



DEPARTMENT OF THE ARMY
 JOINT FORCES HEADQUARTERS NATIONAL CAPITAL
 REGION MILITARY DISTRICT OF WASHINGTON

IG NEWSLETTER

BLDG 18, 103 THIRD AVENUE, FORT McNAIR
 OFFICE OF THE INSPECTOR GENERAL
 PHONE: 202-685-3322/3321



1st QTR, FY 10

DECEMBER 2009

INSPECTOR GENERAL CORNER

What are the key things you need to know about the IG...

Roles and Responsibilities

- Helps train the Army.
- Is responsible to the U.S. Army, the IG System, and the Commander (CG).
- Sphere of Activity includes everything for which the commander is responsible.
- IGs provide assistance, conduct inspections, conduct investigations/inquiries, teach & train.
- Ultimately the IG is the extension of the eyes, ears, voice and conscience of the Commander.
- IGs can only advise, not order or direct a Commander to act upon a situation.
- IGs can inquire/investigate violations of laws, regulations and policies/directives.

Who must cooperate with an IG

- Army Active Duty personnel, Reserve (Federal Status), National Guard (Federal Status) and other DoD military and civilians must cooperate with an IG.

Penalties for Making False Statements

- AR 20-1 establishes the prohibition against making an unlawful communication with an Inspector General, Member of Congress (MC), or 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 an unlawful communication is a false official statement (Article 107, Uniform Code of Military Justice (UCMJ)).

- Personnel subject to the UCMJ who make unlawful communications are subject to punishment under Article 92, UCMJ. They may also be subject to adverse administrative action, and other adverse action authorized by the United States Code or Federal Regulations. Refer to AR 20-1.

Commander and First Sergeant Course

The MDW Company Commander and First Sergeant Training Course is conducted to acquaint new and prospective company leaders with some of the challenges of command, as well as the avenues and resources available to assist them in resolving or addressing Soldier issues within the National Capital Region.

During recent visits to various unit locations, my Team and I had the opportunity to talk with selected commanders and 1SGs who have not attended the course or benefited in receiving invaluable information as presented by Subject Matter Experts.

To reserve seats, request you coordinate with my POC: Mr. Rob Walker, TEL: 202-685-0416.

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ASSISTANCE CORNER

Mrs. Linda Knight, Assistant IG

202-685-3322

Family Support, Child Custody, and Paternity (AR 608-99)

“This article is intended to be a rudimentary reference guide for responses to inquiries concerning family support. Commanders are urged to become fully familiar with the requirements of AR 608-99 and seek the advice of your SJA when confronted with these issues”.

1. **Command’s response to inquiries.** All initial inquiries received will be directed to the company commander of the Soldier concerned, unless the inquiry alleges a repeated or continuing violation of AR 608-99, which will be referred to the battalion commander for appropriate action. The responsible commander will send a reply in response to each inquiry within 14 days of its receipt. Since the inquiry may also provide a basis for suspecting a Soldier of violating other punitive provisions of the UCMJ, the Soldier should be advised of his/her Article 31 rights prior to the questioning of the Soldier involved.

2. During the course of the inquiry, the commander must determine the appropriate course of action to take, depending on the Soldier’s admission or denial of the allegation.

a. If a Soldier denies his/her obligation to provide financial support to a spouse or children for any reason, the commander will determine why the Soldier believes he or she does not have a financial support obligation to the family member(s) in question.

b. If the Soldier admits the obligation, but asserts that he or she has been providing financial support IAW AR 608-99, it is the Soldier’s responsibility to provide proof of such payments. Refer to AR 608-99 para 3-6b(2).

c. If a commander determines that the Soldier has failed to comply with AR 608-99 in the past, for whatever reason, or indicates any unwillingness to comply with AR 608-99 in the future, the company or battalion commander, as appropriate, will order the Soldier to comply with AR 608-99. Commander’s may not order but may encourage payment of arrearages. The order should specify that financial support is to be provided not later than a specified date (no later than 30 days following receipt of the inquiry), the exact amount of financial support to be provided as required by AR 608-99, and the continuing nature of the financial support to be provided (for example, provided each month), the person(s) to whom the financial support is to be provided, including the address to which payment will be sent, and the method of payment (for example, voluntary allotment, personal check, or money order).

d. Regardless of the Soldier’s immediate response to

Continued 2 of 2

appropriate action against the Soldier for failure to provide financial support **when due**, in violation of AR 608-99.

e. If a Soldier has been or is receiving BAH–WITH or BAH–DIFF and not paying financial support to a dependent on whose behalf BAH is received, the commander has an obligation to notify the local finance officer so that excess BAH payments to which the Soldier is not entitled may be stopped and excess BAH payments to which the Soldier was not entitled may be collected. **Refer to DoD FMR 7000.14R, Para 260406.**

f. The commander should recommend that the Soldier talk with a legal assistance attorney if the Soldier is mistaken or in doubt as to his or her obligation under AR 608-99.

g. If the commander determines that the Soldier has no financial support obligation under AR 608-99 to the family member(s) the commander should attempt to advise the person concerning other course of actions beyond enforcement of AR 608-99. All responses should be consistent with AR 608-99, Para 3-2 concerning release of personal information.

h. If the Soldier admits that he or she failed to provide financial support, the commander will provide a complete summary of the reason(s), if any, provided by the Soldier for violating AR 608-99 and the immediate steps that the Soldier will take to comply with AR 608-99 in the future. The commander should provide the dates and amounts of the checks or money orders to be sent to the family member; or if the voluntary allotment will be initiated on behalf of the family member, the date the allotment was or will be initiated, the amount and effective date of the voluntary allotment, and the complete address of the payee. If a voluntary allotment will be initiated, **the special arrangements that the Soldier has made to provide immediate financial support during the interim period pending receipt of the first voluntary allotment check should be indicated.** The commander should state whether the Soldier has been ordered to comply with AR 608-99 in the future and, if so, the details of the order.

3. **If the Soldier has had previous instances of nonsupport the commander can order the Soldier to initiate an allotment to provide support.** The company commander will personally review each inquiry concerning a Soldier assigned to his or her command. The commander will personally sign each written reply to an inquiry except those required to be signed by the battalion commander.

The proponent in the JFHQ-NCR/MDW for Family Support, Child Custody, and Paternity is your local SJA office.

Reference: AR 608-99, Family Support, Child Custody http://www.apd.army.mil/pdf/files/r608_99.pdf

ASSISTANCE CORNER

Mr. Rob Walker, Assistant IG

202-685-0416

IG APPROPRIATENESS

1. "I'll just go tell the Inspector General." How often have you heard someone use this phrase? A few hundred times maybe. Contrary to popular belief, "telling the IG" does not necessarily mean you have an issue that is IG appropriate. People want quick responses and resolutions regardless of how old or new their issues are when presented to the IG. When individuals make contact with the IG, they expect immediate changes...sometimes that happens, but, in most occurrences, it does not. The role of the IG is not to order resolution, but rather make recommendations. Complaints must be presented to an IG in a timely manner in order for the IG to resolve them effectively.
2. Just how does the Inspector General determine if the issue you present is IG appropriate? The IG conducts a preliminary analysis of the information received. The preliminary analysis is a thought process to determine who (what agency) will resolve the problem and how to resolve it. This preliminary analysis could take a few minutes, a few hours or a few days. Hearing this is not what most people care to hear.
3. Most issues presented to the IG are command issues. Again, not what most people want to hear. The IG is an extension of the eyes and ears of the commander; therefore, the IG encourages everyone to utilize the respective chain of command and resolve issues at the lowest level before elevating to the next higher level per AR 600-20. Inspectors General always try to work through the chain of command to ensure the IG system is viable and involved. A Soldier failing to provide support to a family member is a command responsibility. The role of the IG in this instance is to inform the command of the regulatory requirements of AR 608-99 and ensure the command takes appropriate action.
4. Issues involving officer and enlisted evaluations are not appropriate for IG intervention because redress is available through other channels (e.g. appeals boards). However, the IG can inspect the unit to ensure counseling is being performed and rating schemes are posted IAW AR 623-3. A complaint that a commanding officer has wronged a Soldier is not appropriate for IG intervention. The Soldier has the option of filing an Article 138 against that commander. However, the IG can review the issues to determine if the Soldier has a viable case based upon reprisal.
5. Complaints involving sexual harassment, racial and sex discrimination are not IG appropriate issues, but Equal Opportunity (EO) issues. These issues will be referred to the EO Advisor.

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Article 15, chapters, and divorces are all legal issues, so you will be referred to Legal Assistance. The IG does not offer any legal opinion. Challenge of physical profiles, quarters, and medical boards by commanders based on AR 40-501 are command and Deputy Surgeon issues. The IG will ensure you are aware of the appropriate agency to contact for redress assistance.

6. Based on information you present, the IG determines if an established policy, Standard Operating Procedure (SOP), regulation, or standard was violated by formulating who improperly did or did not do what in violation of a standard (example: That 1SG Doe improperly mismanaged DA Form 6 in violation of AR 220-45).

BLUF: Not all issues you present to the IG are IG appropriate and you will be referred to the appropriate agency. So the next time you think about "telling it to the IG" make sure you have given your chain of command or the appropriate agency the opportunity to resolve the issue. Issues are handled at the lowest level.

Use of IG Records for Adverse Actions

IAW AR 20-1, Inspector General Activities and Procedures, Inspector General records will not be used as the basis for adverse actions against individuals, military or civilians. Requests for such use will be submitted to the Department of the Army Inspector General.

The proponent for IG Appropriateness is the JFHQ-NCR/MDW IG at 202-685-2926.

References:

AR-20-1, Army Inspector General

http://www.apd.army.mil/pdffiles/r20_1.pdf

AR 608-99, Family Support, Child Custody, and

Paternity http://www.apd.army.mil/pdffiles/r608_99.pdf

AR 600-20, Army Command Policy

http://www.apd.army.mil/pdffiles/r600_20.pdf

AR 623-3, Evaluation Reporting System

http://www.apd.army.mil/pdffiles/r623_3.pdf

AR 40-501, Standards of Medical Fitness

http://www.apd.army.mil/pdffiles/r40_501.pdf

AR 220-45, Duty Rosters

http://www.apd.army.mil/pdffiles/r220_45.pdf

ASSISTANCE CORNER

Mr. Nick Kreeb, Assistant IG

202-685-3376

Army Leadership “Developmental Counseling” FM 6-22

1. Good leaders strive to leave an organization better than they found it and expect other leaders throughout the Army do the same. Leaders can create a positive organizational climate, prepare themselves to do well in their own duties, and help others to perform well. Good leaders look ahead and prepare talented Soldiers and civilians to assume positions with greater leadership responsibility in their own organization and in future assignments. They also work on their own development to prepare for new challenges.

2. Counseling is the process used by leaders to review with a subordinate the subordinate’s demonstrated performance and potential.

3. Counseling is one of the most important leadership development responsibilities for Army leaders. The Army’s future and the legacy of today’s Army leaders rests on the shoulders of those they help prepare for greater responsibility.

4. Types of Developmental Counseling.

a. Event counseling - Event-oriented counseling involves a specific event or situation. It may precede events such as appearing before a promotion board or attending training. It can also follow events such as noteworthy duty performance, a problem with performance or mission accomplishment, or a personal issue. Examples of event-oriented counseling include:

- Instances of superior or substandard performance.
- Reception and integration counseling.
- Crisis counseling.
- Referral counseling.
- Promotion counseling.
- Separation counseling.

b. Performance counseling - During performance counseling, leaders conduct a review of a subordinate’s duty performance over a certain period. Simultaneously, leader and subordinate jointly establish performance objectives and standards for the next period. Rather than dwelling on the past, focus on the future: the subordinate’s strengths, areas of improvement, and potential.

c. Professional growth counseling - Professional

Continued 2 of 2

accomplishment of individual and professional goals. During the counseling, leader and subordinate conduct a review to identify and discuss the subordinate’s strengths and weaknesses and to create an individual development plan that builds upon those strengths and compensates for (or eliminates) weaknesses. As part of professional growth counseling, leader and subordinate may choose to develop a “pathway to success” with short- and long-term goals and objectives. The discussion of the pathway includes opportunities for civilian or military schooling, future duty assignments, and reenlistment options. An individual development plan is a requirement for all Soldiers and Army civilians as every person’s needs and interests are different.

5. The Leader as a Counselor.

a. To be effective, developmental counseling must be a shared effort. Leaders assist their subordinates in identifying strengths and weaknesses and creating plans of action. Once an individual development plan is agreed upon, they support their Soldiers and civilians throughout the plan implementation and continued assessment. To achieve success, subordinates must be forthright in their commitment to improve and candid in their own assessments and goal setting.

b. Army leaders evaluate Army civilians using procedures prescribed under civilian personnel policies. DA Form 4856 is appropriate to counsel Army civilians on professional growth and career goals. <http://www.army.mil/usapa/eforms/pdf/A4856.PDF> DA Form 4856 is not adequate to address civilian counseling concerning Army civilian misconduct or poor performance. The servicing Civilian Personnel Activity Center (CPAC) can provide guidance for such situations.

6. Qualities of the Counselor - Army leaders must demonstrate certain qualities to be effective counselors. These qualities include:

- Respect for subordinates.
- Self-awareness and cultural awareness.
- Empathy, and Credibility.

7. Four Stage Counseling Process.

Stage 1: Identify the need for counseling.

Stage 2: Prepare for counseling.

Stage 3: Conduct counseling.

Stage 4: Follow-up.

The proponent in the JFHQ-NCR/MDW for Developmental Counseling is the local CSM or 1SG.

Reference: FM 6-22, Army Leadership
https://akocomm.us.army.mil/usapa/doctrine/DR_pubs/dr_aa/pdf/fm6_22.pdf

ASSISTANCE CORNER

Mr. Thomas Wilson
Deputy/Chief A&I Branch
202-685-2926

Permissive Temporary Duty Authorization

Permissive TDY: Entitlement or Authorization?

1. Many Soldiers, both officer and enlisted, are of the mistaken belief that upon separation from active duty, they are *entitled* to up to 20 days of what amounts to uncharged leave under the guise of Permissive TDY (PTDY). Section XVIII, Army Regulation 600-8-10, clearly states that transition PTDY is an authorization, not an entitlement. It can be granted for only two reasons: house hunting and/or job hunting.

2. Not all Soldiers are eligible for transition PTDY. The following Soldiers are not eligible for any PTDY under any transition program:

a. Soldiers voluntarily separating as a result of expiration of term of service (ETS) or expiration of service agreement.

b. Soldiers transitioning from the Army under conditions other than honorable (for example, with a dishonorable, bad conduct, or other than honorable (OTH) discharge characterization).

c. Officers who resign their commission, with the exception of VSI/SSB.

d. Soldiers with approved voluntary separation under the Voluntary Early Release Program (VERP) or Enlisted Voluntary Early Transition (VET) program.

3. All eligible Soldiers are authorized ten (10) days transition PTDY. The following Soldiers are authorized additional transition PTDY in conjunction with their transition from active duty. If the soldier is being separated for reasons not listed below, he or she is not authorized additional (that is, in excess of 10 days) transition TDY.

a. Officers or enlisted Soldiers selected for involuntary separation by Selective Early Release or Retirement Boards (SERBs).

b. Officers and enlisted Soldiers with a Mandatory Retirement Date (MRD).

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c. Officers identified for separation as a result of Reduction in Force (RIF). This includes officers non-selected for promotion and selected for release from active duty.

d. Officers who are passed over for promotion and must leave active duty.

e. Enlisted Soldiers denied further continued service as a result of Retention Control Points (RCP).

f. Enlisted Soldiers identified for separation under the provisions of the Qualitative Management Program (QMP).

g. Officers and enlisted Soldiers with an approved separation under the Voluntary Separation Incentive (VSI) or the Special Separation Benefit (SSB) programs.

h. Officers and enlisted Soldiers separated for reason of disability rated at less than 30 percent. Commanders must ensure that a DA Form 31 (Request and Authority for Leave) with inclusive dates of PTDY and leave accompanies the packet forwarded to the Physical Evaluation Board (PEB). If the PEB finds the Soldier fit for duty, the DA Form 31 will be voided.

i. Officers and enlisted Soldiers who have an approved voluntary retirement or disability retirement.

4. Commanders may disapprove or restrict permissive temporary duty based on mission or operational requirements (i.e. if a Soldier does not have a replacement or a unit mission dictates that the Soldier's presence is necessary to perform critical tasks), for disciplinary reasons, or if a valid purpose does not exist (i.e. if the Soldier already has secured a job, or the Soldier will continue to reside in the same residence with no prospect of moving).

Reference:

AR-600-8-10, Leaves and Passes

http://www.apd.army.mil/pdf/files/r600_8_10.pdf

The proponent in the JFHQ-NCR/MDW is the J/G1 for Permissive TDY at 202-685-2943.

INSPECTIONS CORNER

Mr. Rob Walker, Assistant IG

202-685-0416

Army Inspection Policy AR 1-201

“Organizational Inspection Program” (OIP)

1. Inspections are a command responsibility, and the OIP is the commander’s program to manage all inspections within the command. The OIP is a comprehensive, written plan that addresses all inspections and audits conducted by the command and its subordinate elements as well as those inspections and audits scheduled by outside agencies. The purpose of the OIP is to coordinate inspections and audits into a single, cohesive program focused on command objectives. Depending upon the echelon and type of organization, the OIP will comprise command inspections, staff inspections, IG inspections (including intelligence oversight inspections), SAVs, audits, and external inspections. An effective OIP allows a commander to use these inspections to identify, prevent, or eliminate problem areas within the command. Commanders should also use the OIP to complement and reinforce other sources of evaluation information when determining or assessing readiness (See Para 3–1).

2. The OIP provides the commander with an organized management tool to identify, prevent, or eliminate problem areas. All inspections conducted as part of an OIP must adhere to the Army inspection principles outlined in chapter 2. The OIP will contain command guidance on the conduct of inspections. The OIP must also include the command’s priorities and goals, explain the mechanism for scheduling and executing inspections, assign responsibility for scheduling and monitoring inspections, provide standards for inspectors, and discuss a way to track feedback and corrective action.

3. The **battalion** (or similarly sized organization) OIP includes command inspections by the battalion commander and staff inspections or SAVs by the battalion staff. The battalion commander must add visits and inspections by higher headquarters and agencies to the OIP—especially in areas where the battalion staff lacks experience or expertise. The battalion OIP forms the basic building block for inspections, and the OIP of higher commands must complement the battalion-level programs. The battalion OIP will focus on those areas that immediately impact on readiness and reinforce goals and standards.

Continued 2 of 2

Additionally, command inspections will articulate standards and assist in teaching correctly the processes at work within the battalion. Teaching, training, and mentoring will be a goal of all inspections—especially company-level initial command inspections.

4. **Command Inspections.** Command inspections ensure unit compliance with Army regulations and policies and allow commanders to hold leaders at all levels accountable for this compliance. Command inspections allow the commander to determine the training, discipline, and welfare of the command and are so important that the commander must be personally involved.

5. **Commander of the Inspecting Headquarters.** The commander of the inspecting headquarters **must participate** for an inspection to be a command inspection. At a **minimum**, the commander **must attend the in-briefings and out-briefings**, actively conduct part of the inspection, and provide the inspected commander with an assessment of strengths and weaknesses upon completion. In addition to designating an OIP coordinator, the commander must designate an individual or staff proponent to plan, coordinate, and execute the command inspection portion of the OIP.

a. **Initial Command Inspections (ICI).** A new company (or similarly sized organization) commander will receive an initial command inspection (ICI) from his or her rater. **The initial command inspection for a company will occur within the first 90 days of assumption of command.** The ICI will appear on the training schedule and will serve to evaluate the condition of the unit. **The ICI will not, however, evaluate the commander’s performance** since assuming command. Only the inspected commander and that commander’s rater will receive the specific results of the initial inspection. Commanders will not use the results of ICIs to compare units.

b. **Subsequent Command Inspections (SCIs).** SCIs measure progress and reinforce the goals and standards established during the initial command inspection. **Commanders will conduct SCIs** following all initial command inspections at a frequency determined by the commander. In addition, division OIPs must address the IGs intelligence oversight responsibilities and requirements as outlined in AR 20–1, paragraphs 6–16/17 and AR 381-10.

c. **Staff Inspections and IG Inspections.** Refer to Para 3-4 and 3-5, respectively.

The proponent for Army Inspection Policy is the JFHQ-NCR/MDW Inspector General Office at 202-685-2926.

References:

AR 1-201, Army Inspection Policy

http://www.army.mil/usapa/epubs/pdf/r1_201.pdf

AR 381-10, Intelligence Oversight

http://www.army.mil/usapa/epubs/pdf/r381_10.pdf

USEFUL WEB SITES

JFHQ-NCR/MDW Intranet Homepage:

<https://portal.jfhqncr.northcom.mil/default.aspx>

Commanding General's Policy Statements:

<https://portal.jfhqncr.northcom.mil/Pubs/default.aspx>

Google U.S. Government Search Engine: <http://www.google.com/ig/usgov>

Federal Voting Assistance: <http://www.fvap.gov/pubs/publications.html>

DOD Directives and Instructions: <http://www.dtic.mil/whs/directives>

DoD FMR 7000.14R: <http://www.defenselink.mil/comptroller/fmr/>

Government Publication Search Engine: <http://www.firstgov.com>

Army Publication Search Engine: <http://www.usapa.army.mil>

Army Knowledge Online: <http://www.us.army.mil>

Civilian Personnel: <http://cpol.army.mil/index.html>

Tricare-Medical: <http://www.tricare.osd.mil>

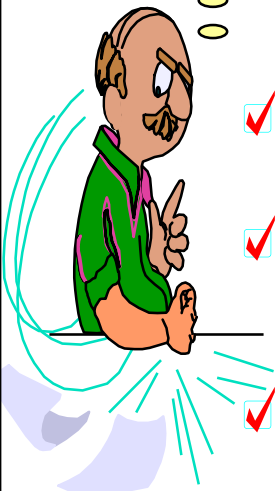
myPay: <https://mypay.dfas.mil/mypay.aspx>

Tricare-Dental: <http://www.ucci.com>

Finance: <http://www.dod.mil/dfas/>

Before You Tell it to Your Inspector General

I Got A Beef
With The System!
What steps should
I take now?



- ✓ **Be sure you have a problem, not just a peeve.**
- ✓ **Give your chain of command a chance to solve the problem.**
(Many problems must be addressed to the chain of command for resolution anyway).
- ✓ **If IG assistance is needed, contact your local IG first.**
(IG's at higher commands will normally refer the case to the local IG for action)
- ✓ **Be honest and don't provide misleading information.**
(IGs will discover the truth quickly in most cases and there are penalties for knowingly providing false information)
- ✓ **Keep in mind that IGs are not policy makers.**
(If a policy is flawed you can submit proposed change on a DA form 2028)
- ✓ **Keep in mind that IGs can only recommend, not order a resolution.**
(Only Commanders can order; the role of the IG is to advise the Commander)
- ✓ **Remember IGs can only resolve a case on the basis of fact.**
(Your claim that a supervisor has violated the rules doesn't make it fact. A claim must be supported with evidence)
- ✓ **Don't expect instant action on your request... Be patient.**
(Investigations take time, and IGs tend to have heavy workloads)
- ✓ **Be prepared to take "No" for the answer.**
(In any case "Yes" or "No", the IG will explain why)



Your Local IG is: COL Sandra R. Clark Phone: 202-685-3321

To complain without fear of reprisal is the right of any Soldier, Civilian, or Family Member seeking IG help. After all, problem solving is one of the IG's primary missions.

IMPORTANT

Commanders are reminded to become familiar with the provisions of DOD Instruction 6490.4, DOD Directive 6490.1 and DOD Directive 7050.6, dealing with “Referring Soldiers for Mental Health Evaluations”. There are certain requirements that must be met prior to sending a Soldier for a mental health evaluation. Paramount is that commander must inform the Soldier, ***in writing***, of their rights pursuant to the referral and to obtain Soldier’s signature as well. This is in addition to the Unit Commanders Request for Mental Health-Evaluation. Do not forget the memo. A verbal statement to the Soldier of their rights is not acceptable. DOD Instruction 6490.4, page 4-1 has an example of a **proper memorandum** to a Soldier explaining their rights.

Comments may be addressed to Office of the Inspector General, ATTN: ANIG, Bldg 18, 103 Third Avenue, Fort McNair, DC 20319 or call 202-685-3332.

/original signed/
SANDRA R. CLARK
COL, IG
Inspector General

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