

Army Regulation 20-1

**Inspections, Assistance, and
Investigations**

Inspector General Activities and Procedures

**Headquarters
Department of the Army
Washington, DC
1 February 2007**

UNCLASSIFIED

SUMMARY of CHANGE

AR 20-1

Inspector General Activities and Procedures

This administrative revision, dated 1 February 2007--

- o Changes the term major Army command to Army Command/Army Service Component Command/Direct Reporting Unit (throughout).
- o Makes administrative changes and terminology corrections (throughout).
- o Outlines, in detail, the procedures for processing local Inspector General packets (para B-3).

This administrative revision, dated 19 July 2006--

- o Changes the series title to Inspections, Assistance, and Investigations (cover page).
- o Makes administrative changes throughout.

This administrative revision, dated 17 July 2006--

- o Corrects reference to 7-3b(7) to read 7-2b(7) (a) (throughout).
- o Updates title page.

This major revision, dated 23 May 2006--

- o Clarifies The Inspector General's responsibilities for conducting inspections of chemical warfare material (CWM) responses and related support functions (para 1-4a(10) (g)).
- o Requires The Inspector General to conduct security and technology protection inspections at selected Army laboratories and testing facilities (para 1-4a(10) (j)).
- o Requires The Inspector General to conduct information assurance inspections throughout the Army (para 1-4a(10) (k)).
- o Requires inspectors general to report all allegations against anyone assigned to a Special Access Program or sensitive activities to the Department of the Army Inspector General within 2 days (para 1-4b(5) (c)).
- o Provides guidance to inspectors general on reporting law of war violations (para 1-4b(5) (h)).

- Revises The Inspector General's requirements concerning management control (para 1-4b(7)).
- Requires senior mission commanders to provide inspector general support for installation tenant organization and activities that fall under the Installation Management Agency (para 1-4c(3)).
- Includes an expanded description of the inspector general concept and system (para 1-6).
- Allows Air National Guard officers and noncommissioned officers trained at The Inspector General School and working in State IG offices to have access to the IGARS database (para 1-10f).
- Revises and clarifies the inspector general tenet of confidentiality and includes a diagram outlining the multiple triangles of confidentiality that exist by function (para 1-12).
- Allows selected civilians in the grade of general schedule 12 and above to be designated as detailed inspectors general (para 2-2c).
- Designates commissioned warrant officers as detailed inspectors general (para 2-2c).
- Allows assistant inspectors general to administer the inspector general oath to temporary assistant and acting inspectors general (para 2-5a).
- Provides guidance on requests to use inspectors general for noninspector general duties (para 2-6d).
- Prohibits commanders from initiating a flagging action on individuals under inspector general investigation (para 3-3e).
- Revises the procedures for requests for inspector general records for official use within the Army (paras 3-6a and 3-6c).
- Revises the procedures for requests for inspector general records for official use outside the Army (paras 3-7a through 3-7c).
- Changes the time limit for an untimely inspector general action request from 10 years to 3 years (para 4-2d).
- Provides guidance to inspectors general on how to handle abusers of the inspector general system (para 4-2h(5)).
- Provides new guidance on how to formulate an allegation (para 4-4c(2)).
- Allows higher echelon inspectors general to view only basic case data on the Inspector General Action Request System for lower echelon inspector general offices (para 4-11b).
- Amends the requirement for inspectors general to attend sustainment (refresher) training from 5 years to 4 years (para 5-5b).

- o Provides new guidance to inspectors general on command-climate sensing sessions (para 6-3n).
- o Includes policy on compressed inspector general inspections (para 6-6).
- o Includes expanded guidance and standards for the conduct of nuclear, chemical, and biological surety inspections (paras 6-7 through 6-15).
- o Adds the terms "founded" and "unfounded" when addressing inspector general issues (para 7-3b(7)).
- o Includes guidance on the use of command products in inspector general reports of investigation (para 8-8).
- o Adds a new chapter on the role of inspectors general in joint and military operations (chap 10).
- o Expands upon and clarifies the definition of adverse action (glossary, section II).

Effective 1 March 2007


Inspections, Assistance, and Investigations

Inspector General Activities and Procedures

By Order of the Secretary of the Army:

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General, United States Army
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Official:


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Administrative Assistant to the
Secretary of the Army

History. This publication is an administrative revision. The portions affected by this administrative revision 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 Department of Defense Directive 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 management control process. This regulation contains management control provisions and identifies key management controls that must be evaluated (see appendix D).

Supplementation. Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from The Inspector General (ATTN: SAIG-TR), 1700 Army Pentagon, Washington, DC 20310-1700.

Suggested improvements. Users may send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to The U.S. Army Inspector General School (ATTN: SAIG-TR), 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.

Contents (Listed by paragraph and page number)

Chapter 1 The Inspector General System, *page 1*

Section 1

Introduction, page 1

Purpose • 1-1, *page 1*

References • 1-2, *page 1*

Explanation of abbreviations and terms • 1-3, *page 1*

Responsibilities • 1-4, *page 1*

Statutory authority • 1-5, *page 4*

*This regulation supersedes AR 20-1, dated 19 July 2006.

Contents—Continued

Section II

Inspector General System, page 5

Inspector general concept and system • 1–6, *page 5*

Command and State inspectors general • 1–7, *page 7*

Section III

Organization and sphere of activity, page 7

The Inspector General • 1–8, *page 7*

Inspector general activities • 1–9, *page 7*

Inspector general guidelines for Army National Guard matters • 1–10, *page 8*

Section IV

Punitive Prohibitions, page 9

Prohibited activity • 1–11, *page 9*

Confidentiality • 1–12, *page 10*

Chapter 2

Inspector General Personnel Procedures, page 12

Inspector general positions • 2–1, *page 12*

Inspector general categories • 2–2, *page 12*

Inspector general certification • 2–3, *page 15*

Length of inspector general assignments • 2–4, *page 16*

Inspector general oath • 2–5, *page 17*

Inspector general duty restrictions • 2–6, *page 20*

Retiree Mobilization Program • 2–7, *page 21*

Cross-leveling of U.S. Army Reserve inspector general personnel during mobilization • 2–8, *page 21*

Individual Mobilization Augmentee Program • 2–9, *page 21*

Individual Ready Reserve Program • 2–10, *page 21*

USAR 179-day tours of duty • 2–11, *page 21*

Requesting an Army Reserve individual augmentee or replacement for deployed Army Reserve commands • 2–12, *page 21*

Chapter 3

Inspector General Records, page 22

Nature of inspector general records • 3–1, *page 22*

Protection of inspector general records • 3–2, *page 22*

Use of inspector general records for adverse actions • 3–3, *page 23*

Request for inspector general records • 3–4, *page 23*

Release authority for inspector general records • 3–5, *page 23*

Official use of inspector general records within Department of the Army • 3–6, *page 24*

Release of inspector general records outside Department of the Army • 3–7, *page 25*

Amendment of inspector general records • 3–8, *page 28*

Records maintenance period • 3–9, *page 28*

Chapter 4

The Inspector General Action Process, page 28

Receiving and resolving requests from complainants • 4–1, *page 28*

Step 1: Receive an inspector general action request • 4–2, *page 28*

Step 2: Conduct an inspector general preliminary analysis • 4–3, *page 34*

Identifying issues and allegations and determining inspector general appropriateness • 4–4, *page 34*

Opening the case • 4–5, *page 37*

Acknowledge receipt and select a course of action • 4–6, *page 37*

Step 3: Initiate referrals and make notifications • 4–7, *page 38*

Step 4: Conduct inspector general factfinding • 4–8, *page 38*

Step 5: Make notifications of results • 4–9, *page 39*

Contents—Continued

Step 6: Conduct followup • 4–10, *page 39*

Step 7: Close the inspector general action request • 4–11, *page 39*

Chapter 5

The Inspector General Teaching and Training Function, *page 40*

Inspector general training • 5–1, *page 40*

Teaching and training • 5–2, *page 40*

Training the Army at large • 5–3, *page 40*

The U.S. Army Inspector General School • 5–4, *page 40*

Other Inspector General School courses and training packages • 5–5, *page 41*

Training acting inspectors general, temporary assistant inspectors general, and administrative support staff • 5–6, *page 41*

Technical inspector qualifications training • 5–7, *page 42*

Other inspector general training • 5–8, *page 42*

Chapter 6

The Inspector General Inspections Function, *page 42*

Section I

Inspection Functions, page 42

Functional systems • 6–1, *page 42*

The role of the inspector general in the Organizational Inspection Program • 6–2, *page 42*

Inspector general inspection policy • 6–3, *page 44*

Inspector general inspections process • 6–4, *page 46*

Inspector general inspection reports • 6–5, *page 47*

Compressed inspections • 6–6, *page 49*

Section II

Technical Inspections, page 49

Inspections guidance • 6–7, *page 49*

Objectives and jurisdiction • 6–8, *page 53*

Inspection and evaluation schedule • 6–9, *page 54*

Contract oversight • 6–10, *page 54*

Augmentees • 6–11, *page 54*

Inspection ratings • 6–12, *page 54*

Technical inspection reports • 6–13, *page 55*

Reclamas • 6–14, *page 57*

Special Inspections • 6–15, *page 58*

Section III

Intelligence Oversight Inspections, page 58

Inspections guidance • 6–16, *page 58*

Intelligence oversight purpose and procedures • 6–17, *page 58*

Inspection methodology • 6–18, *page 58*

Special access programs, sensitive activities, and Army laboratories • 6–19, *page 59*

Chapter 7

The Inspector General Assistance Function, *page 59*

Assistance function • 7–1, *page 59*

Conducting an assistance inquiry • 7–2, *page 60*

Actions pertaining to certain types of inspector general action requests • 7–3, *page 62*

Acting inspectors general • 7–4, *page 63*

Assistance visits • 7–5, *page 63*

Assistance policy for Army National Guard personnel • 7–6, *page 63*

Contents—Continued

Chapter 8

The Inspector General Investigations Function, page 64

Investigative factfinding processes • 8-1, page 64

Duties of inspector general investigators • 8-2, page 64

Jurisdiction • 8-3, page 65

Conduct of inspector general investigations and investigative inquiries • 8-4, page 67

Discussion of rights • 8-5, page 69

Unfavorable information • 8-6, page 69

Reports of Investigation and Investigative Inquiry • 8-7, page 70

Use of command products in IG investigations and investigative inquiries • 8-8, page 70

Recording investigations into the inspector general electronic database • 8-9, page 71

Other special investigations • 8-10, page 71

Coordination and cooperation • 8-11, page 73

Chapter 9

The Role of Inspectors General in Full Spectrum Operations, page 74

Inspector general role • 9-1, page 74

Organization • 9-2, page 75

Resources • 9-3, page 76

Staff estimates • 9-4, page 76

Functions • 9-5, page 76

Exercises • 9-6, page 78

Chapter 10

The Role of Inspectors General in Joint Operations, page 78

Joint and expeditionary mindset • 10-1, page 78

The role of the inspector general in joint military operations • 10-2, page 78

The transition from the Army to the joint environment • 10-3, page 78

Working with combatant command inspector general offices • 10-4, page 79

Chapter 11

Information Management, page 79

Inspector General Worldwide Network • 11-1, page 79

Purpose • 11-2, page 79

Inspector General Worldwide Network operations and responsibilities • 11-3, page 80

Security • 11-4, page 81

Enhancements • 11-5, page 82

Chapter 12

Department of Defense Inspector General Semiannual Report to the Congress, page 82

Semiannual report requirements • 12-1, page 82

Semiannual report submission timelines • 12-2, page 82

Appendixes

A. References, page 83

B. Nomination Procedures, page 90

C. Procedures for Investigations of Allegations of Impropriety Against Senior Officials, page 91

D. Army Management Control Evaluation Checklist, page 92

Table List

Table 2-1: Categories of inspectors general, page 12

Table 6-1: Technical inspections rating, page 55

Table 6-2: Mission capability ratings, page 56

Contents—Continued

Table 6-3: Technical inspection results processing matrix, *page 56*

Figure List

Figure 1-1: Triangle of confidentiality, *page 6*

Figure 2-1: Sample DA Form 5097, *page 18*

Figure 2-2: Sample DA Form 5097-1, *page 19*

Figure 2-3: Sample DA Form 5097-2, *page 20*

Figure 4-1: Sample permanent notice memorandum of rights of soldiers to present complaints, *page 32*

Figure 4-2: Sample permanent notice memorandum of rights of civilians to present complaints, *page 33*

Figure 6-1: The IG inspections process, *page 43*

Figure 6-2: NSI Scope, *page 50*

Figure 6-3: RFI Scope, *page 51*

Figure 6-4: CSI Scope, *page 52*

Figure 6-5: BSI Scope, *page 53*

Glossary

Chapter 1

The Inspector General System

Section I

Introduction

1-1. Purpose

This regulation—

- a. Prescribes policy and mandated procedures concerning the mission and duties of The Inspector General (TIG) of the Army.
- b. Prescribes duties, missions, standards, and requirements for inspectors general (IGs) throughout the Army.
- c. Prescribes responsibilities for commanders; The Adjutant General (TAG) of each State; and heads of agencies, activities, centers, and installations for 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. TIG will—
 - (1) Inquire into, and periodically report upon, 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).
 - (2) Perform other duties prescribed by the SA or the CSA.
 - (3) Periodically propose programs of inspections to the SA and will recommend additional inspections and investigations as may appear appropriate.
 - (4) Cooperate fully with the Department of Defense Inspector General (DODIG) in connection with the performance of any duty or function by the DODIG under the Inspector General Act of 1978 (section 3, title 5 Appendix, United States Code (5A USC 3)) regarding the Department of the Army (DA).
 - (5) Develop and publish policy and doctrine for the IG System.
 - a) Publish IG policy and mandated procedures for DA-level IGs.
 - b) Conduct long-range contingency, mobilization, and wartime planning for the Department of the Army Inspector General (DAIG) and the IG System.
 - c) Publish inspection guidance for the DA nuclear, chemical, and biological surety programs and nuclear reactor facilities.
 - (6) Serve as the IG for Headquarters (HQ) DA and for any National Capital Region field operating agency when the field operating agency does not have a detailed IG.
 - (7) Select quality personnel to serve as IGs; approve or disapprove nominations of officers and noncommissioned officers (NCOs) to serve as IGs in specified IG categories (see chap 2); and approve or disapprove the removal or early release of officers and NCOs from IG duty except for those personnel relieved for cause. While TIG approval is not required for the suspension, removal, or reassignment for adverse reasons of a civilian IG, the command IG will notify TIG promptly of such actions taken against civilian IGs.
 - (8) Train detailed and assistant IGs and conduct—
 - a) TIG course for selected personnel.
 - b) Sustainment (refresher) training for IGs.
 - (9) Provide assistance to commanders, soldiers, family members, civilian employees, and retirees as follows:
 - a) Provide a system for resolving problems of soldiers, family members, civilian employees, and retirees; protect confidentiality to the maximum extent possible; and guard against reprisal.
 - b) Process Department of Defense (DOD) Hotline cases that relate to Army activities.
 - c) Process DOD whistleblower reprisal cases that relate to Army activities.
 - d) Process equal opportunity complaints, to include complaints of sexual harassment, as Inspector General Action Requests (IGARs). As an alternative to normal equal opportunity complaint channels, IGs and their subsequent inquiries will not be subject to the timelines or the procedures imposed by AR 600-20, chapters 6 and 7.
 - (10) Conduct inspections, to include—
 - a) Providing the SA and CSA a continuing assessment of the command, operational, managerial, logistical, and administrative effectiveness of the Army.
 - b) Serving as the functional proponent for IG activities and broad inspection policy.

- (c) Conducting inspections as directed by the SA; Under Secretary of the Army; CSA; or Vice Chief of Staff, Army (VCSA). Direct inspections as determined necessary or as prescribed by law or regulation.
 - (d) 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.
 - (e) Conducting inspections of DA nuclear, chemical, and biological surety programs and nuclear reactor facilities.
 - (f) Conducting nuclear, chemical, and biological management evaluations.
 - (g) Conducting inspections of chemical warfare material (CWM) responses and related support functions as directed by the SA, Under Secretary of the Army, or Deputy Assistant Secretary of the Army–Environment, Safety and Occupational Health).
 - (h) In accordance with AR 380–381, conducting inspections of Army Special Access Programs (SAPs) and sensitive activities.
 - (i) Reporting results from inspections of sensitive activities as directed by the SA and CSA.
 - (j) Conducting security and technology protection inspections at selected Army laboratories and research, development, and testing facilities.
 - (k) Conducting information assurance inspections throughout the Army.
- (11) Conduct investigations and inquiries directed by the SA, Under Secretary of the Army, CSA, or VCSA and submit the relevant reports of investigation (ROI) and reports of investigative inquiry (ROII) to the respective directing authority.
- (12) In accordance with AR 381–10, conduct intelligence oversight (IO) of intelligence activities conducted under the provisions of Executive Order (EO) 12333 and DOD 5240.1–R.
- (13) Serve as the HQDA focal point to interact with the DODIG and other Government IGs, to include—
- (a) Maintaining liaison with IGs, DOD; IGs from 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 (GAO); the DODIG; and the U.S. Army Audit Agency to resolve potential schedule conflicts and, if unresolved, deciding, within the scope of the SA and CSA’s guidance, whether to change or perform an inspection.
 - (c) Providing information on DODIG reports to HQDA and all Army IGs.
 - (d) Serving as the Army’s point of contact for receipt and control of DODIG investigations. Direct the appropriate Army agency or command for preparation of responses to investigations.
 - (e) Preparing the DA Semiannual IG Act Report.
- (14) Maintain and safeguard the integrity of the IG System, and monitor and report to the SA and CSA on the effectiveness of the Army IG System.
- (15) Perform coordinating staff functions and administrative functions by—
- (a) Serving on boards, committees, councils, and similar organizations as directed by the SA and CSA.
 - (b) 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.
- (16) Teach Army policy, procedures, systems, and processes to help inspected activities improve operations and efficiency and accomplish command objectives.
- (17) Disseminate information, innovative ideas, and lessons learned as the result of inspections and changes in policy.
- (18) Serve as the component-designated official under the provisions of DOD Directive (DODD) 5505.6.
- (19) Execute management control responsibilities in accordance with AR 11–2.
- (20) Serve as the personnel proponent responsible for IGs (military skill identifiers 5N and special qualification identifier (SQI) “B” and the civilian general schedule (GS) 1801 series: general inspection, investigation, and compliance).
- (21) Serve as the functional proponent and manager for IG information systems.
- b. Inspectors general will—*
- (1) Determine the state of the command’s economy, efficiency, discipline, morale, mission performance, training, and readiness as directed by the commander, director with an assigned detailed IG, or State Adjutant General (AG).
- Note.* Note: Henceforth, the term commander refers to the commander, director, and State AG, unless otherwise specified.
- (2) Monitor the effectiveness of IG functions (teaching and training, inspections, investigations, and assistance) within the command or State and inform the commander of this effectiveness and other matters concerning IG functions.
 - (3) Provide assistance on an area basis (or as directed by TIG) to commanders, soldiers, family members, civilian employees, retirees, and others who seek help with problems related to the U.S. Army (see paras 1–9a, 4–2b, and 7–1d) and provide input into the electronic Inspector General Action Request System (IGARS) database to support trends analysis.

- (4) Conduct inspections as directed by the SA, CSA, the commander, or the TIG or as prescribed by law or regulation, to include—
- (a) 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.
 - (b) Teaching policy, procedures, systems, and processes to help inspected activities improve operations and efficiency and accomplish command objectives.
 - (c) Providing an impartial status report to the directing authority on the operational and administrative effectiveness of the command.
 - (d) Disseminating information, innovative ideas, and lessons learned as the result of inspections and changes in policy.
- (5) Conduct investigations, including—
- (a) Conducting inquiries as directed by the commander or TIG or as prescribed by law or regulation and providing a report of such investigations and inquiries to the directing authority.
 - (b) Reporting to TIG (ATTN: SAIG-AC) any inspector general action request (IGAR) containing an allegation against a master sergeant (MSG), first sergeant (ISG), sergeant major (SGM), or command sergeant major (CSM) and any officer in the grade of major through colonel within 2 working days after receipt by confidential means (see para 8-3g).
 - (c) Reporting to TIG (ATTN: SAIG-IO) any IGAR containing an allegation against any person assigned to a SAP or sensitive activity as defined in AR 380-381 within 2 working days by secure means.
 - (d) By confidential means, and within 2 working days, reporting allegations against all Army IGs (both uniformed and civilian) to the next-higher echelon IG for action (concurrent with a report to TIG (ATTN: SAIG-AC) and the Army Command (ACOM)/Army Service Component Command (ASCC)/Direct Reporting Unit (DRU) IG) (see para 8-3h).
 - (e) Reporting directly to TIG by confidential means, and within 2 working days after receipt from any source, any and all allegations of impropriety by general officers, promotable colonels, members of the senior executive service (SES), and other DA civilian employees of comparable grade or position. Special Government employees are not considered to be “DA civilian employees of comparable grade or position” under this regulation; complaints against Special Government employees are handled using normal IG procedures (see para 8-3i).
 - (f) By confidential means, and within 2 working days of a request from DAIG, forwarding or transmitting to TIG any on-hand IG record required to support time-sensitive personnel management decisions by the Army leadership.
 - (g) Reporting allegations of whistleblower or reprisal that meet the minimum requirements outlined in DODD 7050.6 to TIG (ATTN: SAIG-AC) within 2 working days by confidential means.
 - (h) Referring suspected law of war violations immediately to the chain of command for action. In addition, report suspected law of war violations immediately via confidential means to the next higher echelon IG for information (concurrent with a report to TIG (ATTN: SAIG-AC)). If the incident involves a senior official, reporting it to DAIG’s Investigations Division (see para 9-5e).
- (6) When directed by the commander or when required, conduct followup assessments of inspections to evaluate the adequacy and effectiveness of the corrective action taken.
- (7) Review management control requirements and responsibilities, to include—
- (a) Complying with the basic requirements of management control as outlined in AR 11-2 (see app D).
 - (b) Assisting the local office responsible for management control in ensuring that management control policies, standards, and requirements have been effectively implemented within the organization.
 - (c) Being aware of the management controls found in most Army regulations and to consider these controls when planning and executing IG inspections of systemic issues.
- (8) In accordance with AR 381-10, provide IO of intelligence activities and components within their command per EO 12333 and DOD 5240.1-R. IGs will inspect intelligence activities as part of their Organizational Inspection Program (OIP) and report any questionable activities (in accordance with AR 381-10, Procedure 15) to HQDA (SAIG-IO). Included in the definition of intelligence components are the intelligence units that support unified commands; intelligence offices (and their subordinate intelligence units and offices) supporting military commanders at all echelons; and other DA components performing intelligence activities (see AR 381-10). When IGs inspect an intelligence component, or an organization that has an intelligence component, they will ensure that the inspected personnel are familiar with the provisions of AR 381-10. IGs will place emphasis on the following from AR 381-10:
- (a) Procedures 1 through 4, which address the applicability of the regulation and the rules governing collection, retention, and dissemination of information about U.S. persons.
 - (b) Individual DA employee-reporting responsibilities under Procedure 14.
 - (c) How to report questionable activities under Procedure 15 and reportable Federal crimes under chapter 16.
 - (d) Review of the component’s IO training program.
 - (e) IO of Army National Guard of the United States (ARNGUS) activities and units will occur according to this

regulation. For further guidance regarding procedures, contact the National Guard Bureau (NGB) at Chief, National Guard Bureau (ATTN: NGB-IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202-3259.

(9) Train acting IGs and administrative support personnel who are not required to attend The Inspector General School (TIGS). The Training Division, U.S. Army Inspector General Agency (USAIGA) operates TIGS and provides all training materials.

(10) Cooperate and coordinate with local internal review and audit compliance (IRAC) offices in connection with the performance of any inspection or investigation in order to preclude duplication of effort. Provide external inspection and audit reports and other information to the local IRAC offices as required.

(11) Manage IG information and IG records, 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, and maintaining positive control of IG records in accordance with the provisions set forth in chapter 3.

(b) Processing requests for release under FOIA and for access and amendment of IG records under the PA (see chap 3).

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

(a) Participating in the Program Budget Advisory Committee cycle at 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 problems that cannot be corrected at the local level through IG technical channels if the commander chooses not to use command channels.

(d) Participating in the staff coordination process of policy and procedural documents within the sphere of IG activities and authority (see para 1-9c).

(13) (ACOM/ASCC/DRU IGs only) Inspect the effectiveness of—and compliance with—the Army's Voting Assistance Program within ACOMs/ASCCs/DRUs annually and report the results to the DAIG Inspections Division (SAIG-ID) not later than 30 November.

c. Commanders, State AGs, principal HQDA officials, and all leaders/supervisors (as applicable) will—

(1) Ensure all personnel under their jurisdiction are informed of their right to register complaints with, or request assistance from, an IG (see para 4-2b).

(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 para 1-11).

(3) Provide, if a senior mission commander, IG support for installation tenant organizations, installation activities under the Installation Management Command (IMCOM), the activities of other commands under the senior mission commander's operational control, and other Army agencies. Written agreements documenting the provision of IG support are not necessary unless the supported agency requires special or mission-unique support. ACOM/ASCC IG offices or designated subordinate commands will provide support to IMCOM regional headquarters.

(4) Provide, if a commander of a Lifecycle Management Command (LCMC), IG support to program executive officers (PEOs) and program managers (PMs).

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

(6) Report immediately to TIG the removal for cause of any detailed, assistant, temporary assistant, or acting 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 2-4).

(8) Request approval from TIG to use IGs to perform non-IG duties (see para 2-6d).

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

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

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

1-5. Statutory authority

a. 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.

b. 10 USC 3020 states TIG's statutory requirements and provides for deputies and assistants for TIG.

- c. 10 USC 3065 provides for the detail of commissioned officers as IGs.
- d. 10 USC 10149 authorizes the screening of U.S. Army Reserve (USAR) IGs.
- e. 32 USC 105 provides for IG inspections of the ARNGUS on matters of Federal concern. Under regulations prescribed by him, the SA will have an inspection made by IGs or, if necessary, by any other commissioned officers of the Active 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, in addition, 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.
 - (6) The accounts and records of each U. S. Property and Fiscal Officer (USPFO) and property are maintained.
 - (7) The units of the ARNG meet requirements for deployment.
 - (8) The reports of inspections specified in paragraph 1–5e are the basis for determining whether the ARNG is entitled to the issue and retention of military property as authorized under this title, which organizations and persons constitute units and members of the ARNG, and which ARNG units meet deployability standards.
 - (9) All U.S. Property and Fiscal Office inspections related to the ARNG will be forwarded through the Commander, Forces Command (FORSCOM), to DAIG for distribution to the appropriate agency.
- f. 32 USC 315 is the authority for the detailing of commissioned officers and enlisted personnel of the Active Army for duty with the ARNGUS as IGs.

Section II

Inspector General System

1–6. Inspector general concept and system

a. The four IG functions.

(1) IGs serve their commanders and their commands by executing the four IG functions—teaching and training, inspections, assistance, and investigations—through the IG inspections process and the IG action process (IGAP) for the specific purpose of enhancing the command’s discipline, readiness, and operational warfighting capability. IGs use these functions to seek out systemic issues that affect the command and the Army. The two main factors that bear directly upon and often characterize the execution of these four functions are the IG tenet of confidentiality (see para 1–12) and the restrictions placed upon the distribution and use of IG records (see chap 3).

(2) IGs function within a system of Army-wide 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 upon the mutual cooperation of all IGs through IG technical channels not simply within each particular command but throughout the Army as a whole.

(3) IGs operate within an environment consisting of the commander, the commander’s staff, the commander’s soldiers, family members, DA civilian employees, retirees, contractors, and other civilians needing assistance with an Army matter. These individuals represent the IG constituency, and IGs bolster the chain of command by performing the four IG functions in support of this constituency.

b. The IG and commander relationship.

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

(2) In addition, the trust and confidence shared between IGs and their commanders extends beyond the confidential relationship established by commanders and their staffs. IGs and their offices must remain solely under the command and control of the commander to avoid any possibility or perception of external influences on the office’s personnel, budget, and operations. IGs extend the eyes, ears, voice, and conscience of the commander. An IG must have the commander’s total confidence and trust. To be effective, IGs must understand the commander’s goals, expectations, standards, vision, operating methods, and personality.

(3) The IG must become the commander’s confidant—one of the individuals with whom the commander can discuss, in complete trust, any aspect of the command in wartime as well as in peacetime. The 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 educate the IG on how the commander expects the IG to best serve the command.

c. The IG, soldiers, family members, and civilians.

(1) IGs provide assistance to soldiers, family members, or civilians requesting it. This supported population

represents the IG's constituency—the group served by the IG System locally for the purposes of enhancing individual soldier and unit readiness.

(2) IGs also have the responsibility, unless directed otherwise by their commanders, to discuss any observations, findings, and assistance requests with subordinate commanders to whom the observations or findings apply.

(3) When speaking with the subordinate commanders, IGs must be careful not to violate the IG tenet of confidentiality (see para 1–12). Subordinate commanders do not fall within the IG-commander-complainant triangle of confidentiality (see fig 1–1) and are therefore not entitled to the same confidential information that the IG's commander may receive. If the IG's commander wants to share confidential IG information with a subordinate commander or anyone else outside the triangle of confidentiality, he must contact TIG for approval.

(4) However, 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.



Figure 1–1. Triangle of confidentiality

d. Inspectors general and the Inspector General System. IGs may request, and are expected to provide, assistance to others within the IG System using IG technical channels. IG 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). IGs may also refer issues and allegations to other IG offices either as an office of record or office of inquiry (office of inquiry referrals only apply to vertical echelons of command). The receiving IG office must agree to accept the referral (the DAIG Assistance Division will adjudicate any problems associated with referrals

of this nature). IGs must be prepared to assist others within the IG System as well as other IGs outside the Army IG System.

e. TIG and the IG 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 policy oversight and certification authority, TIG maintains and safeguards the integrity of the IG System.

1-7. Command and State inspectors general

IGs are responsible for advising commanders on the state of their commands. IGs are confidential advisors and factfinders to the commander. Selfless service is the cardinal attribute of successful military and civilian IGs. Everyone within a command or headquarters will respect IGs for their level of expertise, candor, credibility, reliability, and trustworthiness. IGs must adhere to and be advocates of the Army values and the Warrior Ethos. IGs will be among the Army’s most professional and knowledgeable soldiers and civilians for their particular grade or rank. Uniformed Army IGs are selected through a nominative process, and civilian IGs of all types are selected through normal civilian personnel recruitment procedures and approved by the detailed IG (see chap 2).

Section III

Organization and sphere of activity

1-8. The Inspector General

a. TIG as confidential representative of the SA and confidential adviser responsive to the CSA. TIG has direct access to the SA and CSA. TIG commands the USAIGA (see para 1-8c), establishes policy and doctrine for the IG System (see para 1-4a(5)), and maintains the integrity of the IG System (see para 1-4a(16)). The Inspector General has the authority to direct command and State IGs to conduct inspections, inquiries, and investigations (see paras 1-4b(4) and (5)).

b. Office of The Inspector General (OTIG). The OTIG is the HQDA agency that coordinates IG activities. The OTIG includes TIG; Deputy, The Inspector General; a sergeant major; an executive officer; executive assistants; and administrative support personnel.

c. USAIGA. The USAIGA is a field operating agency of the OTIG. TIG resources are assigned to USAIGA. (The term *Department of the Army Inspector General (DAIG)* is used when combining the Office of The Inspector General (OTIG) and the USAIGA.)

d. Inspectors general. IGs are assigned to commands, agencies, activities, centers, communities, installations, and States in accordance with established authorization documents. In general, IGs serve on the personal staffs of general officers who command organizations with wartime missions. IGs and their IG offices normally begin at the division level and appear at the corps/Army, Regional Readiness Command (RRC), State, and ACOM/ASCC/DRU levels, to include separate brigades commanded by either general officers or full colonels. ARNG brigade combat teams also have detailed IGs. Commanders determine the need for IG supporting staff in accordance with AR 71-32 and other applicable regulations (see para 2-1). The command or State IG is a member of the commander’s personal staff.

e. USAR. The U.S. Army Reserve Command (USARC) IG office is the senior IG office 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 commanding general, USARC. Accordingly, the USARC IG office will report directly to DAIG on IGARs and command products concerning nonsenior officials on behalf of the office of the Chief, Army Reserve. Other matters that require USARC IG oversight must be coordinated with the FORSCOM IG office and DAIG.

1-9. Inspector general activities

a. IG sphere of activity. The IG sphere of activity includes everything for which the commander is responsible and over which the commander or State AG has Federal authority. For further guidance on the appropriate sphere of activity of ARNGUS Active Guard Reserve (AGR) soldiers detailed as IGs with regard to matters related to the ARNGUS, contact the Chief, National Guard Bureau (ATTN: NGB-IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202-3259.) 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 if a request for assistance is made within that 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 sphere of activity, 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. ACOM/ASCC/DRU IGs will resolve all jurisdictional issues. When more than one ACOM/ASCC/DRU is involved, the DAIG Assistance Division (SAIG-AC) will resolve the jurisdictional issue. When the matter contains classified material or relates to intelligence oversight, the DAIG Intelligence Oversight Division will resolve the jurisdictional issue.

b. IG and commander relationship. The IG’s relationship with the commander is one of extraordinary trust and

confidence. The commander will grant the IG a high degree of independence and unlimited access to information in performing IG duties. To be fully effective, the IG must have direct access to and the full support of the commander and the confidence of the command or activity. This confidence stems from the command's understanding that the IG is an extension of the commander and that the commander has complete trust and confidence in the IG. To protect this independent and special relationship, the commander will rate the primary command or State IG—even if that command IG is an NCO or DA civilian serving temporarily or permanently in that position. The commander may also senior rate the primary command IG.

c. Inspectors general and command policy. IGs will not establish command policy except as provided in AR 1–201 and this regulation. IGs have no directive authority outside IG channels beyond that normally associated with their grade. Additional authority must come from the IG's commander. This restriction does not preclude IG involvement in the policy formulation and staffing process. However, IGs 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 "noted" 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.

d. Access to documents and evidence.

(1) IGs are authorized access to all documents and other evidentiary materials needed to discharge their duties. These documents and materials include normally protected data. Some examples are classified documents, records of board proceedings, acquisition information, medical records, medical quality assurance records, drug and alcohol records, financial records, evaluation reports, back-channel messages, security dossiers, criminal investigation reports, copies of personnel restricted fiche (after compliance with AR 600–8–104), and financial disclosure statements. This authority may include direct access to pertinent extracts under applicable regulations.

(2) When accessing medical records, IGs must remain aware that health care information is sensitive medical information, is protected by the Health Insurance Portability and Accountability Act (Public Law (P.L.) 104–191), and must be protected. Accordingly, IGs must maintain this information in a safe, secure, and confidential manner; redisclosure is prohibited except where permitted by the PA and Health Insurance Portability and Accountability Act.

(3) IGs are not, however, authorized access to material subject to the attorney-client privilege or any other legally recognized privilege (see para 8–4g).

e. Access to classified or sensitive information. IGs are also authorized access to classified or sensitive information. However, the IG must present proof of a security clearance or special access to review classified documents. The IG's security clearance may be included on the IG's credentials. IGs also must 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 for an access eligibility determination. If this authority does not grant access to the information, the IG will notify the commander and TIG of the situation. The notice to TIG will include the location, date, and command; scope of inquiry, inspection, or investigation; who denied access; who verified denial and approved denial; and the reason access was denied (see para C–5).

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

a. Unless otherwise specified, the NGB and the CNGB will function as an ACOM/ASCC/DRU headquarters and ACOM/ASCC/DRU commander with respect to Federal IGs (Active Army or ARNGUS on extended active duty in a Title 10 status) assigned or detailed to the NGB and to the multiservice headquarters of the National Guard (NG) of the States.

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

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

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

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

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

c. Active Army officers (and ARNGUS officers on extended active duty in a Title 10 status assigned as State IGs)

have authority to inspect and perform other IG functions with regard to 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 supervision of the activities of Federal IGs (Active Army or ARNGUS on extended active duty in a title 10 status) with regard to the NG. ACOM/ASCC/DRU and subordinate commanders assist TIG in executing this responsibility with regard to the activities of Federal IGs assigned to those commands. CNGB also assists TIG in executing this responsibility with regard to Federal IGs assigned to the NGB or to the multiservice headquarters of the NG of the States. TIG retains general authority to direct IG inspections of those areas or activities of the ARNG of Federal interest.

e. ACOM/ASCC/DRU commanders, subordinate commanders, and the CNGB may direct IG inspections of ARNGUS units, activities, and functions with regard to those areas or activities of Federal interest for which they have responsibility under AR 10–5, AR 10–87, or other applicable regulations or directives. Conduct of these inspections remains subject to the policies of this regulation. Inspection by Federal IGs assigned to an ACOM/ASCC/DRU, a subordinate command, the NGB, or a NG multiservice headquarters does not preclude inspection of the same units, activities, and functions by DAIG or another appropriate authority. 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. TIG, acting through the IG, NGB, has authority to task Federal IGs assigned or detailed to multiservice headquarters to assist in a DAIG investigation of ARNG activities of Federal interest in that State.

f. Multiservice headquarters in each State currently provide opportunities for ANG IGs to work in state IG offices. ANG IGs work at the direction of the TAG or the command IG (an Army officer). The command IG will follow these guidelines when selecting a member of the ANG to work in the State IG office:

(1) ANG IGs must successfully complete TIGS in order to work Army IG assistance cases in accordance with this regulation and have access to the Inspector General World Wide Network (IGNET) and the IGARS database.

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

(3) ANG personnel working in a State IG office 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 detailed IGs 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).

Section IV Punitive Prohibitions

1–11. Prohibited activity

a. *Prohibition on restricting lawful communication with an IG; Member of Congress (MC); or a member of an audit, inspection, investigation or law enforcement organization within the DOD.* Persons subject to this regulation will not restrict anyone in any manner from lawfully communicating with those individuals mentioned above. This prohibition includes communications with 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) *A civilian whistleblower.* Persons subject to this regulation will not take (or threaten to take) a personnel action with respect to any employee or applicant for employment as reprisal for communications protected by 5 USC 2302(b)(8)) and 10 USC 1587).

(2) *A military whistleblower.* Persons subject to this regulation will not take (or threaten to take) an unfavorable personnel action or withhold (or threaten to withhold) a favorable personnel action with respect to a member of the armed forces as reprisal for making or preparing a lawful communication with an IG, MC, or member of a DOD audit, inspection, investigation, or law enforcement organization or with any other person or organization (including any person or organization in the chain of command 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 AR 600–20 for a definition of *chain of command*.) 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 7050.6 for up-to-date guidance on identifying a protected communication.

c. *Prohibition against making an unlawful communication with an IG, an MC, or the Office of Special Counsel (OSC).* Persons subject to this regulation will not knowingly make an unlawful communication with an IG, an MC, or the OSC. An example of unlawful communication is a false official statement (Article 107, Uniform Code of Military

Justice (UCMJ)). This prohibition also applies to communications with an IG, DOD and the IGs of other services and Federal agencies.

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

e. Persons not subject to the UCMJ. DA civilian employees who violate the above prohibitions are subject to disciplinary action under AR 690–700, chapter 751, or criminal prosecution authorized by the United States Code or Federal regulations.

f. Reporting prohibited actions. Persons who believe an action prohibited by paragraphs 1–11a through c has occurred will report the circumstances to the chain of command or to the local IG. Alternatively, the circumstances may be reported to a higher headquarters IG listed in the permanent “Notice of Rights to Present Complaints” posted on local bulletin boards. For guidance to IGs on resolving reprisal cases, see paragraph 8–10c.

1–12. Confidentiality

a. 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 believe that 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. The IG has a duty to protect an individual’s confidentiality to the maximum extent possible, particularly when the individual specifically requests confidentiality. 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 success.

b. Confidentiality and discretion are core concepts for IGs. IGs do not have a complete legal privilege of confidentiality. Rather, IG confidentiality results from the special relationship the IG has with the commander, the deliberative process, protection in both the FOIA and the PA, and as a necessary incident to the protections of the Military Whistleblower Protection Act (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. As official, nonpublic Government information, IG information is for official use only.

(1) IGs are members of the commander’s personal staff and serve as the commander’s confidential advisor. IGs extend the eyes, ears, voice, and conscience of the commander, and they conduct inspections, inquiries, and investigations and provide assistance as extensions of the commander. IGs are selected based upon their years of experience, judgment, and demonstrated leadership. These qualities include discretion.

(2) Normally, predecisional matters contained in IG records may be protected from release under the FOIA. Facts are typically not considered predecisional. IGs do not establish command policy or make command decisions except as the head of the IG staff section. Since IGs advise commanders and only offer recommendations, all IG advice on command matters is inherently predecisional. As such, confidential communications between an IG and a commander are critical to ensure an open, candid exchange of command information. IGs not only serve their immediate commander but also serve as extensions of all commanders in the chain of command and of the Army as an institution. IGs must remember, however, that they are members of their directing authority’s personal staff. Therefore, they may share the most information with that authority. Release of IG information to other staff officers and subordinate commanders must follow the procedures for the release of confidential IG information outlined in this regulation. The information IGs gather belongs to the Army, and IGs may provide some of that information, 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 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.

(3) Army IG investigation files are a system of records subject to access under the PA. IG files compiled for law enforcement purposes may be exempt from access under exemption k (2) of the PA; however, in accordance with this exemption, if an individual is denied any right, privilege, or benefit for which he or she would otherwise be eligible as a result of the maintenance of such information, the individual will receive access to such information except to the extent that disclosure would reveal the identity of a confidential source.

(4) The Military Whistleblower Protection Act (10 USC 1034), as implemented in DODD 7050.6 and this regulation, strongly suggests 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 the Whistleblower Protection Act is significant as it covers any communication with an IG. The scope of the protections afforded in this act signals to IGs that communications with an IG must be treated with greater discretion than other forms of nonpublic government information or other predecisional information.

c. The degree of confidentiality and the specific information kept confidential vary according to the IG function (see fig 1–1):

(1) *Investigations (investigations and investigative inquiries)*. When a person complains or 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 inquiry or investigation. IGs must not disclose further the complainant's identity without the complainant's consent unless the IG determines that such disclosure is unavoidable during the course of an 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 coordinate 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.

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

(3) *Inspections*. IGs will normally not reveal the names of individuals who provide information during the course of an inspection. IGs also do not identify units that collectively provide information as part of an inspection. The primary purpose of an inspection is to determine the root causes of systemic issues and not to assign personal or collective blame. IGs preparing inspection reports must ensure that they protect the identity of particular complainants or witnesses and their respective units and must recognize that the commander will not be the only one to view the final report. In general, IG inspection reports are redacted for all attribution prior to release for official use only. IGs normally do not produce unredacted versions of the report unless directed to do so by the directing authority (normally the commander). In those cases (usually for general, compliance-oriented inspections of units), the IG cannot release the unredacted report to anyone but the directing authority without personal approval from TIG.

d. 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 with a similar title—but not by name.

e. A helpful notion to understand IG confidentiality is through the model known as the triangle of confidentiality (see fig 1–1). There are three parties contained in the triangle: the commander, the complainant, and the IG. In general, IGs may share the most sensitive IG information freely 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. IGs must distinguish between who stands in the role of the commander and the complainant.

(1) The commander is often the immediate commander, the IG's directing authority. However, if a complaint is about the conduct of that commander, an IG must not reveal confidential IG information to that commander. In such circumstances, this regulation requires that the IG report that information to either a higher level IG; a higher level commander; or, in the case of senior officials, the DAIG 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 information to perform their duties. For example, a finance office requires the name and social security number of a soldier seeking assistance regarding a pay problem. However, even this apparently necessary release of IG information to the finance office presents a confidentiality challenge. Identifying this soldier in order to correct the pay action 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) IGs may consult with staff experts to determine standards for use in inspections, inquiries, and investigations. In some cases, the extent of these consultations may require the IG to swear the staff member as a temporary assistant IG. In other cases, the IG may simply ask for assistance. IGs 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 (OSJA)), staff members generally do not have a need to know IG information. While all staff members must comply with obligations regarding nonpublic Government information and classified information, they are under no special obligation such as attorneys or IGs as described in this section. Therefore, IGs must exercise discretion when dealing with the staff.

(4) The SJA and the attorneys in the OSJA provide legal advice to the commander, subordinate commanders, and their respective staffs. The SJA and the attorneys in the OSJA are also the IG's immediate legal advisors. IGs can reveal confidential IG information to the SJA and the attorneys in the OSJA (except 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 attorneys 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 (LAAs) and trial defense service (TDS) attorneys may legally form attorney-client relationships with individual soldiers, civilian employees, and authorized dependents. IGs must exercise discretion when communicating with these attorneys as they may not need to be part of

the triangle of confidentiality. LAAs and TDS 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.

Chapter 2 Inspector General Personnel Procedures

2-1. Inspector general positions

a. IG positions are designated in approved modification tables of organization and equipment (MTOEs) and tables of distribution and allowances (TDAs). A command IG position is required on each MTOE that requires a general officer to serve as the commander of a unit that has a wartime mission and may be authorized for separate brigades as well. TIG may approve command IG positions in units commanded by officers in the grade of colonel and below as necessary (for example, brigade combat teams, military police brigades, military intelligence brigades, and so on). 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 multiservice headquarters TDA in accordance with the guidelines established by the NGB in National Guard Regulation (NGR) 10-2. (For further guidance, contact the Chief, National Guard Bureau (ATTN: NGB-IG), Suite 11600, 1411 Jefferson Davis Highway, Arlington, VA 22202-3259.) TIG provides input and reviews manpower standards and staffing guides provided by the U.S. Army Force Management Support Agency's studies regarding minimum manpower requirements for IG activities. Detailed IGs, assistant IGs, and IG office or administrative support staff will be assigned to MTOE or TDA positions.

b. IG positions will be designated in approved MTOEs and TDAs in coordination with DAIG (ATTN: 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.

2-2. Inspector general categories

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

- (1) Detailed IG.
- (2) Assistant IG.
- (3) Temporary assistant IG.
- (4) Acting IG.
- (5) Office or administrative support staff members. Administrative staff members include contract personnel performing administrative functions such as systems administration and the transcription of verbatim testimony. Persons serving as detailed IGs, assistant IGs, temporary assistant IGs, and acting IGs carry the title of inspector general. The detailed IG who serves as the commander's IG and chief of an IG office carries the title of command IG (often called the primary or principal IG). All persons who fall into these five categories must obtain and maintain a Secret clearance; some IG duty positions may require a Top Secret clearance. TIG can make exceptions to this security clearance requirement as necessary. Table 2-1 lists the five categories and the actions each performs.

Table 2-1
Categories of inspectors general

Grade and duties	Detailed IG	Assistant IG	Temporary assistant IG	Acting IG	Administrative support staff
Grade	Commissioned officer, captain +, commissioned CWOs, selected GS-12+	Promotable CW2+, sergeant first class+, GS-9+	Commissioned officer, warrant officer (WO), NCO, DA civilian (DAC)	Commissioned officer (exceptions approved by TIG)	In accordance with MTOE or TDA
Approved by	Military by TIG; DAC by command with notice to TIG	Military by TIG; DAC by command	TIG for 180 days+; ACOM/ASCC/DRU for 90 to 180 days; local command for under 90 days	ACOM/ASCC/DRU for Active Army and USAR (or senior Army Forces commander in joint or unified command); TAG for ARNGUS; exceptions by TIG	Local command
Trained by	DAIG	DAIG	Detailed IG; by DAIG if duty over 180 days	Detailed IG; DAIG if space available	Detailed IG; DAIG if space available

Table 2-1
Categories of inspectors general—Continued

Grade and duties	Detailed IG	Assistant IG	Temporary assistant IG	Acting IG	Administrative support staff
Take IG oath	Yes	Yes	Yes	Yes	Yes
Conduct IG inspections	Yes	Assists detailed IG	Assists detailed IG	No	No (unless approved and a graduate of TIGS)
Conduct IG assistance	Yes	Yes	Assists detailed/assistant IGs	Yes, under supervision of detailed IG	No (unless approved and a graduate of TIGS)
Conduct IG assistance inquiries	Yes	Yes	Assists detailed IG	No	No (unless approved and a graduate of TIGS)
Conduct IG investigations/investigative inquiries	Yes	Assists detailed IG	Assists detailed IG	No	No (unless approved and a graduate of TIGS)
Administer oaths	Yes	Yes	No	No	No (unless approved and a graduate of TIGS)
Perform admin duties	Yes	Yes	Yes	Yes	Yes
Tour length	3 years; DAC: indef.	Military: 3 years; DAC: indefinite	In accordance with ARs 614-100, 614-200, 140-10; DAC in accordance with CPAC	In accordance with command	In accordance with command
Wear IG insignia	Military only	WO and NCO only	Military only if duty over 180 days	No	No

b. TIG establishes the prerequisites for service as an IG.

c. Commissioned officers are selected as detailed IGs and must qualify for the detail under AR 614-100. In addition, DA civilians in the grade of GS-12 (CPT equivalent) and above or pay-band equivalent may be designated as detailed IGs. TIG must be informed 30 days prior to any DA civilian being designated as a detailed IG (see para 2-3a). An approved designation as a detailed IG will stand as long as the civilian serves as an IG. The designation of detailed IG is used with civilians to assign greater IG capability such as leading and doing all functions. Civilians may serve continuously as IGs as long as they maintain their IG certification under paragraph 5-5b. Commissioned chief warrant officers (CWOs) also serve as detailed IGs.

(1) Command and State IGs must be detailed IGs who serve on the commander's personal staff. The command IG or the State IG works directly for the commander or State AG. Through the use of technical channels, all Army IGs operate with, contribute support to, and obtain support from other IGs throughout the Army IG System, to include joint command IGs and other service IGs.

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

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

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

d. Assistant IGs are CWOs who are not commissioned, NCOs (sergeants first class or promotable staff sergeants and above), military technicians, or civilian employees (GS-9 and above or pay-band equivalent who possess the relevant knowledge, skills, and abilities as comparable employees performing at the GS-09 level or above) who perform IG functions on the staff of a command or State IG. NCO assistant IGs (including military technician assistant IGs) must qualify for the IG assignment under AR 614-200 as applicable. CWOs must be graduates of the Warrant Officer Advanced Course in the grade of promotable chief warrant 2 (CW2) and above (see para *c* above for guidance on commissioned CWOs as detailed IGs). TIG will approve all requests for exceptions to policy concerning grade qualifications.

(1) An assistant IG may receive and process requests for assistance; conduct IG assistance inquiries; assist detailed

IGs with IG investigations, IG investigative inquiries, and IG inspections; perform administrative duties; and administer oaths.

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

(3) Enlisted soldiers serving as assistant IGs will wear IG insignia after successful completion of TIGS.

(4) CWOs serving as assistant IGs will also wear IG insignia after successful completion of TIGS.

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

e. Temporary assistant IGs are commissioned officers, CWOs, enlisted soldiers, DA civilian employees, and contracted 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 a temporary assistant IG; however, the commander must request through normal command or tasking channels augmentees required from outside the command. Individuals detailed as temporary assistant IGs must possess the required specialty training and field experience. Additional guidance can be found in AR 614–100 (commissioned officer and CWOs), AR 614–200 (enlisted soldiers), and AR 140–10 (Reserve Component (RC) personnel). The term of service of a temporary assistant IG depends upon the duration of an inspection or investigation or is at the discretion of the commanders involved (see para 6–4a(5) for additional information on temporary assistant IGs and IG inspections).

(1) TIG must approve soldiers and civilians assigned as temporary assistant IGs who perform IG duties for more than 180 days. ACOM/ASCC/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. ACOM/ASCC/DRU commanders may delegate this authority to the first general officer in the chain of command. The local commander authorized a detailed IG will approve temporary assistant IGs assigned for 90 days or less.

(2) The command or State IG will ensure that persons selected to serve as temporary assistant IGs receive appropriate training before performing IG functions. At a minimum, they must receive training on the basic IG concept and system, the IG tenet of confidentiality, and restrictions placed upon the use and distribution of IG records. Temporary assistant IGs who are expected to perform IG functions for over 180 days will attend TIGS as soon as possible after selection by the authorized commander. Exceptions require TIG approval.

(3) Temporary assistant IGs may not administer oaths.

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

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

f. Acting IGs are commissioned officers appointed to this additional—but temporary—duty by an ACOM/ASCC commander or the senior Army Forces commander when serving under a joint or unified command. TIG may approve exceptions (ATTN: SAIG–OP) in cases where a commissioned officer in the appropriate grade is not available (see para 2–2c). An acting IG assists a detailed IG with receiving IGARs in population areas for which the detailed IG has responsibility but from which the detailed IG is often geographically separated. The detailed IG has several other options to the appointment of an acting IG, to include conducting periodic IG assistance visits, publishing toll-free numbers, using fax transmittals, receiving IGARs in conjunction with inspections, and executing memorandums of agreement (MOAs) with other IGs.

(1) Acting IGs will only provide simple assistance. Acting IGs will not conduct investigative inquiries or investigations, serve on IG inspection teams, or perform duties in the office of a detailed IG. Acting IGs may not administer oaths or have access to the IGARS database.

(2) Acting IGs will not wear IG insignia.

(3) Detailed IGs will train acting IGs on their responsibilities and all necessary procedures. Additionally, acting IGs will receive technical and performance supervision from a detailed IG.

(4) Commissioned officers in the chain of command, or those who routinely assume duties in the chain of command, will not be designated 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. TIG will approve all exceptions (ATTN: SAIG–OP).

(5) Acting IGs will not be assigned 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 2–6a(2)). 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.

(6) When an acting IG is approved, the command or State will announce the designation of the acting IG by memorandum. A copy must be sent to TIG. The command or State IG will also send a memorandum to the acting IG. This memorandum will specify 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. Office and administrative support staff are soldiers and civilian employees who serve in administrative and

support positions (such as administrative assistants, secretaries, drivers, computer operators, clerks, typists, and so forth) on the staff of a command or State IG. Although they are not assistant IGs, they will take the IG oath (see para 2–5) because they are part of the IG System and typically have access to IG records and the IGARS database. Command and State IGs will ensure that administrative support personnel do not perform any of the IG functions but are obligated to protect confidentiality in accordance with paragraph 1–12. Office and administrative support staff may also attend TIGS on a space-available basis. The command IG, after consulting with and receiving permission from TIG, may designate school-trained office and administrative support staff personnel to serve temporarily as assistant IGs on an emergency basis for specified periods of time. These designated support staff members may perform all the duties of an assistant IG such as leading assistance; teaching and training; and participating in inspections and investigations, to include administering oaths as authorized. Contract personnel serving in an IG office will not take the IG oath. Any contract providing support to an IG office will include provisions requiring contractor personnel to maintain the confidentiality of IG records and information.

2–3. Inspector general certification

a. The IG certification process consists of three steps: nomination; selection, which is approval of the nomination; and training (see chap 5 and app B). TIG certifies all uniformed Army IGs to perform IG duties after they complete the three-step process. DA civilians do not adhere to the same process; instead, command IGs select and hire DA civilian IGs, who must then attend TIGS to receive training and become certified.

(1) Command IGs must report to the DAIG Operations Division (SAIG–OP) the names, grades, and duty positions of all newly hired DA civilian IGs.

(a) The U.S. Army Human Resources Command (HRC) makes nominations for Active Army assignments as detailed IGs, assistant IGs, or temporary assistant IGs for more than 180 days either as a result of the requisition process or of the identification of a local nominee by the commander or IG.

(b) HRC–St. Louis makes nominations for USAR AGR assignments as detailed IGs or assistant IGs as a result of the requisition process. For ARNGUS personnel, NGB will review nomination packets prior to submission for TIG approval.

(c) For AGR USAR commissioned and NCOs, the IG, USARC will review nomination packets prior to submission for TIG approval.

(d) For individual mobilization augmentee soldiers, nomination packets will be forwarded through IG, USARC for review and recommendation prior to submission to TIG for approval (see para 2–9).

(e) For Individual Ready Reserve (IRR) soldiers, nomination packets will be forwarded through IG, USARC for review and recommendation to IG, FORSCOM, prior to submission to TIG for approval (see para 2–10).

(2) TIG approves nominations of all soldiers to serve as detailed and assistant IGs within the IG System and as military temporary assistant IGs assigned in excess of 180 days. TIG also approves nominations of all soldiers assigned to IG duties in joint and unified commands and in the office of the DODIG prior to the approval of the gaining command.

b. Commissioned officers considered for IG duty must meet the following minimum qualifications as outlined in AR 614–100, paragraph 3–2*d*. These commissioned officers must—

(1) Be in the grade of CW3 or above or captain or above. A captain must have successfully completed company-, battery-, or troop-level command and be a graduate of a Captain’s Career Course. 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 graduates; 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.

(2) Have broad experience and an Army background that reflects outstanding performance and demonstrated potential for future service.

(3) Display moral attributes and personal traits that demonstrate adherence to Army values.

(4) Serve no consecutive details as an IG. TIG may approve consecutive details as an exception to policy with the specific consent of the officer concerned.

(5) Present good military bearing and appearance.

(6) Meet body composition requirements as outlined in AR 600–9.

(7) Possess a Secret clearance and be able to maintain it.

(8) Remain in a deployable status for all required areas.

c. NCOs (promotable staff sergeant and above) considered for IG duty are nominated or may volunteer. In accordance with the minimum qualifications outlined in AR 614–200, paragraph 8–1, these NCOs must—

(1) Not be on assignment instructions.

(2) Be high school graduates or have a GED equivalency.

(3) Have 36 months of service remaining or be eligible to extend or reenlist.

- (4) Be citizens of the United States (by birth or naturalization).
- (5) Have excellent character, good moral background, and emotional stability.
- (6) Have no record of:
 - (a) Punishment under UCMJ, Art. 15.
 - (b) Conviction by court-martial.
 - (c) Time lost during current enlistment.
 - (d) 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 of physical profile.
- (9) Have broad experience and an Army background that reflects outstanding performance and demonstrated potential for future service.
- (10) Display moral attributes and personal traits that demonstrate adherence to Army values.
- (11) Serve no consecutive details as an IG. TIG may approve consecutive details as an exception to policy with the specific consent of the officer concerned.
- (12) Present good military bearing and appearance.
- (13) Meet body composition requirements as outlined in AR 600–9.
- (14) Possess a Secret clearance and be able to maintain it.
- (15) Remain in a deployable status for all required areas.

d. Officers and soldiers assigned to IG duty positions must first attend and successfully complete TIGS at Fort Belvoir, VA 22060–5935. Upon successful completion of the school, officers will be awarded an additional skill identifier (ASI) of 5N, and soldiers will be awarded SQI "B."

(1) Normally, detail in an IG duty position is a 36-month stabilized tour (or the tour elected in accordance with AR 614–30). However, soldiers assigned locally to fill IG duty positions are stabilized for 24 months unless they are released for cause or physical reasons. Officers and soldiers approved by TIG for IG duty will not be reassigned or removed without TIG approval until completion of the designated tour stabilization.

(2) Normally, NCOs will not serve consecutive or repetitive tours as an IG. TIG must approve all nominations for repetitive or consecutive IG tours.

e. ACOM/ASCC/DRU commanders or the senior Army Forces commander when the Army IG is serving under a joint or unified command may appoint commissioned officers to serve as acting IGs for active and subordinate USAR units. These commanders may delegate the authority to approve such nominations to the first general officer in the chain of command. The State AG approves the appointment of commissioned officers as acting IGs in the State or territory of the NG. If a commissioned officer is not available for nomination as an acting IG, a request for exception may be submitted to TIG. The request must demonstrate the need for an acting IG, explain why no commissioned officer is available, and describe the qualifications of the nominee.

f. Nomination packets of Active Army commissioned officers to be a detailed IG in a State, territory, Commonwealth of Puerto Rico, or the District of Columbia will originate with HRC. The CNGB must review the nominations with an endorsement by the State AG prior to TIG approval. TIG must be notified of Department of the Army civilians who also serve as troop program unit (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.

g. Reserve Component military technicians will not be approved for USAR TPU or ARNGUS 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 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, selected, approved, and trained in accordance with this regulation.

h. Multiple nominations for one duty position will not be considered. Announcement of the detail will be made in accordance with AR 614–100.

i. The local command or State IG will approve civilian employees selected to serve as assistant IGs. Command and State IGs will report newly hired assistant civilian IGs to TIG (ATTN: SAIG–TR) so that the Inspector General Personnel System database can be updated and selection verified for attendance at TIGS.

2–4. Length of inspector general assignments

a. Detail as a uniformed Army IG is for a 3-year, stabilized tour (or the tour elected in accordance with AR 614–30) with curtailments handled on a by-exception basis. Commanders may relieve IGs for cause when appropriate in accordance with AR 600–20. In all other instances, soldiers approved by TIG for IG duty will not be reassigned or removed without TIG approval until the prescribed tour has been completed. TIG will normally approve requests for early release based upon professional development reasons, including, but not limited to, assignment to branch-qualifying positions or professional development schools. Under special conditions, TIG may approve removal or reassignment of an IG without prejudice. The commander or the soldier will initiate requests for curtailment and removal without prejudice. Requests will be on a DA Form 4187 (Personnel Action) or in memorandum format and

will contain a justification and anticipated release date. The immediate supervisor must endorse curtailment requests, and these requests will be processed through normal personnel channels to the soldier's assignment manager (at HRC, HRC–St. Louis, or NGB). The assignment manager will forward requests to DAIG (SAIG–OP) for TIG approval. All ARNGUS requests for IG duty curtailments for both Active Army and ARNGUS soldiers will be forwarded through the CNGB prior to being sent to TIG for approval. All requests for IG duty curtailments for USAR soldiers will be forwarded through the IG, USARC prior to being sent to TIG for approval. Soldiers removed for cause do not require TIG approval. TIG will be notified immediately of any removal for cause. Replacements for approved curtailments will be processed through normal personnel channels. TIG may remove any soldier from service as an IG.

b. For Active Army soldiers, the soldier's assignment manager is the approval authority for extending a detailed IG or an assistant IG from a third to a fourth year. Extension of any IG duty beyond 4 years requires TIG's concurrence. 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 (SAIG–OP). If the assignment manager disapproves the request for extension, he or she will send a copy of the disapproval to DAIG (SAIG–OP). Extension requests for details beyond 4 years on which the assignment manager recommends approval will be forwarded to DAIG (SAIG–OP) for coordination and final TIG approval.

c. The ACOM/ASCC/DRU, in coordination with HRC–St. Louis or Office of the Chief, Army Reserve (OCAR), may approve fourth-year extensions of USAR soldiers. Authority to approve fourth-year extensions of USAR soldiers may be delegated to the first general officer in the chain of command. For all USAR units under FORSCOM, the authority to approve fourth-year extensions of USAR soldiers rests with the Commander, USARC, whenever the Commander, FORSCOM, delegates such authority. Extension requests for details beyond 4 years for which the assignment manager recommends approval will be forwarded through IG, USARC to DAIG (SAIG–OP) for coordination and final TIG approval.

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

e. A specified length of assignment for civilian detailed and assistant IGs (to include military technicians) does not exist. The command or State IG determines the length of the IG assignment in accordance with applicable civilian employment policies.

2–5. Inspector general oath

a. Officers, warrant officers, noncommissioned officers, and DA civilians serving as IGs and office administrative support staff members will take the IG oath (see figs 2–1, 2–2, and 2–3). The commander or an authorized representative will administer the IG oath. A detailed IG may administer the IG oath to any category of IG. An assistant IG may administer the IG oath to a temporary assistant IG or acting IG. An acting or temporary assistant IG may not administer the IG oath. Contractor personnel working in an IG office will not take the IG oath.

b. The IG oath exists in three variations: detailed/assistant IG, temporary assistant IG, and acting IG. Although primarily describing the position of a detailed IG, each IG oath is nevertheless appropriate for all personnel serving in an IG office (except contractors) or as an acting IG. Everyone serving in an IG office contributes to the effectiveness of the IG System, manages sensitive information, and represents the IG functions to other persons and agencies. The IG oath reminds all IG personnel of the special trust and confidence inherent in their position.

c. Personnel who have sworn or affirmed the IG oath will receive either DA Form 5097 (Inspector General Oath) (fig 2–1), DA Form 5097–1 (Inspector General Oath (Non-IG)) (fig 2–2), or DA Form 5097–2 (Inspector General Oath (Acting-IG)) (fig 2–3), as appropriate.

d. 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 with that new commander the special relationship shared by both individuals. However, a new oath is not required. IGs serving in the command's IG office may also execute a new IG oath with the incoming commander at that commander's discretion. If an IG moves to an IG office in another command, the IG will execute a new oath with his or her new commander. All individuals with prior IG experience who are renominated for a second, nonconsecutive IG detail must execute the IG oath upon arriving at his or her new command.



Department of the Army

I, LTC JACK D. SMITH,

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

Jack D. Smith
Inspector General

Date: 21 January 2006

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

MG Bill Jones

[Signature]
The Inspector General

[Signature]
Secretary of the Army

DA FORM 5097, NOV 1989

Figure 2-1. Sample DA Form 5097



Department of the Army

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

Jill D. Smith

Date : 21 January 2006

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

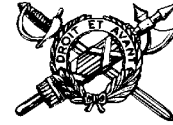
LTC A. Rightway

[Signature]
 The Inspector General

[Signature]
 Secretary of the Army

DA FORM 5097 1, NOV 1969

Figure 2-2. Sample DA Form 5097-1



Department of the Army

I, LTC JAMES E. SMITH,

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

James E. Smith
Acting Inspector General

Date: 21 January 2006

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

MG Bill Jones

[Signature]
The Inspector General

[Signature]
Secretary of the Army

DA FORM 5097-2, NOV 1989

Figure 2-3. Sample DA Form 5097-2

2-6. Inspector general duty restrictions

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

(1) Be assigned to any non-IG assistance or evaluation functions such as maintenance assistance and inspection teams, command logistics evaluation and review teams, readiness evaluation teams, command or staff inspection teams, or other similar teams. In addition, temporary assistant IGs will not perform other duties while supporting an IG inspection or investigation until released by a detailed IG or the directing authority.

(2) Be appointed as investigating officers under UCMJ, Art. 32 and Art. 138, AR 15-6, or any other regulation providing for the appointment of investigating officers, members of administrative separation boards, or members of courts-martial. However, TIG; Deputy, the Inspector General (DTIG); 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 (see paras 1-9a, 2-2f(4) and 2-2f(5)). Examples include staff duty officer or NCO; line of duty investigator; casualty assistance officer or NCO; member of 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; management control coordinator; member of a funeral detail; or member of any committee or function unless directly related to IG matters.

b. Commanders will normally designate their operations staff agency (G-3, S-3, and so on) to coordinate the OIP because this staff agency has tasking authority, oversight of training calendars, and so on. However, IGs may serve as

the OIP coordinator at the discretion of the commander (see para 1–4f, AR 1–201). IGs may also organize and coordinate the commander’s command inspection program but will not lead or physically inspect as part of the command inspection effort (see para 6–3 for specific IG duty restrictions regarding command inspections). Organizing and coordinating means that the IG may assist in scheduling and synchronizing the various command inspection activities on behalf of the commander without assuming a leading role, inspecting as part of the command inspection, or conducting in-briefings and out-briefings.

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

d. Commanders must gain TIG approval to use their IGs for non-IG duties because of operational requirements, taskings, and other demands—even if the tasking or requirement is for only 1 day in duration. IGs will advise their commanders that TIG reserves the right to approve or disapprove all such requests.

2–7. Retiree Mobilization Program

TIG is the approving authority for retired commissioned officers (under 60 years of age) nominated for preassignment orders to IG positions in accordance with AR 601–10. HRC–St. Louis will identify and nominate officers to serve as IGs in this program who have an ASI of 5N. HRC–St. Louis will forward the nomination packet through IG, USARC for comment prior to submission to TIG for approval.

2–8. Cross-leveling of U.S. Army Reserve inspector general personnel during mobilization

a. 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 approval.

b. The command IG, with the approval of the regional readiness command, 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 noncommissioned officer IGs with a mismatched military occupational specialty (MOS) and other IGs within the same command for promotion purposes. The MSC IG office conducting the cross-leveling action will notify IG, USARC for tracking purposes; in turn, IG, USARC will inform DAIG (SAIG–OP).

2–9. 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.

2–10. Individual Ready Reserve Program

Nomination packets for IRR soldiers will be forwarded through IG, USARC for review and recommendation to IG, FORSCOM prior to submission to TIG for approval. Both USARC and HRC–St. Louis will assist the IRR soldier in preparing the nomination packet.

2–11. USAR 179-day tours of duty

The IG, USARC must approve requests for all USAR IG short tours (fewer than 180 days). HRC–St. Louis generates the orders for IGs in this category.

2–12. Requesting an Army Reserve individual augmentee or replacement for deployed Army Reserve commands

a. The individual augmentee (IA) request process is as follows:

(1) The unit submits the request through the Army service component to ensure that the Combatant Command (COCOM) can verify the requirement(s) on the joint manning document (JMD).

(2) The COCOM commander will then forward the JMD along with specific reporting dates to the Army service component for fill. The Army service component will request the individual in accordance with established Army policies. The DA will determine personnel availability and fill requirements from internal Army assets.

(3) The requirement is forwarded via the Worldwide Individual Augmentee System (WIAS) to FORSCOM for TPU soldiers and then on to USARC for fill or to HRC–St. Louis 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) TPU nominations are forwarded through IG, USARC to IG, FORSCOM prior to submission to TIG for approval.

(5) 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 task force headquarters or other headquarters element) that will or has deployed.

b. The replacement process consists of the following steps: The Army service component will determine if Army assets in theater can fill the requirement. If not, the requirement is transmitted via WIAS to HRC for fill in the case of retired Reserve, IMA, IRR, and AGR soldiers. The IG nomination process remains the same.

Chapter 3

Inspector General Records

3-1. Nature of inspector general records

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

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

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

d. Non-IG records are documents contained within the IG file created by other Army or Federal agencies or documents from outside the Federal Government. While these records may be under the control of the IG for purposes of conducting assistance, inquiries, inspections, and investigations, release of these records remains under the jurisdiction of the originating organization. Requests for non-IG records will be referred to the appropriate custodian for release determination and direct response to the requester. For release of IG records or information to DA investigators, see paragraph 3-6b(3).

e. Only TIG and DTIG or their designated representatives (Legal Advisor and Deputy Legal Advisor) have the authority to release IG records (see para 3-5).

3-2. Protection of inspector general records

a. IGs 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 paragraph 4-200 of AR 25-55.

b. When IG records are released outside IG channels (see paras 3-6 and 3-7), IGs will mark them as follows: "This document contains information EXEMPT FROM MANDATORY DISCLOSURE under the FOIA. Exemption(s) (number(s)) apply." The following exemptions may apply to IG records:

(1) Inspection reports—Exemption 5.

(2) ROI—Exemptions 1, 2, 5, 6, and 7.

(3) ROII—Exemptions 1, 2, 5, 6, and 7.

(4) Inspector General Action Requests—Exemptions 1, 2, 5, 6, and 7.

c. IGs will mark classified IG records in accordance with AR 380-5, AR 25-55, and all other applicable security classification guides. IGs 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."

d. IGs will mark each magnetic tape, floppy disk, or similar type of data storage device containing IG data with the appropriate DA label (see AR 25-55 and AR 380-5).

e. Original copies of IG correspondence designed to leave IG control (such as replies to correspondence or subjects and letters to MC) are not given protective markings and treatment. However, IGs will protectively mark file copies of such correspondence if that correspondence leaves IG channels.

f. 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.

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

h. The disposition/destruction of IG records will be in accordance with AR 25-400-2. 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 actions

a. Inspector general records will not be used as the basis for adverse action (see glossary) against individuals, military or civilian, by directing authorities or commanders except when specifically authorized by the SA, the Under Secretary of the Army, the CSA, the VCSA, or TIG. Requests for such use will be submitted to TIG. For a request to use the results of an IG investigation for adverse action, the request must state why a follow-on investigation would be unduly burdensome, disruptive, or futile. Follow-on investigations preclude the necessity of using IG records for adverse action and thereby safeguard the image and integrity of the IG System.

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

(1) *Nonsenior officials.* IG records will not be used as a basis for an adverse action that will be filed in a nonsenior official's official personnel record unless the issuing authority has obtained approval as outlined in paragraph *a* above. In addition, the nonsenior official must have the opportunity to review the IG records that serve as the basis for the proposed filing and make a written statement in rebuttal or to decline in writing the opportunity to make such a statement.

(2) *Senior officials.* IG records may be used as the basis for an adverse action against a senior official with TIG or DTIG approval as outlined in subparagraph 3–3*a*. The adverse action must ultimately afford the senior official due process protection, to include the opportunity to review the IG records that serve as the basis for the adverse action and make a written statement in rebuttal or to decline in writing the opportunity to make such a statement.

c. Release of the IG record may breach the confidentiality of witnesses and/or IG opinions, conclusions, and recommendations. Commanders, State AGs, and directing authorities must consider this impact when deciding whether to request the use of an IG record for adverse action. Extreme care will be taken to ensure that any adverse action taken by a supervisor against a subordinate does not constitute a reprisal against a “whistleblower “ and is otherwise taken within the guidelines of the Whistleblower Protection Act (see 5 USC 2302 and 10 USC 1587) and the Whistleblower Protections for Members of the Armed Forces (see 10 USC 1034). Chapter 8 provides specific guidance in situations in which IG investigations will be directed instead of other types of investigations such as those conducted by USACIDC or pursuant to AR 15–6.

d. When considering the use of IG records as the basis for adverse action, the IG office with the records will submit the request to the Records Release Office, The U.S. Army Inspector General Agency (ATTN: SAIG–ZXR), 2511 Jefferson Davis Highway, Suite 12600, Arlington VA 22202–3912, describing precisely which portions of the IG records are requested and why. Assistance in determining whether an action is deemed adverse may be obtained from the servicing legal office or the DAIG Legal Advisor. The IG will also encourage consultation between the commander concerned and the servicing legal office regarding the need for IG records as the basis for the action contemplated and the availability of other evidence to serve the same purpose (see fig 3–1).

e. Commanders will not initiate a flagging action for individuals under IG investigation because such an action could be construed as adverse in nature. Commanders seeking approval for the use of IG records for adverse action may flag the individual in accordance with AR 600–8–2 immediately upon initiating the request.

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

3–4. Request for inspector general records

Requests for IG records must be in writing and submitted for action to The U.S. Army Inspector General Agency (ATTN: SAIG–ZXR), 2511 Jefferson Davis Highway, Suite 12600, Arlington, VA 22202–3912.

3–5. Release authority for inspector general records

a. Only TIG, DTIG, or their designated representatives (Legal Advisor and Deputy Legal Advisor) may approve the release of IG records outside IG channels except as set forth in paragraphs 3–6*b*(1) through 3–6*b*(3).

b. The chief of the DAIG Assistance Division may release attachments to DOD Hotline complaints received from the DODIG to Army Staff principals—and the complaint plus attachments to USACIDC if the complainant is not from within USACIDC—when the DODIG has redacted the complaint to protect confidentiality and/or the chief of the DAIG Assistance Division has determined that release of the attachments does not compromise complainant confidentiality.

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

(1) Official use of inspector general records within the DA.

- (2) Release of inspector general records outside the DA.

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

a. TIG, DTIG, the legal advisor, and the deputy legal advisor may release applicable portions of IG records to individuals, commands, or agencies within DA having a need for these records in the official performance of their duties as an FOUO release. Requests for an "Official Use" release within DA must be in writing and reasonably identify the IG records sought (that is, name of the complainant/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 within DA may obtain IG records for official use by providing their local detailed IG, or the IG office of record, a written request that states clearly the reason they need the IG records. These requests will be forwarded to the U.S. Army Inspector General Agency (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Suite 12600, Arlington, VA 22202-3912, in the format prescribed in paragraph 3-7a(1). The IG will retain written notations concerning the release and its justification with the record-file copy of the case. The following restrictions apply to all IG records requested for official use by individuals, commands, or agencies within DA and will be stated in a transmittal letter to the DA recipient.

- (1) TIG or DTIG must approve FOUO releases in support of an adverse action.
- (2) IG records will not be reproduced or further disseminated without specific permission of TIG, who may provide permission in the transmittal letter if appropriate.
- (3) Use or attachment of IG records as exhibits or enclosures to records of other DA offices or agencies is not authorized without written approval of TIG.
- (4) Commanders at any level will not use IG records to compare commands or commanders.
- (5) Rating officials and supervisors may not cite inspection findings, inquiry results, or other IG information that would not otherwise be readily available in non-IG records or sources in an evaluation report, performance appraisal, or other evaluation that is maintained in official personnel records and either is or will become an adverse action. ACOMs/ASCCs/DRUs may request to use IG inspection results for adverse action from inspections conducted by the DAIG Information Assurance, Intelligence Oversight, and Technical Inspections Divisions.
- (6) IG records provided to DA recipients will be returned to the U.S. Army Inspector General Agency (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Suite 12600, Arlington, VA 22202-3912, when the records have served the requested purpose. These records are only on loan to the recipient and remain under TIG control. Recipients of IG records are not to incorporate them into a system of records subject to the PA because the recipient's system of records may not be subject to the same PA exemptions as the IG system of records.
- (7) The requesting agency must be designated in the "Routine Uses" section of the IG system of records notice in the Federal Register to receive the records without the consent of individuals mentioned in the IG records. The term "routine use" means that the requesting agency will use the record for the stated purpose. The release of IG records for "Routine Uses" is strictly discretionary.

b. As limited exceptions to subparagraph 3-6a, command IGs may release IG records FOUO as follows:

(1) *Release of an ROI or ROII to the directing authority for informational purposes only and not for adverse action.* For the use of a ROI or ROII for adverse action, see paragraph 3-3. An IG ROI contains privileged and sensitive information. IGs will strictly control ROIs and ROIIs when provided for official use. Review of IG reports will be restricted to the absolute minimum number of people with a strict need to review the report in the performance of official Army duties in order to make a recommendation and decision for appropriate action. Generally, persons who are only responsible for implementing a decision based on an IG report do not need to review the report.

(2) *Release of an IG inspection report to the directing authority and to other Army agencies and commands as required.* Once the IG releases the report to the commander, the commander may in turn release the redacted report to members of his or her own staff and/or command or to other Army commands or agencies as necessary.

(3) *Release of IG records or information to DA investigators.* DA investigators include personnel such as investigating officers, officers conducting financial liability investigations of property loss, CID investigators, military police (MP) investigators, and similar investigators performing law enforcement or other investigations under Army regulations and outside IG channels beyond the limitations outlined in subparagraph a above. 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 or a higher authority.

(a) An IG may inform the investigator either orally or in writing on the nature of the allegations or matters the IG office examined while being careful not to be judgmental about the allegations or to 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 finance and personnel records, travel vouchers, motel and restaurant receipts, and so forth. "Readily available" includes documents that would be readily available from the source but have been lost, destroyed, retired, or altered after the IG obtained them.

(c) An IG may identify by name verbally or in writing those witnesses who have information relevant to the investigation and explain how they are relevant with a brief oral synopsis of their testimony. Where possible, the IG

will not reveal which witness is the complainant (see para 1–12). Written statements, transcripts, and recorded tapes taken by the IG will not be released.

(4) *Release of DAIG inspection reports.* Unless otherwise stated, IGs may share with their commands DAIG inspection reports posted to the IGMET Web page if local commanders and proponents have a valid interest. The IGs will limit distribution of these reports using the FOUO classification.

c. Other examples of FOUO releases to DA entities that the DAIG Legal Advisor may approve include—

(1) IG records requested by a board in relation to an appeal of an adverse administrative action, evaluation report, or petition for correction of records where no due-process right of access exists.

(2) Release of IG records or information to DA investigators. DA Investigators include investigating officers, officers conducting financial liability investigations of property loss, CID investigators, and MP investigators performing law enforcement or other investigations under Army regulations and outside IG channels beyond the limitations outlined in subparagraph *a* above. If the investigator intends to incorporate or refer to the IG record in the investigation results, or the record requested contains a substantiated allegation, TIG or DTIG approval is required for release.

(3) Requests for IG records by Government representatives in support of a judicial proceeding. The request must be in writing and sent to the Records Release Office (SAIG–ZXR). The request must reasonably describe the records sought. Release of IG records to the Government representative is for review only. The representative will not reproduce or disseminate the records without written consent of TIG or DTIG. If the IG records become the subject of discovery, procedures set forth in paragraph 3–7a(1) will apply. The Records Release Office may release responsive records in the IG file, to include those originating from other offices, upon request from the Government representative in litigation where the United States is the defendant.

(4) Requests for records from the General Officer Management Office acting as the agent of the CSA and VCSA in general officer assignment, promotion, and other personnel matters.

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

a. *General.* Release and use of IG records outside DA can be for official or unofficial purposes.

(1) *Requests for nonofficial use.*

(a) *FOIA and PA requests for release of IG records.* 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 in 5 USC 552, the Privacy Act of 1974, a code of fair information practices that regulates the collection, maintenance, use, and dissemination of personal information by Federal Government agencies. TIG is the initial denial authority, and the legal advisor and the deputy legal advisor are the designated representatives for records requested under the FOIA. TIG may delegate release authority to other personnel in the Records Release Office on a by-name basis based upon a review of their qualifications and duty assignment. TIG is the access and amendment refusal authority for records requested under the PA for IG records. Procedures for requesting records and processing requests are as follows:

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

2. Requests for IG records under the FOIA must comply with AR 25–55.

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

4. The IG will promptly notify the requester in writing that the IG has received the request and referred it to TIG for direct reply to the requester.

5. Forward the original request within 10 working days to the U.S. Army Inspector General Agency (ATTN: SAIG–ZXR), 2511 Jefferson Davis Highway, Suite 12600, Arlington, VA 22202–3912, with the responsive records using one of the following formats:

a. If the responsive record is 30 pages or less, fax one copy to SAIG–ZXR or scan the file and send it by e-mail. Contact the DAIG Records Release Office (SAIG–ZXR) for the correct e-mail address.

b. If the responsive record exceeds 30 pages, send one copy of the record preferably by mail, commercial courier, or a similar method that will ensure 3-day delivery.

c. All records forwarded must be legible, single-sided, and straight.

d. In its forwarding memorandum, the IG office of origin will state the date that the office received the request. The memorandum will include any specific local concerns or recommendations about the request and a list of witnesses who did not consent to release of their testimony. The memorandum will also identify by name the source (that is, complainant, subject, or witness) of each non-IG work-product forwarded by the IG office. The IG office of origin will promptly notify the requester in writing that the IG has received the request and that the IG has referred it to the DAIG Records Release Office at the U.S. Army Inspector General Agency (ATTN: SAIG–ZXR), 2511 Jefferson Davis Highway, Suite 12600, Arlington, VA 22202–3912. Telephone coordination with SAIG–ZXR is encouraged, especially before copying and forwarding voluminous exhibits to a requested record.

6. IGs will grant expedited processing of the FOIA request to a requester when a compelling need for the information exists. Compelling need is described as—

- a. Failure to obtain the records on an expedited basis could reasonably pose an imminent threat to the life or physical safety of an individual.
- b. Representatives of the news media who are primarily engaged in disseminating information to inform the public concerning actual or alleged Federal Government activity urgently need the information. Urgently needed information means that the value of such information will be lost if not disseminated quickly (for example, a breaking news story of general public interest).
- c. Imminent loss of substantial due-process rights.
- d. Humanitarian needs to promote the welfare and interests of mankind.
- (b) *Requests for IG records by an MC.* IGs will treat requests for copies of IG records by an MC, on his or her own behalf or on the behalf of a constituent, as a request for records under the FOIA or the PA, as appropriate (see para 3-7a(1)).
- (c) *Release of IG witness statements.* Individuals who have provided statements must submit an FOIA request to the IG office of record to obtain a copy of their own testimony. Upon receipt of the written FOIA request, the IG office of record must forward the request for action in the format prescribed in paragraph 3-7a(1).
- (d) *Miscellaneous requests.* As a limited exception to 3-7a(1), IGs may release information extracted from IG records to respond to requests for assistance, advice, or information; answer complaints; and prepare closure letters. IGs may use personal information in such responses only when the individual to whom the information pertains has given written consent to its use (see AR 340-21, para 3-3, for examples of personal information that IGs may release under FOIA). IGs will consult the DAIG 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.
- (2) *Requests from outside DA for IG records for official use.* After telephonic coordination for action, forward these requests and the responsive records in the format outlined in paragraph 3-7a(1)(a) to the DAIG Records Release Office at the U.S. Army Inspector General Agency (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Suite 12600, Arlington, VA 22202-3912.
- (a) *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 of either).* Information may be released by the Records Release Office (SAIG-ZXR) in accordance with AR 340-21 and AR 1-20 under FOIA, 5 USC 552, DODD 5400.7-R, and AR 25-55. Before release, the Chief of Legislative Liaison (1600 Army Pentagon, Washington, DC 20310-1600), or the White House Liaison Office (ATTN: DAEC-CA (OSA-WHLO)), 100 Army Pentagon, Washington, DC 20310-0100, as appropriate, will be informed of the action contemplated. Replies will be fully responsive but limited to the immediate scope of the inquiry. No congressional request may be fully denied without prior approval of the SA. If the directing authority believes that the requested information will not be released, the request, with all relevant information and the directing authority's recommendations, will be forwarded to the U.S. Army Inspector General Agency (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Suite 12600, Arlington, VA 22202-3912. Requests for copies of IG records by an MC on his or her own behalf or on the behalf of a constituent will be treated as a request for records under the FOIA or the PA as appropriate (see para 3-7a(1)(b)).
- (b) *Use of IG records for review by investigative personnel outside of DA.* Investigative personnel from the office of the DODIG; Office of Personnel Management; GAO; OSC; or the Merit Systems Protection Board may review IG records in the IG office having possession of records relevant to an ongoing agency investigation or audit. Requests from these agencies for copies of IG records must be submitted in writing and state the reason a copy is required. Forward such requests in the format prescribed in subparagraph 3-7a(1) (a) to the DAIG Records Release Office, HQDA (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Arlington, VA 22202-3912. If the investigator intends to include or refer to the IG record in the investigative report, or the requested record contains a substantiated allegation, TIG or DTIG approval is required. Under DODD 5106.1, the DODIG cannot be denied access to information.
- (c) *Release of Information with DOD Hotline referral cases.* When DAIG receives case referrals from the DOD Hotline Program, DAIG must ensure "necessary controls are in place to provide maximum protection for the identity of the hotline users" (DOD Instruction (DODI) 7050.7, para 6.2.4). Paragraph 3-7a(1)(d) of this regulation governs the release of information from these referrals in order to respond to the complainant's concern.
- (d) *Subpoenas and similar court orders.* 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. DOD policy is that official information will generally be made reasonably available for use in Federal and State courts and by other governmental bodies. The only exception concerns information that is classified, privileged, or otherwise protected from public disclosure. IG records are, however, the property of the SA. Thus, IG personnel may not disclose any official information from IG files or any information acquired during the performance of IG duties without prior written approval from TIG.
2. When an IG receives a subpoena, court order, or request for attendance at a judicial or quasijudicial 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 immediately notify the local SJA and the DAIG Legal Advisor within 48 hours. A subpoena must never be ignored.

3. IGs will inform the individual seeking the information that—

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

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

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

5. If a court of competent jurisdiction or other appropriate authority declines to stay the effect of the order or subpoena, the IG will notify the local SJA and the DAIG 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 U.S. ex. rel. Touhy v. Ragen, 340 US 462 (1951)). IGs may ordinarily expect judges to respect the military officer's dilemma of whether to comply with the orders of a superior military authority of the executive branch not to release until authorized or with subpoenas and other court orders of the judicial branch.

b. *Requests for IG records for discovery in a judicial proceeding.* Requests for IG records by an accused and defense counsel through Government counsel, or by government counsel, intended for disclosure as part of a judicial proceeding, are discovery requests. Discovery is the disclosure of relevant information between opposing counsel before and during litigation. The following procedures apply:

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

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

(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 the Records Release Office (SAIG-ZXR) for release of relevant portions of IG records to the Government counsel and defense counsel.

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

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

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

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

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

(9) The accused or defense counsels may submit a FOIA request for records beyond those provided under the discovery process. IG records will not be made available to individuals or their counsel for use in administrative actions, military justice actions, or appeals unless TIG determines that the individual has a right of access under minimum due process because the IG records are the basis for the action taken against the individual.

(10) IGs will process under FOIA other requests for IG records by counsel, the accused, appellants, and respondents for the purpose of appealing an administrative action (see para 3-7a(1)(a)).

c. *Requests by labor organizations.* The right of access—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. IGs will send requests for IG records by labor organizations through the servicing legal office to obtain an opinion whether the requested documents are releasable under 5 USC 7114. IGs 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 the DAIG Records Release Office in the format prescribed in subparagraph 3-7a(1)(a). Advance telephonic coordination with the Records Release Office will prove helpful. This statutory right to agency information is in addition to access rights under the FOIA. IG 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.

d. *Use of IG records to respond to requests from the media.* IGs are not authorized to discuss specific inspections,

assistance cases, inquiries, or investigations with media representatives. IGs will refer media inquiries to the local public affairs officer (PAO). IGs will neither confirm nor deny that a specific subject or topic is or has been under investigation or inquiry. There is no prohibition against an IG discussing the general functioning of the IG System or the general and functional aspects of the positions after coordination with the local PAO. IGs will not answer questions concerning hypothetical situations that might occur in performing their duties. Requests for IG records from media representatives will be processed under FOIA (see para 3-7a(1)(a)).

3-8. Amendment of inspector general records

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

(1) The authority that directed the record be made (for example, the directing authority of an ROI) when the request concerns a factual portion of the IG record (see 3-8*b*).

(2) TIG or DTIG when the request concerns matters of IG opinion, judgment, or conclusions in the record for cases in which DAIG is the office of record. (See *c* below.)

(3) The command's IG when the request concerns matters of IG opinion, judgment, or conclusions in the record of a case for which that office is the office of record.

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

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

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

(3) Amendment requests for which the directing authority recommends denial must be supported by memoranda and forwarded to the U.S. Army Inspector General Agency (ATTN: SAIG-ZXR), 2511 Jefferson Davis Highway, Suite 12600, Arlington, VA 22202-3912.

(4) As the access and amendment refusal authority designated in AR 340-21, TIG is the first official who may deny requests to amend IG records.

c. All requests for amendment of IG records concerning matters of opinion, judgment, or conclusion will be forwarded to the Records Release Office for referral to the appropriate division within DAIG for review prior to action by TIG or DTIG. Included will be one copy of the record to 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 will be granted or refused. Requests for amendments concerning opinion, judgment, or conclusion will only be granted upon a showing of fraud, mistake of law, mathematical miscalculation, or newly discovered evidence.

3-9. Records maintenance period

IGs maintain IG records in accordance with AR 25-400-2 and additional guidance furnished by the DAIG Information Resource Management Division (IRMD).

Chapter 4

The Inspector General Action Process

Army leaders commonly use established problem-solving techniques when faced with issues presented by soldiers, family members, or civilians. IGs are also in the business of problem solving and have developed a seven-step problem-solving process to resolve issues and allegations. This chapter prescribes the IGAP that IGs will use to resolve IGARs. IGs will implement the policies and procedures in this chapter in conjunction with doctrinal guidance set forth by TIGS.

4-1. Receiving and resolving requests from complainants

IGs will use the IGAP outlined below in receiving and resolving IGARs. The IGAP provides a systematic factfinding approach to problem solving. Specific actions or components of the IGAP are integral to the whole process and are not intended as individual steps accomplished independently during the process. The process does not require a dogmatic, sequential application of each step for every case, but using this process allows the IG to accomplish all critical tasks in resolving complaints.

4-2. Step 1: Receive an inspector general action request

a. *DA Form 1559.* The IG or complainant will complete DA Form 1559 (Inspector General Action Request) for all requests for assistance presented to an IG.

b. *Complainants.* Anyone may submit a complaint, allegation, or request for information or assistance to any Army

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

c. Command policy. The IG will encourage the soldier or civilian employee to discuss first any complaints, allegations, or requests for assistance with the commander, chain of command, or supervisor as provided in AR 600–20. If a complainant does not wish to do so, the IG will accept the IGAR unless specific redress procedures are available (see para 4–4j). The IG 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. IGs will direct civilian employees to the appropriate avenue of redress, and IGs will limit their involvement to a due-process review (see para 4–4k). An IG receiving an allegation, however, will open an IGARS case file even if the IG action is to refer immediately that case to the appropriate commander, another agency, or another IG. The IG will monitor the command's actions and document that action in the IGARS database. For allegations of impropriety, the resulting product from the referral (such as an AR 15–6 investigation or commander's inquiry report) will serve as the primary piece of evidence considered by the IG in order to close the case in IGARS and to notify the subject or suspect as required. ROIs that use a command product as the central piece of evidence to resolve the allegation in the IG system are usually no more than a one- to two-page document outlining the essential information relevant to the case. The information contained in this abbreviated ROI will provide the basis for closing the case in IGARS.

d. Time limit. Complainants must present their issues to an IG in a timely manner in order for the IG to resolve them effectively. An IG is not required to look into a complaint if the complainant has failed to present the matter to an IG within 1 year of learning of an alleged problem or wrongdoing or if more than 3 years have elapsed since the date of the problem or wrongdoing. ACOM/ASCC/DRU IGs and DAIG may accept and refer complaints submitted between 3 and 5 years after the alleged wrongdoing where extraordinary circumstances justify the complainant's delay in reporting the allegation or issue—or in cases of special Army interest. ACOM/ASCC/DRU IGs may also approve for action complaints received by subordinate IG offices that occurred between 3 and 5 years after the alleged wrongdoing and where extraordinary circumstances exist. ACOM/ASCC/DRU IGs—and DAIG—will serve as the office of record when referring such cases to a lower level IG. TIG is the final authority for complaints beyond 5 years. This time limit does not invest IGs with the authority to decline a referral from an IG, DOD or an MC; in addition, the time limit does not apply to the requirement to report allegations against senior officials in accordance with paragraphs 1–4b(5)(d) and 1–4c(4).

e. Walk-in complaints.

(1) IGs will interview the complainant or initiator; the key to successful interviewing is to establish rapport and listen actively. Additional information on useful interviewing techniques is available from TIGS.

(2) IGs will screen walk-in complainants in a semiprivate area and move them to a private room for an interview. The IG will not dismiss complaints that may appear insignificant because factfinding has not yet begun.

(3) IGs will ask the complainant five basic questions:

(a) What do you want the IG to do for you? This question is the single most important one that an IG will ask when receiving complaints. It helps to focus the complainant and ensures that the matters of concern are of Army interest and appropriate for the IG.

(b) Do you have any supporting documentation?

(c) Have you requested assistance from any other source or agency?

(d) Have you given your chain of command an opportunity to address the problem?

(e) What is your status (active duty, USAR, DA civilian, retiree, and so on)?

(4) A complainant may submit an IGAR in any form (for example, by letter or telephone). However, use of a DA Form 1559 is the preferred method because it facilitates standardization and implementation of IGARS. The DA Form 1559 provides the complainant with PA information as well as the form's purpose. IGs may record case information in word-processing programs and transfer the information to the case file or directly into the electronic database and reports. The IG must inform the complainant of the PA and the purpose for the IGAR information. The individual must read the PA Statement at the top of the form to show that IGs have the authority to request personal information and that the release of the complainant's social security number, home address, and home telephone number is voluntary. Also, the complainant will read the statement concerning presenting false charges to an IG at the bottom of the page. (IGs will not place undue emphasis on the false-charge statement.)

(5) IGs must determine if the individual submitting the IGAR sought assistance elsewhere to resolve the issue. The IG will ask, "Have you given your chain of command an opportunity to address the problem?" If the chain of command has initiated some action, determine whether sufficient time elapsed to resolve the matter. With that information in hand, determine if IG action is appropriate or advise the individual of future actions that he or she may need to take.

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

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

(8) During the interview, the IG will avoid making promises or commitments. Instead, the IG will inform the complainant that the IG will look into the matter and, when appropriate, respond to the complainant. IGs will record their impressions of the complainant's understanding, attitude, apparent sincerity, credibility, and veracity in the case notes. This information will assist other IGs who may become involved with working the case. Because such notes are part of the file, they are not personal notes and may be releasable under the FOIA. E-mail correspondence, whether sent over IINET or not, are IG records that may also be releasable under the FOIA.

(9) IGs will assign each case a unique combination originator code or case number in accordance with local office procedures and the current version of the IGARS database. Contact the DAIG Information Resources Management Division (SAIG–IR) for further guidance. This number, which is recorded on DA Form 1559, is the control mechanism for each IGAR. The IG will include in the case file all materials gathered to resolve the IGAR.

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

Note. Receipt of a telephonic allegation does not constitute acceptance. The allegation must be analyzed in accordance with the IGAP.

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

(1) *White House correspondence.* The Army White House Liaison Office refers requests from the President, Vice President, or their spouses to DAIG or to an Army Staff element (see para 8 –10a).

(2) *Congressional correspondence.* Referrals from MCs include requests from constituents who may be soldiers, family members, or private citizens. The Army Office of the Chief of Legislative Liaison (OCLL) receives cases from MCs and refers them to either the Army Staff, the chain of command (AG) congressional channels), or to DAIG (see para 8–10a).

(3) *The Secretary of Defense, SA, and CSA.* TIG may receive referrals from the Secretary of Defense, SA, CSA, and the Executive Communications and Control Office of the Director of Army Staff. Consequently, Army Staff agencies and ACOMs/ASCCs/DRUs are often asked for input and responses to these referrals.

(4) *DOD Hotline.* The Hotline coordinator in the DAIG Assistance Division receives these cases from the DODIG Hotline office. DAIG refers these cases for inquiry or investigation to ACOM/ASCC/DRU IGs, to Army Staff principals for command inquiry or investigation under AR 15–6, and to USACIDC for investigations of criminal matters. These agencies or commands must reply to the referrals using the Hotline completion format specified in DODI 7050.7.

(5) *Normal correspondence.* Letters written to the IG presenting an allegation, concern, or request for assistance are known as normal correspondence. Enter "see attached" in the "specific action requested" block of the DA Form 1559 rather than transferring the contents of the correspondence onto the form.

(6) *Audio or video tapes.* A complainant may submit an IGAR using audio or video tape. If the complainant uses either or both of these methods, treat the tape as normal correspondence. The tape will be transcribed to written form if necessary to work the case.

(7) *Electronic mail.* Complainants may submit an IGAR electronically. Although e-mail is in written form, IGs will treat IGARs sent by e-mail as a call-in complaint and ask the complainant to confirm the IGAR in writing whenever appropriate. Confirmation is important because the complainant may not be the originator of the e-mail. When receiving an e-mail request for assistance, the IG will acknowledge receipt by sending a generic e-mail message only if the complainant did not provide a mailing address or telephone number. When acknowledging receipt by e-mail, the IG must use a generic subject line to ensure the complainant's confidentiality. The IG will never respond to the actual message but instead develop and send a new message to avoid sending confidential IG information back through an open e-mail server.

Note. Receipt of an e-mail allegation does not constitute acceptance. IGs must analyze the allegation in accordance with the IGAP.

h. Other considerations.

(1) *Anonymous complaints.* IGs will not ignore anonymous IGARs. IGs 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 avoid identifying the complainant or creating the appearance of unduly trying to identify the complainant. The determination of the facts and circumstances related to the IGAR is the IG's primary concern. If the IG does not have enough information to work the case, the IG will close the case and note that fact in the synopsis. Because the complaint is anonymous, the IG does not need to reply to the complainant even if the IG later learns the complainant's identity.

(2) *Habitual complainants.* Some complainants will repeatedly bring complaints to an IG. If a case has been closed, IGs will review any relevant material and determine if they will reopen the case. IGs will not automatically reject habitual complaints without impartially analyzing the correspondence for new matters.

(3) *Third-party letters.* Third-party letters (for example, those sent by a parent or family member on behalf of a soldier) may be initiated on behalf of or without the knowledge of the complainant. 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. IGs 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 personal information pertaining to the complainant. IGs will obtain a DA Form 7433 authorization from the complainant prior to releasing personal information pertaining to the complainant, except when the information is being released pursuant to a PA exception. If the complainant is a soldier or civilian Government employee and a participant in alcohol or drug rehabilitation programs, refer to AR 600-85 for an example of the consent statements for release of information. IGs will ensure that the complainant's confidentiality and due-process rights are protected. In general, IG responses to third parties are direct in nature and simply acknowledge receipt of the complaint or allegation. The IG must obtain a signed DA Form 7433 from the individual named in the complaint to release information to a third party except when the information is being released pursuant to a PA exception.

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

(5) *Abusers of the IG 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, and 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 IG must obtain the directing authority's approval and inform the DAIG 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.

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, and 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—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 Department of Defense Inspector General (DODIG) Hotline. Their telephone numbers are DAIG Assistance Line: 1-800-752-9747 (toll free) and DODOG 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.

FOR THE COMMANDER:

//signature//
JOHN S. JONES
CPT, IN
Adjutant

Figure 4–1. Sample permanent notice memorandum of rights of soldiers to present complaints

DO NOT COVER

(Use letterhead of the detailed 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.
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 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; nonappropriated fund employees will address such complaints to the Office of the Department of Defense Inspector General.
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, and 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 Department of Defense Inspector (DODIG) General Hotline. Their telephone numbers are DAIG Assistance Line: 1-800-752-9747 (toll free) and DODIG 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 4-4, AR 385-10.
7. In accordance with AR 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.

FOR THE COMMANDER:

//signature//
JOHN S. JONES
CPT, IN
Adjutant

Figure 4-2. Sample permanent notice memorandum of rights of civilians to present complaints

4-3. Step 2: Conduct an inspector general preliminary analysis

a. Inspector general preliminary analysis (IGPA) is a thought process used by IGs to determine how best to proceed (contact TIGS for doctrine concerning assistance and investigations procedures). IGPA may take a few moments, hours, or days. IGPA encompasses several of the inherent steps of the IGAP. This process helps clarify matters of concern, identify issues, formulate allegations, and initiate a plan of action. IGPA helps determine who will resolve the problem and how to solve it. IGPA is the beginning of the resolution process and may result in several courses of action for the IG. If the results of IGPA indicate that the IGAR received is appropriate for IG action, then the IG will accept the IGAR and open a case. IG action includes, but is not limited to, investigative action, an inspection, assistance, and/or a referral. IGs might also determine that they will refer the case to another IG or agency or recommend a follow-on investigation.

b. IGs may refer complaints and requests for assistance for appropriate action to—

- (1) The responsible Army leader, commander, or management official within the IG's command.
- (2) Other Army IGs using IG technical channels.
- (3) DODIG.
- (4) IGs in other services.

(5) DOD, Army, and nonmilitary agencies with purview over the matter of concern contained in the IGAR. The IG office that receives the IGAR is normally the office of record unless that office *requests* that another IG office (higher, lower, or outside the command) accept the IGAR as the office of record. Only DAIG can direct other IG offices to become the office of record (see para 4 -7d). In cases where another IG office refers an IGAR to a lower echelon IG office for action but retains office-of-record status, the IG office acting on the IGAR becomes the office of inquiry. The office of inquiry must gather all pertinent facts and submit the completed case to the office of record for final disposition. In all cases, the office of record is responsible for making final determinations, closing the case, and making all final notifications.

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

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

a. *Type of IGAR.* IGs will analyze the information presented by the complainant and determine whether that information is a systemic issue, an allegation of impropriety against an individual or an agency/unit within the command, a request for help (assistance), or a combination of two or more of these elements. For example, a soldier who complains about not receiving pay is a request for help (an issue), but it could also be a systemic problem if trends indicate that the same problem may be pervasive throughout the organization. Allegations identify a *who* as the violator of some standard; all other complaints fall into the category of an issue. For example, LTC Doe is identified as violating a particular standard. A complaint against an entire office or agency, however, remains an issue—even though the office or agency as a whole is alleged to have violated a standard. The IG must have the name of a person for the complaint to be an allegation. IGs will determine the assistance requested and what issues or allegations the complainant presented. All requests for help and matters of concern must be identified, even if the complainant did not specifically mention them. The IG must contact the complainant to clarify the issues, allegations, or concerns. The IG may later refer the complainant to the chain of command or an appropriate staff agency for action. For example, the IG will encourage a soldier with a pay complaint who has not notified his or her chain of command or servicing Personnel Administration Center to do so. IGs will follow up referrals to ensure the complainant receives the appropriate assistance.

b. *Analyzing allegations.* IGs will analyze each complaint or allegation of impropriety to determine the potential for embarrassment or adverse impact on their command (such as readiness, discipline, morale, efficiency, and so forth).

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

(2) IGs will send all referrals to the DAIG Assistance Division (SAIG-AC) except those concerning general officers, brigadier general selectees, and SES personnel (see chap 8).

c. *Elements of an allegation.* IGs must analyze IGARs for any and all allegations of impropriety. IGs determine the issues and allegations, not the complainants. If the IG can format the information from the complainant into the

following four elements of an allegation, then the IG will use the investigative process detailed in chapter 8 to resolve the IGAR.

(1) *Who?* The complaint involves an individual rather than an organization or group of people.

(2) *Improperly?* The subject or suspect is alleged to have committed an improper action. Some standards include language that indicates the inherent wrongfulness of the action. For example, “dereliction of duty” already describes wrongful behavior without the addition of the word “improperly”. In these cases, IGs will not include the word “improperly” in the allegation. IGs will seek the assistance of their local JA or the DAIG Legal Advisor in formulating allegations if questions arise.

(3) *Did or did not do what?* The behavior described as improper.

(4) *In violation of what standard?* The policy, regulation, or law allegedly violated.

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

(1) Nonpunitive violations of regulatory guidance.

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

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

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

f. IG appropriateness.

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

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

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

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

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

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

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

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

j. Redress available to soldiers through other channels.

(1) 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, IG action is limited to a review of the redress process to determine if the soldier was afforded the due process provided by law or regulation.

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

(a) Courts-martial actions.

(b) Nonjudicial punishment.

(c) Officer evaluation reports.

(d) NCO evaluation reports.

(e) Enlisted reductions.

(f) Type of discharge received.

(g) Pending or requested discharge.

(h) Complaints that a commanding officer has wronged a soldier.

- (i) Financial liability investigations of property loss.
- (j) Relief for cause.
- (k) Adverse information filed in personnel records (except for allegations of reprisal).
- (l) Claims.

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

(1) Federal law and regulations, DOD guidance, Army regulations, and local collective bargaining agreements include procedures for processing grievances and appeals. Procedures are also provided for processing equal employment opportunity (EEO) complaints made by employees pertaining to the terms and conditions of their employment. The procedures prescribed by the applicable laws, guidance, regulations, and agreements, rather than IGAR procedures, will be used in processing these complaints. These complaints generally fall into the following five broad categories:

- (a) Grievances under DOD 1400.25–M, subchapter 771, under a negotiated collective bargaining agreement.
- (b) Appeals of adverse actions within the purview of 5 USC 7701–7703.
- (c) EEO complaints, including those regarding reprisals for protected EEO activity within the purview of 29 CFR 1614 and AR 690–600.
- (d) Complaints of retaliation or reprisal within the purview of 5 USC 2301, 5 USC 2302, and 10 USC 1587.
- (e) Other statutory or regulatory complaint or appeal processes that may provide redress.

(2) A fifth category of civilian complaints the IG may act upon involve matters that do not directly affect the employment situation or well-being of the particular individual. Examples include complaints or allegations against third parties and reports of alleged misconduct, mismanagement, or other matters requiring command attention.

(3) When a civilian employee makes a complaint, report, or allegation to an IG, the IG must analyze the matter to determine the category into which it falls. Although IGs do not normally handle the complaints listed in 4–4k(1)(a) through (e), they will provide assistance in referring the civilian employee to the appropriate avenue of redress. In making this determination, the IG will seek assistance from the supporting staff judge advocate or command counsel, the civilian personnel advisory center, or the EEO officer as appropriate. IGs may also consult appropriate ARs and public laws.

(a) If the action request is a grievance under DOD 1400.25–M or an appeal of an adverse administrative action (5 USC 7701–7703), the IG will refer the employee to the local Civilian Personnel Advisory Center (CPAC) for information and assistance. The IG will advise the employee to use the procedures provided by governing law, regulations, and agreements to seek review of the grievance or appeal. Further IG involvement in these cases will be limited to the due-process aspect and then only to the extent necessary to ensure the employee is allowed to present a grievance, receive an answer, and/or use the appeal process where applicable.

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

(c) If an appropriated fund employee alleges retaliation or reprisal for the lawful disclosure of information that the employee reasonably believes provides evidence of a violation of any law, rule, or regulation; gross mismanagement; a gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety, then the employee may present the allegation to the U.S. Office of the Special Counsel, 1730 M Street, NW, Suite 218, Washington, DC 20036–4505. IGs may accept allegations of reprisal from nonappropriated fund (NAF) employees for forwarding to the DODIG.

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

(4) The commander may determine that a complaint falling within the categories listed above, whether formally presented or only vaguely and informally articulated, contains allegations or other information that require inquiry or investigation. In these cases, the commander may direct an IG investigation or IG inquiry into those allegations while simultaneously processing the employee’s complaint or grievance through appropriate channels. The IG investigation or IG inquiry must clearly be a separate action in which the IG is working for the commander and not the employee. The two actions must not be intermingled; neither action may interfere with nor delay completion of the other. Close coordination with the local CPAC and command legal office is essential.

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

- (1) The complaint was addressed.
- (2) The complainant was afforded due process.

- (3) IG credibility.
- (4) IG workload is documented.
- (5) Trends that suggest or signal the presence of systemic issues are identified and addressed.

4–5. Opening the case

Once the IG has analyzed the IGAR for all issues and allegations and determined IG appropriateness for each item, he or she will open the case in the IGARS database. The IG must enter each issue and/or allegation separately, assigning the appropriate function code that best describes the issue/allegation. IGs will still open a case in the IGARS database even when providing information to someone or answering a brief question. The one-minute IGAR function in the IGARS database was created to provide a shorthand method to record these IG actions. The one-minute IGAR allows the use of only two possible function codes: 1A (routine requests for information) and 1B (request for support IG to IG). If the IG must enter a function code other than 1A or 1B, then the IG will open a normal IGAR rather than the one-minute IGAR.

4–6. Acknowledge receipt and select a course of action

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

(1) IGs receiving a verbal IGAR may acknowledge it at that time and follow up with a written response to formalize the acknowledgment. The IG must make a record of the acknowledgment in the case file.

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

(3) An individual may ask an IG for assistance and at the same time seek help from a Member of Congress. Once a MC intervenes, the complainant will not receive a response from the IG. Rather, the MC will receive the IG response from DAIG. Therefore, IGs must inform the complainant that the response will come from the MC and not directly from the IG. The IG will respond to the complainant in writing and maintain a copy in the case files.

(4) IGs will inform the complainant that the final response will contain only the information that directly and personally affects the complainant. When the initiator is not the complainant (normally a third party), the IG will explain to the initiator that the response is subject to the release of information by the complainant except when the information is being released pursuant to a PA exception.

(5) IGs will provide an interim response to complainants when the final response will be significantly delayed or when the requester submits additions to the IGAR that require additional time to process.

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

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

(8) Command IGs and State IGs may receive allegations or complaints against subordinate commands (for example, a corps or ACOM receiving allegations or complaints about division-level activities). When complaints of this nature arise, and referring the complaints or allegations of impropriety to an IG at a lower level for resolution is appropriate, the IG will inform the complainant. If the complainant expresses concern about this procedure, the IG will explain the established procedure for handling complaints. IGs will also explain that the purpose of the referral action is to allow the appropriate command the opportunity to identify and correct deficiencies within the command, thereby reinforcing the local chain of command's ability to correct problems once they are identified. If the complainant still objects, the IG will notify the complainant that the case will be resolved at an appropriate level in accordance with the IG process.

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

(1) If a systemic problem exists and warrants an IG inspection. If so, the IG will follow the guidelines outlined in chapter 6 for inspections. If an inspection is not appropriate, the IG may use the procedures outlined in chapter 7 for assistance or chapter 8 for investigations.

(2) Whether the complaint contains allegations of wrongdoing by an individual, an adverse condition, or issue. If so, the IG will use the process outlined in chapter 8. Allegations against general officers or members of the Senior Executive service require referral to the DAIG Investigations Division (see para 8–3*i*). Allegations against an IG require referral to the next higher echelon IG (see para 8–3*h*).

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

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

4–7. Step 3: Initiate referrals and make notifications

a. Referral to the chain of command. The chain of command (or supervisory chain) has the responsibility and the authority to address complaints. IGs will decide matters that are appropriate for the chain of command and then monitor the case after making the referral to ensure that the chain of command takes proper action. IGs will refer to the chain of command allegations deemed appropriate for command action while protecting the confidentiality of the source to the maximum extent possible. IGs must seek to obtain the complainant’s consent before referring any allegation to the chain of command or other non-IG entity for resolution. Although a complainant’s refusal to grant this permission does not preclude a referral, the IG will consider this refusal when deciding to refer the issue. The IG will obtain the complainant’s permission to release the complainant’s identity, if necessary, and any other PA data as part of the referral. The IG must obtain this consent, or lack thereof, in writing and annotate that fact in the case notes.

b. IGARs submitted by members of other services. Military personnel and family members of other services may present complaints to any Army IG. If the IGAR concerns Army-related issues, IGs will process the IGAR as appropriate. If the IGAR contains issues that are appropriate for another service, IGs will refer the issues to that service IG through the DAIG Assistance Division (SAIG–AC) and then assist that service IG as necessary.

c. Allegations against a senior NCO or an Army officer. IGs will report to TIG (ATTN: SAIG–AC) within 2 working days after receipt by confidential means any allegation presented to an Army IG against an MSG, 1SGT, SGM, CSM, or any Army officer in the grade of major through colonel that resulted in the initiation of an IG investigation or investigative inquiry or a command-directed action such as an AR 15–6 investigation, commander’s inquiry, USACIDC referral, or any other type of command-directed investigative procedure. 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 DAIG Assistance Division is the proponent for postselection-board review of IG records for other than general officers and members of the senior executive service. The intent of these requirements is to ensure the selection of the best leaders and commanders, to consider information not available to the original board, and to protect the rights of individuals.

d. Referred issues. IGs refer through the appropriate channels issues deemed suitable for other activities and agencies. When initiating referrals, IGs must protect confidentiality and comply with IG records-release policies.

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

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

(3) Referrals of allegations that are primarily criminal in nature as outlined in AR 190–30, appendix B, and AR 195–2, appendix B, will be made in accordance with paragraph 8–11*a*.

(4) Referrals to other IG offices may be based upon jurisdiction or other reasons. When possible, IGs will refer issues to other IG offices via the IGARS database. If the IGARS database is not available, the IG will use IINET email, the U.S. Postal service, or some other means of confidential transmittal. The receiving IG office must agree to accept the referred case. Only DAIG may directly task another IG office 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 offices occurs with regard to a referral, the DAIG Assistance Division (SAIG–AC) will adjudicate. An IG office may refer matters of concern to another IG office in one of two ways: as an office of record or as an office of inquiry. If the referring office passes on office-of-record status, then the receiving office owns the case and will make all appropriate entries into IGARS, conduct all subsequent notifications as required, and then close the case in IGARS. If the referring office retains office-of-record status, then the receiving IG office becomes the office of inquiry and must forward all factfinding results to the Office of Record for case closure.

e. Notification. Notifications will occur as outlined below.

(1) If IGs perform an investigative inquiry or an investigation, they will verbally notify the appropriate commanders or supervisors prior to engaging in any fact finding activities (Step 4 of the IGAP) and inform the subjects or suspects of the nature of the allegations prior to conducting subject/suspect interviews or requesting statements.

(2) If the IG refers the allegation to the command and the command elects to take appropriate action, the IG will notify the subject/suspect that the IG has received “derogatory information” about him or her, has referred the information to the command for appropriate action, and will provide final notification upon completion of all IG actions.

(3) The IG will record all notifications in IGARS and in the ROI/ROI.

4–8. Step 4: Conduct inspector general factfinding

Factfinding is the essence of what IGs do in fulfilling their role as an extension of the commander. Factfinding involves the process of obtaining factual information while conducting the IG functions of inspections, assistance, and investigations to resolve the issues and allegations determined from an IGAR despite whether the IGAR is from a complainant or was a request from a commander. After the IG selects the appropriate course of action, one or more of the following informal or formal factfinding processes ensues. The IG may—

- a. Conduct an IG inspection. For guidance on conducting an IG inspection, see chapter 6.
- b. Render IG assistance and conduct an IG assistance inquiry. For guidance on providing IG assistance, see chapter 7.
- c. Conduct an IG investigation or investigative inquiry. For guidance on conducting an IG investigation or investigative inquiry, see chapter 8.

4–9. Step 5: Make notifications of results

- a. At the completion of the inquiry or investigation, and following a legal review of the completed report, the IG must notify the subject/suspect of the results in writing.
- b. The IG will notify once again any intermediate commanders or individuals who were initially notified of the inquiry/investigation. If notifying any of the persons who were initially notified is inappropriate, the IG will notify a higher level commander of the results. IGs will notify appropriate commanders of substantiated conclusions contained in their reports even if the commander was not initially notified of the investigative inquiry. The IG will record the results of all allegations in the IGARS database along with the IG's recommendations and the command's response to the recommendations if applicable. In all cases, the official IGARS office of record will conduct the final subject/suspect notification and record that fact in IGARS.
- c. If the IG provided assistance, the IG will provide to the complainant only information directly pertaining to him or her regarding actions taken.
- d. The IG will also notify witnesses who provided sworn, recorded testimony.

4–10. Step 6: Conduct followup

- a. Followup ensures that all issues have been thoroughly addressed and that IG responsibilities have been fulfilled, to include followup on any needed corrective actions. Corrective actions may not satisfy some complainants. The IG's primary concern is with ensuring that IG actions, command decisions, or proponent actions were completed. Followup will include a review of issues previously addressed to determine if further appeal procedures are available or if the IG will examine due process. IGs may personally conduct the followup or address the issue during a future inspection.
- b. If a problem is not resolved, the IG must determine the reason for it. Some problems cannot be resolved until a standard (that is, a law, regulation, or policy) is changed. The IG's case is not closed until all appropriate actions are completed.

4–11. Step 7: Close the inspector general action request

Closing an IGAR consists of providing the complainant with a final reply, closing the file in the IGARS database, making the appropriate reports, and analyzing any developing trends. All IGARs will result in a final response to the complainant except for anonymous complaints. The final response to the complainant will be in writing (handwritten is acceptable). The IG will annotate the responses in the case file and the electronic IGARS database file. The complainants do not have a right to know the results of allegations that do not directly pertain to them. IGs may advise the complainant to request such information using FOIA procedures although IGs have no requirement to do so.

- a. DA Form 1559 serves four primary purposes—it is the base-control document for the case file, it documents the IG workload, it captures trends, and it identifies systemic issues. IGs will enter IGAR information on completed cases into the IGARS database in accordance with current IG doctrine and with the requirements of the database's current software. Contact DAIG (TIGS or SAIG-IR) for further guidance. All IG offices will enter information into the IGARS database for case-management purposes for all open cases referred to or by that office. The assigned case number of the IG office of record will be used throughout this process.
- b. Higher echelon IG offices will identify key individuals by name within the office who will have permission to see a lower echelon IG office's case data in the IGARS database for the purpose of trends analysis. The higher echelon IG office may only see basic case data for open and closed cases and not the detailed information contained in each case. Basic case data includes case number, date opened or closed, status, case label name, name of the complainant, problem area, function code, and names of subjects/suspects. Further access may be requested case by case through the DAIG Assistance Division (SAIG-AC).
- c. Those IG offices not electronically connected with DAIG will forward all completed data to DAIG in accordance with guidance from the DAIG Information Resources Management Division (SAIG-IR).
- d. Complainants who are not satisfied with the response may seek redress through the next higher command's IG. Complainants may contact DAIG/DODIG at anytime regarding requests for assistance, complaints, or allegations, but IGs will encourage them to seek redress initially through the IGs of lower level headquarters.

Chapter 5 The Inspector General Teaching and Training Function

5–1. Inspector general training

Since the beginning of the Army IG System with Major General von Steuben in 1778, training has been an essential part of all IG activities. But IGs are no longer the primary trainers of soldiers—the principal role played by Major General von Steuben during the Revolution. Instead, IGs possess a reservoir of experience and knowledge that can assist commanders in achieving and maintaining disciplined and combat-ready units.

5–2. Teaching and training

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

5–3. Training the Army at large

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

a. IG System. The effectiveness of the IG System is, to a great extent, a function of how receptive non-IGs are to the IG System. Therefore, IGs must teach leaders and their soldiers how IGs contribute to mission accomplishment and search for opportunities to inform them of the IG System's purpose, functions, methods, benefits, and constraints. IG involvement in precommand courses, officer professional development programs, NCO development programs, newcomer briefings, and other activities helps to explain 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.

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

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

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

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

5–4. The U.S. Army Inspector General School

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

a. Candidates. Army candidates for this course must be selected and approved through the IG certification process (see para 2–3 and app C). Army administrative support personnel, acting IGs, and IGs from other Services may attend the resident course on a space-available basis. DA civilians selected as IGs do not undergo a nomination process but instead are approved and hired by the detailed command IG at the local level. These newly hired DA civilian IGs become immediate candidates for attendance at TIGS.

b. Graduates. Graduates of TIGS are fully qualified to assume IG duties at the appropriate command level. However, these personnel will not master IG techniques until they have gained practical, on-the-job experience.

c. Instructors. TIGS instructors are normally experienced IGs or JAs who have served at DAIG or elsewhere in the IG System. These instructors write and develop course materials; update policy; write, revise, and refine doctrinal publications; prepare exportable training packages; participate in mobile training teams; and develop distance learning capabilities to complement the resident course and facilitate sustainment training.

d. School curriculum. TIGS provides comprehensive instruction and training on the IG role and the four basic IG functions. The school also provides instruction on myriad other IG-related topics in both large and small group settings with embedded practical exercises designed to enhance the students' education of the IG System through hands-on application of the IG System's four functions and related doctrinal processes.

e. Requirements.

(1) Graduation from TIGS is a requirement for all detailed and assistant IGs and for temporary assistant IGs serving longer than 180 days. All IGs, except for M-day and TPU soldiers, will graduate from the course before assuming their duties. M-day and TPU soldiers will attend and graduate from TIGS as soon as possible following their appointment as detailed or assistant IGs. Soldiers will not perform IG functions until completing the certification process except as specified in paragraph 2–2e. Soldiers and civilians who have previously served as an IG and are approved by TIG for a

repetitive IG detail will attend TIGS unless the Chief of the DAIG Training Division (also the school's commandant) waives the requirement. If a soldier or civilian returns to IG duty after a break in that duty, he or she must attend TIGS despite the duration of the break. Only the Chief, Training Division may waive this requirement. The Chief, Training Division grants waivers case by case and considers such factors as previous IG experience; projected IG assignment; and recent changes in IG policy, procedures, and issues.

(2) The Chief of the DAIG Training Division determines requirements for graduation from TIGS. DTIG is delegated the authority to approve or disapprove the graduation of all TIGS students and the issuance of a certificate of training. TIG serves as the appellate authority for students who fail to meet the school's graduation requirements as outlined in the TIGS academic program.

f. Requests for attendance. TIGS will maintain a schedule of all classes forecast for a 12-month period. The Chief, Training Division, approves requests for quotas for these classes. Quota requests will be coordinated as follows:

(1) *Active Army.* IG offices or USAHRC submit requests for course quotas for Active Army soldiers and DA civilians to TIGS after the proper authority approves the IG's nomination (see para 2–3). Command IG offices coordinate directly with the registrar at TIGS for newly hired DA civilians to attend the next available class concurrent with a report to the DAIG Operations Division (SAIG–OP).

(2) *ARNGUS.* The State AG, or a designated representative of the AG, and the NGB will submit requests for course quotas for ARNGUS personnel directly to TIGS after the proper authority approves the IG's nomination (see para 2–3).

(3) *USAR.* IG offices or HRC–St. Louis will submit requests for course quotas for USAR personnel directly to TIGS after the proper authority approves the IG's nomination (see para 2–3).

g. Funding.

(1) Funding for attendance of detailed and assistant IGs at TIGS is provided through a variety of sources. Coordinate for, and address questions pertaining to, funding for a specific student directly to TIGS when requesting a quota for the course. Individual commands will provide funding for acting IGs, temporary assistant IGs (except those serving longer than 180 days who must attend TIGS), and administrative support staff attending TIGS.

(2) DAIG provides training funds for the following students listed below who will attend TIGS 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.

(a) Active Army military and civilian IGs.

(b) ARNGUS IGs.

(3) The Army Reserve Active Duty Management Directorate (ARADMD–HRC) in HRC–St. Louis funds USAR AGR personnel who attend TIGS.

(4) The Army Reserve funds all nominated TPU personnel who attend TIGS, to include IMA and IRR soldiers.

h. Additional skill identifier/special qualifications identifiers. Award of the ASI 5N to commissioned officers and the SQI B to NCOs is authorized upon successful graduation from TIGS. The IG's local military personnel office will award the official ASI 5N to officers and the SQI B to NCOs upon receipt of a course-completion letter prepared by TIGS.

5–5. Other Inspector General School courses and training packages

a. State IG module. The NGB IG conducts a 2-day State IG module that supplements TIGS and is required training for all State IGs. The NGB IG offers this training as an option for all other active Army personnel assigned as IGs in the ARNGUS.

b. Sustainment training. All IGs, uniformed and civilian, must re-certify as IGs every 4 years by attending a TIGS sustainment-training course. This course will update serving IGs on current policy and doctrine. TIGS currently conducts two refresher courses annually. Each IG must pass the course's prescribed evaluations to re-certify as an IG. IGs who fail to re-certify at a TIGS sustainment-training course must return and successfully pass sustainment training or, in selected instances, re-certify using an alternate means directed by TIGS before TIG de-certifies that IG. IGs serving beyond 4 years must complete a TIGS sustainment-training course within 4 months of the end of that 4-year period. TIG may automatically de-certify any IG serving beyond 52 months who has not re-certified at a TIGS sustainment training course; only TIG may make exceptions to this requirement based upon sustainment-training availability or other appropriate factors beyond IG control. Make all requests for attendance directly to TIGS.

c. Exportable Training Packages. Exportable training packages on each IG function are available from TIGS and the school's Web site at http://tigs-online.ignet.army.mil/tigu_online/index.htm.

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

Limited resources and space prevent all categories of IGs from attending TIGS. Therefore, command and State IGs locally train acting IGs, temporary assistant IGs (with duty less than 180 days), and administrative support staff. Training for IGs must reflect current doctrine as promulgated through TIGS. TIGS creates and maintains exportable training packages for training IGs and makes these packages available on the school's Web site (see para 5–5c). These materials may be tailored to meet the needs of the local command.

a. Training for temporary assistant IGs. Training programs for temporary assistant IGs do not require TIGS approval to plan and execute. However, local IGs will train temporary assistant IGs, at a minimum, on the basic IG concept and system, the IG tenet of confidentiality, and restrictions on the use of IG records.

b. Other training. Command and State IGs may conduct short IG training courses necessary to sustain an understanding of new IG doctrine, procedures, or policies. TIGS can provide guidance, instructional materials, and references as necessary upon request. Current distance learning capabilities developed by TIGS may also prove helpful and will become available as the school develops them.

5-7. Technical inspector qualifications training

a. Training program. IGs assigned to conduct technical inspections will undergo the following two-phased training program:

(1) Phase I: TIGS.

(2) Phase II: An on-the-job training program. The training program must—

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

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

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

b. Exceptions. Forward all requests for exceptions to the provisions of this paragraph to the DAIG Technical Inspections Division (SAIG-TI).

5-8. Other inspector general training

IG offices with subordinate command IGs will routinely sponsor training workshops to share ideas, clarify IG policy and doctrine, and receive guidance from higher headquarters IG offices about the senior commander's priorities, philosophy, and so on. TIGS can assist with training materials and other resources as required. Higher echelon IG offices will also conduct routine staff assistance visits of subordinate command IG offices as a way to mentor and assist those offices in their day-to-day responsibilities and activities.

Chapter 6 The Inspector General Inspections Function

Section I Inspection Functions

6-1. Functional systems

a. 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 execute their wartime missions successfully. Commanders at all echelons constantly rely upon feedback from personal observation, field training exercises, command post exercises, physical training tests, OIP inspections, 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, subjective determination of their unit's overall mission readiness.

b. FM 7-0 describes this assessment as a continuous process that serves as both the end and the beginning of the training management cycle. This assessment is part of each commander's broader Organizational Assessment Program (OAP) as outlined in FM 7-0, chapter 6. IG inspections, which normally focus on larger problems associated with individual functional systems (known to IGs as systemic issues), contribute to the commander's OAP as one of the many feedback sources the commander considers when making an informed judgment about the readiness of the command.

c. The IG inspections function is the process of conducting IG inspections, developing and implementing IG inspection programs, overseeing intelligence activities, and participating in the OIP.

6-2. The role of the inspector general in the Organizational Inspection Program

a. IGs will develop and execute their IG inspections program as part of the OIP in accordance with the commander's guidance.

b. AR 1-201 prescribes policy and responsibilities for the conduct of inspections in Army organizations. IGs have the following responsibilities with regard to the OIP:

(1) Advising commanders and their staffs on Army inspection policy.

(2) Advising the commander on the effectiveness of the OIP within the command at all echelons.

- (3) Conducting IG inspections as outlined in AR 1-201 and this regulation.
- (4) Serving as the OIP coordinator at the commander's discretion.
- (5) Organizing and coordinating the commander's command inspection program if tasked by the commander.
- (6) Spot-checking company-level initial command inspections throughout the command.
- (7) Conducting inspections training as requested by commanders and staff agencies.

c. Detailed instructions for preparing, executing, and completing IG inspections appear in paragraph 6-4. IGs will *consider* the IG inspections process depicted at figure 6-1 when planning, executing, and completing any IG inspection. 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. IGs may still tailor and compress inspections to meet the commander's needs while preserving the integrity of the IG inspections process across the Army. TIGS's The Inspections Guide contains detailed doctrinal procedures for executing the IG inspections process and is available from the school or the school's Web site at http://tigs-online.ignet.army.mil/tigu_online/index.htm.

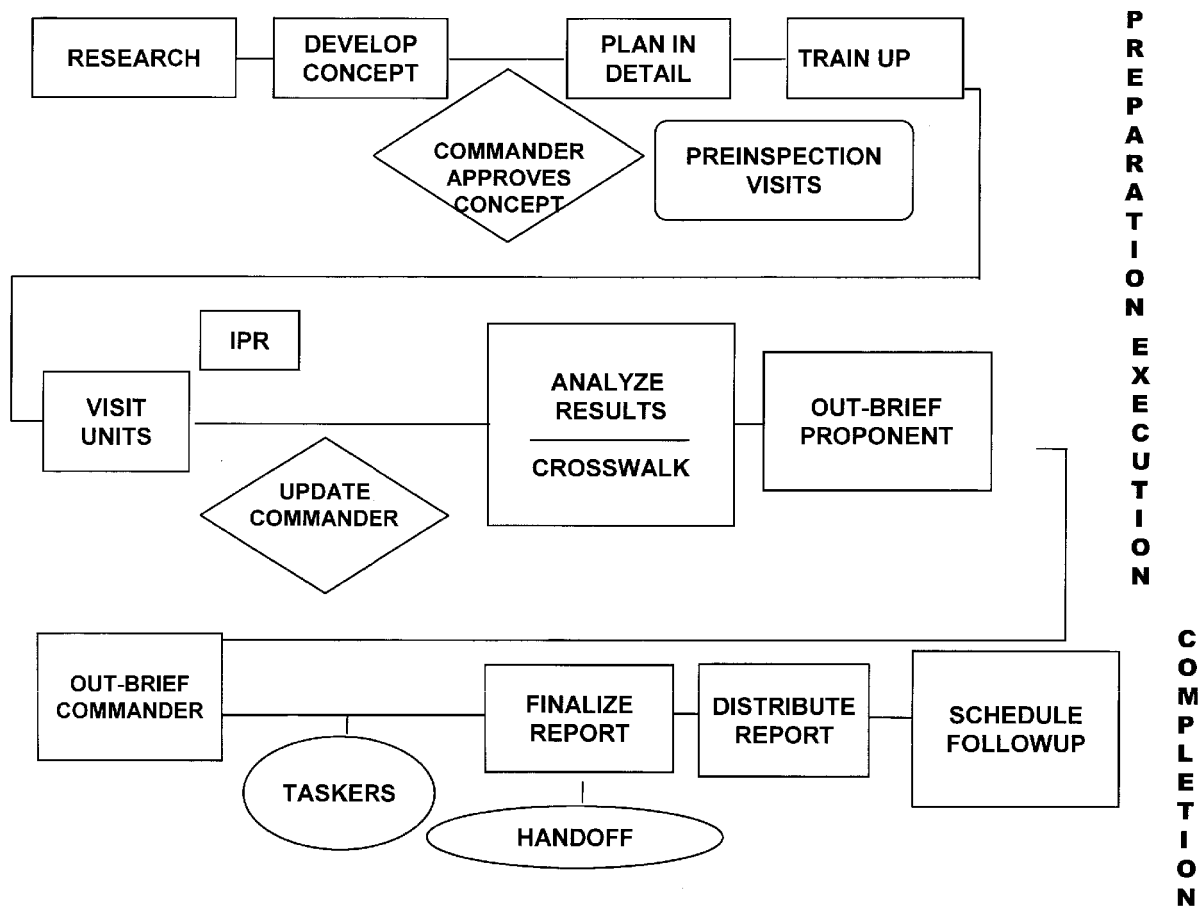


Figure 6-1. The IG inspections process

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

e. IG intelligence oversight inspections of intelligence components and activities are addressed in section III of this chapter.

6-3. Inspector general inspection policy

a. IGs will execute a deliberate process to identify, evaluate, and set priorities for potential inspections to be included in the IG inspection program. A recommended IG selection process is outlined below.

(1) IGs may use a variety of ways to identify possible topics for inspections. Commander's guidance, the mission essential task list (METL), IGAR trends analysis, input from subordinate commanders and functional staff proponents, quarterly training briefs, unit status reports, installation newspapers, IG observations, and the results of previous inspections are but a few possible sources. The goal is to develop a manageable number of key, high-payoff inspection topics that focus on potential systemic issues within the command that the IG can assess in order to contribute directly to the command's overall readiness.

(2) Systemic issues normally include functional systems such as personnel and logistics and tend to surface through a general pattern of noncompliance throughout the command at various echelons of command. The problems are most likely beyond the ability of local commanders to solve, so something may be wrong with the system. In other words, the system is like a pipe in which water is unable to flow due to numerous obstructions, or clogs, from within. The IG's job is to focus on those problem areas that are clogging the system and resulting in noncompliance difficulties throughout the command. These clogs in the system normally become the IG's inspection objectives after thorough research. The IG can determine the root causes of the clogs in the system and recommend solutions that, when implemented, will solve the problems and unclog the pipe. The system will then flow smoothly once again.

(3) Once the IG identifies potential systemic issues within the command, the IG will develop a prioritized inspection list for the commander's approval. The IG must screen these potential inspection topics for their impact on unit readiness, value to the command, and priority to the commander. Topics that do not meet these screening criteria will fall from the list.

(4) The IG will present the final prioritized inspection list to the commander for approval. Once the commander has approved the inspection topics, the IG will ensure that the inspections are reflected on the appropriate training and planning calendars as described in FM 7-1, chapter 4.

b. IG inspections may focus on either organizations, functional systems, or both. IGs can conduct three types of inspections: general, special, and followup. Inspections that focus on organizations or units and are comprehensive in nature are considered general inspections. General inspections tend to be compliance-oriented and assume that the established 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 preferred focus for IG inspections is the special inspection since command and staff inspections are usually focused on organizations. 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 incorrectly written 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, followup, assesses the implementation of solutions recommended by an approved IG inspection and is an important final step of an IG inspection.

c. 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.

d. When scheduling IG inspections, follow the principles and procedures presented in FM 7-0. The commander may decide to redirect the command's inspection effort. Unanticipated events may cause the commander to deviate from the published inspection plan by rescheduling planned inspections or initiating an unscheduled special inspection.

e. IGs must tailor inspections to meet their commander's needs. Inspections must be relevant, reliable, and responsive. To be relevant, inspections must provide practical, accurate feedback in time for the commander and staff to make informed decisions. To be reliable, the findings must accurately reflect what the IG found in the inspected units or activities. To be responsive, the IG will update the commander at least once during the inspection so that the commander may communicate emerging trends to subordinate commanders for early action if necessary. Inspection results go directly to the commander and then, based upon the commander's distribution guidance, to the staff, subordinate commanders, or other commands as appropriate (see para 3-6b(2)).

f. Problem areas identified in an IG inspection will be subject to followup after a reasonable time for corrective action and implementation. Followup may occur by a complete reinspection of the topic or phone calls or personal visits to the individuals or staff agencies charged with implementing the inspection report's various recommendations. The commander may require that each individual or staff agency charged with a corrective action reply by endorsement to ensure that the required tasks have been accomplished. The IG role in this case would be to review copies of the

replies by endorsement as part of IG followup activities. Replies by endorsement are not normally required for IG inspections.

g. IG inspection results will not be used to compare units or organizations or as criteria for competitive unit awards. IG inspection results will not be used to penalize units, commanders, or individuals.

h. Protecting the anonymity of units and individuals enhances the IG's reputation as a fair and impartial factfinder and trusted agent. Confidentiality remains a priority; however, IGs cannot guarantee confidentiality during an inspection. IGs normally write IG inspection reports in redacted form only; names of individuals or units never appear in those 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 may only go to the commander), and the IG must caution the recipients of the report that they cannot use information linked to any individuals or units to evaluate or punish those individuals or organizations.

i. If an IG discovers serious deficiencies involving breaches of integrity, security violations, or criminality, the IG will consult the supporting SJA, USACIDC, U.S. Army Intelligence and Security Command security officer, or provost marshal, as appropriate, to determine a recommended course of action. The IG may inform the commander directing the inspection of the recommended course of action from the SJA, USACIDC, U.S. Army Intelligence command security officer, or provost marshal, or the IG may choose to initiate an investigative inquiry. 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 necessary attribution, in order to prevent injury to life or limb.

j. IGs are authorized to conduct inspections of any Army unit assigned within the command when directed by the appropriate authority. IGs may inspect units of another command as long as coordination and prior approval have occurred at the appropriate command level. For example, prior to conducting an IG inspection of a tenant unit assigned to another ACOM/ASCC/DRU, the inspecting IG must coordinate with the appropriate ACOM/ASCC/DRU IG. Outside the continental United States (OCONUS) ACOM/ASCC/DRU IGs, with prior approval, may inspect the activities of another ACOM/ASCC/DRU if located within their geographic area. Installation IGs may inspect tenant activities, including Army and Air Force Exchange Service facilities and DOD activities, on the installation once coordinated and approved.

k. An IG may participate as a member of another command's IG inspection team. Army IGs may also participate in joint inspections with regional COCOM commanders and DOD agencies consistent with Army ACOM/ASCC/DRU authorities and responsibilities as outlined in AR 10-87 and other operational directives issued by the Joint Staff.

l. An IG may not participate in a command inspection as the head of the inspection team or participate in a command inspection other than to inspect IG functions and IG areas of responsibility. In accordance with AR 1-201, IGs may organize and coordinate the commander's command inspection program if tasked but will not lead or physically inspect as part of the inspection effort (see para 2-6b). This prohibition also applies to staff inspections. An IG may participate as a member of a command inspection team for the purpose of inspecting a subordinate command's IG office or to execute Intelligence Oversight or OIP responsibilities. For example, a corps commander may decide to conduct a command inspection of a subordinate division. The corps IG may inspect the division IG as a part of the command inspection team. Although accompanying the rest of the command inspection team, the IG will be conducting an IG inspection. The results of the corps IG's inspection will remain protected as IG records (see chap 3) and will appear under separate cover to the inspecting commander; the results will not be included as a part of the overall command inspection report. In addition, 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.

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

n. IGs will not normally conduct command climate sensing sessions. Other staff proponents such as the EO advisor, chaplain, or EEO are trained to conduct these sensing sessions and will perform them as requested during command or staff inspections. IGs predominantly use sensing sessions to gather information during inspections or to pursue specific issues or topics when providing assistance or conducting investigations. The IG will always recommend first that the appropriate staff proponents conduct command climate surveys and sensing sessions. The proponent for DA Pam 600-69 is the Deputy Chief of Staff, G-1 (DCS, G-1). When conducting sensing sessions involving civilian employees, the IG must first coordinate with the servicing CPAC to determine if the IG must notify a union.

6-4. Inspector general inspections process

a. Preparation phase.

(1) *Research.* The purpose of the research step is to narrow the scope and focus of the inspection, develop an inspection purpose, and to identify the high-payoff items in the form of inspection objectives.

(2) *Develop the concept.* The concept is the blueprint for the inspection. The inspection concept outlines the basic approach the IG intends to use to execute the inspection, to include a milestone timeline.

(3) *Commander approves the concept.* The IG conducts a decision briefing or presents a staff packet for the directing authority that outlines the inspection concept. The briefing or concept memorandum in the staff packet includes the inspection purpose, inspection objectives, intended sampling size, milestone timeline, and other information as required. The end results of the briefing are the commander's approval of the concept (especially the purpose, objectives, and timeline) and an inspection directive signed by the commander as the directing authority. This inspection directive gives the IG the authority to conduct the inspection on the commander's behalf and provides the IG with temporary tasking authority for the purposes of requesting augmentation and support from the inspected units.

(4) *Plan in detail.* After the directing authority has approved the inspection concept, the IG plans the specific details of the inspection. The IG must develop four products during this step: subtasks for each inspection objective, a methodology, a notification letter, and a detailed inspection plan. The subtasks identify the specific information-gathering tasks the IG must perform in order to answer the overall information requirement in the inspection objective. The methodology follows from the subtasks and drives the inspection team's task organization, baseline methodology, and sample inspection itinerary for each unit visited. The notification letter then informs those units selected for an IG information-gathering visit based upon the intended sampling size. The final product, the detailed inspection plan, outlines the specific details of the inspection and any resource requirements the units must provide to support the IG inspection team. The detailed inspection plan attempts to answer the inspected unit's concerns and questions about the inspection since the IG inspection team will always operate above board but discreetly.

(5) *Train up.* This step allows the individual IG inspectors to develop their information-gathering tools (interview questions, documents review guidelines, etc.) and conduct low-level rehearsals in the IG office. If augmentees (temporary assistant IGs) will be part of the team, the IGs must train them on the provisions of AR 1-201 and AR 20-1 and then administer the IG oath. Augmentees are normally non-IGs who are subject-matter or technical experts in the topic under inspection and who round out—and enhance—the IG team's knowledge and expertise. Commanders with authority over these experts may task them to serve as temporary assistant IGs. However, commanders must request augmentees from outside the command through normal command or tasking channels as required. Once assigned to the inspection team, IGs must—at a minimum—train the temporary assistant IGs on the basic IG concept and system, the IG tenet of confidentiality, and the nature of IG records and restrictions on their use.

(6) *Preinspection visits.* IGs conduct a preinspection visit (or visits) to validate their methodology and information-gathering tools. The IG team normally selects one unit to visit that best represents the baseline size and type of unit the team intends to inspect (for example, a battalion would be a good baseline unit to visit in a division since the IG will most likely visit more battalions than any other size organization). Usually, the unit (or units) selected for the preinspection visit are not chosen for the actual inspection. The preinspection visit is a training device for the IG inspection team; the results of the visit are left with the unit commander and are not normally reflected in the inspection report since the team usually makes changes or adjustments to their information-gathering tools. Exceptions to this principle are at the discretion of the command or State IG.

b. Execution phase.

(1) *Visit units.* The IGs visit the selected units in accordance with the detailed inspection plan and execute the information-gathering activities and tasks identified in the methodology. The IG team will always conduct an in-briefing for the commander that offers background on the inspection and an out-briefing that leaves the commander with basic feedback (in redacted form) that will prove useful. This feedback remains with the commander. The final product of each visit is a trip report that captures all information gathered by the inspection team complete with full attribution.

(2) *In-process review.* Although shown only once in figure 6-1, in-process reviews (IPRs) occur throughout the visit units step. The main purpose of the IPR is to share information with and among the inspection team members. The team will normally conduct a brief IPR at the end of each unit visit to produce an out-briefing and then conduct periodic IPRs after every few visits to identify emerging trends the IG team can use later to update the commander. The inspection team may conduct additional IPRs at different points in the process as required.

(3) *Updating the commander.* The IG will always ask if the commander wants an update during the inspection. In most cases, the commander will request it. The update will most likely occur as the IG inspection team is visiting units, conducting IPRs, and generating trip reports. Therefore, the IG inspection team leader will craft an update briefing that reviews the overall objectives and concept for the commander and then presents the most current version of the emerging trends based upon the most recent IPR. These trends may or not be closely linked to the objectives or subtasks in some cases. The IG must caution the commander that the trends do not necessarily represent interim findings but instead give the commander a sense of the information gathered up to this point. Some of the trends may in fact become findings during the next step.

(4) *Analyzing results and crosswalking.* When the IG inspection team enters this step, all unit visits and their accompanying trip reports are complete. The team will organize to write the draft version of the final inspection report. The IG team leader will tender writing assignments to the team members as necessary based upon the designated report format. Each subtask under each objective will have no less than one finding statement (and findings section) associated with it. The findings statements for each objective's subtasks, when combined, will answer the overall information requirements of the inspection objective. This step is still in the execution phase since crosswalking may occur that will result in additional information for the report. Crosswalking is nothing more than an IG's attempt to verify what he or she saw, read, or heard as captured in the trip reports, which are the IG's primary-source documents for writing the final inspection report. The final output of this step is a draft version of the final inspection report (see para 6-5).

(5) *Out-briefing the proponents.* Proponents are those individuals or staff agencies that the IG identifies in the final inspection report to resolve problems in their respective areas of responsibility. With each finding comes a recommendation, and the IG must select the appropriate proponent to implement the recommended solution. The IG briefs proponents on the findings and recommendations that apply to them as a professional courtesy prior to briefing the commander. By briefing the proponents, the IG may also learn more about the issue and glean fresh ideas about how best to approach the solution. For this reason, out-briefing the proponents is still part of the execution phase since the IG may still gather additional information for the report. In addition, the proponent has the right to disagree with the IG about the intended solution. If the proponent does not convince the IG to eliminate or change the recommendation or findings, the IG will simply note the proponent's objections and inform the commander during the final out-briefing. The proponent will also be present to state the reasons for nonconcurrence.

c. Completion phase.

(1) *Out-briefing the commander.* The IG presents the results of the inspection to the directing authority for approval during this step. The IG will develop a formal briefing that outlines the findings and recommendations contained in the final inspection report. The IG must invite key staff members and the proponents identified in the report to attend. The command's tasking authority (normally the operations officer) will be present since all recommendations become taskers once the commander approves the inspection report.

(2) *Taskers.* Once the commander approves the IG inspection report, all recommendations become taskers to which the command's tasking authority must assign a suspense date. The IG role is to monitor the assignment of these taskers and not to supervise their implementation.

(3) *Final report.* The final inspection report will incorporate any changes designated by the commander during the out-briefing. The IG will also craft a cover letter for the commander's signature that approves the final inspection report. This letter becomes the first page of the inspection report.

(4) *Handoff.* Handoff is the process of transferring a verified finding that is beyond the ability or authority of the command to correct. Findings are verified when the directing authority approves the inspection report. Handoff can occur either through command or IG channels.

(5) *Distributing the final report.* The commander must provide the IG with distribution guidance for the final inspection report. If possible, the IG will widely disseminate the final report to ensure that all elements of the command are aware of the inspection results and can apply corrective action where appropriate—even though not all members of the command participated in, or contributed to, the inspection. At a minimum, the commander, the proponents, the staff, and the units inspected will receive a copy of the final report. The IG must ensure that the report is fully redacted for all attribution (names, units, and so on) prior to disseminating it.

(6) *Scheduling followup.* *The inspection is not complete until followup occurs.* Followup can take many forms; the IG can call or visit the proponents to check on their progress or conduct a complete reinspection of the same topic. Followup closes the loop with all concerned, identifies what tasks are complete and those that are not (and the reasons why), and provides the commander with feedback.

6-5. Inspector general inspection reports

a. All IG inspections must end with a written report that the IG provides to the directing authority and others as necessary (see para 6-4c). The purpose of this written report is to provide a record for followup inspections and trends analysis. IGs 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) (see para 6-3h). This approach prevents anyone from using the report to reward, punish, or compare individuals or their units. The IG must make a copy of the report available to the directing authority. Based on the directing authority's guidance, the IG can distribute the report as necessary to staff agencies, proponents, other commands, higher and lower echelon IG offices, and so on. In some cases, providing only selected portions or extracts of the inspection report may be more appropriate. If corrective action is beyond the authority or capability of the inspected command, handoff procedures will occur as described in paragraph 6-5i. If the report contains—or may contain—sensitive information, then the commander or IG must contact the DAIG Records Release Office (SAIG-ZXL) for dissemination guidance.

b. IG inspection findings must be thorough, detailed, and accurate in order to provide the directing authority, the members of the command, and the proponents responsible for fixing any problems with sufficient information to

address the issues or problems discovered. The format for reporting findings will include sufficient information so that commanders and proponents can take corrective action. The recommended five-part format for a findings section is as follows:

(1) The finding statement, which is a concise statement of what the IG found. The finding statement can reflect either good or bad news.

(2) The standard as quoted verbatim from law, policy, or regulation.

(3) Inspection results, which describe in detail what the IG found during the inspection. This portion of the findings section describes the information that led the IG to the finding statement and is essential for proponents, who must understand the nature of what the IG found so that they can implement solutions in an informed manner.

(4) The root cause, which explains why something is not in compliance with existing standards.

(5) The recommendation, which outlines a solution that will fix the problem and identifies the person or activity—the proponent—charged with implementing the solution. The IG must ensure that each five-part findings section is logically sufficient. In other words, the recommendations must present a solution that follows directly from the root cause; in turn, the recommendations must solve any problem identified in the finding statement. Finding statements that reflect good news will generally not have a root cause or a recommended solution.

c. The directing authority will determine the distribution of all IG inspection reports on a case-by-case basis (see sec II for IG technical inspections). Command and State IGs, with permission from their directing authorities, will provide their inspection reports to the U.S. Army Inspector General Agency (ATTN: SAIG-ID), 2511 Jefferson Davis Highway, Suite 12300, Arlington, VA 22202-3912 (see paras 3-4, 3-5, and 3-6 for guidance on the dissemination of IG inspection reports).

d. The use of formal replies to IG findings or reports is not required unless specifically directed by the commander (see para 6-14 for actions required with regard to IG technical inspections).

e. 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 and fix responsibility for correcting identified deficiencies.

f. IGs 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 technical inspections, CID technical inspections of investigative practices and subprograms, and intelligence oversight inspections of SAPs and SAs.

g. During IG inspections, the IG will identify and formally recognize meritorious conditions or innovative problem solutions. Identifying and disseminating innovative ideas, good news, and lessons learned must receive the same emphasis as identifying and correcting deficiencies. In cases where recognizing innovative ideas and good news demands that the IG identify a unit or an individual (usually as part of an out-briefing), the IG may do so but must further qualify the information by reminding the commander that such attributed information cannot be used to compare, reward, or evaluate individuals and units.

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

i. When findings are beyond the authority or ability of the inspected command to correct, they will be transferred through IG technical or command channels to the appropriate agency for corrective action. This process is called handoff.

(1) Findings handed off through IG technical channels will be staffed through the ACOM/ASCC/DRU IG to DAIG for action as required. If the ACOM/ASCC/DRU IG (or another subordinate IG) can correct the problem before forwarding it to DAIG, the ACOM/ASCC/DRU IG will do so. If DAIG must receive the handoff because an agency in HQDA is best suited to fix the problem (such as revising an Army regulation), then the ACOM/ASCC/DRU IG will forward the handoff request to DAIG at the appropriate address:

(a) Technical inspections—U.S. Army Inspector General Agency (SAIG-TI), 2511 Jefferson Davis Highway, Suite 12300, Arlington, VA 22202-3912.

(b) Intelligence oversight inspections—The U.S. Army Inspector General Agency (SAIG-IO), 1700 Army Pentagon, Washington, DC 20310-1700.

(c) All other inspections—U.S. Army Inspector General Agency (SAIG-ID), 2511 Jefferson Davis Highway, Suite 12300, Arlington, VA 22202-3912.

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

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

(a) When the findings involve DA action, multiple ACOMs/ASCCs/DRUs, or are of a magnitude requiring Army-wide actions.

(b) When the proponent is HQDA.

(c) When corrective action resulting from one ACOM/ASCC/DRU handoff to another ACOM/ASCC/DRU did not solve the problem.

(d) When action is required from outside DA.

6–6. Compressed inspections

Periods of high operational tempo, such as 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 during the inspections process appear in AR 1–201: purposeful, coordinated, focused on feedback, instructive, and followed up. Doctrinal guidance on compressed inspections is also available from TIGS.

Section II

Technical Inspections

6–7. Inspections guidance

a. This section, used with the 50-series Army regulations, provides guidance for the conduct of nuclear surety inspections, reactor facility inspections, chemical surety inspections (CSIs), biological surety inspections (BSIs), and management evaluations (see figs 6–2, 6–3, 6–4, and 6–5). This section applies to IGs assigned to DAIG. Field IGs with questions or issues concerning technical inspections must contact the DAIG Technical Inspections Division (SAIG–TI) for guidance.

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

Mission operations	Security
Mission statement	Security planning and procedures
Plans and standard operating procedures	Storage requirements
Nuclear command and control	Key and lock control
Training	Access control
Publications	Intrusion detection and assessment
Records and reports	
Inventory and accountability	
Destruction	
Logistics and facilities	Surety management
MTOE/TDA equipment	Personnel Reliability Program management
Specialized equipment	Manning
Custodial facilities	Levy management
Medical support	External support
Medical records/documents	Conditions beyond the capability of the inspected organization to avoid, influence, or correct and that are the responsibilities of supporting activities. Deficiencies will be attributed to the supporting activity and not to the inspected organization.
Medical Personnel Reliability Program management	
Occupational health	
Other medical services	

Figure 6-2. NSI Scope

Documents	Medical support
Procedures, manuals, logs, supply and maintenance records, and other facility operational documents	Medical Personnel Reliability Program management
Assignment of Authority	Medical records
Experiment and modification approval	Occupational health
Routine, non-routine, and emergency operations of the reactor facility	Laboratory support
Equipment and personnel	Operational inspection
Health physics practices for control of radiation exposure and contamination, to include environmental monitoring	Technical reactor facility operations
Supply, maintenance, and repair parts (includes physical inventory and authority for possession of SNM)	Emergency procedures during a simulated emergency
Handling, storage, and disposal of hazardous materials (radioactive, toxic, explosive, or others)	Security
Accidents, incidents, and malfunctions	Security planning procedures
Core physics measurements	Perimeter security
Reactor staff training and qualifications	Storage requirements
Reactor facility operational parameters	Support facilities; key and lock control; security forces, including augmentation; training program; transportation security; waivers and exceptions; recovery operations; emergency-response capability; internal and external inspections; access control; intrusion detection and assessment; installation-level force protection (as it relates to the surety mission); and support facilities
Operational parameters versus design parameters	Security arms room and ammunition
Operating data and records, to include control rod calibration, shutdown margin, control malfunction, operating logs, and instrumentation data	
External support	
A review of the adequacy of support provided to the nuclear reactor facility by installation activities outside the control of the commander to which the reactor staff is assigned. Support activities include, but are not limited to, safety, medical, radiation protection, security, and fire protection.	
Physical layout	Physical components
Facility design	Inspect all components installed as parts of main, auxiliary, emergency, and support systems
Facility construction	Design, installation, modifications, technical specifications, reliability, backup, condition, use, maintenance, testing, and calibration
Use of space	Plans concerning incidents, accidents, and malfunctions
Working conditions	All equipment in support of the facility, including emergency power, backup systems, and material-handling equipment
Experimental setups	Radiation detection and measurements, test and measuring equipment, hand tools, radioactive resource sets, and repair parts
Housekeeping	
Physical security	
Safety/occupational health	Personnel
Plans and procedures	Personnel Reliability Program management
Personnel protection and protective equipment	Personnel qualifications
Hazard analysis program	Security clearances
Inspection and compliance monitoring program	

Figure 6–3. RFI Scope

Mission operations	Security
Research and development	Security planning procedures
Test and evaluation	Perimeter security
Storage and surveillance	Storage requirements
Training	Support facilities
Escort and transportation (on- and off-post)	Key and lock control
Special projects	Security forces, including augmentation
Calibration, maintenance, and readiness	Training program
Inspection program	Transportation security
Adequacy of physical facilities	Waivers and exceptions
Inventory management	Recovery operations
Disposal programs (RDA and Demil)	Emergency response capability
Quality assurance programs	Internal and external inspections
Adequacy of resources	Access control
Environmental compliance program	Intrusion detection and assessment
Maintenance of NBC defense equipment used in chemical agent operations	Installation-level Force Protection (as it relates to the surety mission)
Laboratory operations (including protocols)	Security of arms room and ammunition
Safety	Surety management
Plans and procedures	CPRP management
Personnel protection and protective equipment	Adequacy of manning
Agent monitoring program	Oversight of safety, security, surety management program, and external support
Hazard analysis program	
Inspection and compliance monitoring program	
Lightning protection	
Material handling equipment	
Explosive Safety	
Emergency response	Demilitarization operations
CSEPP	COR oversight program
CAIRA program	Engineering controls, including configuration control procedures
Chemical event reporting	System and process controls
	Calibration program
Medical support	External support
Medical Records/Documents	Conditions beyond the capability of the inspected organization to avoid, influence, or correct and that are the responsibilities of supporting activities. Deficiencies will be attributed to the supporting activity and not to the inspected organization.
Medical Surety Management	
Occupational Health	
Medical Laboratory Support	
Other Medical Services	

Figure 6-4. CSI Scope

Mission operations	Security
Research and development	Security planning procedures
Test and evaluation	Perimeter security
Storage and surveillance	Storage requirements
Training	Support facilities
Escort and transportation (on and off post)	Key and lock control
Special projects	Security forces, including augmentation
Calibration, maintenance, and readiness	Training program
Inspection program	Transportation security
Adequacy of physical facilities	Waivers and exceptions
Inventory management	Recovery operations
Disposal programs for unneeded agent	Emergency response capability
Quality assurance programs	Internal and external inspections
Adequacy of resources	Access control
Environmental compliance program	Intrusion detection and assessment
Maintenance of personal protective equipment used in BSAT operations	Security of arms room and ammunition
Laboratory operations (including protocols)	
Safety/occupational health	Surety management
Plans and procedures	Biological Personnel Reliability Program (BPRP) management
Personnel protection and protective equipment	Adequacy of manning
Hazard analysis program	Oversight of safety, security, BPRP program management, and external support
Inspection and compliance monitoring program	
Emergency response	Medical support
Biological accident or incident response planning	Medical Personnel Reliability Program management
Biological accident or incident reporting	Medical records
	Occupational health
	Laboratory support
	Other medical services
	External support
	Conditions beyond the capability of the inspected organization to avoid, influence, or correct and that are the responsibilities of supporting activities. Deficiencies will be attributed to the supporting activity and not to the inspected organization.

Figure 6–5. BSI Scope

6–8. Objectives and jurisdiction

a. Objectives.

(1) Inspections assess the adequacy of procedures for Army organizations, facilities, and activities having nuclear, chemical, and biological surety missions.

(2) Management evaluations inquire into the nuclear, chemical agent, and biological agent surety functions and responsibilities of Army organizations, facilities, and activities to determine management, systemic, or functional problem areas.

(3) These inspections and evaluations—

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

(b) Ensure adherence to approved chemical agent and biological technical, health, safety, accountability, security, reliability, environmental, and demilitarization standards and procedures involving surety operations.

- (c) Determine the adequacy of support and guidance provided to each organization involving surety operations.
- (d) Determine and pursue systemic issues affecting the commander's capability to perform their assigned surety mission.
- (e) Provide ACOMs/ASCCs/DRUs with inspection results for use in their OIP to assist in determining the status of a unit's nuclear, chemical agent, and biological surety mission capability.
- (f) Keep Army leaders and appropriate authorities informed of the status of the Army's nuclear, chemical, and biological surety programs.
 - b. *TIG technical inspection jurisdiction.* TIG establishes inspection policies and standard procedures for the conduct of nuclear surety inspections, reactor facility inspections, CSIs, BSIs, and management evaluations. The DAIG Technical Inspections Division conducts technical inspections of surety units and activities at 2-year intervals and inspects CWM responses and related support functions as directed by the DASA-ESOH.
 - c. *DAIG surety inspections and management evaluation procedures.* In general, surety inspections examine the functional areas specified in the Army Regulation 50-series. Management evaluations of surety functional areas identify systemic issues within the Army as appropriate.

6-9. Inspection and evaluation schedule

The DAIG Technical Inspections Division will develop and publish inspection and evaluation schedules 90 days prior to the beginning of the fiscal year.

6-10. Contract oversight

CSIs and BSIs of organizations having management responsibility for administering contracts involving Army- or DOD-supplied chemical agents or BSAT will include an assessment of the contract oversight program.

6-11. Augmentees

HQDA agencies and ACOM/ASCC/DRU and other commanders will provide subject-matter experts on a TDY basis as required by TIG to assist in conducting inspections and management evaluations. TIG will determine the required qualifications for these personnel.

6-12. Inspection ratings

- a. Inspected organizations will receive one of the ratings listed in table 6-1 for each of the functional areas inspected. These ratings are no deficiencies; deficiencies: none failing; deficiencies: failing, correction verified; and deficiencies: failing, resolution/reinspection required. No ratings will be assigned for management evaluations.
- b. A failing rating may be assigned to the appropriate functional area when any of the following conditions exist:
 - (1) Failure to achieve or maintain assigned mission capability through shortages in personnel, equipment, supplies, or authorized repair parts, resulting in the failure to accomplish the assigned mission.
 - (2) Loss of accountability or custody of nuclear, chemical agent, or biological material.
 - (3) Failure to provide a safe and healthy environment for nuclear, chemical agent, or biological agent surety material and the people handling it.
 - (4) Failure to provide a secure environment for nuclear, chemical agent, and biological material.
 - (5) Failure to respond to an actual or simulated nuclear, chemical, or biological surety accident or incident as outlined in the facility/organizational plans (included are actions that could permit unnecessary loss of life, personal injury, destruction of property, compromise of classified materiel or information, loss of accountability or control of surety chemical or biological surety material, or avoidable postaccident or incident contamination.)
 - (6) A pattern of deficiencies in any one or several of the functional areas will constitute a failure when such a pattern demonstrates a manner of performance that indicates a lack of competence or a disregard for prescribed procedures.
 - (7) Failure to establish or maintain an effective program for surety personnel reliability program management.
- c. External support may be given a Deficiency: Failing when any of the conditions described above exist that are beyond the capability of the inspected organization to avoid, influence, or correct and are attributable to a supporting activity.

Table 6–1
Technical inspections rating

Rating	Definition
No deficiencies	When an organization demonstrates that it can accomplish critical tasks while providing a safe and secure environment in accordance with approved publications and directives
Deficiencies: None failing	When deficiencies exist but the organization demonstrates that it can accomplish critical tasks while providing a safe and secure environment under approved publications and directives
Deficiencies: Failing, correction verified	When one or more conditions found in paragraph 6–13 (b) existed but were corrected and verified by the inspection team
Deficiencies: Failing, resolution/reinspection required	When one or more conditions found in paragraph 6–13 (b) existed but were not, or could not, be corrected for verification by the inspection team

6–13. Technical inspection reports

a. The DAIG Technical Inspections Division will prepare a separate written report for each inspection.

(1) Inspection findings will provide sufficient information to allow the inspected activity and the affected proponent offices to link findings clearly to the requirements contained in appropriate regulatory and other Army-level guidance and to correct shortcomings and deficiencies. Findings may also identify potential requirements to change or clarify regulatory requirements.

(2) Inspection findings will be identified as “factors affecting operations” or as “deficiencies.” Factors affecting operations identify issues and problems and provide recommendations for their resolution. Deficiencies identify deviations from, or noncompliance with, established standards (law, policy, regulation, or published procedures). Deficiencies that are failing will be marked as such.

(3) The DAIG Technical Inspections Division will normally furnish a copy of the written report within 10 days to the responsible ACOM/ASCC/DRU; HQDA staff agency (Assistant Secretary of the Army (Installations and Environment) (ASA)(I&E)), DAMO–SSD, DAPM–MPD–PS, and DACS–SF); Director, U.S. Army Nuclear and Chemical Agency (USANCA) (ATNA–OP); and HQ IMCOM, as applicable.

b. When an organization receives ratings of no deficiencies; deficiencies: none failing; or deficiencies: failing, correction verified, a written response of corrective actions normally will not be required. However, selected factors affecting operations or deficiencies may require a response. The DAIG Technical Inspections Division will specify which findings, if any, require a written response of corrective actions and the timeline for the response.

c. When the organization receives a rating of deficiencies: failing, resolution/reinspection required—

(1) The inspected organization will forward a written response of the action taken to correct the failing deficiencies and any reclama (as outlined in para 6–15) to the ACOM/ASCC/DRU within 30 days of the date on the final report.

(2) The responsible ACOM/ASCC/DRU will accomplish the following within 60 days from the date of the inspection report:

(*a*) Review the inspection report, the written report of corrective actions taken and planned by the organization, and any reclama to the failing deficiencies.

(*b*) Forward the corrective action response to the DAIG Technical Inspections Division.

(*c*) Determine whether to forward any reclama to HQDA and/or submit an ACOM/ASCC/DRU level reclama in accordance with paragraph 6–15.

(*d*) Make one of the “mission capability” determinations found in table 6–2 pertaining to the inspected organization:

1. Convey the “mission capability” determination with implementing instructions to the organization.

2. Provide a copy of the “mission capability” determination to the DAIG Technical Inspections Division (SAIG–TI) or HQDA (DAMO–SSD).

3. Within 20 days of receiving the organization’s written response of corrective actions from the ACOM/ASCC/DRU, the DAIG Technical Inspections Division will review the response and determine the type of reinspection that DAIG will conduct for each recorded deficiency either onsite or through a document review.

4. The DAIG Technical Inspections Division will provide applicable extracts from the inspected organization’s final report to the activity cited for inadequate external support.

5. For external support deficiencies not corrected during the inspection, the supporting agency will prepare a written reply outlining the corrective action taken or planned (with milestones for completion). The supporting agency will forward a report of corrective action taken within 30 days through command channels to HQDA, OTIG (SAIG–TI) with copies furnished to the inspected/supported organization; its ACOM/ASCC/DRU; and the Deputy Chief of Staff, G–3 (DAMO–SSD).

6. For external support ratings of deficiencies: failing, resolution/reinspection required, the inspected organization’s

ACOM/ASCC/DRU will make the mission-capability determination in accordance with paragraph 6–14c. If the ACOM/ASCC/DRU determines that the facility is mission capable with limitations or not mission capable, the ACOM/ASCC/DRU will ensure that the external support issues are resolved expeditiously. Issues that cannot be resolved between the ACOM/ASCC/DRU and IMCOM will be forwarded to the appropriate HQDA office for resolution.

7. The DAIG Technical Inspections Division will normally conduct onsite reinspections of failing deficiencies within 120 days. The scope of a reinspection will be limited to the specific area, activity, or operation that was the basis for the failing deficiencies. The DAIG Technical Inspections Division will notify the inspected facility of an onsite reinspection at least 30 days prior to the desired reinspection date. The DAIG Technical Inspections Division may elect to conduct a document review reinspection, which consists of the review and the acceptance of documentation supporting the corrective action identified in the organization’s written response.

d. Table 6–3 summarizes the timelines associated with inspection reports.

Table 6–2
Mission capability ratings

Rating	Definition
Mission capable	This determination allows the facility to continue normal operations while completing corrective actions.
Mission capable with limitations	This determination allows the facility to continue operations within specified limitations while completing corrective actions.
Not mission capable	This determination requires the facility to secure all chemical agents until specified corrective actions are completed. The responsible ACOM/ASCC/DRU will verify compliance with this restriction and will verify the completion of the corrective actions before the facility can resume chemical surety operations.

Table 6–3
Technical inspection results processing matrix

Day	Suspense	Inspection with reinspection/ resolution required	Inspection with no reinspection/ resolution required	All deficiencies attributed to external support
0	Exit briefing	DAIG will provide final Inspection report to inspected organization	DAIG will provide final CSI report to inspected organization	
10	10 days after inspection	DAIG will provide copy of final report to the ACOM/ASCC/DRU, HQDA staff, and USANCA	DAIG will provide copy of final report to the ACOM/ASCC/DRU, HQDA staff, and USANCA	DAIG will provide extract of the report to the cited supporting agency
30	30 days after inspection	The inspected organization will— –Prepare written response of corrective actions taken and planned. –Prepare reclama to failing deficiencies if applicable. –Forward response and reclama to the ACOM/ASCC/DRU.	Inspected organization will— –Prepare written response to the findings/deficiencies specified by DAIG and forward to the ACOM/ASCC/DRU. –Prepare reclama and forward to the ACOM/ASCC/DRU if applicable.	For all deficiencies not corrected during inspection, supporting agency will— –Prepare written response of corrective action taken or planned through its command channels to DAIG with copies to supported organization, its ACOM/ASCC/DRU, and HQDA. –Prepare reclama to deficiencies and forward to HQDA (if applicable).
60	60 days after inspection	The ACOM/ASCC/DRU will— –Review inspection report, corrective actions response, and reclama. –Forward organizational and/or ACOM/ASCC/DRU reclama to HQDA (DAMO–SSD or ASA (I&E)) if applicable. –Make “mission capability” determination about organization and convey determination to the organization and provide copy to DAIG and HQDA (DAMO–SSD). –Forward corrective actions response to DAIG.	The ACOM/ASCC/DRU will— –Review inspection report (and corrective actions response and reclama if applicable). –Forward organization and/or ACOM/ASCC/DRU reclama to HQDA (DAMO–SSD or ASA (I&E)) and corrective action response to DAIG if applicable.	For failing external support deficiencies, the supported organization’s ACOM/ASCC/DRU will make “mission capability” determination about organization

Table 6-3
Technical inspection results processing matrix—Continued

Day	Suspense	Inspection with reinspection/ resolution required	Inspection with no reinspection/ resolution required	All deficiencies attributed to external support
80	20 days after receipt of written response from the ACOM/ASCC/DRU	DAIG will— –Review corrective action response. –Determine whether to conduct onsite reinspection. –Forward memo indentifying reinspection date to the ACOM/ASCC/DRU and inspected organization.	DAIG will review corrective action response	DAIG will review corrective action response. For failing external support deficiencies, DAIG will— –Determine whether to conduct onsite review. –Forward memo identifying reinspection date to supporting organization with copy furnished to the ACOM/ASCC/DRU and supported organization.
90	30 days after receipt of reclama	Appropriate HQDA offices review reclama. DCS, G-3 (DAMO-SSD) will prepare and send response to the ACOM/ASCC/DRU (copy to DAIG)		Appropriate HQDA offices review reclama. DCS, G-3 (DAMO-SSD) will prepare and send response to supporting agency (copy to DAIG and the ACOM/ASCC/DRU of supported organization)
120	60 days after receipt of written response from the ACOM/ASCC/DRU	DAIG will conduct reinspection	Appropriate HQDA offices will review reclama; DAMO-SSD will forward reclama response to the ACOM/ASCC/DRU and DAIG	DAIG will conduct reinspection

6-14. Reclamas

a. The DAIG team chief and the commander/director will make every effort to resolve issues prior to the publication of a final report.

b. The DAIG team chief will not change findings of fact. These findings are those things that an inspector actually observed during the inspection such as no evidence of quarterly inventories, missed steps in a procedure, and out-of-date calibration. The team chief will inform the inspected organization of any tentative findings identified during the inspection. The commander/director will learn of these tentative findings at the nightly outbriefs. The DAIG team chief will consider any evidence that can be produced to nullify a tentative finding (such as finding a misplaced file) up to the time the inspection activities are concluded. The DAIG team chief may consider any information presented after that point in time. Reproduced documentation will not change a finding but will be treated as a corrective action.

c. The DAIG team chief and the commander/director will resolve differences in interpretation of a regulatory requirement. If both parties cannot agree, they will contact the regulation’s proponent to discuss the situation and obtain the proponent’s ruling.

d. If an issue is not resolved with the proponent or through a legal opinion prior to the inspection’s completion, the inspection team will publish a draft report. The team will publish the final report after obtaining the proponent/legal opinion. This process will include the facility commander or director.

e. Any commander/director in the chain of command of the inspected organization or external support organization may submit a reclama. The inspected organization and/or intermediate headquarters will submit reclamas through the chain of command to arrive at the ACOM/ASCC/DRU not later than 30 days from the date of the final inspection report. Intermediate commanders/directors will identify their concurrence or nonconcurrence with the reclama.

f. Within 60 days of the date of the final inspection report, the ACOM/ASCC/DRU will evaluate the reclama and determine whether to forward it with ACOM/ASCC/DRU concurrence to the appropriate HQDA office (DAMO-SSD) for resolution, or to disapprove the reclama and return it to the requestor. ACOMs/ASCCs/DRUs will also submit any ACOM/ASCC/DRU level reclama to the HQDA proponent within 60 days of the final inspection report.

g. The HQDA office (DAMO-SSD) will coordinate the HQDA response to reclamas with appropriate HQDA offices. If any coordination office does not concur with the proposed resolution, the issue will be referred to higher echelons for adjudication. The SA is the final adjudication authority. The HQDA office will forward the final decision to the affected ACOM/ASCC/DRU within 30 days of receipt of a reclama (or within 10 days of receipt of the resolution decision if the issue is referred to a higher echelon). The HQDA office will furnish copies of the resolution decision to the DAIG Technical Inspections Division (SAIG-TI); other staff elements as appropriate; and the director, USANCA (ATNA-OP).

h. Where an interpretation or clarification of a regulation/policy has been made during the reclama process, the proponent of that regulation or policy will provide formal notification reflecting the interpretation/clarification to all

affected ACOMs/ASCCs/DRUs and HQDA staff agencies not later than 30 days following the decision. ACOMs/ASCCs/DRUs will forward the message to affected organizations within the command as soon as possible.

6–15. Special Inspections

- a.* The DAIG Technical Inspections Division will also conduct—
 - (1) Surety special inspections as directed by the Army Secretariat, TIG, and the Army Staff.
 - (2) Inspections of CWM responses and related support functions as directed by the SA, Under Secretary of the Army, and DASA–ESOH.
- b.* The special inspection authority, schedule, scope, and report format and suspenses will be as specified in the special inspection directive.

Section III

Intelligence Oversight Inspections

6–16. Inspections guidance

- a.* IGs must provide intelligence oversight for the intelligence components within their command. IGs at all levels have the responsibility to inspect intelligence components and activities as part of their commander’s OIP.
- b.* This section, used with AR 381–10 and EO 12333, provides guidance for the conduct of intelligence oversight inspections. This section applies to all IGs.
- c.* State IGs assigned to multiservice headquarters will adhere to applicable DOD directives and instructions relating to intelligence oversight, to include the appropriate U.S. Air Force instructions governing the role of Air Force IGs in intelligence oversight.
- d.* 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.

6–17. Intelligence oversight purpose and procedures

- a.* AR 381–10 sets forth 15 procedures governing the activities of intelligence components that affect U.S. persons as defined in that regulation. Procedures 2 through 4 address the authority by which such components may collect, retain, and disseminate information concerning U.S. persons.
- b.* These procedures enable DOD intelligence components to carry out effectively their authorized functions while ensuring any activities that affect U.S. persons are carried out in a manner that protects the constitutional rights and privacy of such persons.
 - c.* Procedure 14 requires each intelligence component to familiarize its personnel with the provisions of EO 12333, AR 381–10, and applicable implementing instructions. At a minimum, such familiarization will contain—
 - (1) Applicable portions of Procedures 1 through 4.
 - (2) A summary of other procedures that pertain to collection techniques that are (or may be) employed by the intelligence component.
 - (3) A statement of individual employee reporting responsibility under Procedure 15.
- d.* Procedure 15 requires IGs, as part of their inspection of intelligence activities and components, to—
 - (1) Seek to determine whether such components are involved in any questionable activities.
 - (2) Ascertain whether any organization, staffs, or offices within their respective jurisdictions, but not otherwise specifically identified as DOD intelligence components, are being used for foreign intelligence or counterintelligence purposes to which EO 12333 applies and, if so, ensure the activities of such components are in compliance with AR 381–10 and applicable policy.
 - (3) Ensure that procedures exist within such components for the reporting of questionable activities and that employees of such components are aware of their responsibilities to report such activities.

6–18. Inspection methodology

- a.* The DAIG Intelligence Oversight Division (SAIG–IO) has developed an inspection methodology to assist field IGs in the conduct of intelligence oversight inspections. This methodology can be an effective tool in determining compliance with AR 381–10, assessing soldier/civilian knowledge of the regulation, and identifying questionable activities.
 - (1) IGs will identify intelligence components and personnel performing intelligence functions, generally numbered military intelligence units, and intelligence (G–2/S–2) offices. They may also include security personnel with additional intelligence duties. Some of these dual-responsibility personnel may not realize that they are subject to the provisions of AR 381–10.
 - (2) The intelligence component will brief the IG on their operations and their intelligence oversight program. Elements of importance are—
 - (a) Existence of an intelligence oversight program (beyond simply a written program).

(b) A designated point of contact for intelligence oversight.

(3) IGs will determine whether the intelligence component handles U.S. person information and, if so, determine under what authority. Military intelligence organizations or offices at all levels may or may not have the mission and authority to collect information on U.S. persons. When they do, it is generally because the organization/office is also performing nonintelligence functions such as personnel security. At the installation level, the intelligence function is often an extra duty of the security officer. In such cases, AR 381–10 applies only to the intelligence portion of that individual's duties.

(4) IGs will assess the ability of unit members to apply AR 381–10 in practical situations. The Deputy Chief of Staff, G–2 has developed a Web page at www.dami.army.pentagon.mil with various scenarios and solutions. Additionally, the DOD IO office and IO offices of other Services have Web sites containing useful information. Other training scenarios are available from TIGS.

(5) The IG must check both paper and electronic unit intelligence files. Because military intelligence organizations may or may not have the mission to collect information on U.S. persons, the IG must first determine the organization's mission and authority to collect when reviewing unit intelligence files (see para 6–18a(3)). Some incidental information on a U.S. person may appear in documents prepared by intelligence components outside the command. This incidental information does not necessarily violate AR 381–10 as long as the information is properly filed (that is, not retrievable by reference to the U.S. person) and is not extracted to produce intelligence products. The inspection methodology will also include a provision to crosswalk unit intelligence files with disciplinary and derogatory files involving intelligence personnel.

(6) IGs will determine if the intelligence component knows how to report a questionable activity as required by Procedure 15. Unit members must be able to identify the designated IO point of contact (POC). The unit members will understand the IG role in IO as well.

b. If, in the course of the inspection, questionable activity appears to have occurred, the intelligence component will submit a Procedure 15 report in accordance with AR 381–10. Forward questions concerning questionable activities or the conduct of IO inspections to the DAIG Intelligence Oversight Division at the following address: The Inspector General (ATTN: SAIG–IO), 1700 Army Pentagon, Washington, DC 20310–1700, or by e-mail: IOD@daig.ignet.army.mil.

6–19. Special access programs, sensitive activities, and Army laboratories

a. The DAIG Intelligence Oversight Division (IOD) will conduct inspections of SAPs and sensitive activities on a rotating basis based upon the number of approved SAPs and sensitive activities. The Technology Management Office is responsible for determining the list of organizations subject to inspection by the DAIG IOD.

b. IOD team members will conduct security management inspections of selected Army laboratories and research, development, and testing facilities on a 5-year rotational basis. A MOU with the Deputy Under Secretary of Defense for Laboratories and Basic Science and the DODIG establishes proponenty for these inspections.

Chapter 7 The Inspector General Assistance Function

7–1. Assistance function

a. This chapter provides policy and guidance to military and DA civilian IGs in the Active Army, the USAR, and the ARNGUS regarding the assistance function. ARNGUS IGs will refer to paragraph 7–7 for additional policy and guidance unique to the ARNGUS.

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

c. IGs providing assistance to complainants will use IG technical channels, to include the ACOM/ASCC/DRU IG as well as the DAIG Assistance Division, as an information resource when handling specific case issues. TIGS is also available as a resource for clarifying and explaining policy and doctrinal issues.

d. Army IGs will provide assistance on an area basis so that anyone can go to the nearest IG office to request help or information (see paras 1–4b(3) and 1–4c(3)). In the absence of a MOA, MOU, 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 Army IG is best suited to resolve. Routine assistance matters involving local issues presented by personnel assigned to Army organizations without assigned IGs (for example, the Assistant Secretary of the Army for Acquisition, Logistics and Technology, civilian personnel operations centers (CPOCs), Armed Forces Reserve Centers, and so forth), routine assistance matters involving local elements of Army organizations without assigned IGs, and routine assistance requirements involving local issues presented by personnel at locations geographically separated from their command IG fall within the scope and intent of these provisions for area support. IGs will use technical channels to coordinate efforts, refer cases, or resolve concerns regarding IG jurisdiction. The DAIG 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. When processing a request for assistance, IGs will do their best to protect confidentiality (see para 1–12).

7–2. Conducting an assistance inquiry

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

b. Unlike the IG investigative inquiry in which IGs must follow specific procedures, the assistance inquiry allows the IG to determine the best way to conduct the inquiry. The assistance inquiry process follows the seven-step IGAP (see chap 4) as follows:

(1) *Step One: Receive the IGAR.* Step one begins when an IG receives a request for assistance, a request for information, or a complaint or allegation, all of which constitute an IGAR. Anyone can submit a complaint, allegation, or request for information or assistance to any Army IG concerning a matter of Army interest. IGARs come from multiple sources: walk-ins, call-ins, write-ins, e-mail messages, faxes, and indirectly. The receiving IG will record all information received during step one on a DA Form 1559, which serves as the base-control document. The IG receiving the IGAR will *always* open a case in the IGARS database even if the case is not appropriate for IG action. If referred to an agency outside the chain of command, and determined not to be a case warranting continued IG interest, the IG will close the case. When referring a case to the 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 IGAR before closing the case. When opening or closing a case in the IGARS database, IGs must be careful not to include in the database information from protected programs or other classified information. IGs must handle all sensitive and classified information in accordance with AR 380–5 and AR 380–381. If an IGAR involves an individual or an issue associated with a SAP or SA, contact the DAIG Intelligence Oversight Division for further guidance.

(2) *Step 2: Conduct IGPA.* IGPA is a process used by an IG to determine how best to proceed with a case. This process helps identify the issues and/or allegations, determines whether those issues or allegations are appropriate for IG action, acknowledges receipt to the complainant, and assists the IG in developing a course of action. It helps the IG determine who will resolve the problem and how to solve it. An IG is usually in IGPA until he or she selects a course of action. Many assistance cases require the IG to turn a matter of concern over to another individual or agency. This referral process requires the IG to be aware of the possible implications concerning the confidentiality of the complainant. Referring the complaint to another agency usually means the IG will need to followup to determine the action taken and whether or not it addressed the complaint. If the case is of continued IG interest, the IG will request that the individual or agency provide the response back to the IG. The IG reviews the response to ensure that each concern was addressed before the complainant receives a final response.

(a) Analyzing for issues and allegations. IGs will analyze the information presented by the complainant and determine whether that information is a systemic issue, an allegation of impropriety, a request for help (assistance), or a combination of two or more of these elements. The IG will determine the assistance requested and what issues or allegations the complainant presented. The IG must identify all requests for help and matters of concern, even if the complainant did not specifically mention them. The IG will contact the complainant to clarify the issues, allegations, or concerns. The IG may later refer the complainant to the chain of command or an appropriate staff agency for action. The IG will followup referrals of cases on matters of continued IG interest to ensure the complainant receives the appropriate assistance.

(b) Issues. An issue is 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. If the information from the complaint has a *who* for the violator, then this complaint is an allegation and the IG must conduct an investigative inquiry or investigation (see chap 8).

(c) Complaints. A complaint is an expression of dissatisfaction or discontent with a process or system such as leave policies or the pay system. In some cases, the IG may not be able to assist the complainant with his or her complaint. The IG will conduct some teaching and training with the complainant and explain the role of the IG. Even though the IG knows that the complaint is not appropriate for the IG, the IG must still analyze the entire complaint for any issues and/or allegations. Many complaints presented to the IG will have an established appeal process. If so, the complaints are not appropriate for IG action until the complainant uses the established process. If the complainant is still dissatisfied, the IG can check the appeal action for due process.

(d) *IG appropriateness.* As a rule, not all matters presented to the IG are appropriate for IG action. Examples of issues not appropriate for IG involvement would include serious criminal allegations (murder, rape, and so on) and issues that have other means of redress. Soldiers must seek the prescribed redress or remedy before an IG can provide assistance. If the soldier has used the available redress procedures, the IG will limit his or her review of the situation to determine if the soldier received due process by law or regulation. If the results of preliminary analysis indicate that the IGAR received is appropriate for IG action, the IG will accept the IGAR and open a case file. If not appropriate for IG action, the IG will still open the case, state why the issue is not appropriate for IG action, and state or explain what the IG did with the IGAR. IGs will advise complainants of the appropriate agency that can resolve the complaint and normally allow complainants to present their issues to that agency directly. For redress procedures available to DOD civilian employees, see paragraph 4-4k.

(e) *Acknowledging receipt.* IGs will properly acknowledge receipt of all IGARs. IGs acknowledge, orally or in writing, individual complaints, allegations, or requests for assistance. In acknowledging a request, inform the complainant that he or she will receive only information on the results of the inquiry or investigation that affect him or her directly and personally. Replies to third parties must not violate an individual's right to privacy. The IG will obtain a signed PA release authorization from the individual about whom the complaint is made before releasing any information about the case except when the information is being released pursuant to a PA exception.

(f) *Select a course of action.* IGs will determine the appropriate courses of action (IG inspection, assistance inquiry, investigative inquiry, or investigation) for each complaint, issue, and allegation determined in the IGAR. IGARs often contain issues that result in more than one course of action.

(3) *Step 3: Initiate referrals and make notifications.*

(a) *Initiating referrals inside the chain of command.* IGs may refer complaints to the chain of command or outside the chain of command. When referring complaints to the chain of command, the chain of command has the responsibility and the authority to address the complaints. Where appropriate, the IG will refer matters to the chain of command. If the matters are of continued IG interest, the IG will monitor these matters to ensure that the chain of command takes proper action.

(b) *Initiating referrals outside the chain of command.* The IG may elect to refer the issue to the appropriate agency on behalf of the complainant, but be mindful of confidentiality concerns. Provide the necessary information to the agency, and determine whether or not to monitor the action until completion.

(c) *Initiating referrals to other IG offices.* The IG may decide that another IG office is best suited to handle a particular issue due to jurisdictional or other reasons. The IG may refer the issue to the other IG office and retain status as the office of record; in this case, the other IG office becomes the office of inquiry. These referrals may only occur within a vertical echelon of command such as ACOM to corps to division. The IG will only close the case once the office of inquiry has reported their factfinding results. The IG may also refer the issue along with office-of-record status to another IG office within the vertical echelon of command or horizontally to another command echelon and then close the case in IGARS. In all cases, the receiving IG office must agree to accept the referral (see para 4-7d).

(4) *Step 4: Conduct IG factfinding.* The assistance inquiry is an informal factfinding process used to address or respond to a complaint involving a request for help, information, or issues and not allegations of impropriety or wrongdoing. The IG must evaluate the facts and evidence received to ensure that all issues were addressed before responding to the complainant. The information provided to the IG must lead to a reasonable conclusion or recommendation. The inquiry findings will be the basis for the notification to the complainant as well as the final reply. When an IG interviews a person, the IG may record impressions of the person's attitude, sincerity, and truthfulness. The IG will enter these observations in the IGAR file and will clearly indicate that they are IG opinions.

(5) *Step 5: Make notification of results for an assistance inquiry.* At the completion of the assistance inquiry, the complainant will be notified and informed of the results. The IG will only provide information pertaining to the complainant regarding actions taken. Remember: a third party is only authorized by law to receive information directly pertaining to him or her without prior consent from the complainant. IGs will annotate all notifications made in the case file using case notes and then record that information in the IGARS database. The IG must specify if the notification occurred orally or in writing.

(6) *Step 6: Conduct followup.* Followup ensures that all issues and/or allegations have been thoroughly addressed and all IG responsibilities have been fulfilled. Followup will include a review of issues and/or allegations previously addressed to determine if further appeal procedures are available or if the IG will examine due process for the complainant. IGs may personally conduct followup or address the issues and/or allegations during a staff assistance visit or during future IG inspections. An IG case is not closed until all appropriate actions are completed.

(7) *Step 7: Close the file.* In closing the file, IGs will ensure that all relevant documentation is present and review all issues and allegations to ensure that they have been addressed appropriately. IGs will ensure that the synopsis entered into the IGARS database includes an evaluation of the facts and evidence examined and a conclusion that the issues were "founded" or "unfounded" (see para 7-2b(7)(a), below). Each issue must have an accompanying function code that is appropriately descriptive and that the determination is coded (A) for assistance. Closing an IGAR also consists of providing the complainant with a final reply that details the IG's final determination as it pertains to the issues presented in the IGAR. The final response to the complainant for assistance cases may occur verbally or in writing, but

notifications for investigations and investigative inquiries will be in writing and contain only the information pertaining directly to the complainant. The IG will annotate this action in the case file. IGs who register one-minute IGARs into the IGARS database will not respond in writing upon closing the IGAR.

(a) *Closing the IGAR in the IGARS database.* In closing the file, ensure that all relevant documentation is present and included in the file. Review all issues and allegations to ensure that they have been appropriately addressed. The synopsis is the final item entered into the IGARS database. Each issue must be annotated as either “founded” or “unfounded” within the synopsis depending upon what the IG learned during factfinding. “Founded” means that the IG inquiry into the issue determined that the problem or complaint had merit and required resolution. “Unfounded” means that the IG inquiry into the issue or complaint yielded no evidence to prove that a problem existed for the IG to resolve. The next step in closing the IGAR is to code the case. The function code selected identifies the areas where the IG received complaints, allegations, and requests for help (assistance). IGs may also use the ROI format (see para 8–7). This format provides a logical and disciplined presentation of information or evidence that leads to a justifiable conclusion. Likewise, the determination codes are also important to understanding what the data is showing. Each request for assistance will be coded assistance (A) to indicate that the IG provided advice or guidance, resolved a request for assistance, or referred the complainant to an agency other than the IG to resolve the problem.

(b) *Making appropriate reports.* Appropriate reports are based upon the local IG standing operating procedures (SOP).

(c) *Analyzing for developing trends.* The final process in closing an IGAR is analyzing trends that may be developing. IG objectives are to identify trends that affect the command and to identify and correct systemic problems or potential problem areas.

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

d. Many complainants will have strong emotions regarding the issues or problems they present to the IG. Complainants have, on occasion, displayed those emotions as anger or resentment directed at the IG. All complainants, however, must behave properly and adhere to appropriate professional or military courtesy as necessary when presenting their IGARs to the IG. IGs 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 appropriate cases, IGs may have to caution the complainant that continued abusive, disrespectful, or threatening behavior may be brought to the attention of the appropriate command or supervisory authority. IGs must be cautious, however, to avoid referring the matter of abusive, disrespectful, or threatening behavior to a command or individual at a time that might result in a 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 content or conduct and not for the protected—lawful—communication with the IG. However, IGs will carefully weigh the severity of the abusive, disrespectful, or threatening conduct 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.

7–3. Actions pertaining to certain types of inspector general action requests

a. *Pay-related IGARs.* If the local finance office cannot resolve pay complaints, the IG will contact the Defense Finance and Accounting service (DFAS) IG for assistance. The DFAS IG will either accept the case or inform the local IG to refer the case to one of the appropriate DFAS centers.

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

(1) If a family member complains about a lack of basic needs such as food or shelter, the IG will ensure that the family’s immediate basic needs are met. The IG will contact the appropriate military support agency and the appropriate commander so that they may assist the complainant with basic needs from both military and civilian resources. The IG will directly oversee this process until the family’s immediate needs are satisfied.

(2) Resolving nonsupport and indebtedness claims is a command responsibility; the primary IG role is to ensure that the commander is aware of all complaints and takes appropriate action. AR 608–99, as applicable, establishes the commander’s responsibilities in nonsupport cases. The Judge Advocate General (TJAG) is the proponent for AR 608–99. As such, IGs may coordinate nonsupport issues with the servicing SJA.

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

c. *CPOCs.*

(1) *OCONUS*. OCONUS CPOCs fall under the responsibility of the U.S. Army Civilian Human Resources Agency, a field operating agency of the DCS, G-1. The local IG may provide assistance as stated in paragraph 7-1 and use IG channels to coordinate efforts or hand off cases, to resolve concerns regarding IG jurisdiction if necessary, to contact the ACOM/ASCC/DRU IG regarding systemic issues involving CPOC operations, and to coordinate inspections and investigate actions.

(2) *CONUS*. CONUS CPOCs fall under the responsibility of the U.S. Army Civilian Human Resources Agency, a field operating agency of the DCS, G-1. The local IG may provide assistance as stated in paragraph 7-1 and use IG channels to coordinate efforts or hand off cases, to resolve concerns regarding IG jurisdiction if necessary, to contact DAIG regarding systemic issues involving CPOC operations, and to coordinate inspections and investigate actions.

d. Contractor activities. IGs must analyze the substance of complaints and requests for assistance from contractors and their employees who are involved in commercial, procurement, or contracting activities on behalf of the Army to determine if they are appropriate for IG action. Contractor activities normally fall within the jurisdiction of other established avenues of redress. Coordination with the contracting officer representative as well as with the command's supporting SJA, general counsel, or the DAIG Legal Advisor is advisable when determining how best to resolve a contractor IGAR.

7-4. Acting inspectors general

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

b. AIGs will only process requests for assistance of a personal or administrative nature. Examples of the types of assistance appropriate for an AIG to handle are pay problems, loss of household goods, and obtaining an identification card for a spouse. The AIG may conduct a limited assistance inquiry to help the complainant. For example, the AIG may call DFAS to obtain information to help a complainant with a pay problem.

c. An AIG who receives a complaint or request for assistance for an issue that is not a routine administrative problem will pass the request to the office of the supervising detailed IG for action. The AIG may listen to the complainant and record the IGAR but must advise the complainant that the detailed IG will process it.

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

7-5. Assistance visits

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

b. Higher HQ IGs will coordinate with subordinate command IGs prior to an assistance visit. Normally, the coordination will occur 90 to 120 days prior to the visit but will be completed within the time frames required by the headquarters being visited. The visiting IGs will normally invite the subordinate command IGs to accompany the higher HQ IG team.

c. An assistance visit may include the following:

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

7-6. Assistance policy for Army National Guard personnel

a. ARNG personnel; Federal and non-Federal interest. IGs will process IGARs submitted by ARNGUS personnel based upon 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 above. IGs will process matters involving non-Federal interest as prescribed by the State AG. IGARs submitted by ANG personnel are addressed in paragraph 1-10.

b. Equal opportunity complaints. Equal opportunity discrimination complaints made by members of the NG on the basis of race, color, national origin, gender, or religion will be processed under NGB guidance rather than the IG assistance function.

c. Responses to Congress.

(1) If a ARNG IG receives an inquiry directly from a MC and there is no indication that 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. IGs will contact the DAIG 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 Member of Congress.

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

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

Chapter 8

The Inspector General Investigations Function

8-1. Investigative factfinding processes

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

b. The IG investigations function encompasses two factfinding methodologies.

(1) An IG investigation is a factfinding examination by a detailed IG into allegations, issues, or adverse conditions to provide the directing authority a sound basis for decisions and actions. IG investigations address allegations of wrongdoing by an individual as authorized by the directing authority through the use of written directives.

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

(a) An assistant IG may assist a detailed IG in the conduct of an investigation. Assistant IGs may participate in investigative inquiries within the limits prescribed at paragraphs 2-2*d* and 8-4 of this regulation. An acting IG may provide only limited administrative assistance.

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

8-2. Duties of inspector general investigators

a. IG investigators—

(1) Conduct IG investigations and investigative inquiries in accordance with the policy and procedures outlined in this regulation. For additional information, IGs may contact the DAIG Assistance or Investigations Division. IGs may refer questions pertaining to specific cases directed by TIG to the DAIG Assistance Division. TIGs also publishes a doctrinal guide that outlines procedures for implementing the investigative policies described in this chapter.

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

(3) Obtain evidence sufficient to determine that an allegation is either substantiated or not substantiated or an issue is founded or unfounded. 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 implies that the alleged impropriety probably occurred. Craft the wording of allegations carefully; a substantiated allegation must always represent an impropriety.

(4) Include in the ROI or ROII a complete, objective, and impartial presentation of all pertinent evidence gathered during the investigation/inquiry. The report, with its enclosures, will stand alone and be understandable to anyone who reads it (see para 8-7 for additional discussions of ROI/ROII).

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

(a) IG records will not be used as the basis for adverse actions unless approved by TIG (see para 3-3).

(b) The directing/approving authority must consider the possible adverse consequences of employing the ROI/ROII as the basis for an adverse action. An individual against whom adverse action is contemplated has due-process rights that may require the release of confidential testimony, personal information, and deliberative material (opinions,

conclusions, and recommendations of investigations). Such release might compromise the integrity of the IG System and IG ability to serve the commander as an impartial, confidential factfinder.

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

b. In all investigative activities, IGs will be sensitive to actual and potential concerns that people have about keeping both the fact and extent of their involvement confidential (see paras 1–12 and 3–6).

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

8–3. Jurisdiction

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

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

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

b. IGs will not normally investigate or conduct investigative inquiries when—

(1) The alleged impropriety is of a nature that, if substantiated, would likely constitute criminal misconduct. Many allegations of acts or omissions can theoretically be seen as criminal insofar as they could be phrased as a dereliction of duty, violation of a regulation, or conduct unbecoming an officer, but that fact does not necessarily preclude an IG investigation or inquiry. The directing authority may still direct the IG to conduct an investigation or inquiry. IGs will coordinate or consult with the appropriate legal advisor in cases of this nature and with USACIDC officials if appropriate.

(2) Substantiation of allegations appears certain at the outset of IG analysis of the IGAR and that certain adverse actions against individuals will occur. An example is the criminal allegation of assault that is punishable under the UCMJ (see paras 3–3 and 8–10 and AR 195–2, app b).

(3) The Army has an established means of redress (see para 4–4j).

(4) The chain of command decides to address the issues and allegations. If a subordinate commander has the ability to conduct a commander’s investigation or inquiry, the IG will afford the subordinate commander the opportunity unless otherwise directed by the IG’s commander and directing authority (see paras 8–3l and m).

(5) The allegations involve professional misconduct by an Army lawyer, military or civilian. IGs will refer such allegations through the DAIG Legal Advisor to the senior counsel (for example, the General Counsel of the Army, TJAG of the Army, the Command Counsel of the U.S. Army Material Command (AMC), or the Chief Counsel of the U.S. Army Corps of Engineers) having jurisdiction over the subject lawyer for disposition. If an allegation does not present credible evidence that raises a substantial doubt about the lawyer’s honesty, trustworthiness, or fitness to practice law, then the DAIG Legal Advisor may, after consultation with the senior counsel of the lawyer concerned (or a 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. TIG or DTIG approval is not required. If the senior counsel intends to incorporate into the final report on these allegations any part of the IG record, then TIG or DTIG approval will be required.

(6) The allegations involve mismanagement by a member of the Judge Advocate Legal service serving in a supervisory capacity at the time of the alleged mismanagement. IGs will refer such allegations through the DAIG Legal Advisor to the Executive, OTJAG, for disposition under the provisions of AR 27–1. If a complaint is not credible, then the DAIG Legal Advisor, after consulting 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 lawyer will go to the Executive, OTJAG. TIG or DTIG 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 or DTIG approval is required.

c. The SA has authorized TIG to investigate all Army activities. Only the SA, Under Secretary of Army, CSA, 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. In accordance with paragraph 1–4b(5), TIG may direct a command or State IG to conduct inquiries or investigations.

d. Commanders whose staffs include a detailed IG may direct IG investigations into activities within their command. Detailed IGs are authorized to inquire or investigate within their organizations and activities as specified by their directing authority and this regulation. IGs may conduct investigations and inquiries at tenant units belonging to other ACOMs/ASCCs/DRUs after coming to a mutual agreement between the IG and the tenant unit’s ACOM/ASCC/DRU IG.

e. State AGs whose States have detailed IGs may direct IG investigations or inquiries into Federal activities within their States, to include both ARNG and ANG matters (see para 1–9).

f. IGs may investigate allegations against subordinate commands or commanders within the IG sphere of activity as directed by the IG’s commander (directing authority). IGs will forward allegations against the IG’s command or

commander to the next higher IG for disposition unless the commander is a general officer or senior civilian (see paras 8-3*i* and *j* for exceptions).

g. IGs will report to TIG (SAIG-AC) within 2 working days after receipt by confidential means any IGAR containing an allegation against a MSG, 1SG, SGM, CSM, or any Army officer in the grade of major through colonel that has resulted in the initiation of an IG investigation, investigative inquiry, or a command-directed action (for example, AR 15-6 investigation, Commander's Inquiry, UCMJ action, and so forth) (see paras 1-4*b*(5)(b) and 4-7*c*).

h. IGs will report by confidential means all allegations against IGs (uniformed and civilian) to the next higher echelon IG for appropriate action within 2 working days after receipt. IGs will forward an information copy of the report (with the IGAR, allegation, and the complaint attached) to both TIG (SAIG-AC) and the ACOM/ASCC/DRU IG concurrently with the report to the next higher echelon IG. TIG retains the authority to investigate the allegation under the provisions of paragraphs 1-4*a* (12) and 1-4*a*(15)(d). Command and State IGs will notify TIG of any anticipated command or IG action before attempting to resolve the allegation. The nature of the allegations will determine which IG office or level of command will conduct the investigation. The ACOM/ASCC/DRU IG will consult with the DAIG Assistance Division to determine the best course of action to resolve the allegation and inform Assistance Division of the assessment and recommendations.

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

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

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

i. IGs will conduct investigations of allegations of improprieties by general officers, promotable colonels, and senior civilian employees of the Army as follows:

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

(2) Commanders or IGs must forward directly to the DAIG Investigations Division by confidential means any and all allegations of impropriety or misconduct (including criminal allegations) against general officers (including ARNGUS, USAR, and retired general officers), promotable colonels, and senior civilians within 2 working days of receipt. IGs will not open an IGAR or conduct any fact finding into the nature of the allegations unless authorized by TIG, DTIG, or the Chief of the DAIG Investigations Division. Special Government employees are not considered to be "DA civilian employees of comparable grade or position" under this regulation; IGs handle complaints against special Government employees using normal IG procedures (see para 1-4*b*(5)(e)).

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

(4) If the IG who receives the allegation works for the subject of the allegation, or if questions arise, the IG will contact the Chief of the DAIG Investigations Division for guidance. The intent of this procedure is to allow DAIG to notify the commander to avoid placing the IG in an ethical dilemma. See appendix C for additional information for procedures for investigations of allegations against senior officials.

(5) Address questions to The U.S. Army Inspector General Agency (ATTN: SAIG-IN), 2511 Jefferson Davis Highway, Suite 12800, Arlington, VA 22202-3912 or The Inspector General (ATTN: SAIG-ZXL), 2511 Jefferson Davis Highway, Suite 12600, Arlington, VA 22202-3912.

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

k. IGs will forward allegations concerning whistleblower reprisal and/or improper mental health evaluation referrals through the ACOM/ASCC/DRU IG to the DAIG Assistance Division within 2 working days.

l. When an allegation is referred to a commander, the CID, the DA, or a non-DA agency, IGs will process the IGAR in accordance with the doctrine developed by TIGS in coordination with the DAIG Assistance Division. This written guidance is available from TIGS.

m. Directing authorities may, at any time, terminate an IG inquiry or investigation that they directed. When termination occurs, the IG conducting the inquiry or investigation will process the IGAR in accordance with procedural guidance outlined by the DAIG Assistance Division (SAIG-AC).

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

a. The IG investigations function includes IG investigations and IG investigative inquiries, which IGs commonly conduct to resolve allegations of individual wrongdoing. Detailed IGs conduct IG investigations, which are limited to the matters approved by the directing authority. Detailed IGs will actively lead IG investigations and will not permit assistant IGs who are assisting in the investigation to conduct the investigation alone and unsupervised. A detailed IG who allows an assistant IG to gather all the evidence and then reviews and approves the assistant IG's work is not actively involved with the investigation. IGs will write all IG reports of investigation and investigative inquiry in the IG investigations format addressed in paragraph 8-7. The decision to conduct IG investigations and investigative inquiries results from Step 2, Conduct IG preliminary analysis (see para 7-3b(2)).

b. An IG investigation is a formal factfinding process that incorporates the following procedures:

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

(2) Orally notifying appropriate commanders or supervisors and the subjects or suspects of the investigation and inform them of the nature of the allegations. IGs will document the notifications and enclose them in the ROI.

(3) Developing a written investigative plan that includes the following elements:

(a) Witness list that includes the complainant, subject-matter experts, and the subject/suspect.

(b) Interview sequence.

(c) Witness schedule.

(d) Interview format.

(e) Time and place of each interview.

(f) Questions.

(4) Gathering evidence and taking sworn and recorded testimony, complying with the PA and FOIA notices, and rendering rights warnings when required. The detailed IG must participate in these processes.

(5) Evaluating the evidence and write the ROI.

(6) Obtaining a written legal review of the ROI from the supporting judge advocate.

(7) The command or State IG gaining the approval of the ROI from the directing authority.

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

c. The IG investigative inquiry is less formal than an IG investigation and is used when there is an allegation, issue, or adverse condition that does not warrant a full investigation. IGs will conduct the investigative inquiry in the same manner as an IG investigation (see para 8-4b) with the following exceptions:

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

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

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

(4) The IG will document the actions outlined in paragraphs 8-4b(6) and 8-4c(1) through (3) and enclose them in the ROII.

d. If the allegation(s) in the IG investigation/investigative inquiry is substantiated, all Army IGs must formally notify the subject/suspect in writing as to the conclusions and inform that person on the procedures necessary to obtain copies of the ROI/ROII under FOIA.

e. The directing authority will approve all substantiated allegations that appear in a ROI/ROII to ensure that the IG's conclusions receive a responsible level of scrutiny.

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

g. In most IG investigations and investigative inquiries, IGs will obtain evidence from documents and witness interviews. IGs always seek the best available evidence through the collection of relevant documents and interviews with the best witnesses (first-hand witnesses). The best evidence from individuals is sworn and recorded testimony by persons with direct knowledge. Evidence of a lesser quality, such as memoranda of conversations, handwritten notes, unsworn statements, and second-hand information (hearsay) is also acceptable. The IG will weigh this type of evidence accordingly. IGs will not consider evidence that is privileged under the Manual for Courts Martial (MCM 2005), Military Rules of Evidence (MRE), as follows: communications between a lawyer and client (MRE 502), privileged communications with clergy (MRE 503), the husband-wife privilege (MRE 504), the political vote privilege (MRE 508), deliberations of courts and juries (MRE 509), and the psychotherapist-patient privilege (MRE 513). 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 inquiry or investigation evidence derived from other evidence procured in violation of 18 USC 2511 pursuant to 18 USC 2515.

h. IGs will use interview guides when conducting interviews as part of an IG investigation. The interview guides are also recommended for use during investigative inquiries. Interview guides are formal scripts used by IGs while conducting interviews; IGs will read these scripts verbatim during the interviews. The guides ensure technical correctness and that the IG addresses all relevant areas that all witnesses, subjects, and suspects must know as part of the IG interview process. Guides for conducting pretape briefings, read-ins, and read-outs are available in the appropriate doctrinal publications published by TIGS. The guides are designed specifically to address those elements necessary to due process based upon the person's status in the interview. The essential elements of these guides are—

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

(2) *Read-in (part II)*. Use the appropriate interview guide depending upon each individual's status. Each interview guide differs slightly depending on the status of the person the IG is interviewing.

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

(4) *The read-out (part IV)*. The IG will read this script verbatim and conclude the interview.

i. Persons who provide testimony in IG investigations and inquiries and their counsel, if present, will not record their testimony by tape or any other means. The purpose of this restriction is to protect the confidentiality of the witnesses, subjects, and suspects to the maximum extent possible. After the IG investigation or investigative inquiry is completed and the directing authority has taken final action, witnesses, suspects, and subjects may obtain copies of their transcribed testimony by following the procedures in paragraph 3–7. Witnesses, suspects, subjects, and their counsel may read their transcribed testimony prior to completion of the investigation or investigative inquiry but may not retain a copy. This review is limited to an accuracy review of the recording and the transcription. Any efforts to clarify, modify, or add to testimony will take place only through a subsequent interview or in sworn, written statements at the discretion of the investigator.

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

k. IGs will use only the investigative conclusions outlined below. 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 the IG findings regarding violations by a specific individual of an established standard and will not be vague statements.

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

(2) The IG 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) IGs will not use conclusions such as, “The allegation was not substantiated, founded, or refuted” as a conclusion.

(4) IGs will not use the terms “partially substantiated,” “partially founded,” “without merit,” or “substantiated in part.”

(5) *Founded*: The IG will render a conclusion for issues associated with the allegation(s) in the ROI that had merit or required resolution (see para 7–2b(7)).

(6) *Unfounded*: The IG will render a conclusion for issues associated with the allegation(s) in the ROI that lacked merit and did not require resolution (see para 7–2b(7)).

(7) *Closed without findings*: IGs will consider an allegation or issue as closed without findings when the inquiry or investigation is terminated prior to conclusion due to the following special circumstances:

(a) The allegation or issue relates to actions that are more than 3 years old. The IG will document the relevant time periods 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.

8-5. Discussion of rights

a. 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. A subject is a person against whom noncriminal allegation(s) have been made such as a violation of a local policy or regulation that is not punitive. A suspect is a person against whom criminal allegations have been made (the alleged acts are violations of punitive articles of the UCMJ, punitive sections of regulations, or other criminal laws). A person may also become a suspect as a result of incriminating information that arises during an investigation or interview or whenever the interviewer believes that the person committed a criminal offense. The appropriate rights warning for persons interviewed during an IG inquiry or investigation varies with their status. IGs will use DA Form 3881 (Rights Warning Procedure/Waiver Certificate) for suspect interviews and, in some cases, subject interviews.

b. DA personnel who are witnesses or subjects may not lawfully refuse to answer questions properly related to an IG inquiry or investigation unless answering the question will incriminate them, will involve certain privileged communications (see para 8-4), or will be in violation of their right to union representation as described in paragraph c below. However, if an investigator suspects that a soldier or DA civilian under questioning has committed a criminal offense, the investigator must advise that person of his or her rights under UCMJ, Art. 31, and *Miranda v. Arizona* (384 U.S. 436), as applicable. Soldiers or DA civilians who are suspected of having committed a criminal offense have the right to have a lawyer present (the lawyer can advise the suspect but not speak for the suspect), the right to remain silent during questioning related to the matter, and the right to terminate questioning. Accordingly, if soldiers or DA civilians invoke their rights after the IG properly advises them of their rights (or they fail to waive their rights), questioning will stop immediately, and the interview will terminate. 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. The IG will not complete the read-out; the interview will simply end. Because the circumstances under which the IG may resume questioning are specific to facts, the investigator will consult with the local legal office before initiating further discussions with these individuals. (See UCMJ, Art. 31, and MRE 304 and MRE 305). When in doubt concerning these rules, the interviewer will consult with the servicing SJA or the DAIG Legal Advisor.

c. The following apply to union representation at interviews (see 5 USC 7114(a)(2)(B)).

(1) Army civilian employees who are in a bargaining unit represented by a labor organization that has been certified as the exclusive representative of that unit have the right to union representation at any investigative examination conducted by the agency if the employee reasonably believes the examination may result in disciplinary action against him or her and if the employee requests representation. In addition, the local union contract may provide for union representation even when the employee does not request it. IGs will know the contents of the local union contract or will coordinate with the local CPAC management-employee relations specialist.

(2) Although subjects and suspects are the most likely sources of such requests, witnesses may also make them. If a witness is otherwise entitled to representation as specified in subparagraph 8-5c(1), and the witness requests a union representative, IGs must allow a union representative to be present.

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

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

8-6. Unfavorable information

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

a. Presented orally, in person, and be sworn and recorded.

b. A suggestion to obtain the testimony of reasonably available witnesses the person desires to be heard.

c. Written statements, preferably sworn, made by the person or others who wish to make a statement on that person's behalf.

d. The suggestion to obtain or consider other evidence, documentary or physical, that the person wishes to present.

8-7. Reports of Investigation and Investigative Inquiry

a. Preparation. IGs will prepare a separate written report for each IG investigation or inquiry. IGs will complete the ROI or ROII as soon as practicable after completing the investigation or inquiry. An abbreviated ROI/ROII is acceptable as a cover document for a referred action that resulted in a command product such as an AR 15-6 investigation, Commander's Inquiry, and MP or CID report that thoroughly and completely resolved the allegations and issues in a given complaint. Refer to The Assistance and Investigations Guide for guidance on abbreviated ROI/ROII formats. IGs will include in the IG record copies of documents that the IG did not prepare such as the command products mentioned above that the IG considered to support any findings, conclusions, recommendations, or resolution actions. These non-IG products will become a part of the IG record subject to the provisions outlined in chapter 3.

b. Format. The format consists of—

(1) An executive summary (when necessary) that provides the names of suspects or subjects, the authority for the investigation, the relevant background to the case, a restatement of the allegation(s) or issue(s), key evidence, and a brief discussion or synopsis of each substantiated or unsubstantiated allegation and founded or unfounded issue.

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

(a) An introduction (optional), if the case is complex or has extensive background information that demands explanation.

(b) Consideration of allegations and issues in light of the relevant evidence—the complaint, the standard alleged to have been violated, any documentary evidence (including documentation of physical evidence), witness testimony and statements, subject/suspect testimony and statements, a discussion that concisely analyzes all of the evidence considered, and a clear conclusion of “substantiated” or “not substantiated” or “founded” or “unfounded.” If the report addresses more than one allegation, the format is repeated until all allegations are addressed. For further guidance regarding examples and detailed discussions of these formats, contact TIGS.

c. Processing.

(1) The command IG or State IG will—

(a) Review and approve the ROI/ROII and forward the report to the supporting judge advocate or command counsel for legal review. Legal reviews are required for all ROIs and ROII with substantiated findings and optional for reports addressing allegations that are not substantiated.

(b) Submit the ROI to the directing authority.

(c) Approve or disapprove the ROII in part or in its entirety and provide the commander (who is also normally the directing authority) with recommendations as appropriate (see para 8-2c). In addition, ROII with substantiated allegations must receive the commander's added approval to ensure that IG conclusions receive a responsible level of scrutiny (see para 8-4e).

(2) The directing authority will—

(a) Approve or disapprove the report in its entirety or approve it in part. The directing authority will sign the report and indicate approval or disapproval. Commanders may delegate approval and disapproval authority during their temporary absence. General officer commanders may permanently delegate approval and disapproval authority to a general officer deputy commander or a general officer chief of staff.

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

(3) The IG will forward through IG channels to the next higher commander a ROI/ROII, or any portion of the ROI/ROII, 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. IGs will forward remaining matters through IG channels, with appropriate recommendations, to the next higher commander.

(4) When TIG directs the IG investigation/inquiry, 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 the IG office of record, TIG has final approval of the report. In these cases, TIG normally directs an investigative action and allows local IGs and their directing authority to decide if an IG investigation or investigative inquiry is appropriate. The local IG is best able to define and adjust the scope of the investigative action based upon the IG analysis of the issues and allegations and the evidence gathered.

8-8. Use of command products in IG investigations and investigative inquiries

IGs may use command products as evidence to resolve allegations brought to the IG. Command products include, but are not limited to, commander's inquiries and formal and informal investigations conducted under the provisions of AR 15-6. IGs will not substitute command products for a ROI or ROII, which are required to substantiate or not substantiate allegations made to an IG. Instead, the IG must complete a ROI or ROII and consider the command product as a primary piece of evidence when completing the report. However, the IG does not have to accept the results of the command product and instead may make another determination in the report. If the IG makes a determination that contradicts the conclusion reached in the command product, the IG will obtain a legal review.

Because the command product in question has already had a legal review, the IG must ensure that any decision that overrides previous legal advice receives a fresh legal examination.

8–9. Recording investigations into the inspector general electronic database

IGs will enter ROIs and ROIIs into the IGARS electronic database using the procedures provided by TIGS in coordination with the DAIG Information Management and Resources Division (SAIG–IR). IGs will ensure that the summary of the case accurately addresses the allegations, facts, conclusions, findings, and recommendations. The electronic case file also will reflect the actions taken by the commander when appropriate.

8–10. Other special investigations

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

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

b. DOD Hotline complaints.

(1) IGs may answer DOD Hotline cases using assistance inquiries, investigative inquiries, or formal investigations as appropriate. DODI 7050.7 outlines the mandatory completion report used in responding to DOD.

(2) All agencies or commands that have received DOD Hotline referrals from DAIG must address corrective action in the completion report for any substantiated allegation or founded issue and submit progress reports to the DAIG Assistance Division when unable to meet the DAIG suspense.

(3) The DODIG responds initially to complainants and informs them that the case has been received and forwarded to DAIG. In addition, the DODIG explains that if complainants wish to know the findings, they must submit a FOIA request to the DODIG. Army IGs will not respond to complainants with any findings.

(4) With Hotline cases, two exceptions exist concerning the requirement to complete a ROII or ROI when substantiating or not substantiating an allegation.

(a) The first exception is when an IG office has received the same case as a Hotline case (identical in all ways) through other channels such as a congressional inquiry. In this case, the DOD Hotline completion report will most often suffice as the product produced by the IG office of inquiry if that office conducted either an assistance or investigative inquiry.

(b) The second exception applies when a DOD Hotline case is not a duplicate and is handled by the office of inquiry with an investigative inquiry; the office of inquiry need only prepare a DOD Hotline completion report. However, the office of inquiry must still gather and retain all documents that would otherwise be attached to—and forwarded with—an IG ROII.

c. Soldier allegations of whistleblower reprisal.

(1) 10 USC 1034, revised by The Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 and effective 16 October 1998, extends authority to IGs within the military departments to grant whistleblower protection for reprisal allegations presented directly to them by service members. This law, implemented by DODD 7050.6, requires service IGs to investigate allegations of individuals taking, or threatening to take, unfavorable personnel actions or withholding, or threatening to withhold, favorable personnel action as reprisal against a member of the Armed Forces for making or preparing a protected communication. A protected communication is—

(a) Any lawful communication to an MC or an IG.

(b) 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 such as sexual harassment or unlawful discrimination, gross mismanagement, a gross waste of funds or other resources, an abuse of authority, or a substantial and specific danger to public health or safety when such a communication is made to any of the following:

1. An MC; an IG; or a member of a DOD audit, inspection, investigation, or law enforcement organization.

2. Any person or organization in the chain of command (see AR 600–20 for the definition of chain of command).

3. Any other person or organization designated in accordance with regulations or other established procedures to receive such communications (see the current version of DODD 7050.6 and associated instructions for any updates on protected communications).

Note. TIG has limited this authority to one level above that of the IG servicing the complainant, such as ACOMs, corps, armies, and so on.

(2) 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 advise the DAIG Assistance Division (SAIG-AC) within 2 working days. IGs serving below the ACOM/ASCC/DRU level will also inform the ACOM/ASCC/DRU IG about the reprisal allegation. To determine whether the allegation meets the criteria for whistleblower reprisal, the IG will conduct a Preliminary Inquiry (PI). Refer to The Assistance and Investigations Guide for the advisement and PI formats. The field IG will be prepared to discuss the timeliness of the allegation. An allegation of whistleblower reprisal may be untimely if the allegation is made more than 60 days after the soldier became aware of an adverse or unfavorable personnel action that he or she believes was taken in reprisal. The name, grade, social security number, unit assignment, address, and phone number of the soldier are required on the advisement. The IG will be prepared to respond to the following specific questions:

- (a) What protected communications does the soldier claim that he or she made?
- (b) To whom were they made?
- (c) When were they made?
- (d) What matters were addressed in the protected communication (that is, gross mismanagement, waste, public safety, abuse, and so forth)?
- (e) What are the adverse or unfavorable personnel actions alleged by the soldier?
- (f) When were the adverse or unfavorable personnel actions against the soldier taken or threatened?
- (g) When did the soldier first become aware of the adverse or unfavorable personnel actions?
- (h) Who are the responsible management officials alleged by the soldier to have taken or threatened to take the adverse or unfavorable personnel action? IGs must report allegations against senior Army officials (that is, promotable colonels, general officers, and SES employees) to the DAIG Investigations Division (SAIG-IN) within 2 days of receipt.

(3) On the basis of the results of the coordination between the DAIG Assistance Division and the IG receiving the complaint, the DAIG Assistance Division will forward a letter to the soldier formally acknowledging receipt of the complaint and will also advise the DODIG as required in 10 USC 1034. The DAIG Assistance Division will notify the DAIG Records Release Office upon DODIG approval of a whistleblower case. The Records Release Office will prepare a release to the complainant as required by DODD 7050.6.

(4) If, after completing the PI and coordinating with the DAIG Assistance Division, the IG determines that the soldier's allegations meet the criteria for coverage under the law, then the DAIG Assistance Division will direct the IG receiving the complaint to forward the case to either the ACOM/ASCC/DRU IG or to the DAIG Assistance Division for IGAP action or further tasking. Whistleblower reprisal investigations/investigative inquiries normally take place one level above the IG office that received the complaint. In some cases, and with coordination through the ACOM/ASCC/DRU IG for DAIG approval, some IG offices that received the complaint may conduct the investigation. The ACOM/ASCC/DRU IG will coordinate all notification and reporting requirements with the DAIG Assistance Division. If the allegation does not meet the criteria for whistleblower reprisal (for example, no PC, no unfavorable personnel action, or untimely), then the IG will submit a declination memorandum with the PI and forward it through the ACOM/ASCC/DRU and the DAIG Assistance Division to the DODIG for approval. Refer to The Assistance and Investigations Guide for the declination format. Declinations approved by the DODIG will be coded as assistance in IGARS. The DAIG Assistance Division will maintain oversight on whistleblower cases involving non-senior officials.

(5) In accordance with DODD 7050.6, the DODIG is the final approving authority for cases involving allegations of whistleblower reprisal. The command or State IG who investigates the reprisal allegations will obtain a directive authorizing the investigation from his or her directing authority if a formal investigation is being conducted. If an investigative inquiry is being conducted, then the State or command IG may authorize the inquiry. The investigating IG will obtain the directing authority's concurrence or nonconcurrence with the conclusions and recommendations and will forward the ROI/ROII through IG channels to the DAIG Assistance Division. Each intermediate IG will review the ROI/ROII and obtain his or her commander's endorsement regarding the conclusion and recommendations. Refer to The Assistance and Investigations Guide for ROI/ROII formats.

d. DA civilian employee, NAF, and DOD contractor allegations of whistleblower reprisal.

(1) Requirements of 5 USC 2302(b)(8)) provide similar coverage to appropriated fund (DA civilian) employees as previously discussed above for members of the Armed Forces and NAF employees. Coverage to contractor employees is provided under 10 USC 2409(a). When a Government civilian employee presents to an IG an allegation of reprisal for protected disclosure, the IG must—

(a) 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. The IG will open an IGAR, code the request as assistance, and close the IGAR.

(b) Advise NAF employees of their right to submit reprisal complaints to the DODIG in accordance with DODD 1401.3. The IG may take the complaint from the NAF employee; however, the IG must forward the complaint to the DODIG. The IG will open an IGAR, code the request as assistance, and close the IGAR.

(c) Inform contractor employees that the provisions of 10 USC 2409(a) govern their right to complain about reprisal. Advise contractor employees to contact the DODIG directly. The IG will open an IGAR, code the complaint as an assistance request, and close the IGAR.

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

e. Improper referral for mental health evaluation.

(1) DODD 6490.1 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 mental health evaluation, psychiatric hospitalization, or assessment for risk of potentially dangerous behavior. The directive prohibits improper referral as a punitive violation of UCMJ, Art. 92, and the instruction requires the Military Departments to notify the DODIG within 10 working days after receipt of an allegation(s) involving improper referral for a mental health evaluation (MHE) in violation of the directive.

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

(3) IGs must analyze all allegations of improper MHE referral for reprisal under the provisions of 10 USC 1034. If a possible violation of DODD 7050.6 cannot be ruled out after a review by DAIG, then DAIG will refer the allegations to the appropriate ACOM/ASCC/DRU IG to perform the IGAP (see 8-10c(4)).

f. Reporting of substantiated violations of the Joint Ethics Regulation (DODD 5500.7-R) to installation/agency ethics counselors. IGs will report substantiated violations of DODD 5500.7-R to DAIG and to their local installation/command/agency ethics counselors. DAIG personnel will refer this information to the legal counsel or deputy legal counsel for transmission to the Deputy Army Ethics Counselor, Army Office of Government Counsel.

8-11. Coordination and cooperation

a. Various directives and authority govern the coordination and cooperation among the OTIG; Security, Force Protection, and Law Enforcement Division (DAMO-ODL); DCS, G-3; and the USACIDC. A MOU among the above parties, dated 24 March 1988, and modified by a MOU addendum dated 7 July 1992, expresses this coordination and cooperation.

(1) *Concept.*

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

(b) IG investigations focus primarily on the collection and assessment of command, management, or leadership concerns as well as breaches of military professional ethics.

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

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

(2) *Policy.*

(a) TIG; the DCS, G-3; the Commander, USACIDC; and their designated representatives will mutually agree to a transfer of essential close-hold information concerning major or sensitive investigations conducted within their respective primary areas of responsibility.

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

(3) *Procedures.*

(a) Coordination among IGs, USACIDC, and the Provost Marshal will occur at the following levels:

1. Among OTIG; HQ, USACIDC; and DCS, G-3.

2. Among ACOM/ASCC/DRU IGs, provost marshals or security officers, and counterpart USACIDC elements.

(b) Transfer of investigative responsibility at any level will occur with the knowledge of the appropriate commander or chief of staff.

(c) Once any party referred to in 8-11a(2) has started an investigation (or has been directed to start an investigation) based upon a referral of allegations from another party to this policy, the agency conducting the investigation will provide a status or close-out report of its investigation, as appropriate, to the party that referred the allegations.

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

1. *Criminal.* TIG and command and State IGs will ensure that information of a criminal nature developed as a subsidiary matter during their investigation will be protected and immediately provided to USACIDC personnel, a

provost marshal, or a security officer, whichever is appropriate. IGs will not release IG ROIs/ROIs without approval of TIG.

2. *Noncriminal.* HQ, USACIDC, and commanders of USACIDC elements at all levels will provide to the IG noncriminal information developed during their investigations and related to the exercise of command or administration of the Army either during the USACIDC investigation or upon completion, whichever is appropriate.

3. *Exercise of command or administration.* Security, Force Protection, and Law Enforcement Division; DCS, G-3; and provost marshals or security officers at all levels will provide to the appropriate level IG noncriminal information developed during their investigations and related to the exercise of command or administration of the Army as soon as possible.

(e) The USACIDC will normally investigate those felony offenses listed in AR 195-2 and similar felony offenses under applicable laws that involve as subjects senior-level personnel (active-duty or retired general or flag officers, promotable colonels, or members of the SES or Executive Schedule personnel). USACIDC may investigate other offenses involving these personnel as subjects if the complexity of the incident so dictates.

(f) TIG and the Commander, USACIDC, will approve exceptions to this division of responsibility for the investigation of allegations against senior officials.

(g) USACIDC will report any and all allegations against senior officials to TIG within 2 working days by rapid and confidential means after receipt by any USACIDC element whether or not USACIDC exercises investigative responsibility. TIG will immediately report all allegations of misconduct by senior officials within the realm of USACIDC investigative responsibility and all allegations of fraud, regardless of investigative responsibility, to USACIDC.

b. Various directives and authority govern the cooperation between the OTIG and the Army General Counsel regarding the investigation and reporting of allegations of ethical violations. Among these documents is an MOA dated 9 April 2002 between these parties.

(1) TIG and IGs under TIG policy oversight will—

(a) Investigate ethics matters arising within the Army that are properly referred for investigation. Ethics counselors making such referrals are not considered third-party complainants.

(b) Coordinate with their supporting ethics counselor when conducting investigations that involve alleged violations of Federal ethics laws and regulations.

(c) Refer to USACIDC any such matters that involve suspected criminal violations, to include suspected violations of 18 USC 207/208 and 41 USC 423, and report all referrals to the Department of the Army Ethics Office.

(d) Coordinate with their supporting ethics counselor when conducting investigations that may result in referral to the Department of Justice or local U.S. Attorney's Office.

(e) In accordance with paragraph 3-7b of this regulation, coordinate with the DAIG Records Release Office and the supporting ethics counselor to provide final reports of investigation to the supporting ethics counselor that describe investigative matters required by the Office of Government Ethics for inclusion in the Army's annual ethics survey—as well as situations that have resulted or may result in violations of ethics laws and regulations—in order to enable the Department of Defense Standards of Conduct Office to develop, maintain, and publish a list of such circumstances and situations as required by 18 USC 206 and 5 CFR 2638.203(b)(5).

(2) The DAIG Legal Advisor will provide introductory ethics training for IGs to ensure that IGs handle ethics-related cases appropriately and will also provide annual and recurring ethics training to DAIG personnel.

(3) To heighten the ethical awareness of Army personnel, and to remain consistent with paragraph 1-7 of this regulation, DAIG will make available for possible publication, via the appropriate venue, abstracts of factual scenarios based upon finalized reports of investigation involving ethics violations by Army personnel.

c. Coordination and cooperation already exist within the Army IG system in the form of technical channels. Therefore, higher echelon IGs will always coordinate their visits with lower-echelon IGs as a matter of courtesy. Higher echelon IGs will never bypass a lower-echelon IG office and visit a subordinate command directly. Instead, the higher echelon IG office will coordinate such visits through the lower echelon IG office. This practice will further promote the exchange of information and trends among IGs of different command echelons and further strengthen technical channels within the Army IG System.

Chapter 9

The Role of Inspectors General in Full Spectrum Operations

9-1. Inspector general role

The IG System was born during conflict and made its earliest contributions to the Army through training and maintaining readiness. Since its inception, the IG System has played a key role across the full spectrum of conflict from the Revolutionary War through the Global War on Terrorism (GWOT). As part of this IG System, all IGs serve as key assessment mechanisms that allow their commanders to make informed decisions when planning, preparing, and executing military operations. When the command is deployed or operating as a split command in more than one

location for either war or peacetime engagement operations, IGs have the same role as they do in peacetime—extending the eyes, ears, voice, and conscience of the commander. The basic IG functions do not change; the IG will still serve the command's readiness by performing inspections, assistance, investigations, and teaching and training. However, priority of focus during military operations must remain on tasks and systems that directly relate to the command's readiness during all phases and types of military operations.

a. All IGs, whether in the theater of operations or in a supporting theater (CONUS and OCONUS), have a major operational mission. The IG role in military operations is not static. The command's mission and the phase of the war at the time dictate the specific role of the IG. IGs must become involved early in the commander's planning process and understand the commander's intent, concept of the operation, and key tasks that must be accomplished.

(1) As extensions of the eyes and ears of the commander, IGs in deploying units will focus on high-payoff issues that impact the unit'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. For example, deploying IGs can expect to work issues such as deployment readiness, combat training, force protection, supply and services efficiency, intelligence oversight, equipment and captured personnel handling, standards of discipline, and other 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, redeployment, pre-reintegration, and reconstitution are all issues of major concern. Traditionally, 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 work soldier morale and welfare issues, family issues, civilian employee or other civilian issues and concerns, and other issues consistent with the fundamental missions of the IG System.

(4) State and USAR IGs have a unique focus during both war and peacetime engagement operations. 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.

b. 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.

c. 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 wartime role and the contributions the IG can make to the operational effort. The IG must develop and promote this understanding in peacetime through IG participation in training exercises with the commander and staff.

d. The IG operational planning effort provides critical input to the IG METL. Planning must incorporate flexibility, include provisions for full-service operations (the ability to perform all four IG functions), and be oriented toward contingency operations in a developing theater. Planning will consider mobilization, deployment, sustainment, combat or peacetime military engagement, redeployment, reintegration, and reconstitution as applicable.

e. Upon unit activations and deployments, nondeploying supporting IGs must be capable of providing IG support to residual units or activities and the families of deployed soldiers.

9-2. Organization

The organization of the IG office will vary depending upon the status and location of the unit (that is, CONUS-based unit or forward deployed). IGs must consider both deployed and stay-behind capabilities in people 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 table of organization and equipment (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 Army Reserve and ARNG units are assigned to the command for the operational mission, the IG office will request augmenting IGs to represent the unique requirements and issues concerning these components.

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 IG personnel identified upon activation.

d. Consider appointing and training acting IGs to cover remote locations or dramatic increases in unit strength.

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/operations order.

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

9-3. Resources

a. *Equipment.* The IG must conduct a periodic review of equipment authorization documents to ensure that adequate deployment equipment is available such as tactical vehicles, tents, camouflage netting, field telephones, tactical computers, radios, and so on. IGMET electronic data hardware and software considerations, as well as supporting communications requirements, are a part of IG contingency planning. Planning considerations must include both deploying and supporting IG requirements. IGMET and reach-back communications connectivity is vital to deployed IG mission accomplishment. Deploying IGs must also ensure that they have active IGMET accounts as well as contact information for the DAIG IRMD so that DAIG may interface with the deployed unit's G-6/J-6 concerning connectivity and other technical problems.

b. *Personnel.* The 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 changes and actions with the force structure analyst in the DAIG Operations and Support Division (SAIG-OP). Training requirements for personnel selected to serve as IGs during wartime will be the same as those specified in paragraphs 2-3 and 5-4. IGs must sustain their ability to perform all four IG functions in peacetime in order to conduct a full-service operation when deployed. TIGs may assist in sustainment training and provide training materials as required.

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

9-4. Staff estimates

IGs are essential staff members in all scenarios during both peacetime and wartime operations. IG involvement in the military decisionmaking process (MDMP) from the receipt of the mission to the production of the order is continuous. The IG will have a clear understanding of the higher headquarters' order, the command's mission, and the commander's intent. The IG must ensure that the commander's expectations of the IG's role and functions are addressed early in the mission-analysis process. Once the IG understands the mission and the commander's intent, the IG is in a position to formulate or plan detailed mission requirements. This process will include anticipated IG actions (inspections, assistance, investigations, and teaching and training) during each phase of the operation such as mobilization, deployment, sustainment, redeployment, reintegration, and reconstitution. IGs must coordinate all IG estimates, annexes, and input to the MDMP with the local G-1, who has coordination staff responsibility for the IG.

9-5. Functions

a. *Inspections.* Inspections are the most direct way an IG can influence the command's mission readiness. As units prepare for war, previously unscheduled inspections and unannounced inspections often occur. IGs must prepare to verify organizational readiness and identify mobilization issues for resolution. IGs 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 chap 6). If the IG must conduct 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 some attribution to resolve (for example, the name of a supply sergeant who needs additional training in order to enhance a unit's readiness). The IG will have to involve TIG in these cases when breaching confidentiality becomes an issue (see par 1-12). Generally, the commander will furnish broad guidance concerning key issues. IGs will ultimately determine IG inspection topics by the unit'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. IGs must use technical channels to share the results of inspection trends and findings within and without the command. The following topics represent the type and diversity of operational issues to consider:

- (1) Personnel or equipment readiness.
- (2) Processing for overseas movement.
- (3) Casualty affairs.
- (4) Mobilization or deployment operations.
- (5) Unit combat readiness or effectiveness.
- (6) Post mobilization or precombat training.
- (7) Ammunition resupply operations.
- (8) Combat feeding.
- (9) Enemy prisoner of war and detainee processing and procedures.

- (10) Graves registration.
- (11) Mail services.
- (12) Ports of debarkation processing.
- (13) Reintegration.
- (14) Reconstitution.
- (15) Family assistance planning and execution.
- (16) Replacement system.
- (17) War trophies or contraband.
- (18) Accountability and serviceability of returning equipment.
- (19) Information management and information operations.
- (20) Operations security.
- (21) Force protection and safety.

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 workload. A thorough analysis of each phase of the operational spectrum will provide insights into the nature of the requests that IGs can expect. IG technical channels and increased flexibility are essential to responsive support to commanders, soldiers, and other interested parties. Whenever possible, the deployed IG must forward inquiries initiated outside the theater of operations to the appropriate IG for resolution. For example, an IGAR concerning a USAR issue that the deployed IG cannot resolve in theater will go to the IG, USARC for subsequent referral to the appropriate RRC IG office, division IG office, and so on. Typical requests for assistance include—

- (1) Early return of family members.
- (2) Emergency leave procedures.
- (3) Nonsupport of family members.
- (4) USAR and ARNG family support issues (ID card, health care, post exchange and commissary privileges, and so on).
- (5) USAR and ARNG soldier entitlements (pay, promotion, and so on).
- (6) Shipment or storage of household goods.
- (7) Family care plans.
- (8) Information requests from members of the indigenous population.
- (9) Awards and decorations issues.
- (10) Postmobilization medical care for USAR and ARNG soldiers.

c. Investigations. The IG investigations function during military operations differs little from peacetime investigations. Investigations conducted while deployed are more difficult to complete because of the limited access to the commander, time and distance factors, and a generally greater reliance upon technical-channel support from other IGs who may also be deployed. Records-release policies for IG records such as ROIs do not change during military operations.

d. Teaching and training. IGs have traditionally been the bridge that spans the gap of experience. The time-sensitive need for teaching and training soldiers at all levels on fundamental tasks essential to mission success is an inherent IG function. As extensions of the eyes and ears of the commander, the IG 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. Especially important in this process is the IG ability to acquire and understand rapidly the changing regulatory and policy standards inherent during major operations. The IG will know and understand information management operations and help to coordinate these requirements with the command information resource manager, functional proponents, and IGs operating in split locations.

e. Law of War violations. IGs will receive reports of law of war violations and process them in accordance with the provisions of DODD 5100.77 (see para 1-4b(5)(j)). The law of war is that part of international law that regulates the conduct of armed hostilities.

(1) *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—

(a) 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 COCOM commander.

(b) Inform the next higher echelon IG with a concurrent report to TIG (ATTN: SAIG-AC) by confidential means and within 2 working days after receipt.

(2) *Preliminary analysis.* IGs who receive IGARs involving alleged violations of the law of war, whether committed by or against U.S. or enemy personnel, are to 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 other services' criminal investigation offices, have the primary responsibility

for investigating suspected, alleged, or possible war crimes. For minor offenses, the commander's organic investigative assets and legal support can investigate using AR 15-6 or commander's inquiry procedures or an IG investigation/investigative inquiry.

9-6. Exercises

Realistic training scenarios provide an excellent tool to determine how to operate in all types of environments. As with any staff element, IGs must participate as full-fledged members of the staff in all command post exercises, field training exercises, Combat Training Center rotations, and mobilization/deployment readiness and certification exercises. Command 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 their wartime 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 office in order to practice reach-back procedures and other techniques normally used during operational deployments. IGs will routinely publish IG-related instructions in their organization's exercise operational plans and orders.

Chapter 10

The Role of Inspectors General in Joint Operations

10-1. 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 current GWOT 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 office becoming a joint IG office is as part of a Joint Task Force (JTF). The commander of one of the nine unified COCOMs may appoint either an Army division or corps headquarters as a JTF for a specific contingency operation. When an Army headquarters becomes a JTF, the IG office in turn becomes a joint IG office. The same basic IG functions will apply, but the IG office must adapt to include IGs from the other services represented in the JTF and adhere to emerging joint IG policy as promulgated by the DODIG.

10-2. 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 (JP) 3-0 and the steps for establishing, deploying, and redeploying a JTF as outlined in Chairman of the Joint Chiefs of Staff Manual (CJCSM) 3500.05. 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 foreign 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 as promulgated by the DODIG. The same considerations for operations in a deployed environment as outlined in chapter 9 apply. However, the Army IG System as outlined in this regulation will no longer apply unless dealing strictly with Army issues from subordinate, Army-pure commands or if joint IG policy has been withdrawn or not established. If joint IG policy 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 office, although formed around the core of an Army IG office, will use Air Force IG procedures to investigate allegations of impropriety leveled against a member of the Air Force. A trained Air Force IG will normally augment the JTF IG office and will be the one who conducts the investigation.

10-3. The transition from the Army to the joint environment

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

a. Organize the IG office 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 JMD 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 IG functions in the theater of operations such as inspections, assistance, and investigations. The IG must consider the JTF's task organization when requesting IG augmentation from the other services. The JTF office must represent the mix of services that comprise the JTF. If the JTF contains Army, Air Force, and Navy personnel, then the IG office must request at least one trained IG from the Air Force and one trained IG from the Navy to serve in the JTF IG office. These trained IGs from the other services may have to employ their respective services' IG systems in certain instances depending upon the situation. Joint IG policy may not cover every eventuality. If the JTF is combined and includes allied forces from foreign nations, the command IG will request IG representation from those foreign commands 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 or office must be capable of supporting the rear-detachment commander while offering the forward-deployed IG section or office a reach-back capability for addressing and resolving issues and problems that the deployed JTF IG section cannot resolve in the theater of operations. Multiservice IG technical channels will prove critical in this regard.

b. Address immediate transition considerations. The newly designated JTF IG office must immediately consider four things when transitioning from an Army-pure IG office to a joint IG office.

(1) *AR 20-1 does not apply to all services in the joint environment.* The IG office must use established joint IG policy. However, AR 20-1 will still apply to Army-pure situations and issues as necessary, and the IG office will continue to enter Army IGARs into the IGARS database. The JTF IG office may also continue to consult DAIG directly for guidance and support.

(2) *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 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 COCOM commander that established the JTF; in turn, the JTF IG office must remain responsive to the COCOM IG office and interact with that office based upon joint IG policy or established COCOM policies. The JTF IG must identify routine reports and information requirements that feed into reports required from the COCOM IG by the commander. The JTF, while reporting directly to the COCOM 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 office and the previous Army headquarters' IG office.

(4) *The JTF IG must establish connectivity with the COCOM IG and JTF subordinate IG offices.* Connectivity is essential to creating joint IG technical channels within and without the JTF. The JTF IG must actively establish communications by any necessary means with the subordinate JTF IG offices and the COCOM IG office to ensure smooth communications and the rapid transmittal of issues and allegations. The JTF IG must coordinate with the COCOM IG before establishing connectivity or communicating directly with service-level IG offices other than DAIG.

10-4. Working with combatant command inspector general offices

JTF IGs will normally work with the COCOM IG directly on all joint and JTF-related IG matters. Specific IG policies implemented by the COCOM commander will also apply to the JTF IG and the JTF in general. The JTF IG office will remain responsive to the COCOM IG and comply with the provisions of joint IG policy as appropriate. If joint IG policy has been withdrawn or is not in effect, then the JTF IG will adhere to the IG guidelines established by the COCOM IG office.

Chapter 11 Information Management

11-1. Inspector General Worldwide Network

a. The IGMNET 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 offices 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, FORSCOM; or one of the three regional server farms located in Hawaii, Germany, and Korea.

b. Only school-trained Army IGs are authorized to have access to IGMNET and the IGARS database. The only exceptions are office and administrative support staff (graduation from TIGS is not required) (see para 2-2g) and approved, TIGS-trained ANG IGs serving in multiservice headquarters (see para 1-10f). School-trained Army IGs serving in non-Army IG offices (such as a COCOM IG office) may receive access to IGMNET upon request but not the IGARS database.

11-2. Purpose

The purpose of the IGMNET 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 e-mail or internal connectivity based on the Intranet World Wide Web. In selected instances, use video telephones and application sharing with document collaboration.

c. Provide baseline office automation, administrative, and training software support through commercial off-the-shelf (COTS) and Government-developed software.

11-3. Inspector General Worldwide Network operations and responsibilities

a. Information Resource Management Division.

(1) *Program management.* The Chief, IRMD is the PM IGMET responsible for the operation, maintenance, management, and security of the IGMET. PM IGMET responsibilities include preparation and submission of program budget input to the program objective memorandum (POM) process to ensure that the program is adequately funded. PM IGMET maintains an IGMET architecture plan and manages configuration control of the IGMET. PM IGMET ensures IGMET 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/administration.* IRMD personnel provide centralized IGMET operations and management internal to DAIG and in support of command and State IG sites. The DAIG IGMET network administrator will coordinate with the local DOIM responsible for providing WAN or dial-up connectivity for local IG sites on the configuring and installing of all IGMET hardware and software.

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

(4) *Help desk.* The DAIG IRMD will maintain a technical help desk to support IGMET customers worldwide. The help desk will be manned during normal duty hours Monday through Friday (0730 to 1630 eastern standard time) and will provide on-call support from 1630 to 2000 eastern standard time.

(5) Software maintenance.

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

(b) *IGMET-provided COTS software.* The IGMET PM will modernize/upgrade IGMET-provided COTS software as required to maintain IGMET configuration and architecture.

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

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

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

(f) *Network security.* PM IGMET has overall responsibility for security of the IGMET. The IGMET security officer will be 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 standing operating procedures 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 IGMET operations within DAIG.

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

(h) *Classified networks.* 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. IGs must post classified IG information on these networks.

b. Command and State IG Office.

(1) *Information assurance security officer.* The IASO will be designated as an IT-III in accordance with AR 25-2, paragraph 4-14a(3). 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, a NAC with credit check and written inquiries. In accordance with AR 25-2, paragraph 4-3, all individuals appointed as IASOs must successfully complete an information assurance security certification course equivalent to the duties assigned to them. A copy of the training certificate must go to PM IGMET. As part of IASO 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 to the IGMET information assurance manager (IAM)/information assurance program manager (IAPM). Because IGMET contains sensitive information, all users must have at least a completed or initiated NAC.

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

(c) Ensure that all users have received training on IGMET and annual information assurance awareness training. IGMET training is part of the curriculum at TIGS, but those individuals who have not attended the school will receive training from the IASO.

(d) Assist the installation IAM/IAPM on the implementation and reporting of Information Assurance Vulnerability Management.

(e) Inform the IGMET IAM of the IG work-station 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 from Windows 2000 to Windows XP.

(f) Ensure that all information systems (user work stations) within the IASO area of responsibility are accredited.

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

(2) *Hardware maintenance.* IGs are responsible for coordinating hardware maintenance. Hardware used in the IG office may come from PM IGMET and/or a locally provided automation equipment source. In all cases, when the hardware is in warranty, the IG will 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 commandwide tier III or other local maintenance contracts, the IG will coordinate with the IGMET help desk for support. When commandwide tier III maintenance support contracts or local DOIM installationwide maintenance contracts are in effect, the IG will coordinate with the local DOIM as appropriate. IGs will obtain diagnostic support by contacting their local DOIM or the IGMET help desk.

(3) *Intranet services.* IGs may establish an Intranet homepage on the IRMD-maintained Intranet server to share information with other IGs (contact the DAIG IRMD for further guidance). IGs can also establish a separate homepage on a command- or DOIM-maintained World Wide Web server to provide common-use unrestricted information. Command and State IGs will not implement a separate World Wide Web server on any IGMET server or user workstation.

c. *DOIM.*

(1) The DOIM is responsible for providing and supporting the installationwide network infrastructure to which IGMET connects. This infrastructure includes the physical network cable wiring. The DOIM is not responsible to provide any IGMET-specific equipment. For the purpose of this chapter, DOIM is used inclusively for the functionally responsible office that provides DOIM-like services and management. For example, not all installations/agencies have DOIMs but instead may have an IMD, G-6, and so forth.

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

11-4. 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 (ADP) equipment, data security, and information security. The IGMET architecture is designed conceptually to use common communications channels whenever possible. WAN connectivity across installation networks requires that specific IGMET hardware and software implementation is coordinated with the local supporting DOIM 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 offices by the local DOIM 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 DOIM. 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) WAN connectivity will occur by connecting the IG work stations to the installation work stations. PM IGMET may also coordinate the installation of additional security measures such as firewall software and encryption hardware/software as necessary to meet specific site or IGMET requirements. PM IGMET 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 DOIM to ensure compatibility with local network infrastructure. Local DOIMs may introduce additional security systems to protect installation network infrastructure but must not block IGMET connectivity. PM IGMET and the local DOIM will coordinate feasible configurations and technical implementations to avoid compromising IGMET functionality or security.

(4) Many installation networks are migrating to virtual LAN or similar technologies. These emerging technologies

provide significant operational benefits to the local DOIM in allowing centralized LAN management, maintenance, and security. They also introduce internal operational security concerns regarding potential non-IG access to IG data. When IGMET WAN connectivity must operate across a virtual LAN, the DOIM and PM IGMET will coordinate and approve a configuration and procedures to secure IG data and information.

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

(6) Fax modems will not be installed in IGMET servers or workstations without PM IGMET approval of the configuration and implementation. Unapproved installations of fax 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 the DAIG IRMD for additional IGMET operational security guidance).

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

(3) The IGMET is an accredited FOUO system that processes sensitive but unclassified information. Its level of criticality is Group III-Mission Impaired. TIG is the designated approving authority for IGMET accreditation. The certifying official for IGMET accreditation is the Chief, 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.

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

(6) IGs 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 the DAIG IRMD for further guidance).

11-5. Enhancements

a. IGs will not change IGMET hardware or software configurations without PM IGMET 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. IGs will request specific hardware and software requirements to meet their specific IG mission from PM IGMET. IGs must coordinate with the local DOIM for lifecycle information technology equipment upgrades and replacements and notify PM IGMET of any hardware and software changes.

Chapter 12

Department of Defense Inspector General Semiannual Report to the Congress

12-1. Semiannual report requirements

TIG is required by 5A USC 3 and DODI 7750.6 to submit to the DODIG semiannual reports summarizing the significant activities of Army inspectors and their efforts to curb fraud, waste, and mismanagement.

12-2. Semiannual report submission timelines

TIG must submit the semiannual reports to the DODIG 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). TIG is responsible for consolidating the inspection information for the total Army.

Appendix A References

Section I Required Publications

AR 1-201

Army Inspection Policy. (Cited in paras 2-6, 6-2, 6-3, 6-6, 10-3.)

AR 381-10

U.S. Army Intelligence Activities. (Cited in paras 1-4, chap 6.)

Section II Related Publications

A related publication is a source of additional information. The user does not have to read a related publication to understand this regulation. Department of Defense publications are available at <http://www.dtic.mil/whs/directives>. NGR publications are available at <http://www.ngbpd.c.ngb.army.mil/publications>. U.S. Code is available at <http://www.gpoaccess.gov/uscode>.

AR 1-20

Legislative Liaison

AR 10-87

Major Army Commands in the Continental United States

AR 11-2

Management Control

AR 11-7

Internal Review and Audit Compliance Program

AR 15-6

Procedures for Investigating Officers and Boards of Officers

AR 15-180

Army Discharge Review Board

AR 15-185

Army Board for Correction of Military Records

AR 25-1

Army Knowledge Management and Information Technology Management

AR 25-2

Information Assurance

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

Legal Services, Judge Advocate Legal Services

AR 27-26

Legal Services: Rules of Professional Conduct for Lawyers

AR 27-10

Military Justice

AR 27–20

Claims

AR 27–40

Litigation

AR 36–2

Audit Reports and Followup

AR 40–66

Medical Record Administration and Health Care Documentation

AR 50–5

Chemical Surety

AR 50–6

Nuclear and Chemical Weapons and Materiel, 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 380–381

Special Access Programs (SAPs) and Sensitive Activities

AR 385–10

The Army Safety Program

AR 385–61

The Army Chemical Agents Safety Program

AR 530-1
Operations Security (OPSEC)

AR 570-4
Manpower Management

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
Army Substance Abuse Program (ASAP)

AR 601-10
Management and Mobilization of Retired Soldiers of the Army

AR 601-280
Army Retention Program

AR 608-99
Family Support, Child Custody, and Paternity

AR 614-30
Overseas Service

AR 614-100
Officers Assignment Policies, Details and Transfers

AR 614-200
Enlisted Assignments and Utilization Management

AR 623-3
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). (Available by order from the Army Publishing Directorate at <http://www.apd.army.mil>.)

AR 735-5

Policies and Procedures for Property Accountability

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

FM 3-0

Operations

FM 7-0

Training the Force

FM 7-1

Battle Focused Training

FM 71-100

Division Operations

FM 100-15

Corps Operations

MRE 304

Confessions and admissions (Available at <http://www.jag.navy.mil>)

MRE 305

Warnings about rights (Available at <http://www.jag.navy.mil>)

MRE 502

Lawyer-client privilege (Available at <http://www.jag.navy.mil>)

MRE 503

Communications to clergy (Available at <http://www.jag.navy.mil>)

MRE 504

Husband-wife privilege (Available at <http://www.jag.navy.mil>)

MRE 508

Political vote (Available at <http://www.jag.navy.mil>)

MRE 509

Deliberations of courts and juries (Available at <http://www.jag.navy.mil>)

MRE 513

Psychotherapist–patient privilege (Available at <http://www.jag.navy.mil>)

NGR 10–2

State Area Command, Army National Guard

NGR 20–10/ANGI 14–101

Inspector General Intelligence Oversight Procedures

NGR (AR) 600–5

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

NGR (AR) 600–21

Equal Opportunity Program in the Army National Guard

NGR 600–22

National Guard Military Discrimination Complaint System

NGR 600–23

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

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

CJCSM 3500.05A

Joint Task Force Headquarters Master Training Guide. (Available at http://www.dtic.mil/cjcs_directives/cjcs/manuals.htm.)

DOD 1400.25–M

Department of Defense Civilian Personnel Manual (CPM)

DOD 5240.1–R

Procedures Governing the Activities of DOD Intelligence Components that Affect United States Persons

DOD 5400.7–R

DOD Freedom of Information Act Program

DOD 5500.7–R

Joint Ethics Regulation (JER)

DODD 1401.3

Reprisal Protection for Nonappropriated Fund Instrumentality Employees/Applicants

DODD 2311.01E

DOD Law of War Program

DODD 5106.01

Inspector General of the Department of Defense

DODD 5106.04

Combatant Commands Inspectors General

DODD 5405.2

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

DODD 5500.7

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 7050.1

Defense Hotline Program

DODD 7050.6

Military Whistleblower Protection

DODI 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 7050.7

Defense Hotline Procedures

DODI 7750.6

Information Requirements for the Semiannual Report to the Congress

JP 3-0

Joint Operations. (Available at <http://www.dtic.mil/doctrine/jpoperationsseriespubs.htm>.)

The Inspector General School

The Assistance and Investigations Guide. (Available at http://tigs-online.ignet.army.mil/tigu_online/references.htm.)

EO 12333

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

P.L. 104-191

Health Insurance Portability and Accountability Act of 1996. (Available at <http://www.archives.gov/federal-register/laws/>.)

UCMJ, Article 15

Commanding officers non-judicial punishment. (Available at <http://www.au.af.mil/au/awc/awcgate/ucmj.htm>.)

UCMJ, Article 28

Detail or employment of reports and interpreters. (Available at <http://www.au.af.mil/au/awc/awcgate/ucmj.htm>.)

UCMJ, Article 32

Investigation. (Available at <http://www.au.af.mil/au/awc/awcgate/ucmj.htm>.)

UCMJ, Article 92

Failure to obey order and regulation. (Available at <http://www.au.af.mil/au/awc/awcgate/ucmj.htm>.)

UCMJ, Article 107

False official statements. (Available at <http://www.au.af.mil/au/awc/awcgate/ucmj.htm>.)

5 CFR 2638.203(b)(5)

Duties of the designated agency ethics official. (Available from <http://ecfr.gpoaccess.gov/>.)

29 CFR 1614

Federal Sector Equal Employment Opportunity. (Available from <http://ecfr.gpoaccess.gov/>.)

32 CFR 97

Release of Official Information in Litigation and Testimony by DOD Personnel as Witnesses. (Available from [http://ecfr.gpoaccess.gov/.](http://ecfr.gpoaccess.gov/))

340 U.S. 462

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

384 U.S. 436

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

5A USC 3

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

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

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

The following forms are available on the APD Web site (<http://www.apd.army.mil>) unless otherwise stated.

DA Form 1559

Inspector General Action Request. (Prescribed in paras 4-2, 4-11, 7-2.)

DA Form 5097

The Inspector General Oath. (Prescribed in para 2-5.)

DA Form 5097-1

Inspector General Oath (Non-IG). (Prescribed in para 2-5.)

DA Form 5097-2

Inspector General Oath (Acting IG). (Prescribed in para 2-5.)

DA Form 7433

Privacy Act Information Release Statement. (Prescribed in para 4-2.)

Section IV

Referenced Forms

DA Form 11-2

Management Control Evaluation Certification Statement

DA Form 3881

Rights Warning Procedure/Waiver Certificate

DA Form 4187

Personnel Action

Appendix B

Nomination Procedures

HRC 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. HRC-St. Louis nominates detailed IGs or assistant IGs for USAR AGR assignments as a result of the requisition process.

B-1. Local nomination

When a local nomination is made, the requisitioning authority will send a nomination memorandum to HRC. The memorandums will be forwarded to HRC as follows:

a. Memorandums for soldiers in the grades of promotable staff sergeant through MSG will be addressed to HRC, ATTN: AHRC-EPC-G, 2641 Eisenhower Avenue, Alexandria, VA 22331.

b. Memorandums for soldiers in the grade of promotable MSG and SGM will be addressed to HRC, ATTN: AHRC-EPS, 2642 Eisenhower Avenue, Alexandria, VA 22331.

c. Memorandums for commissioned officers and warrant officers will be addressed to HRC, ATTN: AHRC-OPD-P, 200 Stovall Street, Alexandria, VA 22332.

B-2. Information for local nomination

A local nomination memorandum will contain the following information:

a. Name, grade, social security number, MOS, or specialty code and branch of nominee.

b. Unit and position for which nominated, TDA paragraph and line number, or temporary position and length of TDY assignment.

c. Identification of incumbent if any.

d. Point of contact.

B-3. Procedure for preparing nomination packets

HRC uses the same procedures to develop all nomination packets. HRC will prepare and forward to the DAIG Operations and Support Division (The Inspector General, ATTN: SAIG-OP, 1700 Army Pentagon, Washington, DC 20310-1700) a nomination packet that includes the items listed in paragraph B-3a through B-3h, below. For locally nominated IGs, the nominating command will prepare the packet and forward it directly to the DAIG Operations and Support Division. DAIG Operations and Support Division will in turn contact HRC telephonically to gain concurrence for the nomination and include that concurrence on a memorandum for record inside the nomination packet (the requisitioning authority must still forward the initial nomination memorandum to HRC as outline in paragraph B-1, above). When TIG acts on the nomination, the DAIG Operations and Support Division will notify HRC and the command and will authorize direct coordination with TIGS for a school allocation. The nomination packet will include—

- a. 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.
- b. Copies of the officer evaluation report/noncommissioned officer evaluations reports for the last 10 years.
- c. A memorandum signed by the commander if the nomination is local.
- d. 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.
- e. Physical profile.
- f. Current Army Physical Fitness Test indicating pass or fail.
- g. Officer record brief (for officers only).
- h. Enlisted record brief (NCOs only).

B-4. Assignments of Reserve Component soldiers

a. For assignment of a USAR soldier as a detailed IG, assistant IG, or temporary assistant IG, the nomination packet will be sent to the IG, USARC through the IG, FORSCOM to The Inspector General (ATTN: SAIG-OP), 1700 Army Pentagon, Washington, DC 20310-1700. Nominations will be forwarded through the chain of command with recommendations (see paras 2-9 and 2-10 for individual mobilization augmentee/IRR soldier nominations).

b. For all uniformed ARNGUS personnel, the nomination packet will be sent through the Chief, National Guard Bureau (ATTN: NGB-IG), 2500 Army Pentagon, Washington, DC 20310-2500 to The Inspector General (ATTN: SAIG-OP) 1700 Army Pentagon, Washington, DC 20310-1700.

c. For U.S. Army Special Operations Command (USASOC) RC soldiers, nomination packets will be sent through the U.S. Army Civil Affairs and Psychological Operations Command (ATTN: AOCP-IG) and USASOC (ATTN: AOIG), Fort Bragg, NC 28307-5200, through the Office of the Inspector General, U.S. Army Reserve Command, 1410 Deshler Street SW, Fort McPherson, GA 30330, to The Inspector General (ATTN: SAIG-OP), 1700 Army Pentagon, Washington, DC 20310-1700. Both USAR and AGR ARNGUS nomination packets will contain the same information as in paragraph B-3.

B-5. Security clearance requirements

All personnel nominated for IG duty must possess a valid security clearance at the secret level. Persons nominated for IG positions in the DAIG Intelligence Oversight Division and the U.S. Army 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 the division constitutes agreement to undergo random Counterintelligence Scope Polygraph examination.

Appendix C

Procedures for Investigations of Allegations of Impropriety Against Senior Officials

C-1. Information reported to Department of the Army Inspector General

An Army organization or activity will report all allegations of impropriety received by any means, to include criminal allegations, made against senior Army officials, wherever assigned, to the DAIG Investigations Division within 2 working days of discovery or receipt. The report will include the following information:

- a. Name of the senior official involved.
- b. Rank or grade and duty position of the senior official.
- c. Organization and location of the senior official.
- d. Synopsis of the allegations and data received.

e. Names and duty positions of persons receiving the allegations.

C-2. Report to senior leadership of the Army organization

The notification may be a copy of a report sent to the senior leadership of the Army organization if the information in paragraphs C-1a through e is included.

Appendix D Army Management Control Evaluation Checklist

D-1. Function

The management control function covered by this checklist is IG operations.

D-2. Purpose

The purpose of this checklist is to assist assessable unit managers and management control administrators in evaluating the key management controls identified below. This checklist is not intended to address all controls.

D-3. Instructions

Answers must be based on the actual testing of key management 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.

D-4. Test questions

a. Training.

- (1) Have all detailed and assistant IGs and temporary assistant IGs serving longer than 180 days completed TIGS?
- (2) Is a training program in place that ensures that a detailed IG trains 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 oriented toward systemic issues and designed to determine the root causes of any noted problems or deficiencies?
- (3) Is the IG teaching and training function used as part of the inspections process?
- (4) Are the results of IG inspections provided as feedback to all affected personnel and organizations?
- (5) Are IG inspectors provided sufficient train-up time for all inspections?
- (6) If required, are inspection teams augmented with subject-matter experts?
- (7) Are technical inspections (as applicable) conducted in accordance with applicable regulations and within the required time frame?
- (8) Are procedures in place to ensure that followup is conducted?

c. Intelligence oversight.

- (1) Has the IG identified all intelligence organizations subject to intelligence oversight inspection by the command?
- (2) Is intelligence oversight included as part of the command's OIP?
- (3) Are procedures in place for determining if intelligence and supporting SJA personnel of organizations understand and comply with the procedures in AR 381-10?
- (4) Are procedures in place for determining if all intelligence personnel are trained in intelligence oversight upon initial assignment and periodically thereafter?
- (5) Are questionable activities and Federal crimes committed by intelligence personnel reported as required under AR 381-10?
- (6) Are procedures in place to ensure that followup is conducted?

d. Investigations.

- (1) Are procedures in place to ensure that all IG investigations and inquiries are performed in accordance with applicable regulations and with proper authority?
- (2) Are allegations against any senior official (general officer or SES) forwarded to the DAIG Investigations Division in accordance with established standards?
- (3) Are allegations against officers in the grades of major to colonel and NCOs in the grades of MSG, 1SG, SGM, and CSM forwarded to the DAIG Assistance Division within established standards?
- (4) Are the procedures outlined in AR 20-1 followed during the course of an investigation or 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?
- (8) Is a written legal review provided by SJA on all investigations and inquiries?
- (9) Is a directive for investigation obtained when required?
- (10) Are all notifications made as outlined in AR 20-1 and The Assistance and Investigations Guide?
- (11) Does the organization complete whistleblower reprisal investigations in accordance with DODD 7050.6?
- (12) Does the organization comply with DODD 6490.1 when conducting inquiries into allegations concerning mental health evaluations?

e. 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 requests for assistance analyzed to identify any systemic issues or trends?
- (4) Are procedures in place to ensure that IGs followup on assistance requests?

f. Information resources.

- (1) Is automation equipment properly accounted for and operational?
- (2) Has correct information been provided to the DAIG IRMD with regard to local IG automation resources?
- (3) Is all required data from investigations and assistance 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 or FOUO as authorized (applies to DAIG only)?
- (2) Are all FOIA requests received by field IG offices transferred to the DAIG Records Release Office for action?

D-5. Supersession

This checklist replaces the checklist previously published in AR 20-1 dated 29 March 2002.

D-6. Comments

Submit comments to make this checklist a better tool for evaluating management controls to The Inspector General (ATTN: SAIG-OP), 1700 Pentagon, Washington, DC 20310-1700.

Glossary

Section I Abbreviations

ACOM

Army Command

ADP

automatic data processing

AG

Adjutant General

AGR

Active Guard Reserve

AIG

Acting IG

AMC

Army Materiel Command

ANG

Air National Guard

AR

Army regulation

ARNG

Army National Guard

ARNGUS

Army National Guard of the United States

ASA(I&E)

Assistant Secretary of the Army (Installations and Environment)

ASCC

Army Service Component Command

ASI

additional skill identifier

BSI

biological surety inspection

CFR

Code of Federal Regulations

CID

Criminal Investigation Division

CNGB

Chief, National Guard Bureau

COCOM

combatant command

CONUS

continental United States

COTS

commercial off-the-shelf

CPAC

civilian personnel advisory center

CPOC

civilian personnel operations center

CSA

Chief of Staff, U.S. Army

CSI

chemical surety inspection

CSM

command sergeant major

CW 2, CW3

Chief warrant 2, 3

CWM

chemical warfare material

CWO

chief warrant officer

DA

Department of the Army

DAC

Department of the Army civilian

DAIG

Department of the Army Inspector General

DASA-ESOH

Deputy Assistant Secretary of the Army-Environment, Safety and Occupational Health

DCS, G-3

Deputy Chief of Staff, G-3

DFAS

Defense Finance and Accounting Service

DOD

Department of Defense

DODD

Department of Defense directive

DODI

Department of Defense instruction

DODIG

Department of Defense Inspector General

DOIM

director of information management

DRU

Direct Reporting Unit

DTIG

Deputy, The Inspector General

EEO

equal employment opportunity

EO

executive order

1SG

first sergeant

FOIA

Freedom of Information Act

FORSCOM

Forces Command

FOUO

For Official Use Only

GAO

Government Accountability Office

GS

General Schedule

GWOT

Global War on Terrorism

HQ

headquarters

HRC

Human Resources Command

IA

individual augmentee

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 Worldwide Network

IGPA

inspector general preliminary analysis

IMCOM

Installation Management Command

IMD

information management directorate

IO

intelligence oversight

IOD

Intelligence Oversight Division

IPR

in-process review

IRAC

Internal review and audit compliance

IRMD

Information Resource Management Division

IRR

Individual Ready Reserve

JMD

joint manning document

JP

joint publication

JTF

Joint Task Force

LAA

legal assistance attorney

LAN

Local area network

LCMC

Lifecycle Management Command

MC

Member of Congress

M-day

mobilization day

MDMP

military decision-making process

METL

mission essential task list

MHE

mental health evaluation

MOA

memorandum of agreement

MOS

military occupational specialty

MOU

memorandum of understanding

MP

military police

MPI

military police investigator

MRE

Military Rules of Evidence

MSC

major subordinate command

MSG

master sergeant

MTOE

modification table of organization and equipment

NAC

National agency check

NAF

nonappropriated fund

NCO

noncommissioned officer

NG

National Guard of the States

NGB

National Guard Bureau

NGR

National Guard regulation

OAP

Organizational Assessment Program

OCLL

Office of the Chief of Legislative Liaison

OCONUS

outside 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

PAO
public affairs officer

PI
preliminary inquiry

PEO
program executive officer

PM
program manager

RC
Reserve Component

ROI
report of investigation

ROI
report of investigative inquiry

RRC
regional readiness command

SA
Secretary of the Army

SAP
Special Access Program

SES
senior executive service

SGM
sergeant major

SJA
staff judge advocate

SQI
special qualification identifier

TAG

The Adjutant General

TDA

tables of distribution and allowances

TDS

trial defense service

TDY

temporary duty

TIG

The Inspector General

TIGS

The Inspector General School

TJAG

The Judge Advocate General

TPU

troop program unit

UCMJ

Uniform Code of Military Justice

USACIDC

U.S. Army Criminal Investigation Command

USAIGA

U.S. Army Inspector General Agency

USANCA

U.S. Army Nuclear and Chemical Agency

USAR

U.S. Army Reserve

USARC

U.S. Army Reserve Command

USASOC

U.S. Army Special Operations Command

USC

United States Code

USPFO

United States Property and Fiscal Officer

VCSA

Vice Chief of Staff, U.S. Army

WAN

wide area network

WHLO

White House Liaison Office

WIAS

Worldwide Individual Augmentee 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.

Action memorandum

An internal, administrative decision memorandum to the directing authority used in conjunction with the directive that authorizes an IG investigation. It provides a summary of the complaint, known facts, and issues, and defines the scope and limits of the investigation into the allegations specified in the memorandum.

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 7050.6. E1.1.7. Adverse action includes "unfavorable information" as described in AR 600-37; Uniform Code of Military Justice action; or, with regard to civilian employees, "disciplinary action" pursuant to AR 690-700. Other actions include a promotion; 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 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 senior leadership concerns

Topics in which senior leaders have expressed interest or concern to TIG. These are issues for which IGs should be aware and, as appropriate, include in their inspections. These issues will be updated in IG publications.

Assistance inquiry

An informal factfinding process used to address or respond to a complaint involving a request for help, information, or issues and not allegations of impropriety or wrongdoing.

Audit

The independent appraisal activity within the Army for the review of financial, accounting, and other operations as a basis for protective and constructive service to command and management at all levels.

Chemical Agent

A chemical substance listed in AR 50-6, appendix B, intended for use in military operations to kill, seriously injure, or incapacitate a person through its physiological properties. Excluded from consideration are industrial chemicals, riot control agents, chemical herbicides, smoke, and flame.

Chemical management evaluation

An evaluation to determine the adequacy of support, technical guidance, and command guidance and to identify management, systemic, or functional problem areas in the Army Chemical Surety Program at any level.

Chemical surety inspection

Inspection of chemical surety organizations in the Army to determine their capability to accomplish assigned chemical missions in a safe and secure environment through examination of the following functional areas: mission operations,

safety, security, surety management, and accident and incident control. The USAIGA or the ACOM/ASCC/DRU IG offices conducts these inspections.

Chemical Surety Program Inspection

A chemical surety inspection (CSI) or a limited scope surety inspection of an organization with a chemical surety mission.

Chemical Warfare Material (CWM) Response

Munitions responses and other responses to address the chemical safety, explosive safety when applicable, human health, or environmental risks presented by chemical-agent-filled munitions and chemical agents in other than munitions configurations (see Munitions Response).

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 a MTOE or TDA organization of the active Army or USAR. The command IG works directly for the commander, who is normally a commanding general, installation commander, or director of an organization.

Complainant

Any person or organization submitting an IGAR. The person can be a soldier, family member, member of another Service, Government employee, or member of the general public. The organization can be any public or private entity.

Complaint

An expression of dissatisfaction or discontent with a process or system such as leave policies or the pay system.

Corrective action

Any action deemed necessary to rectify a violation or deficiency or to provide redress, to include changes in regulations or practices, administrative or disciplinary action against offending personnel, or referral to responsible officials or agencies for appropriate remedial action.

DAIG

Used when combining the OTIG and the USAIGA.

Directing authority

An Army official who has authority to direct an IG investigation or inspection. At DA, directing authorities are the SA, Undersecretary of the Army, CSA, VCSA, and TIG. Commanders or directors who are authorized detailed IGs on their staffs may direct IG investigations and IG inspections within their commands. A directing authority may delegate his or her directing and approval authority, in writing, to a deputy commander. SA, USofA, CSA, VCSA, and TIG may direct IG investigations and IG inspections within subordinate commands as necessary. Although command and State IGs may direct IG investigative inquiries, they are not considered directing authorities. When a rear detachment or rear unit commander is appointed in accordance with AR 220-5, paragraph 2-5, 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 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 USPFO and property are maintained.

b. Based on the above, the following are included within the area of Federal interest: the organization, training, operations, supply, procurement, and fiscal matters connected with ARNG; examination of material prepared relevant to the returns and reports State AGs are required to make to the SA; activities that, if true, would be a basis for withdrawal of Federal recognition; and exercise of the command function although generally a matter of State interest. These include, but are not limited to, substandard performance of duty and moral or professional dereliction. (For further guidance, contact the Chief, National Guard Bureau (ATTN: NGB-IG), Suite 1 1600, 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 complaint 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. This type of inspection is compliance-oriented by nature.

Handoff

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, and responding to complaints and requests for information or help that are presented or referred to an IG. IGs provide assistance on an area basis so that complainants can go to the nearest IG for help.

IG inquiry

An assistance inquiry or investigative inquiry conducted by an IG (see assistance inquiry and investigative inquiry).

IG inspection

An inspection conducted by a detailed IG 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. IGs normally conduct special inspections of systemic issues that affect a particular functional area such as logistics, personnel, maintenance, training, etc. The IG's commander approves the scope and content of all IG inspections. IGs

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 inspections 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 factfinding examination by a detailed IG into allegations, issues, or adverse conditions to provide the directing authority a sound basis for decisions and actions. IG investigations normally address allegations of wrongdoing by an individual and are authorized by written directives. The conduct of IG investigations involves the systematic collection and examination of documents and sworn, recorded testimony and may incorporate physical evidence. IGs report the results using the ROI format addressed in chapter 8 of this regulation.

IG investigations function

The process of receiving, examining, and responding to allegations, issues, or adverse conditions presented or referred to an IG. The investigations function encompasses IG investigations and IG investigative inquiries.

IG office of inquiry

The IG office 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, etc.) for final disposition by the office of record, to include making final notifications.

IG office of record

The IG office in which the IGAR originated. This office 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 office may maintain a copy of the record. When the IGAR or IG record falls within more than one commander's sphere of activity, the IG office of record is the highest level IG office that assumes responsibility for the IGAR even though the higher echelon IG may ask or direct the lower command level IG to 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 offices at higher, lower, or adjacent levels for resolution should request, but cannot direct, that the other IG office serve as the IG office of record.

Individual augmentee

An unfunded, temporary duty position identified on a supported Combatant Command's Joint Manning Document (JMD) to augment staff operations during contingency missions.

Information management plan

The basic document used to identify information requirement initiatives in the sustaining base environment. User-originated information requirement initiatives are validated within the user's parent ACOM/ASCC/DRU IMP.

Initiator

The actual source of the IGAR for entry on DA Form 1559. Normally, the complainant is also the initiator of an IGAR. However, a third party such as a relative of the complainant may be the initiator.

Inspector General Action Request

A complaint, allegation, or request for information or help presented or referred to an IG. An IGAR may be submitted in person, over the telephone, in writing, by e-mail, or through a DOD Hotline referral.

Inspector General Action Request System (IGARS)

Subsystem of IGMET that provides an automated means of recording, storing, and analyzing data pertaining to IG casework.

Inspector General Personnel System

Subsystem of IGMET that stores and retrieves selected information on personnel assigned to the IG corps.

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. IG records may contain documents that an IG did not prepare. (See the definition of personal notes below.)

Inspector general referral

An administrative procedure in which an IG office refers a case to another IG office while retaining office of record status (meaning that the IG office 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 office may refer a case horizontally to another echelon of command (such as from one ACOM echelon of command to another) but only with full office of record status for the gaining IG office. In all cases, the gaining IG office 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. IGs work for their respective commanders but must adhere to IG policy as established and promulgated by TIG.

Inspector general technical channels

Relationship among 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 office.

Investigative inquiry

A factfinding examination by an IG into allegations, issues, or adverse conditions. The investigative inquiry is the factfinding process followed by IGs to gather information needed to address allegations of impropriety against an individual that do not require a formal investigation. The process for an investigative inquiry is addressed in chapter 8 of this regulation.

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.

Legacy

Existing and currently in place hardware platforms with their associated software.

Machine room

Any physical room space where centralized computers and peripheral devices are located to support network operations. Typically, the room is physically separate and secure with dedicated climate control and power.

Mismanagement

A collective term covering acts of waste and abuse. Extravagant, careless, or needless expenditure of Government funds or the consumption or misuse of Government property or resources resulting from deficient practices, systems, controls, or decisions. Also includes abuse of authority or similar actions that do not involve criminal fraud.

Munitions Response

Response actions that include investigation, removal actions, and remedial actions to address the explosives safety, human health, or environmental risks presented by unexploded ordnance, DMM, or munitions constituents or to support a determination that no removal or remedial action is required.

Not 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/suspect did not do what was alleged in the allegation.

Nuclear Management Evaluations

An evaluation to determine the adequacy of support, technical, and command guidance and to identify management, systemic, or functional problem areas in the Army Nuclear Surety Program at any level.

Nuclear Surety Program Inspection

Any of several types of nuclear-capable unit inspections, including Defense Nuclear Surety Inspections (DNSI), Joint Nuclear Surety Inspection (JNSI), nuclear surety inspection (NSI), Reactor Facility Inspections (RFI), surveillance inspections (SI), and limited-scope surety inspections (LSSI).

Personal notes

Records or notes created or used by IGs that are not a part of IG records. Personal notes have these characteristics: created solely for an individual's personal convenience, used solely as a memory jogger by the writer only, disposed of at the writer's option, maintained separately from an official agency file, and not circulated or shared with other IGs. Personal notes are not subject to release under the FOIA. (See AR 25–55.) Email correspondence, whether transmitted on IGMET or not, are not personal notes and may be released under FOIA.

Predecisional

Internal advice and recommendations, as contrasted with factual matters, pertaining to an agency's decisionmaking 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 service members—
 - (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 person or organization in the chain of command.
 - (*c*) Any other person or organization designated under Component regulations or other established administrative procedures (that is, EO advisor, safety officer, and so on) to receive such communications.
- b.* For appropriated fund civilians, 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.
 - (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 2302).
- c.* For nonappropriated 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.
 - (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/suspect of the finding disputes the validity of the finding or conclusion and seeks to have it overturned. The receiver or the subject/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 8 of this regulation. IGs who investigate or inquire 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 8 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.

SAIG

Office symbol for OTIG and USAIGA.

Senior official

Includes general officers (Active Army and Reserve Components), colonels selected for promotion to brigadier general, retired general officers, and current or former civilian employees of the Department of the Army SES or equal positions and comparable political appointees.

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. IGs 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 or set of functions that focuses on a specific problem area or topic rather than on a unit. Its scope is limited and specifically defined.

Special subjects for inspection

Specific areas within the Army community that Army senior leaders have identified as having Army-wide systemic implications. Also, issues into which TIG has designated IGs to inquire. These topics are updated in IG publications. TIG may require feedback from IGs in the field.

State Adjutant General

Includes 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 detailed IG (normally a colonel or lieutenant colonel) of a State, commonwealth, territory, or District of Columbia. The State IG normally works directly for the State AG; in addition, the CNGB 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.) 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/suspect actually did what was alleged in the allegation.

Systemic issue

Situation evidenced by a failure, through a pattern of non-compliance, 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. IGs inspect these systemic issues after problems arise at several levels within the command in order to identify the disruptions in the system (these disruptions, or "clogs," 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.

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 three-fold: to protect privacy, maintain confidence in the IG System, and minimize the risk of reprisal action.

Unfavorable information

Any credible, derogatory information that may reflect on an individual's character, integrity, trustworthiness, or reliability.

Unfounded

One of two final dispositions for an IG issue to be used when the IG's inquiry into the complaint yields no evidence that a problem existed for the IG to resolve.

V-LAN (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 V-LAN. Ports assigned to a given V-LAN share broadcasts. Ports not assigned to the V-LAN cannot share those broadcasts.

Warrant officer

Commissioned warrant officers and warrant officers without commissions.

Waste

The extravagant, careless, or needless expenditure of Government funds, or the consumption of Government property that results from deficient practices, systems, controls, or decisions. The term also includes improper practices not involving prosecutable fraud.

World Wide Web

A 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.

UNCLASSIFIED

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