organization certified as the exclusive representative of that unit has a right to union representation during IG subject or suspect interviews if the employee reasonably believes that the investigation may result in disciplinary action and the employee requests the representation. The local union contract may provide for union representation even when the employee does not request it. Inspectors general will know the contents of the local union contract or will coordinate with the local CPAC management-employee relations specialist. If a DA civilian employee serving as a witness is entitled to representation, and the witness requests a union representative, the IG must allow the representative to be present during the interview. During the interview, union representatives may comment, speak, or make statements but may not assume control, disrupt the proceeding, or answer for the interviewee. Inspectors general will apply a standard of "reasonableness" when determining if a representative is being disruptive. The representative's presence is in addition to any right the employee may have to a lawyer. An IG must take every reasonable step to ensure that the representative can be present for the interview such as granting extensions or notifying the union that the employee is having difficulty obtaining a representative.

h. Privileged evidence. Inspectors general will not consider evidence that is privileged under the Manual for Courts Martial (2008) Military Rules of Evidence (MRE) as follows: communications between a lawyer and a client, privileged communications with clergy, the husband-wife privilege, the political vote privilege, deliberations of courts and juries, and the psychotherapist-patient privilege. In addition, IGs will not use evidence derived from the illegal monitoring of electronic communications in violation of 18 USC 2511. Furthermore, IGs may not use in any IG investigation or investigative inquiry evidence derived from other evidence procured in violation of 18 USC 2511 pursuant to 18 USC 2515.

i. Allegations not appropriate for inspector general action. Several types of allegations are not appropriate for IG investigation or investigative inquiry as follows:

(1) *Serious criminal misconduct.* Inspectors general will not investigate allegations of a nature that, if substantiated, would likely constitute serious criminal misconduct. Many allegations or acts of omission may appear as criminal insofar as they could be phrased as a dereliction of duty, violation of a regulation, or conduct unbecoming an officer,

but that appearance does not necessarily preclude an IG investigation or investigative inquiry. Inspectors general will coordinate or consult with the appropriate legal advisor in cases of this nature and with USACIDC officials if necessary.

(2) *Redress available through other means.* An IG will not ordinarily investigate allegations where established means of redress already exist to resolve such matters (see para 6–3g, above). Rather, IGs will only conduct due-process reviews for complainants who have already used the established redress procedures but who feel that they did not receive due process.

(3) *Command investigations.* Inspectors general will not investigate allegations when the command elects to resolve them using a commander’s investigation or inquiry. Inspectors general will always afford the commander or subordinate commanders who have the means to investigate the opportunity to resolve the matter in command channels. If the allegation comes to the IG but the command elects to investigate the matter, then the IG will refer the allegation to the command and await the command product in order to resolve the allegation in the IG system (see para 7–3, below). All allegations that begin with the IG—and are appropriate for IG action—must end with the IG. If the complainant makes the allegations to the command and then later makes the same allegations to the IG, the IG will not resolve the matter in the IG system if the command has already initiated an investigation or inquiry.

(4) *Professional misconduct by an Army lawyer.* An IG will refer all allegations involving professional misconduct by an Army lawyer (military or civilian) through DAIG’s legal advisor to the senior counsel having jurisdiction over the subject lawyer for disposition (examples include the General Counsel of the Army, TJAG, the Command Counsel of the Army Materiel Command, or the Chief Counsel of the U.S. Army Corps of Engineers). If an allegation does not present credible evidence that raises a substantial doubt about the lawyer’s honesty, trustworthiness, or fitness to practice law, DAIG’s legal advisor, after consultation with the senior counsel concerned (or that person’s designated representative), may recommend the action be returned to the initiating IG without investigation by the senior counsel involved. If credible evidence is presented, then the entire portion of the IG record that is relevant to the allegation against the lawyer will go to the senior counsel having jurisdiction over the subject lawyer. The Inspector General approval is not required. If the senior counsel intends to incorporate any part of the IG record into the final report, then TIG approval will be required.

(5) *Mismanagement by Judge Advocate Legal Servicemembers.* An IG will refer all allegations involving mismanagement by a member of the Judge Advocate Legal Service through DAIG’s legal advisor to the Executive, Office of the Judge Advocate General (OTJAG), for disposition under the provisions of AR 27–1. If the complaint is not credible, DAIG’s legal advisor, after consultation with the Executive, OTJAG, may recommend the action be returned to the initiating IG without investigation by the senior counsel involved. If a complaint is credible, then the entire portion of the IG record that is relevant to the allegation against the member of the Judge Advocate Legal Service will go to the Executive, OTJAG. The Inspector General approval is not required. If the Executive, OTJAG, intends to incorporate into the final report on these allegations any part of the IG record, then TIG approval will be required.

(6) *Professional misconduct by an Army chaplain.* An IG will refer allegations against Army chaplains regarding the quality of spiritual or religious counseling to the next higher supervisory chaplain and then close the case in IGARS. If no clear higher headquarters for the chaplain is apparent, IGs will consult with the senior commander’s chaplain’s office.

j. Allegations requiring referrals to other inspectors general. Several types of allegations require prompt referral to other IGs as follows:

(1) *Allegations against inspectors general.* Inspectors general will report through IG communications all allegations against IGs (uniformed and civilian) to the next higher echelon IG and the ACOM, ASCC, or DRU IG for appropriate action within 2 working days after receipt. The ACOM, ASCC, or DRU IG will consult with DAIG’s Assistance Division to determine the best course of action to resolve the allegation. The Inspector General retains the authority to investigate the allegation.

(a) If the allegations involve violations of AR 20–1 or other IG policy, the next higher IG, in coordination with DAIG’s Assistance Division, will normally conduct the investigation or investigative inquiry.

(b) If the allegation deals with misconduct or other non-IG-related offenses, the command may relieve the IG for cause (or, in the case of civilian IGs, suspend the IG from his or her duties temporarily or remove the individual) and use other investigative methods (such as an AR 15–6 investigation) or administrative actions to determine the facts of the case after coordinating with DAIG’s Assistance Division.

(c) An IG will forward an information copy of the report (with the IGAR, allegation, and overall complaint attached) to both DAIG’s Assistance Division and the ACOM, ASCC, or DRU IG concurrently with the report to the next higher echelon IG.

(d) Command IGs will notify TIG of any anticipated command or IG action before attempting to resolve the allegation.

(e) The Inspector General may suspend the IG’s access to IGMET and IGARS until the allegation is resolved.

(2) *Professional misconduct by an Army doctor.* Inspectors general will refer allegations of malpractice against Army doctors to the servicing Regional Medical Command IG or the U.S. Army Medical Command IG and then close the case in IGARS.

k. Allegations against any Army officer, noncommissioned officer, or enlisted Soldier.

(1) All Army IGs will enter into the IGARS database within 2 working days after receipt the complete name of the subject(s) or suspect(s) and the specific allegation(s) identified in the IGARS database any IGAR that has resulted in the initiation of an Army IG investigation, investigative inquiry, or command-directed investigation against an Army enlisted Soldier, noncommissioned officer, warrant officer, commissioned officer (nonpromotable colonel and below), or Army civilian employee. This reporting requirement further applies to Army personnel serving in joint and special assignments. Additional reporting requirements for allegations against colonels appear in paragraphs 1–4b(5)(c), above, and 7–1l(1), below.

(2) Inspectors general will report to DAIG’s Investigations Division within 2 working days after receipt through IG communications any allegation presented to an Army IG against a colonel that will result in the same type of investigative action mentioned above, including those colonels serving in joint and special assignments (for promotable colonels, see para 7–1l, below).

(3) The AR 600–8–29 requires a review of IG records in conjunction with senior officer promotion boards. Other IG records reviews are conducted for certain sensitive assignments and at the direction of senior Army leaders. The Department of the Army Inspector General’s Assistance Division is the proponent for the screening of IG records in support of the Personnel Suitability Screening Program (PSSP) for other than promotion to colonel, colonel command, promotion to brigadier general, general officers, and members of the SES. The Investigations Division is the proponent for all IG records checks in support of the PSSP for promotion to colonel, colonel command, general officers, and SES civilians. 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 or in advance of the board, and to protect the rights of individuals.

(4) When an IGAR containing an allegation against a colonel is closed, the IG office of record will forward a copy of the completed ROI, ROII, or hotline completion report, all ROI or ROII enclosures, the legal review (if required), and final notifications to DAIG’s Investigations Division. The DAIG’s Investigations Division will review the completed ROI, ROII, or hotline completion report—and any other pertinent documents, to include command products with exhibits—and document the IG’s findings for use in the PSSP.

l. Allegations against a senior official. Commanders or IGs must forward directly to DAIG’s Investigations Division through IG communications any and all allegations of impropriety or misconduct (including criminal allegations) against senior officials—defined as general officers (including ARNGUS, USAR, and retired general officers), promotable colonels, and SES civilians—within 2 working days of receipt. Special Government employees (scientific or professional, senior level, defense intelligence senior level, and highly qualified experts) are not considered "DA civilian employees of comparable grade or position" under this regulation, so IGs will address allegations against these individual using normal IG investigatory procedures.

(1) Inspectors general will record all referrals of allegations against senior officials in the IGARS database in accordance with the guidance outlined in "The Assistance and Investigations Guide." Inspectors general will not conduct any fact-finding into the nature of the allegations unless authorized by TIG, DTIG, or the chief of DAIG’s Investigations Division.

(2) Only the SA, the Under Secretary of the Army, the CSA, the VCSA, and TIG may authorize or direct an IG investigation or investigative inquiry into allegations of improprieties or misconduct by a senior official or an individual of equivalent grade or position. As a matter of Army policy, when such allegations are suspected against a senior official or discovered during a non-IG investigation or inquiry (such as a commander’s inquiry, an AR 15–6 investigation, or CID investigation), the commander or command concerned will halt the inquiry or investigation and report the allegations through IG communications within 2 working days to DAIG’s Investigations Division for further action. As a specific exception, EEO and Anti-Deficiency Act inquiries or investigations may continue even if they involve senior officials as long as DAIG’s Investigations Division has been notified.

(3) Any IG who receives allegations against senior officials may tell their commanders the general nature of the allegations and the identity of the person against whom the allegations were made—but only after contacting DAIG’s Investigations Division for advice. An open investigation may already exist, and DAIG’s Investigations Division may have already informed the commander. To protect the complainant’s confidentiality, do not reveal either the source or specific nature of the allegations. The Inspector General will ensure that the appropriate commanders; the ACOM, ASCC, or DRU IG; the Chief, Army Reserve; and the Chief, National Guard Bureau receive additional information as appropriate.

(4) If the IG who receives the allegation works for the subject of the allegation, or if questions arise, the IG will contact DAIG’s Investigations Division for guidance and to allow DAIG to contact the commander and avoid an ethical dilemma for the IG.

(5) Inspectors general or commanders will forward allegations against PMs or PEOs who are senior officials to DAIG’s Investigations Division through IG communications within 2 working days. If the allegations are against the PM or PEO staff, the IG of the supporting LCMC will normally resolve the allegations. The LCMC IG will inform the PM or PEO of the general nature of the allegations; the identity of the person against whom the allegations were made; and, upon the investigation or investigative inquiry’s completion, the conclusions when appropriate. Final ROI or ROII approval rests with the directing authority.

(6) Questions should be addressed to DAIG's Investigations Division at the U.S. Army Inspector General Agency (SAIG-IN), 1700 Army Pentagon, Room 1E115A, Washington, DC 20310-1700 or DAIG's legal advisor at USAIGA (SAIG-ZXL), 1700 Army Pentagon, Room 1E132, Washington, DC 20310-1700.

7-2. Reports of investigation and investigative inquiry

a. Requirements. Inspectors general will resolve all allegations by completing an ROI for an investigation and an ROII for an investigative inquiry that provides a clear, complete, objective, and impartial presentation of all pertinent evidence gathered. Inspectors general will follow the formats for ROIs or ROIIs in "The Assistance and Investigations Guide." Refer to paragraph 7-3, below, for guidance on ROIs or ROIIs that contain command products. Inspectors general will include in the ROI or ROII copies of documents that the IG considered as evidence, to include the command products mentioned above. All command products related to the allegations under IG investigation will become part of the IG record subject to the provisions outlined in chapter 3.

b. Conclusions. All IGs will use the investigative conclusions outlined below for all issues and allegations contained in ROIs and ROIIs. These conclusions will contain the specific allegation(s) and issue(s) and state that the allegation or issue occurred (substantiated or founded respectively) or did not occur (not substantiated or unfounded respectively). These conclusions will establish IG findings regarding violations by a specific individual of an established standard and will not be vague statements.

(1) Inspectors general will use the conclusion of "substantiated" when a preponderance of credible evidence, as viewed by a reasonable person, exists to prove the allegation.

(2) Inspectors general will use the conclusion of "not substantiated" when a preponderance of credible evidence, as viewed by a reasonable person, does not exist to support the allegation.

(3) Inspectors general will use the term "founded" for issues contained in the ROI or ROII that accompanied the allegation(s) to show that the issues had merit and required resolution (see para 6-1a, above).

(4) Inspectors general will use the term "unfounded" for issues contained in the ROI or ROII that accompanied the allegation(s) to show that the issues lacked merit and did not require resolution (see para 6-1a, above).

(5) Inspectors general will not use conclusions such as "the allegation was not substantiated, founded, or refuted" or phrases such as "partially substantiated," "partially founded," or "substantiated in part."

(6) Inspectors general who close cases administratively or decline them will code those cases as assistance in IGARS and clearly identify this fact in the synopsis and case notes, to include the authority for the action. Inspectors general will enter the complaint as an issue and not enter subject or suspects or allegations.

(7) Inspectors general will use the phrase "closed without findings" when the investigation or investigative inquiry is terminated prior to conclusion due to the following special circumstances:

(a) The allegation or issue concerns actions more than 3 years old. The IG will document the relevant time period and close the case without findings.

(b) A legal process such as a court order or a settlement between the U.S. Government and a subject and/or complainant includes a requirement to terminate all ongoing inquiries or investigations. The IG will obtain a copy of the order or settlement, include it in the case file, and record the matter as "closed without findings."

(c) The Inspector General approves termination of an investigation or investigative inquiry (see para 7-1d(8), above).

c. Recommendations. An IG will not recommend adverse action against an individual in an ROI, ROII, or hotline completion report. Commanders who contemplate requesting to use the IG product for such action must balance the possible adverse consequences on the IG as a fair and impartial fact-finder and possible due-process rights of the individual that may require release of confidential testimony, personal information, and deliberative material (opinions, conclusions, and recommendations). An IG may recommend administrative action to correct a mistake (for example, recovery of an improper TDY payment). In all cases, IGs will recommend to "close the case" or "turn the case over to a follow-on investigator."

d. Processing. Inspectors general will process all ROIs, ROIIs, and hotline completion reports as follows:

(1) Command IGs will ensure the directing authority is aware of—and familiar with—the ROI, ROII, or hotline completion report approval and notification process. Directing authorities will approve all ROIs unless a deputy commander is designated to do so in writing. The directing authority may also reserve the right to approve ROIIs or hotline completion reports with substantiated allegations. However, command IGs will normally approve all ROIIs and notify the directing authority if the IG substantiates the allegation.

(2) Prior to approval, the command IG will forward the completed ROI, ROII, or hotline completion report to the supporting SJA or command counsel to conduct a legal sufficiency review. Written legal reviews in memorandum format are required for all ROIIs or hotline completion reports with substantiated findings and all ROIs regardless of the findings. Once the legal sufficiency review is complete, the command IG will forward all ROIs to the directing authority for approval.

(3) The commander or command IG (depending on the methodology used) will approve or disapprove the report in its entirety or in part and sign the report to indicate approval or disapproval. The directing authority will then take

action on the approved portions that are within the authority and responsibility of the directing authority. A record of these actions in memorandum form is attached to the final report and all subsequent copies.

(4) The IG will forward through IG channels to the next higher commander an ROI, ROII, or hotline completion report, or any portion of the ROI, ROII, or hotline completion report, that requires action at levels above that of the directing authority complete with recommendations. Each higher commander will indicate approval or disapproval and take appropriate action on matters within their authority to affect. Inspectors general will forward remaining matters through IG channels, with appropriate recommendations, to the command echelon best suited to address those matters.

(5) When TIG directs an investigation, the immediate commander of the IG who conducted the investigation will indicate concurrence or nonconcurrence of the investigation's conclusions. The IG will then forward the report through IG channels to TIG. As the directing authority and IG office of record, TIG has final approval authority of the report. In these cases, TIG normally allows the command IGs and his or her directing authority to decide if an IG investigation or investigative inquiry is appropriate.

7-3. Use of command products in investigations and investigative inquiries

a. Referring allegations to the command. An IG will resolve all allegations brought to the IG and that are appropriate for IG action—even allegations referred to the command for resolution. Referrals may go to the IG's directing authority or through the directing authority to a subordinate commander for action. Once the commander resolves the allegation and generates a command product, the IG must include the command product as evidence, possibly the primary evidence, in an ROI, ROII, or hotline completion report to resolve the allegation within the IG system and capture the findings in the IGARS database.

b. Command products. Command products include, but are not limited to, Rule for Courts-Martial 303 preliminary inquiries, Article 138: Uniform Code of Military Justice inquiries or investigations, and formal and informal investigations conducted under the provisions of AR 15-6. Inspectors general will not substitute command products for an ROI, ROII, or hotline completion report. See paragraph 3-1d, above, concerning the status of command products with regard to IG records.

c. Agreement with the command product. If the IG agrees with the command product—and the command has sufficiently addressed all allegations the IG is also resolving; adhered to due-process considerations; received a legal review if required; and afforded rights to all persons involved, to include providing the subject or suspect an opportunity to know and comment on the unfavorable information—the IG may include that command product in a modified ROII and capture the same findings in the IGARS database. Inspectors general will adhere to the guidance on preparing modified ROIs in “The Assistance and Investigations Guide.”

d. Disagreement with the command product. If the IG disagrees with the command product's findings—or the command product does not address all allegations referred by the IG, due-process considerations have not been met, or the subject or suspect has not had an opportunity to know and comment on the unfavorable information—the IG must complete a full ROI, ROII, or hotline completion report that addresses these command-product flaws and that uses independent factfinding and considers using some or all of the command product as evidence.

e. Legal reviews. Regardless of the conclusion, if the IG makes a determination that contradicts the conclusion reached in the command product, the IG will obtain a legal review of the ROI, ROII, or hotline completion report. Since the command product in question has already had a legal review, the IG must ensure that any decision or finding that overrides previous legal advice receives a fresh legal examination. The IG will describe the progression of legal reviews as part of the discussion in the ROI, ROII, or hotline completion report of the command product's flaws.

7-4. Special investigations

In addition to the investigative requirements addressed in this chapter, IGs will perform several other types of special investigations, some of which require the same procedures and guidelines addressed in this regulation and in “The Assistance and Investigations Guide.”

a. Department of Defense Hotline complaints. An IG will routinely receive complaints that originated with the DOD Hotline. The Hotline Branch, in DAIG's Assistance Division, will forward these matters to IGs as either information only or action required. If action is required, the receiving IG staff section will resolve the matter using an assistance inquiry, investigative inquiry, or investigation. The IGs will report the results using the hotline completion report format specified in DODI 7050.01 and in The Assistance and Investigations Guide. The office of inquiry will write the hotline completion report in lieu of an ROI or ROII as an exception to the rule but must still gather and retain all documents that would otherwise be attached to and forwarded with an ROI or ROII. All hotline completion reports must address the corrective action taken by the command. The DODIG responds initially to complainants and explains that the complainants must submit a FOIA request to DODIG if they wish to know the findings. Army IGs will not respond to complainants with any findings. The DAIG's Assistance Division will prepare and send all final notifications to subjects or suspects.

b. Soldier allegations of whistleblower reprisal. Under 10 USC 1034, IGs within military departments are authorized to grant whistleblower protection for reprisal allegations presented directly to them by Servicemembers. This law, implemented by DODD 7050.06, requires Service 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 to an MC; an IG; a member of a DOD audit, inspection, investigation, or law enforcement organization; a member of the chain of command as defined in DODD 7050.06; or any other person or organization designated to receive such communications. (See the current version of DODD 7050.06 for updates on protected communications). Also, 10 USC 1034 further prohibits the restriction of a Soldier's right to communicate with an MC or IG, and IGs will investigate allegations regarding such restrictions as an allegation of statutory reprisal. Inspectors general may also address allegations regarding the restriction of a Soldier's ability to communicate with other authorized agencies (chain of command, member of an inspection or audit team, safety officer, and so forth) under Army regulations, but these restrictions do not qualify as statutory reprisal.

(1) If a Soldier presents a reprisal allegation that appears to meet the criteria outlined in 10 USC 1034, the IG who receives the allegation will separate all other issues or allegations from the complaint and then forward only the reprisal complaint and all supporting documentation directly to the Military Reprisal Investigations office at DODIG (email: whistleblower@dodig.mil or by postal mail to Department of Defense Inspector General, Military Reprisal Investigations, 400 Army-Navy Drive, Arlington, VA 22202-4704). A copy must be furnished to DAIG's Assistance Division at e-mail: saig_whistleblower@ignet.army.mil) and the ACOM, ASCC, or DRU IG within 2 working days. To determine if the allegation may be whistleblower reprisal, the IG will consult "The Assistance and Investigations Guide" for the applicable criteria. An allegation of whistleblower reprisal may be untimely at the DODIG's discretion if the allegation is made more than 60 days after the Soldier became aware of an adverse or unfavorable personnel action that the Soldier believes was taken in reprisal. The name, grade, social security number (given at the complainant's discretion and only for a specific purpose), unit assignment, address, and phone number of the Soldier are required for DODIG to act upon the allegation. Inspectors general will not accept third-party or anonymous allegations of whistleblower reprisal; the affected Soldier must want the IG to address the allegation and be willing to cooperate with the IG. Immediately after forwarding the complaint to the DODIG, the IG will enter the referral into the IGARS database as a 1-minute IGAR (see The Assistance and Investigations Guide). If other issues or allegations accompanied the reprisal allegation(s), the IG will open a standard IGAR and address those matters as appropriate.

(2) The Department of the Army Inspector General's Assistance Division will open a case upon receipt, track the case as a standard IGAR, and send an acknowledgement letter to the complainant informing the individual that his or her complaint was received and sent to DODIG for preliminary inquiry.

(3) Whistleblower-reprisal investigations normally take place one level above the IG staff section that received the complaint. In many cases, the ACOM, ASCC, or DRU IG will investigate the allegation; but, in some instances, the IG staff section that received the complaint may conduct the investigation.

(a) Upon receipt, DODIG will conduct a preliminary inquiry to determine if the allegation meets the requirements for statutory whistleblower reprisal and should be investigated, or if the allegation should be declined.

(b) If DODIG declines the case, the Military Reprisal Investigations office will send a declination letter to the complainant and provide a copy to the DAIG's Assistance Division. The DAIG's Assistance Division will then close the case.

(c) If DODIG determines that an investigation is required following the preliminary inquiry, then DODIG will task DAIG's Assistance Division to investigate the allegation. The Department of the Army Inspector General's Assistance Division, as the office of record, will then task the ACOM, ASCC, or DRU IG to investigate the allegation as the office of inquiry. Along with the tasking, DODIG will also include the results of the preliminary inquiry with documentation; DAIG's Assistance Division will forward this information to the ACOM, ASCC, or DRU IG for use in an investigation or investigative inquiry. The ACOM, ASCC, or DRU IG will forward two copies of the completed ROI/ROII to DAIG's Assistance Division for review and transmittal to DODIG. If the DAIG, ACOM, ASCC, or DRU IG review determines that the ROI or ROII is insufficient, they will either return the ROI or ROII to a subordinate IG for additional work, amendment, or revision or may prepare an addendum that addresses the identified shortfalls or overturns the subordinate IG's determinations. Any change to a determination requires a new review for legal sufficiency. Once approved, DAIG's Assistance Division will then inform the ACOM, ASCC, or DRU that the DODIG has approved the findings; send final notifications to the subjects, suspects, and complainant; and close the case.

(d) Once DAIG's Assistance Division closes the case, DAIG's Records-Release Office will redact the ROI/ROII for release to the complainant (see 10 USC 1034(e)(1) and (2)). DAIG's Records-Release Office will also release a copy of the ROI/ROII to the General Court-Martial Convening Authority through the legal advisors of those individuals against whom allegations of violations of 10 USC 1034 have been substantiated. These commanders may use the report as a basis for adverse action (see para 3-3a of this regulation) or as a basis for corrective action. If the commander decides to administer adverse action based on the ROI/ROII, the commander will notify DAIG's Records-Release Office and DAIG's Assistance Division. The subject of the investigation is entitled to the portion (or portions) of the report used as the basis for adverse action, redacted by DAIG's Records-Release Office, in recognition of the individual's due-process rights.

(e) The office of inquiry will notify DAIG's Assistance Division of corrective action taken within 10 working days of such action, in accordance with DODD 7050.06.

(f) The DODIG is the final approving authority for whistleblower reprisal cases that are declined or closed administratively, in accordance with DODD 7050.06.

(g) For whistleblower reprisal cases closed administratively or by declination, IGs will remove suspect data and the allegations from the IGARS database, code the complaint as assistance, and close the IGAR.

(h) The Department of the Army Inspector General's Investigations Division will maintain oversight on whistleblower cases involving senior officials.

c. *Civilian, nonappropriated fund, and DOD contractor allegations of whistleblower reprisal.* Requirements of 5 USC 2302(b)(8) provides similar coverage to appropriated fund (DA civilian) employees as discussed in paragraph b, above for members of the Armed Forces. Coverage to NAF employees is provided under 10 USC 1587. Coverage to contractor employees is provided under 10 USC 2409(a). When a civilian employee presents to an IG an allegation of reprisal for protected disclosure, the IG must—

(1) Inform the appropriated fund civilian employee of the right to present the reprisal allegation to the OSC and advise appropriated fund employees that they may contact OSC directly.

(2) Advise NAF employees of their right to submit reprisal complaints to DODIG, in accordance with DODD 1401.03.

(3) Inform contractor employees that the provisions of 10 USC 2409(a) govern their right to present reprisal allegations, and advise contractor employees to contact the DODIG directly.

(4) In all of the instances listed above, the IG will open an IGAR in the IGARS database, code the request as assistance, and close the IGAR. The IG must, however, take immediate action to address an identified danger in those cases where the complainant reasonably believes the information he or she has provided includes specific evidence of a substantial danger to public health and safety or to the health and safety of a Soldier, DOD employee, or Family member. The IG should refer the allegation to the command as prescribed in paragraph 7-1b(3)a of this regulation, while maintaining complainant and witness confidentiality to the greatest extent possible. Consultation with the command's and DAIG's Legal Advisor is advised unless the exigencies of the circumstances preclude doing so.

d. *Improper referral for mental health evaluation.*

(1) The DODD 6490.1 and DODI 6490.4 establish and implement DOD policy, assign responsibility, and prescribe procedures for the referral, evaluation, treatment, and administrative management of Soldiers who may require MHE, psychiatric hospitalization, or assessment for risk of potentially dangerous behavior. The directive prohibits referrals done in reprisal and restriction as a violation of Article 92: Uniform Code of Military Justice.

(2) The two types of improper MHEs are procedural violations or reprisal, but IGs must analyze all allegations of improper MHE referral specifically for reprisal under the provisions of 10 USC 1034 and DODD 7050.06. Procedural violations are governed by DODD 6490.1 and DODI 6490.4.

(3) Inspectors general receiving allegations of improper referral for MHE will separate all other issues or allegations from the complaint and forward only the improper referral for MHE portion and all supporting documentation directly to the Military Reprisal Investigations office at DODIG and the ACOM, ASCC, or DRU IG within 2 working days (see subparagraph b, above). Forward to the DODIG 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 DODI 6490.4.

Chapter 8

The Role of Inspectors General in Full Spectrum Operations

8-1. Inspector general—operational role

Since its inception, the IG system has played a key role across the full spectrum of conflict from the Revolutionary War to the global war on terrorism and will continue to do so in future contingency operations. The Army IG system made its earliest contributions to the Army through training and maintaining readiness. As part of this IG system, all IGs serve as key assessment advisors so their commanders can make informed decisions when planning, preparing, and executing military operations. When the command is deployed in whole or in part for full spectrum operations, IGs have the same role as they have in peacetime—extending the eyes, ears, voice, and conscience of the commander. The basic IG functions do not change—only the conditions under which IGs perform them. An IG will still work to enhance the command's warfighting and readiness capabilities by performing inspections, assistance, investigations, and teaching and training. However, the IG's priorities and focus during military operations must remain on tasks and systems that directly relate to the command's readiness across the full spectrum of conflict and all operational environments. An important consideration is that the guidelines in this chapter apply only to Army IGs that are not operating as joint IGs in the theater of operations (see chap 9, below).

a. All IGs, whether in a theater of operations or in a supporting theater (CONUS or OCONUS), have a major operational mission that is dynamic in nature. The command's mission and phases of the operation at the time dictate

the IG's specific role. The IG must become involved early in the commander's planning process and understand the commander's intent, concept of the operation, and guidance.

(1) As extensions of the commander's eyes and ears, IGs in deploying units will focus on high-payoff issues that impact the command's ability to mobilize rapidly, deploy, and sustain itself; to prepare for military operations; to conduct operations; to redeploy and to reintegrate; and to assist the command in reconstituting and preparing for the next mission. Deployed IGs can expect to address matters related to deployment readiness, combat training, force protection, supply and services efficiency, intelligence oversight, captured equipment and detainee operations, standards of discipline, and Soldier welfare issues.

(2) Supporting theater IGs generally focus on many of the same issues as deploying unit IGs. Mobilization, deployment, sustainment, preparation for combat, pre-reintegration, and reconstitution are all issues of major concern. Supporting IGs have also played major roles in reception, staging, onward movement, and integration of forces into the area of operations; theater-level supply and personnel replacement operations; redeployment operations; and other operational-level functions.

(3) Both deployed and supporting IGs will continue to resolve Soldier morale and welfare issues, Family issues, DA civilian employee or other civilian issues and concerns, and other issues consistent with the fundamental missions of the IG system.

b. State and USAR IGs have a unique focus across the full spectrum of conflict. They must be prepared to assist with the deployment of NG and USAR units and with those nondeploying units. State and USAR IGs must also be capable of responding to increased activity from Family members of deploying and nondeploying ARNG and USAR units as well as Family members of personnel from all other active Army, Army Reserve, and ARNG units and units from other Services.

c. The IG must have an in-depth understanding and appreciation of the mission, commander's intent, operational situation, key tasks, resources, and courses of action. This knowledge prepares the IG to answer Soldier and leader concerns and to evaluate effectively and efficiently 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 serving as an integral part of the unit's mission planning and exercise process. The IG must ensure that the commander and coordinating staff understand and are familiar with the IG's role in full spectrum operations and the contributions the IG can make to the operational effort. The IG must develop and promote this understanding in peacetime through participation in training exercises with the commander and staff.

e. The IG operational planning effort provides critical input to the IG mission-essential task list. The IG planning effort must incorporate flexibility, include provisions for full spectrum operations (the ability to perform all four IG functions), and be oriented toward contingency operations in a developing theater. Planning will consider all phases of the operation, to include reset and reconstitution as required.

f. Upon unit activations and deployments, nondeploying supporting IGs must be capable of providing IG support to residual units or activities that did not deploy and the Families of deployed Soldiers.

g. Deployed IGs must also be prepared for reporting and tracking requirements to the IG staff section of the combatant command they support in the deployed theater.

8-2. Organizing for full spectrum operations

The organization of the IG staff section will vary depending on the status and location of the unit (that is, CONUS-based or forward deployed). Inspectors general must consider both deployed and stay-behind capabilities in personnel and equipment. These considerations especially apply to IGs who serve both a tactical command and an installation. The IG will consider the following factors in the planning process:

a. Identify the proper TOE and TDA personnel combinations to retain flexibility for the deploying elements while maintaining adequate resources at home station to meet supporting IG operational requirements. If USAR and ARNG units are assigned to the command for the operational mission, the IG staff section will request augmenting IGs to represent the unique requirements and issues concerning these components. Once deployed, these augmenting IGs will work directly for the directing authority's command IG.

b. Identify individual mobilization augmentees and IRR IG staffing needs (IGs will identify individual mobilization augmentee personnel by name).

c. Determine training requirements for RC personnel identified upon activation.

d. Consider appointing and training acting IGs to cover remote locations or dramatic increases in unit strength or positioning assistant IGs forward with brigade combat teams to maintain an IG presence throughout the area of operations.

e. Organize to support modular deployments by deploying IG teams to support a subordinate unit on extended deployment.

f. Determine the method of coverage in the theater of operations where units may be widely dispersed. Indicate the methodology in the operations plan or operations order.

g. Determine the IG operations bases required at home station, staging bases, and deployed locations, to include the commands posts from which the IG will operate.

8-3. Resources required to support full spectrum operations

a. *Personnel.* The command IG must conduct manpower reviews of MTOEs and TDAs to ensure that adequate provisions are in place for workload increases to support deployed and wartime efforts. Coordinate all MTOE and TDA updates and actions with the force structure analyst in DAIG's Operations and Support Division (see para 2-1b, above). Training requirements for personnel selected to serve as IGs during full spectrum operations will remain the same as outlined in paragraphs 2-4 and 4-2, above, and appendix B, below. All IGs must sustain their ability to perform all four IG functions in order to provide full-service IG staff sections when deployed. The U.S. Army Inspector General School may assist in providing training materials and sustainment training as required.

b. *Equipment.* The command IG must conduct a periodic review of equipment authorization documents to ensure that adequate deployment equipment is available such as tactical vehicles, tents, field telephones, tactical computers, radios, and so on. Electronic data hardware and software considerations for IGMNET, as well as supporting communications requirements, are a critical part of IG contingency planning, which must include both supporting and deploying IG requirements. Connectivity for IGMNET and reach-back communications are vital to mission accomplishment for the deployed IG. Deploying IGs must have active IGMNET accounts as well as contact information for DAIG's Information Resource Management Division (SAIG-IR) so that DAIG may communicate with the deployed unit's chief information officer concerning connectivity and other technical problems.

c. *Reference material.* Access to regulatory and other policy standards contained in departmental and command publications is essential to performing all four IG functions. An IG must include this requirement in deployment and contingency planning. Some hard-copy documents will be necessary, but access to reference material through electronic connectivity (such as the Internet) or the use of electronic-based systems (such as CD-ROMs) is an important consideration.

8-4. Staff estimates

Inspectors general are essential staff members throughout the full spectrum of operations. Involvement in the military decisionmaking process from receipt of the mission to production of the order is continuous. The command IG will have a clear understanding of the higher headquarter's order, the command's mission, and the commander's intent. The command IG must ensure that the commander's expectations of the IG's role and functions are addressed early in the mission-analysis process. Once the command IG understands the mission and the commander's intent, the IG is in a position to formulate or plan detailed mission requirements. This process will include anticipated IG actions (inspections, assistance, investigations, teaching, and training) during each phase of the operation such as mobilization, deployment, sustainment, redeployment, reintegration, and reconstitution. Inspectors general will prepare IG estimates and annexes and provide relevant input to the planning process as required.

8-5. Inspector general functions in full spectrum operations

a. *Inspections.* Inspections are the most direct way an IG can influence the command's mission readiness. As units prepare for full spectrum operations, previously unscheduled inspections and unannounced inspections often occur. Inspectors general must prepare to verify organizational readiness and identify mobilization issues for resolution. Inspectors general may find themselves performing a mix of special inspections of systemic issues and general inspections of units. Either the tactical situation or the commander's need for timely feedback to make critical decisions may cause the IG to compress the IG inspections process (see para 5-1m, above). If the IG conducts a general (compliance-oriented) inspection of a unit, the IG will exercise great care with the results since many of the findings will involve local issues from the inspected command that require attribution to resolve (for example, the name of a supply sergeant who needs additional training to enhance a unit's readiness). The IG will have to involve TIG in these cases when breaching confidentiality becomes an issue (see para 1-12, above). Generally, the commander will furnish broad guidance concerning key issues. Inspectors general will ultimately determine IG inspection topics by the command's mission, the commander's intent, and the operational environment. To be effective, the IG must include only those high-payoff issues in the inspection plan that the commander approves. Inspectors general must use technical channels to share the results of inspection trends and findings both inside and outside of the command. See "The Inspector General Reference Guide," available from The U.S. Army Inspector General School, for a further discussion on the types of inspection topics an IG must consider during full spectrum operations. Inspectors general must also be mindful that inspections in a deployed environment may result in the inclusion of classified information in the IG inspection report. Since these reports may contain unit capabilities and weaknesses that the enemy can exploit, IGs must ensure that the report is classified and distributed according to its classification requirements.

b. *Assistance.* Both deployed and supporting IGs can expect increases in requests for information and assistance. Historically, assistance cases have represented 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 the requests that IGs can expect. Technical IG channels and increased flexibility are essential to responsive support for commanders, Soldiers, and other interested parties. Whenever possible, the deployed IG must forward assistance inquiries initiated outside the operational theater

to the appropriate IG for resolution. For example, an IGAR concerning a USAR issue that the deployed IG staff section cannot resolve will go to the IG, USARC, for subsequent referral to the appropriate reserve command's IG staff section. See "The Inspector General Reference Guide," available from The U.S. Army Inspector General School, for examples of the types of issues an IG can expect to encounter during full spectrum operations.

c. Investigations. The IG investigations function during full spectrum operations differs little from investigations conducted during garrison operations. 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 ROIs or ROIs do not change during full spectrum operations.

d. Teaching and training. Inspectors general traditionally have 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 commander's eyes and ears, the IG will 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. Particularly important in this process is the IG's ability to acquire and understand the changing regulatory and other policy standards inherent throughout the spectrum of conflict. The IG will know and understand knowledge management operations and help to coordinate these requirements with the command's information resource manager, functional proponents, and IGs operating in split locations.

8-6. Law of war violations

Inspectors general will receive law of war violations and process them in accordance with DODD 2311.01E. The law of war is that part of international law that regulates the conduct of armed hostilities.

a. Initial reports. A reportable incident is a possible, suspected, or alleged violation of the law of war. An IG who becomes aware of a reportable incident must—

(1) Report the incident as soon as possible to the commander (directing authority) for action. The Law of War Program requires the commander to submit a report of any reportable incident through command channels by the most expeditious means available to the responsible combatant command commander.

(2) Inform the next higher echelon IG with a concurrent report to TIG through DAIG's Assistance Division (SAIG-AC) using IG communications within 2 working days after receipt.

b. Preliminary analysis. An IG who receives IGARs involving alleged violations of the law of war, whether committed by or against U.S. or enemy personnel, must ensure prompt referral of the allegation to the appropriate agency or conduct IG factfinding when appropriately directed. The IG will coordinate closely with the command's SJA in determining a recommended course of action to investigate and resolve IGARs containing a law of war violation. Investigative assets from USACIDC, or another Service's criminal investigation office, have the primary responsibility to investigate suspected or alleged war crimes. For minor offenses, the commander's organic investigative and legal support assets can investigate using AR 15-6 or other command investigative procedures, or direct the IG to conduct an investigative inquiry or investigation.

8-7. Exercises

Realistic training scenarios and exercises are excellent tools for determining how to operate in all environments. As with any staff element, the IG staff section must participate as full-fledged members in all command post exercises, field training exercises, Combat Training Center rotations, mission rehearsal exercises, and mobilization or deployment readiness and certification exercises. Command IGs and their staff section IGs will not perform non-IG duties (such as liaison officer, rear command post commander, or detachment NCO in charge) during training exercises that would detract from the IGs' operational mission or compromise their ability to remain fair and impartial. During these exercises IGs will include concurrent, split operations training involving the home-station IG staff section to practice reach-back procedures and other techniques normally used during operational deployments. Inspectors general will routinely publish IG-related instructions in their organization's operational plans and orders.

Chapter 9

The Role of Inspectors General in Joint Operations

9-1. Joint and expeditionary mindset

Recent history has shown that the Army will fight and win this Nation's wars jointly with our sister Services. The contemporary operating environment demands that the Army be a campaign-quality expeditionary force that can deploy quickly anywhere in the world and fight as a joint team. As a result, Army IGs must stand prepared to support their commands and commanders not only in an Army-pure environment but in a joint environment as well. The most likely scenario for an Army IG staff section becoming a joint IG staff section is as part of a JTF. The commander of one of the nine unified combatant commands may appoint a subordinate Army headquarters (ASCC/corps/division) as a JTF for a specific contingency operation. When an Army headquarters becomes a JTF, the IG staff section in turn becomes

a joint IG staff section. The same basic IG functions will apply, but the IG staff section must adapt to include IGs from the other Services represented in the JTF and adhere to joint IG policy and doctrine as promulgated by the proponent for the joint IG system—the IG, DOD.

9–2. The role of the inspector general in joint military operations

Army IGs must fully understand the basic precepts of joint operations as outlined in Joint Publication 3–0 and the steps for establishing, deploying, and re-deploying a JTF as outlined in Joint Publication 3–33, Joint Task Force Headquarters. By understanding the nature and complexity of joint operations, the Army IG will be able to adapt more readily to the unique demands and needs of supporting a commander who is now responsible for various units from other Services and, possibly, from other nations. The IG will still serve the newly appointed JTF commander as that commander's eyes, ears, voice, and conscience but within the guidelines of established joint IG policy and doctrine as promulgated by the IG, DOD. The same considerations for operations in a deployed environment as outlined in chapter 8, above, apply. However, the Army IG system as outlined in this regulation will no longer apply unless dealing strictly with Army issues from subordinate, Army-only commands or if joint IG policy has been withdrawn or not established. If joint IG policy or doctrine is not in effect, the IG will adhere to the Army IG system as outlined in this regulation to support the JTF commander. However, the IG must be familiar with the policies and procedures of the other Services' IG systems in order to apply those systems appropriately to personnel from those respective Services. For example, the joint IG staff section, although formed around the core of an Army IG staff section that is now adhering to joint IG policy and doctrine, may have to use Air Force IG procedures to investigate allegations of impropriety leveled against an Air Force member when the situation is specific only to the Air Force. A trained Air Force IG will normally augment the JTF IG staff section and should be the one who conducts the investigation.

9–3. The transition from the Army to the joint environment

The moment an Army IG staff section becomes a JTF IG staff section, the command IG must—

a. Organize the inspector general staff section to support a joint command. The IG must consider the nature and scope of the IG support required to serve the JTF both in the area of operations and at home station. The Joint Manning Document will dictate the size of the forward-deployed IG section, so the command IG must tailor that section carefully to ensure the section can cover all the required joint IG functions in the theater of operations such as inspections, intelligence oversight, assistance, and investigations. The IG must consider the JTF's task organization when requesting IG augmentation from the National Guard and other Services as well as the training and qualification requirements for joint IGs. The JTF IG staff section must represent the mix of Services that comprise the JTF. If the JTF contains Army, Air Force, Navy, and Marine Corps personnel, then the IG staff section must request at least one trained IG from the Air Force, one trained IG from the Navy, and one trained IG from the Marine Corps to serve in the JTF IG staff section. These trained IGs from the other Services will be subject-matter experts for their respective Services and may have to employ their Services' IG systems in certain instances depending on the situation. Joint IG policy and doctrine may not cover every eventuality. If the JTF is combined and includes allied forces, the command IG should request IG representation from those allied commands that have IGs as necessary. Lastly, the command IG must consider the size and capabilities of the IG section that remains at home station to support the residual, nondeployed units; other mobilizing and deploying units; and Family members. This rear-detachment IG section must be capable of supporting the rear-detachment commander while offering the forward-deployed IG staff section a reach-back capability for addressing and resolving issues and problems that the deployed JTF IG section cannot resolve in the theater of operations. Multi-Service IG technical channels will prove critical in this regard.

b. Address immediate transition considerations. The newly designated JTF IG staff section must immediately consider four things when making the transition from an Army-pure IG staff section to a joint IG staff section—

(1) *The AR 20–1 does not apply in the joint environment.* The IG staff section must now use established joint IG policy and doctrine. However, AR 20–1 will still apply to Army-pure situations and issues as necessary, and the IG staff section will continue to enter Army IGARS into the IGARS database and joint casework into any joint IG database established by the IG, DOD. The JTF IG staff section may also continue to consult DAIG directly for guidance and support.

(2) *The AR 1–201 does not apply to all Services in the joint environment.* However, the JTF IG will assist the commander in adapting the OIP to the JTF. The units from other Services will continue to adhere to their respective inspection programs, so the IG must recommend to the JTF commander how best to integrate those varying inspections into a joint inspections program that will ensure continual readiness assessments within the JTF while the task force is mobilizing, deploying, and executing the assigned contingency operation.

(3) *The command lines have changed.* The IG must define the new command lines established by the assignment of the JTF. The JTF will now report to the combatant command commander who established the JTF; in turn, the JTF IG staff section must remain responsive to the combatant command IG staff section and interact with that staff section based upon joint IG policy and doctrine or established combatant command policies. The JTF IG staff section will remain responsive to the combatant command IG and comply with the provisions of joint IG policy and doctrine as appropriate. If joint IG policy and doctrine has been withdrawn or are not in effect, then the JTF IG will adhere to the IG guidelines established by the combatant command IG staff section. The JTF IG must identify routine reports and

information requirements that feed into reports required from the combatant command IG by the commander. The JTF, while reporting directly to the combatant command commander, may also continue to maintain a relationship with the JTF's previous Army headquarters, which may be a corps headquarters or an ACOM. The same principle applies to the JTF IG staff section and the previous Army headquarter's IG staff section.

(4) *The joint task force inspector general must establish connectivity.* Connectivity is essential to creating joint IG technical channels within and outside of the JTF. The JTF IG must actively establish communications by any necessary means with the subordinate JTF IG staff sections and the combatant command IG staff section, to ensure smooth communications and the rapid transmittal of issues and allegations.

Chapter 10 Information Management

10-1. Inspector General Worldwide Network

a. Definition. The IGMET 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 (LANs) located at IG staff sections interconnected across the DOD wide area network (WAN) infrastructure or across switched telephone connections (dial-up by modem) connected to either the Network Operations Center with USAIGA; the Continuity of Operations Plan site at headquarters, U.S. Army Forces Command (FORSCOM); or one of the four regional server farms located in Hawaii, Germany, Korea, and Iraq.

b. Access. Only school-trained Army IGs are authorized to have access to IGMET and the IGARS database. The only exceptions are office and administrative support staff (graduation from U.S. Army Inspector General School is not required) (see para 2-2g, above) and approved, school-trained ANG IGs serving in multi-Service headquarters (see para 1-10f, above). School-trained Army IGs serving in non-Army IG staff sections (such as a combatant command IG staff section) may receive access to IGMET upon request but not the IGARS database.

c. Database permissions for higher echelon inspector general staff sections.

(1) Higher echelon IG staff sections may identify key individuals by name that may have permission to view a lower echelon IG staff section's case data in the IGARS database for trends analysis purposes. The higher echelon IG staff section may only see basic case data in a read-only status for open and closed cases and not the detailed information contained in each case. Basic case data includes the case number, date opened or closed, status, case label name, the complainant's name, problem area, function code, and names of subjects or suspects. Higher echelon command IGs may request this access on a case-by-case basis by contacting DAIG's Assistance Division (SAIG-AC) with sufficient justification.

(2) A higher echelon IG staff section that is granted visibility over a lower echelon IG staff section's case information may not release that information outside of IG channels or interfere with the subordinate IG. This restriction is in effect unless both IG staff sections are involved in resolving the IGAR (serving as the office of record and/or office of inquiry) and includes the higher echelon IG's directing authority.

(3) Disagreement by the higher echelon IG staff section with how the lower echelon IG staff section is resolving an IGAR does not give that higher echelon IG staff section permission to release that information to the higher IG's directing authority. However, if the lower echelon commander's or IG's actions violate a standard, the higher echelon IG will take action to resolve that allegation and may inform the higher echelon IG's directing authority.

(4) Command IGs and deputy IGs for Army commands will have read-only access to the full details of all ACOM cases and may submit access requests for additional personnel in the ACOM IG staff section on a case-by-case basis to TIG or DTIG for approval. Full details include the basic case data with case notes and synopses as applicable. This access is intended to allow appropriate situational awareness to the higher level IG only. All ACOM IGs are prohibited from interfering with subordinate cases unless specifically requested by the subordinate IG or directed by the ACOM directing authority.

10-2. Purpose

The purpose of the IGMET is to provide an automated network infrastructure to support IGs worldwide to—

a. Enable the collection, consolidation, and electronic interchange of IG case data at local sites, ACOMs, ASCCs, DRUs, and DAIG using IGARS.

b. Facilitate communications between IGs and other agencies primarily by email or internal connectivity—an Intranet, based on the same concepts and technologies as the Internet. In selected instances, use video teleconferencing and application sharing with document collaboration.

c. Provide baseline office automation, administrative software, 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 of DAIG's Information Resource Management Division (IRMD) is the PM for IGMNET, responsible for the operation, maintenance, management, and security of the IGMNET. The IGMNET PM's responsibilities include preparing and submitting program budget data to the program objective memorandum process to ensure that the program is adequately funded. The IGMNET PM maintains an IGMNET architecture plan and manages configuration control of the network. The PM also ensures IGMNET compliance with Army automation policy and the Army Enterprise Architecture, compatibility with Defense Message System migration, and adherence to open architecture standards.

(2) *Network operations and administration.* The IRMD personnel provide centralized IGMNET operations and management internal to the DAIG and in support of command and State IG sites. The DAIG IGMNET network administrator will coordinate with the local Network Enterprise Center responsible for providing WAN or dial-up connectivity for local IG sites. The network enterprise center staff will configure and install all IGMNET hardware and software.

(3) *Database management.* The IGMNET database administrator is responsible for the administration, maintenance, and management of all centralized IG databases.

(4) *Help desk.* The DAIG's IRMD will maintain a technical help desk to support IGMNET customers worldwide. The help desk will be manned during normal duty hours Monday through Friday (0730-1730 eastern standard time) and will provide on-call support after duty hours, on weekends, and on holidays through coordination with the USAIGA staff duty officer.

(5) *Software maintenance.*

(a) *The network support software.* The IGMNET PM is responsible for the maintenance and modernization of IG-developed software consistent with the IGMNET architecture plan. All problem reports and system change requests will be submitted to the IGMNET PM.

(b) *Inspector General network-provided, commercial off-the-shelf software.* The IGMNET PM will modernize or upgrade IGMNET-provided COTS software as required to maintain IGMNET's configuration and architecture.

(c) *Local unique software or locally provided commercial off-the-shelf software.* The IGMNET PM may approve the installation and use of locally provided software on IGMNET servers and IGMNET workstations. The IGMNET PM will approve no software for use on the IGMNET system, unless it passes the IGMNET PM's evaluation testing for compatibility. The IGMNET PM will not authorize the installation of COTS software unless it is in license compliance.

(d) *Hardware maintenance.* Any IGMNET-provided hardware covered under warranty will be serviced in accordance with warranty provisions. Any IGMNET-provided hardware that is out of warranty and has a remaining life cycle will be repaired or replaced at the discretion of the IGMNET PM based on technical and life cycle cost considerations.

(e) *Intranet services.* The IGMNET PM is responsible for maintaining and operating IG Intranet services in accordance with guidance from DAIG's IRMD (contact DAIG's IRMD for further guidance regarding IGMNET security).

(f) *Network security.* The IGMNET PM has overall responsibility for security of the IGMNET. The IGMNET information assurance 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 assisting with the preparation of accreditation documents for IGMNET operations within DAIG.

(g) *Network connectivity.* The IGMNET PM is the approval authority for IGMNET site connectivity configurations. The IGMNET PM will maintain configuration control and security consistent with the IGMNET architecture plan. Because the local Network Enterprise Center has the responsibility for installation, maintenance, and operation of the post network infrastructure, the IGMNET PM will ensure that IG network connectivity configuration and installation is always coordinated with that network enterprise center. To ensure compatibility between IGMNET and ACOM, ASCC, and DRU automation architectures, the IGMNET PM will coordinate IGMNET architecture modernization with the ACOM, ASCC, or DRU Information Management Staff Office to ensure that IGMNET connectivity supports future system configuration requirements.

(h) *Classified networks.* A classified IGMNET system does not exist. Inspectors general must process any classified IG information on the approved classified networks and send all classified IG data to DAIG's Intelligence Oversight Division (SAIG-IO) for storage. The Army's primary classified networks for sending, receiving, and researching classified information via email and the World Wide Web are the Secret Internet Protocol Router Network and the Joint World-Wide Intelligence Communications System. Inspectors general must post classified IG information on these networks.

b. Command and State inspector general staff sections.

(1) *Information assurance security officer.* The command or State information assurance security officer (IASO) should be designated as an IT-III in accordance with AR 25-2. No grade restriction exists, but the IASO will be a U.S. citizen with no less than a completed national agency check (NAC) or, if a civilian, an NAC with credit check and written inquiries. In accordance with AR 25-2, all individuals appointed as IASOs must successfully complete an IA

security certification course equivalent to the duties assigned to them. A copy of the training certificate must go to the IGMET PM. As part of the IASO's routine duties, the IASO will—

(a) Ensure that all users meet the requirements for clearances, authorizations, need-to-know requirements, and security responsibilities before submitting the IGMET User Request Forms (available from DAIG's IRMD) to the IGMET information assurance manager (IAM) or information assurance program manager (IAPM). Since IGMET contains sensitive information, all users must have at least a completed or initiated NAC.

(b) Disseminate and ensure the implementation of Army, Network Enterprise Center, and DAIG IA policy and guidance.

(c) Ensure that all users have received training on IGMET and annual IA awareness training. The IGMET training is part of the curriculum at The U.S. Army Inspector General School, but those individuals who have not attended the school will receive training from the IASO.

(d) Assist the installation IAM or IAPM on the implementation and reporting of information assurance vulnerability management.

(e) Inform the IGMET IAM of the IG's workstation configuration prior to changing it. This information is necessary to ensure that IGMET will continue to work with the new configuration such as upgrading an operating system.

(f) Ensure that all information systems (user workstations) within the IASO's area of responsibility are accredited.

(g) Report security violations and incidents to the installation IAM or IAPM. If the violation or incident involves IGMET, report the event to the IGMET IAM or IAPM as well.

(2) *Hardware maintenance.* Inspectors general are responsible for coordinating hardware maintenance. Hardware used in the IG staff section's office may come from IGMET PM and/or a locally provided automation equipment source. In all cases, when the hardware is in warranty, the IG should coordinate directly with the warranty service provider in accordance with the warranty's provisions. When hardware is no longer in warranty and is not covered under command-wide tier III or other local maintenance contracts, the IG will coordinate for replacement hardware. When command-wide tier III maintenance support contracts or local Network Enterprise Center installation-wide maintenance contracts are in effect, the IG will coordinate with the local Network Enterprise Center as appropriate. Inspectors general should obtain diagnostic support by contacting their local Network Enterprise Center.

(3) *Intranet services.* Inspectors general may establish an Intranet homepage on the IRMD-maintained Intranet server to share information with other IGs (contact DAIG's IRMD for further guidance). Inspectors general can also establish a separate homepage on a command- or Network Enterprise Center-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.

(4) *Information management officer.* Each command and State IG staff section should appoint an information management officer as the primary coordinator on all information technology or information management matters. The information management officer will perform the duties outlined in DA PAM 25-1-1.

c. Network Enterprise Center.

(1) The Network Enterprise Center chief is responsible for providing and supporting the installation-wide network infrastructure to which IGMET connects. This infrastructure includes the physical network cable wiring. The center is not responsible to provide any IGMET-specific equipment. For the purpose of this chapter, the term Network Enterprise Center is used inclusively for the functionally responsible office that provides Network Enterprise Center-like services and management. For example, not all installations or agencies have Network Enterprise Centers but instead may have an installation management directorate, an information systems directorate, and so forth.

(2) The Network Enterprise Center chief must coordinate with the IGMET PM whenever the center makes changes to the installation network infrastructure, operating system, or hardware that affect the connectivity or functionality of IGMET systems.

10-4. Security

a. The protection of sensitive IG data processed on the IGMET is essential to the integrity of the IG system. The security of IGMET includes physical security of automatic data processing equipment, data security, and information security. The IGMET architecture is designed conceptually to use common communications channels whenever possible. The WAN connectivity across installation networks requires that specific IGMET hardware and software implementation is coordinated with the local supporting Network Enterprise Center, to ensure the protection of IG data while allowing the complete functioning of the IGMET WAN.

b. Physical security is mainly concerned with ensuring that—

(1) Servers and computers that process or store IG data are physically secured within IG staff sections by the local Network Enterprise Center with a support agreement in place, or in an access-controlled room, space, or equipment closets.

(2) Access to IG software, hardware, data, and information is limited to IGs, personnel supervised by IGs, and members of the local Network Enterprise Center. This limited access does not preclude admitting personnel who have signed a nondisclosure statement to perform hardware or software support maintenance on warranty. When non-IG personnel perform such maintenance, an IG will observe them.

(3) The WAN connectivity will occur by connecting the IG workstations to the installation network. The IGMET PM may also coordinate the installation of additional security measures such as firewall software and encryption hardware or software as necessary to meet specific site or IGMET requirements. The IGMET PM retains exclusive configuration control of IGMET-provided routers or other IGMET security devices. Implementation of the router or any other security enhancement will be coordinated with the Network Enterprise Center to ensure compatibility with local network infrastructure. Local Network Enterprise Centers may introduce additional security systems to protect installation network infrastructure but must not block IGMET connectivity. The IGMET PM and the local Network Enterprise Center will coordinate feasible configurations and technical implementations to avoid compromising IGMET functionality or security.

(4) Many installation networks are migrating to virtual local area network (VLAN) or similar technologies. These emerging technologies provide significant operational benefits to the local Network Enterprise Center in allowing centralized LAN management, maintenance, and security. They also introduce internal operational security concerns regarding potential non-IG access to IG data. When IGMET WAN connectivity must operate across a VLAN, the Network Enterprise Center and IGMET PM will coordinate and approve a configuration and procedures to secure IG data and information.

(5) The IGMET PM will configure IGMET sites that require dial-up connectivity due to the unavailability of WAN connectivity and will coordinate with the supporting Network Enterprise Center for appropriate switched telephone lines.

(6) Facsimile modems will not be installed in IGMET servers or workstations without the IGMET PM's approval of the configuration and implementation. Unapproved installations of facsimile modems create possible backdoor entry points for intrusion into IGMET and installation networks.

c. Data and information security considerations include the following:

(1) AR 380-5 and AR 25-2 are the governing regulations for security (contact DAIG's IRMD for additional IGMET operational security guidance).

(2) Only IG staff sections will have access to the IGMET system. Only designated IGs in these staff sections will have access to automated IG records or data.

(3) The IGMET is an accredited FOUO system that processes sensitive information. Its level of criticality is MAC II-Sensitive Mission Essential. The DTIG is the designated approving authority for IGMET accreditation. The certifying official for IGMET accreditation is the chief of DAIG's IRMD.

(4) Classified data will not be entered into IGMET. A classified IGMET system does not exist; however, IGs can process classified data on approved classified systems (see para 10-3a(5)(h), above).

(5) Inspectors general will ensure that IG data stored in portable computers is afforded the same confidentiality and protection as other IG records.

(6) Inspectors general will handle all magnetic data storage media containing IG data in accordance with the IGMET security procedures whenever these media are replaced, repaired, or disposed (contact DAIG's IRMD for further guidance).

10-5. Enhancements

a. Inspectors general will not change IGMET hardware or software configurations without IGMET PM approval, to include the introduction of command-unique or COTS software that might be incompatible with, or damaging to, the IGMET system. When approved, all non-IGMET software must be maintained in accordance with its appropriate license provisions.

b. Inspectors general will request specific hardware and software requirements to meet their specific IG mission from the IGMET PM. Inspectors general must coordinate with the local Network Enterprise Center for life cycle information technology equipment upgrades and replacements and notify IGMET PM of any hardware and software changes.

Appendix A References

Section I Required Publications

Except where noted below, publications are available at <http://www.apd.army.mil/>.

AR 1–201

Army Inspection Policy (Cited in paras 1–4a(8)(b), 1–6j, 2–7b, 4–3e, 5–1a, 5–1e, 5–1f, 5–1g, 5–1g(1), 5–1h, 5–1i, 5–1m, 5–2b, 6–5b, and 9–3b(2).)

AR 381–10

U.S. Army Intelligence Activities (Cited in paras 1–4a(8)(g), 1–4b(3)(a), 1–4b(10), 5–3a, 5–3c, 5–4a, and 6–1d(2)(l).)

AR 614–100

Officer Assignment Policies, Details, and Transfers (Cited in paras 2–1d, 2–2c, 2–2e, B-1, and table 2–1.)

The Assistance and Investigations Guide

The Assistance and Investigations Guide (Cited in paras 6–1d, 7–1b, 7–1b(3)(d), 7–1b(4)(d), 7–1l(1), 7–2a, 7–3c, 7–4, 7–4a, 7–4b(1), and E-4.) (Available from The U.S. Army Inspector General School at http://tigs-online.ignet.army.mil/tigu_online/references.htm.)

The Inspections Guide

The Inspections Guide (Cited in paras 5–1d, 5–1h, 5–1m, 5–3c, 5–7, 5–11, and E-4.) (Available from The U.S. Army Inspector General School at http://tigs-online.ignet.army.mil/tigu_online/references.htm.)

Inspector General Reference Guide

Inspector General Reference Guide (Cited in para 8–5a and b.) (Available from The U.S. Army Inspector General School at http://tigs-online.ignet.army.mil/tigu_online/references.htm.)

Intelligence Oversight Guide

Intelligence Oversight Guide (Cited in paras 5–3a, 5–3c, and E-4e(3).) (Available from The U.S. Army Inspector General School at http://tigs-online.ignet.army.mil/tigu_online/references.htm.)

The Teaching and Training Guide

The Teaching and Training Guide (Cited in para 4–1a.) (Available from The U.S. Army Inspector General School at http://tigs-online.ignet.army.mil/tigu_online/references.htm/.)

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. Except where noted below, publications are available at <http://www.apd.army.mil/>. The Code of Federal Regulations is available at <http://www.gpoaccess.gov/cfr/index.html/>. Department of Defense publications are available at <http://www.dtic.mil/whs/directives/>. The National Guard Regulations are available at <http://www.ngbpd.c.ngb.army.mil/>. The U.S. Code is available at <http://www.gpo.gov/fdsys/>. The Uniform Code of Military Justice and Military Rules of Evidence are available at <http://www.apd.army.mil/pdf/files/mcm.pdf/>.

AR 1–20

Legislative Liaison

AR 5–22

The Army Force Modernization Proponent System

AR 10–87

Army Commands, Army Service Component Commands, and Direct Reporting Units

AR 11–2

Managers' Internal Control Program

AR 11-7

Internal Review 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 25-1

Army Knowledge Management and Information Technology

AR 25-2

Information Assurance

AR 25-50

Preparing and Managing Correspondence

AR 25-55

The Department of the Army Freedom of Information Act Program

AR 25-400-2

The Army Records Information Management System (ARIMS)

AR 27-1

Judge Advocate Legal Services

AR 27-10

Military Justice

AR 27-20

Claims

AR 27-26

Rules of Professional Conduct for Lawyers

AR 27-40

Litigation

AR 36-2

Audit Services in the Department of the Army

AR 40-66

Medical Record Administration and Healthcare Documentation

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 190–30

Military Police Investigations

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 220–5

Designation, Classification, and Change in Status of Units

AR 340–21

The Army Privacy Program

AR 350–1

Army Training and Leader Development

AR 380–5

Department of the Army Information Security Program

AR 380–67

Personnel Security Program

AR 380–381

Special Access Programs (SAPs) and Sensitive Activities

AR 385–10

The Army Safety Program

AR 530–1

Operations Security (OPSEC)

AR 570–4

Manpower Management

AR 600–3

The Army Personnel Development System

AR 600–8–2

Suspension of Favorable Personnel Actions (Flags)

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

The Army Substance Abuse Program

AR 600-100

Army Leadership

AR 601-10

Management and Recall to Active Duty of Retired Soldiers of the Army in Support of Mobilization and Peacetime Operations

AR 601-280

Army Retention Program

AR 608-99

Family Support, Child Custody, and Paternity

AR 614-30

Overseas Service

AR 614-115

Military Intelligence Excepted Career Program (Greatskill) (U)

AR 614-200

Enlisted Assignments and Utilization Management

AR 623-3

Evaluation Reporting System

AR 635-200

Active Duty Enlisted Administrative Separations

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 690-950

Career Management

AR 690-950-4 (corrected)

Military Intelligence Civilian Excepted Career Program

AR 735-5

Policies and Procedures for Property Accountability (2005)

DA Pam 25-1-1

Information Technology Support and Services

DA Pam 25-30

Consolidated Index of Army Publications and Blank Forms

DA Pam 385-61

Toxic Chemical Agent Safety Standards

DA Pam 500-5-1

Individual Augmentation Management

DA Pam 600-69

Unit Climate Profile Commander's Handbook

DA Pam 611-21

Military Occupational Classification and Structure

ADP 3-0 (added)

Unified Land Operations

FM 7-0

Training United and Developing Leaders for Full Spectrum Operations

FM 71-100

Division Operations

FM 3-92 (added)

Corps Operations

MRE 304

Confessions and admissions

MRE 305

Warnings About Rights

MRE 502

Lawyer-client privilege

MRE 503

Communications to clergy

MRE 504

Husband-wife privilege

MRE 508

Political vote

MRE 509

Deliberations of courts and juries

MRE 513

Psychotherapist-patient privilege

NGR 10-2

State Area Command, Army National Guard

NGR 20-10/ANGI 14-101

National Guard Inspector General Intelligence Oversight Procedures

NGR (AR) 600-5

The Active Guard/Reserve (AGR) Program, Title 32, Full-time National Guard Duty (FTNGD)

NGR 600-21

Equal Opportunity Program in the Army National Guard

NGR 600/ANGI 36-3

National Guard Military Discrimination Complaint System

NGR 600-23/ANGR 30-12

Nondiscrimination in Federally Assisted Programs

NGR (AR) 600-100

Commissioned Officers-Federal Recognition and Related Personnel Actions

NGR 635-101

Efficiency and Physical Fitness Boards

CJCSI 1301.01C

Joint Individual Augmentation Procedures (Available at http://www.dtic.mil/cjcs_directives/cjcs/instructions.htm)

DOD 1400.25-M

Department of Defense Civilian Personnel Manual (CPM)

DOD 5200.2-R

Personnel Security Program

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 1401.03

DOD Nonappropriated Fund Instrumentality (NAFI) Employee Whistleblower Protection

DODD 2311.01E

DOD Law of War Program

DODD 5106.01

Inspector General of the Department of Defense

DODD 5106.04

Combatant Command Inspectors General

DODD 5405.2

Release of Official Information in Litigation and Testimony by DOD Personnel as Witnesses

DODD 5500.07

Standards of Conduct

DODD 5505.06

Investigations of Allegations Against Senior Officials of the Department of Defense

DODD 6490.1

Mental Health Evaluations of Members of the Armed Forces

DODD 7050.06

Military Whistleblower Protection

DODI 5106.05

Combatant Command Inspectors General—Implementing Procedures

DODI O–5210.63

DOD Procedures for Security of Nuclear Reactors and Special Nuclear Materials (SNM)

DODI 6490.4

Requirements for Mental Health Evaluations of Members of the Armed Forces

DODI 7050.01

Defense Hotline Program

DODI 7750.6

Information Requirements for Semiannual Report to the Congress

JP 3–0

Joint Operations (Available at http://www.dtic.mil/doctrine/new_pubs/jp3_0.pdf.)

JP 3–33

Joint Task Force Headquarters (Available at http://www.dtic.mil/doctrine/new_pubs/jp3_33.pdf.)

Executive Order 12333

United States intelligence activities (Available at <http://www.archives.gov/federal-register/executive-orders/>.)

PL 104–191

Health Insurance Portability and Accountability Act of 1996 (Available at <http://thomas.loc.gov/bss/d104/d104laws.html>.)

PL 110–181

National Defense Authorization Act for Fiscal Year 2008 (Available at <http://thomas.loc.gov/bss/d104/d104laws.html>.)

UCMJ, Article 15

Commanding Officer's nonjudicial punishment

UCMJ, Article 28

Detail or employment of reporters and interpreters

UCMJ, Article 32

Investigation

UCMJ, Article 92

Failure to obey order or regulation

UCMJ, Article 107

False official statements

5 CFR 2638.203

Duties of the designated agency ethics official

29 CFR 1614

Federal Sector Equal Employment Opportunity

32 CFR 97

Release of Official Information in Litigation and Testimony by DOD Personnel as Witnesses

340 U.S. 462

United States ex rel. Touhy v. Ragen (Available at <http://www.supreme.justia.com/us/>.)

384 U.S. 436

Miranda v. Arizona (Available at <http://www.supreme.justia.com/us/>)

5A USC Appendix

Inspector General Act of 1978

5 USC 552

Public information; agency rules, opinions, orders, records, and proceedings

5 USC 2301

Merit system principles

5 USC 2302

Prohibited personnel practices

5 USC 7114

Representation rights and duties

5 USC Chapter 77

Appeals

10 USC 1034

Protected communications; prohibition of retaliatory personnel actions

10 USC 1587

Employees of nonappropriated fund instrumentalities: reprisals

10 USC 3014

Office of the Secretary of the Army

10 USC 3020

Inspector General

10 USC 3065

Assignment and detail: officers assigned or detailed to basic and special branches

10 USC 10149

Ready Reserve: continuous screening

10 USC 10216

Military technicians (dual status)

18 USC 207

Restrictions on former officers, employees, and elected officials of the executive and legislative branches

18 USC 208

Acts affecting a personal financial interest

18 USC 2511

Interception and disclosure of wire, oral, or electronic communications prohibited

18 USC 2515

Prohibition of use as evidence of intercepted wire or oral communications

32 USC 105

Inspection

32 USC 315

Detail of regular members of Army and Air Force to duty with National Guard

41 USC 423

Restrictions on disclosing and obtaining contractor bid or proposal information or source selection information

Section III

Prescribed Forms

DA Forms are available on the Army Publishing Directorate Web site (<http://www.apd.army.mil>). DA Form 5097, DA Form 5097-1, and DA Form 5097-2 are available through The U.S. Army Inspector General School by request only.

DA Form 1559

Inspector General Action Request (Prescribed in para 6-1.)

DA Form 5097

The Inspector General Oath (Prescribed in para 2-6.)

DA Form 5097-1

Inspector General Oath (Non-IG) (Prescribed in para 2-6.)

DA Form 5097-2

Inspector General Oath (Acting-IG) (Prescribed in para 2-6.)

DA Form 7433

Privacy Act Information Release Statement (Prescribed in para 6-2.)

Section IV

Referenced Forms

Except where otherwise indicated below, the following forms are available as follows: DA Forms are available on the Army Publishing Directorate Web site (<http://www.apd.army.mil>).

DA Form 11-2

Internal Control Evaluation Certification

DA Form 2028

Recommended Changes to Publications and Blank Forms

DA Form 3881

Rights Warning Procedure/Waiver Certificate

DA Form 4187

Personnel Action

Appendix B

Inspector general military nomination, civilian hiring, and force management requirements

This appendix addresses the full range of military and civilian IG personnel and force management policies for the Army IG system. The office of responsibility is DAIG's Operations and Support Division (SAIG-OP).

B-1. Nomination and selection requirements.

The Inspector General (TIG), as the IG system's personnel and functional proponent, is responsible for the IG nomination and approval process but not assignments. Assignment processes, to include replacements and World Wide Individual Augmentation System (WIAS) requirements, are the responsibility of the owning command and respective component Human Resource Commands. Units must work within personnel replacement channels to requisition Soldiers to serve as IGs. The Inspector General will approve or disapprove nominees for IG duty and establish parameters for the selection of civilian IGs.

a. Military nominations. The USAHRC nominates detailed IGs, assistant IGs, or temporary assistant IGs for more than 180 days for active Army assignments either as a result of the requisition process or the identification of a local nominee by the commander. The USAHRC nominates detailed or assistant IGs for USAR AGR assignments as a result of the requisition process.

b. Commissioned officer nomination requirements and attributes. Commissioned officers considered for IG duty must meet the following minimum qualifications as outlined in AR 614-100. These commissioned officers must—

- (1) Be a citizen of the United States either by birth or naturalization.
- (2) Be in the grade of chief warrant officer two (CW2) or above, or captain or above. A captain must have successfully completed company-, battery-, or troop-level command and be a graduate of the captain's career course. The USAR AGR officers are exempt from this command requirement because of limited command opportunities; however, USAR AGR officers will be nominated for USAR IG positions only if they are within 1 year of promotion to—or under consideration for—the grade of major. If possible, field-grade officers will be branch qualified before beginning an IG assignment and, at a minimum, be military education level 4 (MEL 4) graduates; USAR and ARNG field-grade officers are exempt from this MEL 4 requirement. Commissioned warrant officers will be graduates of, or have credit for, senior warrant officer training. All officers and warrant officers will have undergraduate degrees, and colonels will have a master's degree.
- (3) Have broad, contemporary Army experience and background that reflects outstanding performance; demonstrates potential for future service; and provides credibility for those Soldiers, family members, and civilians who seek IG assistance.
- (4) Display moral attributes and personal traits that demonstrate adherence to Army Values.
- (5) Have no record of punishment under Article 15: Uniform Code of Military Justice; conviction by court-martial; general officer letters of reprimand filed in the official military personnel file; or derogatory information contained in IG records as screened by the USAIGA.
- (6) Have no record of civil conviction except for minor offenses.
- (7) Have an "A" or "B" profile serial code and a "1" under "S" factor for physical profile.
- (8) Serve no consecutive details as an IG. The Inspector General may approve consecutive details as an exception to policy with the specific consent of the officer concerned.
- (9) Present good military bearing and appearance.
- (10) Meet body composition requirements as outlined in AR 600-9.
- (11) Receive a passing score on the Army physical fitness test within the last 6 months.
- (12) Possess and maintain a secret-level clearance.
- (13) Remain in a deployable status for all required areas.

c. Noncommissioned officer nomination requirements and attributes. Any NCOs in the grade of promotable staff sergeant and above may be nominated or volunteer for IG duty. In accordance with the minimum qualifications outlined in AR 614-200, these NCOs must—

- (1) Be citizens of the United States (by birth or naturalization).
- (2) Not be on assignment instructions.
- (3) Be high school graduates or have a general education degree (GED) equivalency; an associate's degree; and, if a SGM, a graduate of the Sergeants Major Academy.
- (4) Have 36 months of service remaining or be eligible to extend or reenlist.
- (5) Display moral attributes and personal traits that demonstrate adherence to Army Values.
- (6) Have no record of punishment under Article 15: Uniform Code of Military Justice; conviction by court-martial; general officer letters of reprimand filed in the official military personnel file; or derogatory information contained in IG records as screened by the USAIGA.
- (7) Have no record of civil conviction except for minor offenses.
- (8) Have an "A" or "B" profile serial code and a "1" under "S" factor for physical profile.

(9) Have broad experience and an Army background that reflects outstanding performance and demonstrated potential for future service.

(10) Serve no consecutive details as an IG. The Inspector General may approve consecutive details as an exception to policy with the specific consent of the NCO concerned.

(11) Present good military bearing and appearance.

(12) Meet body composition requirements as outlined in AR 600–9.

(13) Receive a passing score on the Army physical fitness test within the last 6 months.

(14) Possess and maintain a secret-level security clearance.

(15) Remain in a deployable status for all required areas.

B–2. Procedures for preparing and submitting nomination packets

All IG nominations begin with a requisition submitted from a unit’s personnel officer or Adjutant General to USAHRC, NGB, or USAR to fill a vacant IG billet. The USAHRC, NGB, and USAR use the same procedures to develop all nomination packets.

a. Nomination packet requirements. The IG billet must be a recognized position authorized by a line and paragraph number on an MTOE or TDA. Upon receipt of the unit requisition, USAHRC, NGB, or USAR will prepare and forward to DAIG’s Operations and Support Division (The U.S. Army Inspector General Agency, SAIG–OP, 1700 Army Pentagon, Room 5C560, Washington, DC 20310–1700) a nomination packet that includes the items listed in table B–1. MTOE or TDA IG positions will not be filled with non-IG Soldiers for the purpose of using the slot as a placeholder. Soldiers placed in an IG position will have an IG nomination packet submitted within 30 days of assignment.

Table B–1
Inspector general nomination packet contents

- Unit identification code, MTOE, or TDA entry date, line and paragraph number for IG billet.
 - An official DA photograph that is no more than 2 years old. If the nominee was promoted less than 6 months before the nomination for IG duty, the DA photograph at the nominee’s previous grade is acceptable. If promoted more than 6 months prior to the nomination, a photograph at the new grade is required.
 - Copies of officer evaluation reports or NCO evaluation reports for the last 10 years.
 - A memorandum signed by the commander or directing authority if the nomination is local.
 - Current height and weight data. If the nominee does not meet the height and weight standards as outlined in AR 600–9, a body fat analysis sheet executed within the last 30 days is required as well.
 - Copy of any physical profile.
 - Current Army Physical Fitness Test indicating pass or fail.
 - Officer record brief or enlisted record brief depending on the rank of the Soldier
-

b. Nomination routing procedures for active Army Soldiers.

(1) The USAHRC nominates AC officers and NCOs to fill detailed and assistant IG positions. Nomination packets will be prepared in accordance with table B–1 and submitted to DAIG’s Operations and Support Division for TIG consideration and approval or disapproval.

(2) Once nominated, the Soldier’s status will be frozen until TIG determines the Soldier’s suitability to serve as an IG. Once TIG makes a decision, DAIG’s Operations and Support Division will notify USAHRC via telephone and memorandum officially accepting or rejecting the candidate.

(3) The USAHRC will issue orders for attendance at the IG school and follow-on assignment instructions.

(4) Soldiers disapproved for IG duty will be denied without prejudice.

c. Nomination routing procedures for U.S. Army Reserve Soldiers. The USAHRC nominates USAR AGR officers and NCOs as detailed or assistant IGs as a result of the following requisition process:

(1) The IG, USARC, will review and make recommendations to TIG on all nomination packets for AGR USAR commissioned officers and NCOs prior to submission for TIG approval. The IG, USARC, may return a nomination packet to USAHRC or a command IG without action and without prejudice.

(2) Nomination packets for individual mobilization augmentee Soldiers will be forwarded through IG, USARC, for review and recommendation prior to submission to TIG for approval.

(3) Nomination packets for IRR Soldiers will be forwarded through IG, USARC, for review and recommendation prior to submission to for approval.

(4) Reserve component military technicians will not be approved for USAR TPU mobilization-day (M-day) IG positions unless the position is a dual-status technician and TPU or M-day IG position. The military technician must be assigned full time in an IG position and drill or conduct battle assemblies in an IG position. Otherwise, a conflict of interest would arise in holding two separate military positions—one full time and another in TPU or M-day status.

Military technicians must be nominated, approved, and trained in accordance with this regulation (see para 2–2c, above).

d. Nomination routing procedures for U.S. Army National Guard Soldiers.

(1) Nomination packets for active Army commissioned officers to serve as a detailed IG in a State, territory, Commonwealth of Puerto Rico, or the District of Columbia will originate with USAHRC. The Chief, National Guard Bureau must review the nominations with an endorsement by the State AG prior to TIG approval. The Inspector General must be notified of DA civilians who also serve as TPU Soldiers assigned to the command and who are considered for IG positions because of the inherent conflict of interest that might arise in holding both positions within the same command.

(2) The NGB will review all nomination packets for ARNGUS personnel prior to submission for TIG approval.

(3) Reserve component military technicians will not be approved for ARNGUS M-day IG positions unless the position is a dual-status technician and TPU or M-day IG position. The military technician must be assigned full time in an IG position and drill or conduct battle assemblies in an IG position. Otherwise, a conflict of interest would arise in holding two separate military positions—one full time and another in TPU or M-day status. Military technicians must be nominated, approved, and trained in accordance with this regulation (see para 2–2d, above).

e. Local nomination submissions. For locally nominated IGs, the commander or directing authority will prepare and submit a nominating memorandum along with the items in table B–1 and forward it through personnel channels to the USAHRC, NGB, or USAR. Respective component human resource commands will review the packet for correctness and determine if they can or cannot support the nomination given ongoing operational requirements. If supportable, the USAHRC, NGB, or USAR will forward the local nomination packet to DAIG’s Operations and Support Division, which in turn will forward it to TIG for approval or disapproval. When TIG acts on the nomination, DAIG’s Operations and Support Division will notify the USAHRC, NGB, or USAR and the gaining command, and will authorize direct coordination with The U.S. Army Inspector General School for a school allocation.

f. Local nomination memorandum preparation. The cover memorandum will be prepared in accordance with AR 25–50 and contain the following information:

(1) Name, grade, social security number, military occupational specialty (MOS), or specialty code and branch of nominee.

(2) Unit and position for which nominated, TDA paragraph and line number, or temporary position and length of TDY assignment.

(3) Identification of incumbent if any.

(4) A justification as to why the local nomination is suited to serve as an IG. The justification should address the nominee’s attributes.

(5) Point of contact.

(6) The commander’s or directing authority’s signature.

g. Local nomination routing procedures. Local personnel officers or AG personnel will forward local nominations through one of the following addresses to DAIG’s Operations and Support Division (The U.S. Army Inspector General Agency, SAIG–OP, 1700 Army Pentagon, Room 5C560, Washington, DC 20310–1700):

(1) For the Senior Leader Development Office, COL or LTC (P) send to— Office of the Chief of Staff, Army, Colonels Management Office, 200 Army Pentagon, Room 2A476, Washington, DC 20310.

(2) For the SGM Branch—CSM, SGM, or MSG (P), send to— U.S. Army Human Resources Command, AHRC–EPS, 1600 Spearhead Division Avenue, Fort Knox, KY 40122.

(3) For active Army CPT through LTC, send to— Commander, U.S. Army Human Resources Command, AHRC–OPZ–X, 1600 Spearhead Division Ave, Fort Knox, KY 40122.

(4) For all active Army enlisted—SSG (P), SFC, or MSG, send to— Commander, U.S. Army Human Resources Command, KNOX–HRC–EPD–I, 1600 Spearhead Division, Dept. 300, Fort Knox, KY 40122–5300.

(5) For all active Army medical personnel, send to— Commander, U.S. Army Human Resources Command, AHRC–OPH–M, 1600 Spearhead Division, Fort Knox, KY.

(6) For all Army National Guard, send to— Chief, National Guard Bureau, NGB–IG, Suite1D163, 1636 Defense Pentagon, Washington, DC 20301-1336.

(7) For all Army Reserve, except U.S. Army Special Operations Command (USASOC), send to—Commander, USARC, AFRC–IG, 4710 Knox Street, Fort Bragg, NC 28310-5010.

(8) For USASOC RC send through—U.S. Army Civil Affairs and Psychological Operations Command (AOCP–IG) and USASOC (AOIG), Fort Bragg, NC 28307–5200, through the Office of the Inspector General, USARC, 4710 Knox Street, Fort Bragg, NC 28310-5010.

h. Temporary assistant inspector general nominations. The Inspector General will approve the nominations of all officers, warrant officers, and NCOs selected as temporary assistant IGs who are anticipated to serve in that capacity for more than 180 days. The commander or directing authority will submit a memorandum prepared in accordance with AR 25–50 and in accordance with paragraph B–2 and table B–1, above. The Inspector General will also approve all DA civilian employees and selected non-DA civilians whose duty as temporary assistant IGs exceeds 180 days. For

civilian IGs, include the last 10 civilian ratings, any awards given over the past 10 years, and certify via the command's security officer that the temporary assistant IG submitted for TIG approval has a valid, up-to-date NAC and at least a secret-level security clearance.

i. Acting inspector general appointments. The ACOM, ASCC, or DRU commander or directing authority, or the senior Army forces commander when the Army IG is serving under a joint or combatant command, may appoint commissioned officers and DA civilians to serve as acting IGs for active Army and subordinate USAR units. Commissioned officers must be in the grade of captain or above, and DA civilians must be in the grade of GS-12 and above. These commanders or directing authorities will not delegate their authority to approve such appointments. The State AG approves the appointment of commissioned officers as acting IGs in the State or territory of the NG. If a commissioned officer or civilian in the appropriate grade is not available for nomination as an acting IG, a request for exception to policy may be submitted to TIG through DAIG's Operations and Support Division (The U.S. Army Inspector General Agency, SAIG-OP, 1700 Army Pentagon, Room 5C560, Washington, DC 20310-1700). The request will be prepared in accordance with AR 25-50 and must explain fully the need for an acting IG, why no commissioned officer or civilian in the appropriate grade is available, and a description of the nominee's qualifications.

j. Joint inspector general duty and the World Wide Individual Augmentation System. The Inspector General will approve the nominations of all Army officers, warrant officers, and NCOs nominated or requisitioned to perform duty in a joint or combatant command as part of TIG's responsibility to comment on the suitability of these individuals for joint IG duty. The Inspector General will also approve the nominations of all Army officers, warrant officers, and NCOs nominated for IG duty with the DODIG. These approvals will occur prior to the approval of the gaining command or organization in accordance with paragraphs B-1 and B-2, above.

k. State and Commonwealth inspectors general. Per 32 USC 315, only active Army colonels and lieutenants colonel will be nominated and approved to serve as a State or Commonwealth IG, without exception. National Guard officers may serve in an acting capacity until an active Army officer is assigned. If no National Guard officer is available, NGB will designate an IG (officer) to act as the State IG.

B-3. Special U.S. Army Reserve personnel programs and processes

a. Retiree mobilization program. The Inspector General 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. The USAHRC will identify and nominate officers to serve as IGs in this program who have an ASI of 5N. The USAHRC will forward the nomination packet through the IG, USARC, for comment prior to submission to TIG via DAIG's Operations and Support Division for approval.

b. Cross-leveling of U.S. Army Reserve inspector general personnel during mobilization.

(1) The IG, USARC, must remain informed of all internal major subordinate command (MSC) cross-leveling requests and actions for IGs. Requests for cross-leveling IGs between MSCs (two general officer-level commands) require review by IG, USARC, and TIG notification.

(2) The command IG, with the approval of the regional support command, operational and functional command, or division commander, is authorized to "cross-level" detailed and assistant IGs within the same command to increase IG support to Soldiers, Families, and civilians. This authority includes the cross-leveling of NCO IGs with a mismatched MOS and other IGs within the same command for promotion purposes. The MSC IG staff section conducting the cross-leveling action will notify IG, USARC, for tracking purposes; in turn, IG, USARC, will inform DAIG's Operations and Support Division by MTOE or TDA line and paragraph number, the losing and gaining unit, and the IGs by name that were moved. Commanders and USARC IG are prohibited from moving IGs to non-IG billets.

c. Individual mobilization augmentee program. The gaining unit nominating an individual mobilization augmentee Soldier for IG duty is responsible for assisting the individual mobilization augmentee Soldier with the nomination packet. Nomination packets will be forwarded through IG, USARC, for review and recommendation prior to submission to TIG for approval.

d. Individual ready reserve program. Nomination packets for IRR Soldiers will be forwarded through IG, USARC, for review and recommendation prior to submission to TIG for approval. Both USARC and USAHRC will assist the IRR Soldier in preparing the nomination packet.

e. U.S. Army Reserve 179-day tours of duty. The IG, USARC, is the approval authority for requests for all USAR IG short tours (fewer than 180 days). The USAHRC generates the orders for IGs in this category.

f. Requesting an Army Reserve individual augmentee or replacement for deployment. The individual augmentee (IA) request process is as follows:

(1) The deployed unit or requesting command submits the requirement through the operations officer to ensure that the combatant command can verify the requirements on the Joint Manning Document.

(2) The combatant command commander will then forward the Joint Manning Document, along with specific reporting dates, to the operations officer for fill. The operations officer, through FORSCOM or the Army service component, will request the individual in accordance with established Army policies. The personnel officer or the Army service component will determine personnel availability and fill requirements from internal Army assets.

(3) The requirement is forwarded via the WIAS to FORSCOM and then on to USARC for fill or to USAHRC for

retired reserve, IMA, IRR, and AGR Soldiers. The USAR augmentee must be a volunteer. The organization responsible for IA mobilization and deployment as an IG must assist that Soldier in completing the nomination packet and forwarding it to IG, USARC.

(4) All TPU nominations are forwarded through the IG, USARC, prior to submission to TIG for approval.

(5) The IG, USARC, reviews all nominations for retired reserve, IMA, IRR, and AGR Soldiers prior to submission to TIG for approval.

(6) The augmentee may backfill a deploying Soldier or join a unit (to include a joint JTF headquarters or other headquarters element) that will or has deployed.

(7) To replace the augmentee, the Army service component will determine if Army assets in theater can fill the requirements. If not, the requirement is transmitted via WIAS to USAHRC for fill in the case of the retired reserve, IMA, IRR, and AGR Soldiers. The IG nomination process remains the same.

B-4. Civilian inspector general hiring and position-description requirements

In accordance with civilian personnel rules and regulations, commanders or command IGs hire DA civilians to serve as IGs. Hiring officials must ensure that these employees, like their uniformed counterparts, understand the nature of IG work. Command IGs must explain that civilian employees who perform IG duties have access to sensitive and confidential IG information and hold a position of public trust. To protect those who seek assistance from the IG and to safeguard the integrity of the IG system, civilian employees performing IG duties must display moral attributes and personal traits that demonstrate adherence to Army Values, the Warrior Ethos, and the Army Civilian Corps Creed.

a. Army civilian inspector general attributes. During the hiring process, hiring officials will screen potential civilian employee candidates, to include current IGs applying for another IG position, using the below criteria. These elements will be incorporated into hiring announcements and civilian positions descriptions. Failure to maintain attributes (1), (5), (6), and (7) will serve as grounds for revocation of IG certification, credentials, and possibly termination from government service:

(1) Be a citizen of the United States by birth or naturalization.

(2) Be in the grade of GS-9 or above.

(3) For civilians in the grade range of GS-9 to GS-12, the best candidates may be a graduate of the Civilian Education System (CES) basic course and have an associate's degree. For GS-13 positions, the best candidates may be a graduate of CES basic, intermediate, and advanced courses or their military equivalents and have an undergraduate degree from an accredited college or university. For GS-15 employees, the best candidates may be a graduate of Continuing Education for Senior Leaders. For GS-14s and GS-15s, the best candidates may have a master's degree from an accredited college or university. All of these educational qualifications are desirable and not required.

(4) Have broad, contemporary Army experience and background that reflects outstanding performance and demonstrated potential for future service. This experience is crucial to gain and maintain credibility with Soldiers, Family members, and civilians when conducting IG functions.

(5) Have moral attributes and personal traits that demonstrate adherence to Army Values, the Warrior Ethos, and the Army Civilian Corps Creed.

(6) Have no record of criminal punishment except for minor offenses or derogatory information contained in IG records as screened by the USAIGA.

(7) Possess or be able to obtain and maintain a minimum of a secret-level security clearance. A minimum of an interim secret-level security clearance is required before an individual can perform any IG functions or have access to IG records. IG positions are designated as noncritical sensitive. Positions requiring a higher clearance level must be designated as such in accordance with DOD 5200.2-R and validated by the Office of Personnel Management's Position Designation Tool.

b. Civilian suitability checks. As the functional and personnel proponent for military and civilian IGs, TIG's duty is to ensure the IG system has members of unquestionable integrity and who fully represent and practice Army Values. To eliminate any real or perceived disparity between military and civilian IGs, all prospective civilian IGs will meet the criteria in paragraph B-4a, above, and undergo a suitability check as follows:

(1) All IG hiring officials or supervisors for Army civilian IG positions must update their civilian IG and office administrative personnel vacancy notices and position descriptions to add the following language: Applicants referred for consideration will be subject to a database check against the Army Inspector General Action Request (IGARS) database to screen for substantiated and ongoing IG investigations. A social security number (SSN) is required to conduct the background investigation; applicants must supply their SSN when asked by the hiring authority. Applicants and employees must possess or be able to obtain and maintain a minimum of a secret-level security clearance. A minimum of an interim secret security clearance is required before an individual can perform any IG functions or have access to IG records. Inspector general positions are designated as noncritical sensitive. Positions requiring a higher clearance level must be designated as such in accordance with DOD 5200.2-R and validated by the Office of Personnel Management's Position Designation Tool.

(2) Hiring officials will first evaluate and screen referral lists for viable candidates. Hiring officials will then send a list (with SSNs and resumes) of no more than the top three viable candidates' information to DAIG's Operations and

Support Division via e-mail (OpsTask@ignet.army.mil) for an Army IG background check. Upon receipt of the request, DAIG's Operations and Support Division has 14 days to respond to the hiring official with IGARS screening results.

(3) Hiring officials may not make a final hiring decision without the results of the Army IGAR or senior official database screen. All hiring officials will maintain records of these screens for the time period required in accordance with Army Records Information Management System.

(4) The hiring official must evaluate screening results to determine each individual's suitability to serve as an IG or a current IG seeking a higher IG position. The existence of an IG record alone does not render an individual unsuitable. The hiring official must evaluate the content of the record and the individual's entire application file to make this decision. Specifically, hiring officials should evaluate background-check results, along with conversations conducted with candidates' past supervisors, to help determine, given the available information, whether an individual possesses the moral attributes and personal traits that are in line with Army Values. The hiring official must make this evaluation to the best of his or her ability and ensure that the final results are in writing and maintained in the hiring action file.

(5) Hiring officials must forward any determination that a candidate is unsuitable for service as an IG based on the IG screens to the servicing CPOC. The CPOCs will retain final suitability adjudication authority with certain exceptions. The release of IG records to CPOCs for this purpose is authorized. Hiring officials should then follow servicing CPOC guidance regarding the hiring action and report all final hiring results to DAIG's Operations and Support Division.

(6) Criminal activity, to include drug use, will automatically disqualify a candidate. Additionally, TIG will remove from IG duty any serving civilian IG who engages in criminal activity (including drug use) and immediately revoke the individual's access to IGARS and IGET.

c. Reserve component civilian inspectors general. The IG, USARC, will be the selecting official for all new Army Reserve DA civilian IG positions and is responsible for providing servicing CPACs with position descriptions and criteria for applicants.

d. Additional position description requirements. In addition to the requirements previously stated in paragraph B-4a, all DAC IG 1801 billets and all other authorized job series where the incumbent will serve as a certified IG will include the following criteria on all position descriptions:

(1) Title: In accordance with table B-2.

(2) Job series: Reflected as GS-1801. Only TIG can grant an exception to the 1801 job series requirement. This requirement does not cover IG administrative personnel, who can serve in an administrative job series.

(3) Career program (CP) and/or functional code: Army civilian IGs are currently under CP 55; and, as such, all IG 1801 position descriptions will be coded CP 55.

(4) Bus code: 8888. Inspectors general will not be part of a collective bargaining group.

(5) Drug test required: Yes. (This requirement includes all personnel certified as an IG with access to IGARS and IGET.)

(6) Physical demands: The work is primarily sedentary; however, the employee must be willing to perform IG functions in environments to support the mission and hiring authorities must state these requirements in the position description and job announcement. If the billet requires the employee to deploy to a combat theater of operations, the employee must be able to carry the necessary equipment while deployed to accomplish the mission. This requirement, as well as any requirements to travel, must also be stated clearly in the position description and job announcement.

(7) Work environment: The work can be performed in a typical office setting, in a combat zone, or in other environments necessary to support the mission.

(8) Conditions of employment: Incumbents must maintain a current security clearance, successfully graduate from the U.S. Army Inspector General School and maintain certification in accordance with this regulation, and practice IG attributes as mandatory requirements for continued employment as an Army IG. Any serious criminal activity, to include drug use, will result in the immediate removal of an employee from IG duty and loss of access to IGARS and IGET.

e. Reporting requirements. Command IGs will report the names and grades of newly hired civilian IGs to TIG (SAIG-TR and SAIG-OP) so that the Inspector General Personnel System database can be updated and selection verified for attendance at The U.S. Army Inspector General School. The reporting format is in accordance with paragraph B-6d, below.

B-5. Security clearance requirements

All personnel nominated for IG duty must possess or be able to obtain a valid security clearance at the secret level and must obtain that clearance before conducting any IG duties (interim clearances are acceptable). Persons nominated for IG positions in DAIG's Intelligence Oversight Division and the Intelligence and Security Command must possess, or be able to obtain, a top secret security clearance based on a single scope background investigation. Assignment to DAIG's Intelligence Oversight Division and the Intelligence and Security Command constitutes agreement to undergo

random counterintelligence scope polygraph examinations. Maintaining a valid security clearance is required for continued service or employment as an Army IG.

B-6. Inspector general force management

As the functional proponent of the Army IG system, TIG is responsible to maintain the viability of the system. To provide visibility to DAIG on Army IG force structure and to help command IGs manage their MTOEs and TDAs, specific force management procedures and reporting requirements must be followed.

a. The inspector general system's standard requirements formulas.

(1) Manpower requirements criteria (MARC) will determine the IG's TOE or MTOE. The MARC is a formula used by force developers to establish manpower position requirements for specific CS or CSS functions in TOEs. The MARC formula is based on the concept of providing minimum essential CS or CSS manpower position requirements to perform specific wartime functions in sustained combat. The Operations and Support Division represents TIG as the proponent at Army-level TOE conferences. The TOE or MTOE is standardized; however, any commander, directing authority, or command IG who seeks to change his or her MTOE must contact DAIG's Operations and Support Division before the submission of command-plan changes. Army force managers will send all proposed changes to IG MTOEs to DAIG's Operations and Support Division for review and concurrence.

(2) The commander or directing authority owns the IG TDA. However, as the IG proponent, DAIG has developed a TDA manpower modeling tool designed to determine TDA force structure using workload criteria. Commanders, directing authorities, and command IGs will first contact DAIG's Operations and Support Division for instruction and support on using the modeling tool. The Army force management community will only accept changes based on this modeling tool.

(3) All IG MTOEs, TDAs, and position descriptions will follow the naming protocol outlined in table B-2, below.

Table B-2
Standard inspector general titles

Standard title	Notes
Detailed inspector general (command IG)	Only one command IG can be present for each directing authority.
Detailed inspector general (XX State IG)	ARNG State command IGs only where XX = two-letter State abbreviation.
Detailed inspector general (deputy command IG)	Only one deputy command IG can be present for each directing authority.
Detailed inspector general (division chief)	A division chief leads multiple branches (for example, an Assistance and Investigations Division chief supervising an assistance branch and an investigations branch). Division chiefs are usually found in IG staff sections of 12 or more personnel.
Detailed inspector general (branch chief)	A branch chief leads a branch that is part of a division and reports to the division chief.
Detailed inspector general (team leader)	A team leader leads a team that may be part of a branch reporting to a branch chief or may lead a team that is part of an unstructured (no divisions or branches) IG staff section reporting directly to the command IG.
Detailed inspector general	Commissioned officers (CW2, CPT and above), GS-12/13, GS-14, or GS-15.
Assistant IG	NCOs (SFC-SGM) or GS-9 through GS-13.
IG administrative support	All IG administrative support personnel (specialist-SSG, GS-5-7).
	<p>Special notes:</p> <p>1. In special cases where the duty title describes special requirements of the position, additional descriptive terms may be added (such as "ASSIST. IG, RECRUITER," an IG position that requires qualification as an Army recruiter in order to be effective, or "ASSIST. IG, HR SPC," a position where the primary duty is human-resource related.</p> <p>2. You must specify a GS-9 and above position as a "DETAILED" or an "ASSISTANT IG" in the position TITLE. Only GS-12s and above may serve as DETAILED IGs.</p>

b. Inspector general standards of grade. The rank of the command IG and the IG NCO will be determined in accordance with DA PAM 611–21.

c. Modification table of organization and equipment, and table of distribution and allowance codes. In the remarks code blocks on all MTOEs and TDAs, officer positions will reflect an “ASI 5N,” the NCOs will reflect an “SQI B,” and civilian IGs will reflect remarks code “DK.”

d. Reporting requirements. Command IGs will render an MTOE or TDA report to DAIG’s Operations and Support Division twice each fiscal year (on 1 October and 1 April) with the following information:

- (1) The unit identification code, unit name, and entry date on MTOE or TDA.
- (2) Paragraph and line numbers of the IG staff section.
- (3) Titles for each line.
- (4) Authorized grades for each line.
- (5) The MOS or job series for each line.
- (6) Branch.
- (7) Required and authorized strength for each line.
- (8) Incumbent names and how long each person has been in a position.
- (9) The U.S. Army Inspector General School graduation date and refresher training date(s).
- (10) The IG office mailing address and the command IG’s direct telephone number.
- (11) Other IG positions that may be listed on integrated manning documents, and so forth.
- (12) Unit point of contact responsible for maintenance of the MTOE or TDA (usually found in the operations or budget staff sections — include name, unit address, and direct telephone number).

Appendix C

Department of Defense Inspector General Semiannual Report to the Congress

C-1. Semiannual report requirements

The Inspector General is required by 5A USC 3 and DODI 7750.6 to submit semiannual reports to the IG, DOD, summarizing the significant activities of Army inspectors and their efforts to curb fraud, waste, and mismanagement.

C-2. Semiannual report submission time lines

The Inspector General must submit these semiannual reports to IG, DOD, not later than 15 April and 15 October for the 6-month periods ending 30 March and 30 September (with the exception of the U.S. Army Audit Agency, which uses cutoff dates of 31 March and 30 September). The Inspector General is responsible for consolidating the inspection information for the total Army.

Appendix D Summary of Inspector General Reporting and Major Coordination Requirements

D-1. Key reporting and coordination requirements

Table D-1 summarizes the reporting and major coordination requirements for IGs outlined in chapter 1 and throughout the regulation. This table only highlights major coordination requirements and not every coordination action required by this regulation.

**Table D-1
Summary of inspector general reporting and major coordination requirements**

Reporting requirement	Report recipient/required coordination	Copy furnished/concurrent report	Time standard	Paragraph reference
Allegations against a MSG, 1SG, SGM, CSM or any officer in the grade of MAJ through LTC	DAIG's Assistance Division (SAIG-AC)	None	2 working days	1-4b(5)(b) and 7-1k(1)
Allegations against a colonel	DAIG's Investigations Division (SAIG-IN)	None	2 working days	1-4b(5)(c) and 7-1k(2)
Allegations against a promotable colonel, general officer, SES, PMs or PEOs who are senior officials	DAIG's Investigations Division (SAIG-IN)	None	2 working days	1-4b(5)(d) and 7-1k(5)
Allegations against any person assigned to a SAP or sensitive activity	DAIG's Intelligence Oversight Division (SAIG-IO)	None	2 working days	1-4b(5)(e)
Allegations against Army IGs	Next higher echelon IG	DAIG's Assistance Division (SAIG-AC)	2 working days	1-4b(5)(f) and 7-1j(1)
Allegations of whistleblower reprisal	DODIG	DAIG's Assistance Division (SAIG-AC), ACOM, ASCC, or DRU IG	2 working days	1-4b(5)(g)
Suspected law of war violations	Chain of command	Next higher echelon IG; DAIG's Assistance Division (SAIG-AC); and, if a senior official is involved, DAIG's Investigations Division (SAIG-IN)	Immediately	1-4b(5)(h)
Records requested by TIG	TIG (SAIG-ZA)	DAIG's Records Release Office (SAIG-ZXR)	2 working days	1-4b(7)(c)
MTOE or TDA reports	DAIG's Operations and Support Division (SAIG-OP)	None	1 April and 1 October	2-1e
Request for approval of civilians as detailed IGs	DAIG's Operations and Support Division (SAIG-OP)	None	As required	2-2c
Approval for temporary assistant IGs serving beyond 180 days	TIG (SAIG-ZA)	DAIG's Operations and Support Division (SAIG-OP)	As soon as possible or no fewer than 30 days prior to the 180-day mark	2-2e(3) and (4)
Request for acting IGs	ACOM, ASCC, DRU, or senior Army Forces commander	DAIG's Operations and Support Divisions (SAIG-OP) (only for exceptions to the current policy)	As required	2-2f
Request for curtailment of IG duty	TIG (SAIG-ZA)	DAIG's Operations and Support Division (SAIG-OP)	As required	2-5b

Table D-1
Summary of inspector general reporting and major coordination requirements—Continued

Reporting requirement	Report recipient/required coordination	Copy furnished/concurrent report	Time standard	Paragraph reference
Active Army extension requests beyond 5 years	TIG (SAIG-ZA) or sent by USAHRC assignment manager	DAIG's Operations and Support Division (SAIG-OP)	As required	2-5c(1)
USAR extension requests beyond 5 years	TIG (SAIG-ZA) or sent by IG, USARC	DAIG's Operations and Support Division (SAIG-OP)	As required	2-5c(2)
ARNG extension requests beyond 5 years	TIG (SAIG-ZA) or sent by IG, NGB	DAIG's Operations and Support Division (SAIG-OP)	As required	2-5c(3)
Requests for consecutive IG tours	TIG (SAIG-ZA)	DAIG's Operations and Support Division (SAIG-OP)	As required	2-5d
Exceptions for non-IG duty	TIG (SAIG-ZA)	DAIG's Operations and Support Division (SAIG-OP)	As required	2-7d
FOIA requests	DAIG's Records Release Office (SAIG-ZXR)	None	2 working days	3-4c(4)
Requests to waive or alter IG training requirements	DAIG's Training Division (SAIG-TR)	None	As required	4-2b(6)
Lists of all approved IG inspection reports to TIG and ACOM, ASCC, or DRU IG	DAIG's Information Resource Management Division (email: office.saigir.webmaster@ig-net.army.mil)	None	1 January, 1 April, 1 July, and 1 October	5-2b
Requests to work IGARs between 3 and 5 years of age	ACOM, ASCC, or DRU IG (or DAIG)	None	As required	6-1e
Requests to work IGARs older than 5 years	TIG (SAIG-ZA)	DAIG's Assistance Division (SAIG-AC)	As required	6-1e
Subjects or suspects who fail to answer a question or provide information	DAIG's Assistance Division (SAIG-AC)	None	2 working days	7-1b(4)(h)
Discovery of a senior-official allegation during an ongoing command investigation	DAIG's Investigations Division (SAIG-IN) or sent by the command	None	2 working days	7-1(2) and
Allegations of improper mental health referral	DODIG	DAIG's Assistance Division (SAIG-AC), ACOM, ASCC, or DRU IG	2 working days	7-4d
Allegations of professional misconduct by an Army lawyer	Senior counsel with jurisdiction over the lawyer	DAIG's legal advisor (SAIG-ZXL)	As required	7-1i(4)
Allegations of mismanagement by Judge Advocate Legal Servicemembers	Executive, OTJAG	DAIG's legal advisor (SAIG-ZXL)	As required	7-1i(5)
Allegations of professional misconduct by an Army chaplain	Next higher supervisory chaplain	None	As required	7-1i(6)
Allegations of professional misconduct by an Army doctor	Regional medical command IG or U.S. Medical Command IG	None	As required	7-1j(2)

D-2. Key mailing addresses

Table D-2 lists the key mailing addresses located throughout the regulation and required for reports and/or coordination.

Office of the Inspector General (SAIG-ZA)	The U.S. Army Inspector General Agency (SAIG-ZA), 1700 Army Pentagon, Room 3E588, Washington, DC 20310-1700
Operations and Support Division (SAIG-OP)	The U.S. Army Inspector General Agency (SAIG-OP), 1700 Army Pentagon, Room 5C560, Washington, DC 20310-1700
Assistance Division (SAIG-AC)	The U.S. Army Inspector General Agency (SAIG-AC), 1700 Army Pentagon, Room 1D116, Washington, DC 20310-1700
Investigations Division (SAIG-IN)	The U.S. Army Inspector General Agency (SAIG-IN), 1700 Army Pentagon, Room 1E115A, Washington, DC 20310-1700
Intelligence Oversight Division (SAIG-IO)	The U.S. Army Inspector General Agency (SAIG-IO), 1700 Army Pentagon, Room 5C559, Washington, DC 20310-1700
Legal advisor (SAIG-ZXL)	The U. S. Army Inspector General Agency (SAIG-ZXL), 1700 Army Pentagon, Room 1E132, Washington, DC 20310-1700.
Records Release Office (SAIG-ZXR)	The U.S. Army Inspector General Agency (SAIG-ZXR), 1700 Army Pentagon, Room 1E132, Washington, DC 20310-1700
Training Division, U.S. Army Inspector General School (SAIG-TR)	The U.S. Army Inspector General School (SAIG-TR), 5500 21st Street, Suite 2305, Fort Belvoir, VA 22060-5935

Appendix E Army Internal Control Evaluation Checklist

E-1. Function

The internal control function covered by this checklist is IG operations.

E-2. Purpose

The purpose of this checklist is to assist unit managers and internal control administrators in evaluating the key internal controls identified below. This checklist is not intended to address all controls.

E-3. Instructions

Answers must be based on the actual testing of key internal controls (for example, document analysis, direct observation, sampling, and 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 (Internal Control Evaluation Certification).

E-4. Test questions

a. Training.

(1) Have all detailed IGs, assistant IGs, and temporary assistant IGs serving longer than 180 days completed The U.S. Army Inspector General School?

(2) Is a training program in place that ensures that a detailed IG trains and supervises acting IGs?

(3) Are 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 OIP?

(2) Are IG inspections designed to determine the root causes of any noted problems or deficiencies?

(3) Are the procedures outlined in AR 20-1 and The Inspections Guide followed during the course of an inspection?

(4) Is the IG teaching and training function used as part of the inspections process?

(5) Are the results of IG inspections provided as feedback to all affected personnel and organizations?

(6) Are IG inspectors provided sufficient train-up time for all inspections?

(7) If required, are inspection teams augmented with subject-matter experts?

(8) Are technical inspections (as applicable) conducted in accordance with applicable regulations and within the required time frame?

(9) Are procedures in place to ensure that follow-up is conducted?

c. Assistance.

(1) Is the IG teaching and training function used with the IG assistance function?

(2) Are requests for assistance that fall under another agency's purview referred as appropriate?

(3) Are the procedures outlined in AR 20-1, and in "The Assistance and Investigations Guide," followed during the course of an assistance inquiry?

(4) Are requests for assistance analyzed to identify any systemic issues or trends?

(5) Are procedures in place to ensure that IGs follow up on assistance requests?

(6) Are requests for assistance captured in the IGARS database?

d. Investigations.

(1) Are procedures in place to ensure that all IG investigations and investigative inquiries are performed in accordance with applicable regulations and with proper authority?

(2) Are allegations against any senior official (general officer, senior executive service, or promotable colonel) or colonel forwarded to DAIG's Investigations Division within the established time line?

(3) Are allegations against officers in the grades of major to lieutenant colonel and noncommissioned officers in the grades of MSG, 1SG, SGM, and CSM forwarded to DAIG's Assistance Division within the established time line?

(4) Are the procedures outlined in AR 20-1 and "The Assistance and Investigations Guide" followed during the course of an investigation or investigative inquiry?

(5) Are all pieces of 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 ROIs or ROIs prepared and distributed in accordance with AR 20-1 and "The Assistance and Investigations Guide"?

(8) Is a written legal review provided by SJA on all investigations and investigative inquiries that require such reviews?

- (9) Is a directive for investigation obtained when required?
- (10) Are all notifications made as outlined in AR 20-1 and in “The Assistance and Investigations Guide”?
- (11) Does the organization complete whistleblower reprisal investigations in accordance with DODD 7050.06?
- (12) Does the organization comply with DODD 6490.1 when conducting inquiries into allegations of improper referrals for mental health evaluations?
- (13) Are the results of all investigations and investigative inquiries captured in the IGARS database?

e. 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 OIP?
- (3) Are the procedures outlined in AR 20-1 and The Intelligence Oversight Guide followed during the course of an intelligence oversight inspection?
- (4) Are procedures in place for determining if intelligence and supporting SJA personnel of organizations understand and comply with the procedures in AR 381-10?
- (5) Are procedures in place for determining if all intelligence personnel are trained in intelligence oversight upon initial assignment and periodically thereafter?
- (6) Are questionable activities and Federal crimes committed by intelligence personnel reported as required under AR 381-10?
- (7) Are procedures in place to ensure that follow-up is conducted?

f. Information resources.

- (1) Is automation equipment properly accounted for and operational?
- (2) Has correct information been provided to DAIG’s IRMD with regard to local IG automation resources?
- (3) Is all required data from assistance and investigations cases entered into the IGARS database?
- (4) Are procedures in place to ensure that IGMET security (both physical and data) is maintained?
- (5) Are procedures in place to safeguard and protect IG files and information?
- (6) Are IG files and documents properly marked, stored, and destroyed in accordance with applicable regulations?

g. Legal.

- (1) Are IG records released under the FOIA, PA, or FOUO as authorized (applies to DAIG only)?
- (2) Are all FOIA requests received by field IG staff sections transferred to DAIG’s Records Release Office for action?

E-5. Supersession

This checklist replaces the checklist previously published in AR 20-1, dated 1 February 2007.

E-6. Comments

Submit comments to make this checklist a better tool for evaluating internal controls to The U.S. Army Inspector General Agency (SAIG-OP), 1700 Army Pentagon, Room 5C560, Washington, DC 20310-1700.

Glossary

Section I Abbreviations

ACOM

Army command

AG

Adjutant General

AGR

active guard reserve

ANG

Air National Guard

AR

Army regulation

ARFORGEN

Army force generation

ARNG

Army National Guard

ARNGUS

Army National Guard of the United States

ASCC

Army service component command

ASI

additional skill identifier

CES

Civilian Education System

CFR

Code of Federal Regulations

CID

Criminal Investigation Command

CONUS

continental United States

COTS

commercial off-the-shelf

CPAC

civilian personnel advisory center

CPOC

Civilian Personnel Operations Center

CSA

Chief of Staff, Army

CSI

chemical surety inspection

CSM

command sergeant major

CW2

chief warrant officer two

DA

Department of the Army

DAC

Department of the Army civilian

DAIG

Department of the Army Inspector General (combined elements of OTIG and USAIGA)

DA PAM

Department of the Army pamphlet

DCS, G-1

Deputy Chief of Staff, G-1

DOD

Department of Defense

DODD

Department of Defense directive

DODI

Department of Defense instruction

DODIG

Department of Defense Inspector General

DRU

direct reporting unit

DTIG

Deputy, The Inspector General

EEO

Equal Employment Opportunity

EO

executive order

FM

field manual

1SG

first sergeant

FOIA

Freedom of Information Act

FORSCOM

Forces Command

FOUO

for official use only

GCMCA

general court-martial convening authority

GED

general education degree

GS

general schedule

HQDA

Headquarters, Department of the Army

IA

information assurance

IAM

information assurance manager

IAPM

information assurance program manager

IASO

information assurance security officer

IG

inspector general

IGAP

Inspector General action process

IGAR

inspector general action request

IGARS

Inspector General Action Request System

IGNET

Inspector General network

IMA

individual mobilization augmentation

IMCOM

Installation Management Command

IO

intelligence oversight division

IRMD

Information Resource Management Division

IRR

individual ready reserve

JFHQ

Joint Forces Headquarters

JTF

joint task force

LAN
local area network

LCMC
life-cycle management command

MARC
manpower requirements criteria

MC
Member of Congress

M-day
mobilization day

MHE
mental health evaluation

MOS
military occupational specialty

MRE
Military Rules of Evidence

MSC
major subordinate command

MSG
master sergeant

MTOE
modified table of organization and equipment

NAC
national agency check

NAF
non appropriated fund

NCO
noncommissioned officer

NG
national guard

NGB
National Guard Bureau

NGR
National Guard regulation

OCLL
Office of the Chief of Legislative Liaison

OCONUS
outside the continental United States

OIP
Organizational Inspection Program

OSC

Office of Special Counsel

OSJA

Office of the Staff Judge Advocate

OTIG

Office of The Inspector General

OTJAG

Office of the Judge Advocate General

PA

Privacy Act

PEO

program executive officer

PM

program manager

PSSP

Personnel Security Screening Program

RC

reserve component

RDECs

Research, Development and Engineering Centers

ROI

report of investigation

ROII

report of investigative inquiry

SA

Secretary of the Army

SAIG

Secretary of Army Inspector General (and office symbol for combined elements of OTIG and USAIGA)

SAP

Special Access Program

SAV

staff assistance visit

SES

senior executive service

SGM

sergeant major

SJA

staff judge advocate

SQI

skill qualifications identifier

SSN

social security number

TDA

table of distribution and allowances

TDY

temporary duty

TIG

The Inspector General

TJAG

The Judge Advocate General

TOE

table of organization and equipment

TPU

troop program unit

UCMJ

Uniform Code of Military Justice

USACIDC

U.S. Army Criminal Investigation Command

USAFINCOM

U.S. Army Finance Command

USAHRC

U.S. Army Human Resources Command

USAIGA

U.S. Army Inspector General Agency

USAR

U.S. Army Reserve

USARC

U.S. Army Reserve Command

USASOC

U.S. Army Special Operations Command

USC

United States Code

VCSA

Vice Chief of Staff of the Army

VLAN

virtual local area network

WAN

wide area network

WHLO

White House Liaison Office

WIAS

World Wide Individual Augmentation System

WO

warrant 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.

Adverse action

Any personnel action, administrative or judicial, that takes away an entitlement, results in an entry or document added to the affected person's official personnel records that boards or superiors could consider negative, or permits the affected person to rebut or appeal the action. "Personnel action" includes actions defined in 5 USC 2302 and 10 USC 1587 as well as in DODD 7050.06, E2.8. Adverse action includes "unfavorable information" as described in AR 600-37; action under the Uniform Code of Military Justice; or, with regard to DA civilian employees, "disciplinary action" pursuant to applicable regulations, including AR 690-700 for appropriated fund employees and AR 215-3 for NAF employees. Other actions include a demotion; a transfer or reassignment; a performance evaluation; a decision on pay, benefits, awards, or training; referral for mental health evaluations under DODD 6490.1; and any other significant change in duties or responsibilities inconsistent with the military or civilian member's rank or grade. A commander or supervisor desiring to take such action against an individual based on an IG document (except for DODIG-approved Army IG ROI or ROIs containing substantiated allegations of violations of 10 USC 1034) requires TIG release of that document.

Allegation

An allegation is a statement or assertion of wrongdoing by an individual, formulated by the IG. An allegation normally contains four essential elements: who, improperly, did or failed to do what, in violation of an established standard. The IG refines allegations based upon evidence gathered during the course of an investigation or inquiry.

Army force generation (ARFORGEN)

A structured progression in three phases (reset, train-ready, and available) of increased unit readiness over time, resulting in recurring periods of availability of trained, ready, and cohesive units prepared for operational deployment in support of a geographic combatant commander's requirements.

Assistance inquiry

An informal factfinding process used to address or respond to a complaint involving a request for help, information, or other issues but not allegations of impropriety or wrongdoing.

Audit

An 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.

Closed without findings

An inquiry or investigation into an allegation of impropriety is terminated (or closed without findings) prior to conclusion due to time (older than 3 years), a court order or Government settlement, or referral to another command or agency as part of a larger systemic issue.

Command IG

The senior, detailed IG of an MTOE or TDA organization of the active Army, ARNG, or USAR. The command IG works directly for the commander, who is normally a commanding general, installation commander, State AG, or director of an organization. Command IGs in States are often called State IGs.

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 or the specific behavior of an individual. Complaints often contain both issues and allegations.

Compliance inspection

An inspection that focuses solely on a unit's or organization's compliance with a specified standard or series of standards. This inspection approach presumes that the established standards are correct but does not preclude the inspector from determining the root causes of noncompliance—even if those root causes are matters that exceed the unit's or organization's ability to correct at the local level. General inspections are compliance inspections by nature.

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

The office symbol for the combined elements of OTIG and USAIGA.

Directing authority

An Army official who has authority to direct an IG investigation or inspection. At DA, the directing authorities are the SA, the Under Secretary of the Army, the CSA, the VCSA and TIG. Commanders or directors who are authorized detailed IGs on their staffs may direct IG investigations and IG inspections within their commands. A directing authority may not delegate his or her directing authority but may delegate in writing report-approval authority to a deputy commander or director. The SA, the Under Secretary of the Army, the CSA, the 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 directing authorities. When a rear detachment or rear unit commander is appointed in accordance with AR 220–5, that commander becomes a directing authority for the rear-area IG.

Directive

A directive authorizes an IG investigation or IG inspection and represents the investigator's authority to investigate specific allegations and the inspector's authority to conduct an IG inspection.

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 is of Federal interest, the active Army IG may inspect, investigate, or assist. If the issue is not a matter of Federal interest, the active Army IG cannot act. Application of the simple contact principle is not so easy. Lines of demarcation cannot be drawn, so IGs must examine each case independently to determine if the matter is of Federal interest. 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 conducted 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 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 (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. Its aim is to assess

whether the corrective action is effective and complete; is producing the desired results; is not causing new problems; and is economical, efficient, practical, and feasible.

Founded

One of two final dispositions for an IG issue to be used when the IG's inquiry into the matter determined that the problem had merit and required resolution.

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, but commanders may limit the scope of the inspection to only a few areas. This type of inspection is compliance-oriented by nature (see the definition of a compliance inspection).

Hand-off

An administrative procedure that transfers a verified finding that is beyond the authority or ability of the inspecting command to change from one command or agency IG to another command or agency. The finding is verified once the directing authority approves it.

IG assistance function

The process of receiving, inquiring into, recording, and responding to complaints or requests for assistance either brought directly to the IG or referred to the IG for action concerning matters of Army interest.

IG inspection

An inspection that focuses on the identification of problems, the determination of their root causes, the development of possible solutions, and the assignment of responsibilities for correcting the problems. Inspectors general normally conduct special inspections of systemic issues that affect a particular functional area such as logistics, personnel, maintenance, training, and so forth. The IG's commander approves the scope and content of all IG inspections. Inspectors general generally do not perform compliance-oriented general inspections of units, organizations, and activities but instead defer those inspections to commanders in accordance with AR 1-201.

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 formal factfinding examination into allegations, issues, or adverse conditions of a serious nature that provides the directing authority a sound basis for making decisions and taking action. An IG investigation involves the systematic collection and examination of evidence that consists of testimony recorded under oath; documents; and, in some cases, physical evidence. Only the directing authority can authorize IG investigations using a written and signed directive. Inspectors general normally do not resolve allegations using this methodology but instead rely on the investigative inquiry. Inspectors general report the conclusions of their investigations using an ROI. Occasionally, IG investigations may examine systemic issues, especially when the possibility of some wrongdoing exists. For example, an IG might investigate an allegation that the development of a weapon system is fraught with fraud, waste, and abuse.

IG investigations function

The process of receiving, examining, and responding to allegations and, in some cases, issues referred to an IG. The investigations function encompasses IG investigations and IG investigative inquiries.

IG investigative inquiry

An informal factfinding examination into allegations, issues, or adverse conditions that are not significant in nature—as deemed by the command IG or directing authority—and when the potential for serious consequences (such as potential

harm to a Soldier or negative impact on the Army's image) are not foreseen. The IG investigative inquiries involve the collection and examination of evidence that consists of testimony or written statements; documents; and, in some cases, physical evidence. Command IGs direct investigative inquiries and provide recommendations to the directing authority or subordinate commanders as appropriate. The directing authority reserves the right to direct an investigative inquiry if he or she feels an investigation is not appropriate. Inspectors general resolve most allegations using this methodology and report their conclusions using an ROI.

IG office of inquiry

The IG staff section that actually works a case. The office of inquiry is not always the office of record; in such cases, the office of inquiry will forward to the office of record the completed IG product (assistance inquiry, ROI, and so forth) for final disposition by the office of record, to include making final notifications.

IG office of record

The IG staff section in which the IGAR originated. This staff section is responsible for the final disposition of the case (or cases), to include data entry into IGARS and making final notifications. For every IGAR, there can be only one IG office of record although more than one IG staff section 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 staff section that assumes responsibility for the IGAR even though the higher echelon IG may ask or direct the lower command level IG to work the IGAR or assist in the resolution process as the office of inquiry. In these cases, the office of record will receive and use the office of inquiry's final product to close the case. Except for TIG, IGs referring IGARs to IG staff sections at higher, lower, or adjacent levels for resolution should request, but cannot direct, that the other IG staff section serve as the IG office of record.

Individual augmentee

An unfunded, temporary duty position identified on a supported combatant command's Joint Manning Document to augment staff operations during contingency missions.

Inspector General action request

A complaint or request for information or help presented or referred to an IG. An IGAR may be submitted in person, over the telephone, in writing, by email, or through a DOD Hotline referral.

Inspector General Action Request System

A subsystem of IGMET that provides an automated means of recording, storing, and analyzing data pertaining to IG casework.

Inspector general records

Any written, recorded, or electronic media information gathered and produced by an IG. 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 an IG did not prepare.

Inspector general referral

An administrative procedure in which an IG staff section refers a case to another IG staff section while retaining office-of-record status (meaning that the IG staff section receiving the referral is the office of inquiry); these types of referrals may only occur within a vertical echelon of command such as ACOM to corps to division. An IG staff section may refer a case horizontally to another echelon of command (such as from one ACOM to another) but only with full office-of-record status for the gaining IG staff section. In all cases, the gaining IG staff section must agree to accept the case.

Inspector general system

The four Army IG functions as executed by all Army IGs over whom TIG has policy oversight and certification authority. Inspectors general work for their respective commanders but must adhere to IG policy as established and promulgated by TIG.

Inspector general technical channels

Relationship among all IGs throughout the Army. Connotes a confidential channel for passing IG information.

Inspector General Worldwide Network (IGNET)

An information management system designed to support IG data collection, analysis, communication, and administrative requirements. 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 staff section.

Issue

A complaint, request for information, or request for assistance to the IG that does not list a who as the violator of a standard or policy.

Law of war

That part of international law that regulates the conduct of armed hostilities. The law of war encompasses all international law for the conduct of hostilities binding on the United States or its individual citizens, including treaties and international agreements to which the United States is a party, and applicable customary international law.

Mismanagement

A collective term covering acts of waste and abuse. The 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. Also includes abuse of authority or similar actions that do not involve criminal fraud.

Mission support element

Mission support elements provide seamless and continuous administrative and Title 10 support to installation senior commanders. Mission Support Elements work closely with both the senior command's staff and the garrison staff to ensure support for nondeployed units and to sustain installation operations when the senior command deploys to an overseas theater of operations.

Not substantiated

Conclusion drawn by an IG at the close of an investigative inquiry or investigation when the preponderance of credible evidence suggests that the subject or suspect did not do what was alleged in the allegation.

Pre-decisional

Internal advice and recommendations, as contrasted with factual matters, pertaining to an agency decision-making process.

Program manager

Individual chartered by the SA who reports directly to the program executive officer, who in turn reports to the Army acquisition executive.

Protected communication

a. For Servicemembers—

- (1) Any lawful communication to a Member of Congress or an IG.
- (2) A communication in which a member of the Armed Forces communicates information that the member reasonably believes provides evidence of 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:

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

(b) 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, equal opportunity advisor, safety officer, and so forth) to receive such communications. (See AR 600–20 for definition of chain of command.)

b. For appropriated fund civilians, a protected communication is any disclosure to the special counsel, or to the inspector general of an agency or another employee designated by the head of the agency to receive such disclosures, of information which the employee or applicant reasonably believes evidences—

- (1) A violation of any law, rule, or regulation, or
- (2) Gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety (see 10 USC 2302).

c. For non appropriated fund (NAF) employees, a protected communication is a disclosure by such an employee or applicant to any civilian employee or member of the armed forces designated by law or by the Secretary of Defense to receive disclosures of information, which the employee or applicant reasonably believes evidences—

- (1) A violation of any law, rule, or regulation, or

(2) Mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety (see 10 USC 1587).

Reclama

A request to have a finding reviewed for validity. The receiver or the subject or suspect of the finding disputes the validity of the finding or conclusion and seeks to have it overturned. The receiver or the subject or suspect provides actual facts and/or an interpretation of regulatory requirements in the reclama to challenge the finding.

Report of investigation

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 7 of this regulation. Any IG who investigates or inquires into issues and adverse conditions may use these same formats.

Report of investigative inquiry

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 or command or State IG approves the ROII. The ROII format is addressed at chapter 7 of this regulation.

Root cause

The reason why something was deficient or why a unit or individual was unable to comply with established standards. Identifying the root cause of a problem is an integral part of all IG inspections and forms the basis for recommendations that will solve the problem.

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.

Sensing session

A group interview conducted by IGs to gather information from specific individuals based upon grade, gender, race, and other criteria established by the IG. Inspectors general use sensing sessions as an information-gathering domain for all IG functions, especially for the IG inspections function.

Special inspection

An inspection of a function, system, or program (or set of functions, systems, or programs) that focuses on a specific problem area or topic rather than on an individual unit. Its scope is limited and specifically defined to focus on matters with systemic implications.

State Adjutant General

Includes The Adjutant 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. The State, territory, or commonwealth governor appoints TAGs with the exceptions of South Carolina (where they are elected in a general election) and in Vermont (where the State legislature elects them). 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 IG (normally a colonel or lieutenant colonel) of a State, commonwealth, territory, or the District of Columbia. The State IG is the State's command IG and normally works directly for the State AG; in addition, the Chief, National Guard Bureau is the State IG's senior rater. All States do not have active Army State IGs.

State interest

The limited number of activities from which active Army IGs are prevented from inspecting, investigating, or assisting. (See Federal interest, above.) An example of a State interest is the funds derived from the rental of armory facilities for public or private use.

Substantiated

Conclusion drawn by an IG at the close of an investigative inquiry or investigation when the preponderance of credible information suggests that the subject or suspect actually did what was alleged.

Systemic issue

Situation evidenced by a failure, through a pattern of noncompliance, of an established process or system to function as

designed and which does not entail an allegation of impropriety against an individual. The functional system may suffer from various problems at several command echelons, which means that the problems are beyond the ability of local commanders to solve. Inspectors general inspect these systemic issues after problems arise at several levels within the command in order to identify the disruptions in the system, function, or program (these disruptions in the system normally become the inspection objectives); determine the root causes of those disruptions; and recommend solutions that, when implemented, will resolve the disruptions and allow the system to flow smoothly once more. Although systemic issues normally appear within vertical echelons of command, they may cross command boundaries horizontally depending on the nature of the system, function, or program in question.

Tier III

Contractor maintenance support.

Triangle of confidentiality

A triangle formed by the complainant, IG, and the IG's commander. 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 the IG will make total disclosure of all sources of information or that the IG can make total disclosure to all parties involved in the triangle. The intent behind the triangle is threefold: 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.

Unfounded

One of two final dispositions for an IG issue to be used when the IG's assistance inquiry into the matter yields no evidence that a problem existed for the IG to resolve.

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.

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 computer 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 section contains no entries.

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