



Nevada National Guard **INSPECTOR GENERAL** Situational Awareness Bulletin

A Quarterly bulletin of relevant issues from the Nevada National Guard Inspector General's Office



1st Quarter FY12

Bulletin Board Item

*"Discipline is the soul of the Army.
It makes small numbers formidable, procures success to the weak, and esteem to all."
- George Washington*



Unprofessional Relationships



One of the benefits of military service is the close bonds that form between peers and between leaders and subordinates. These relationships are built through shared experiences and by a commitment to a common ideal. And regardless of the length of service, Soldiers and Airmen will never forget the relationships they built while serving their nation. When these relationships are consistent with regulations and instructions there isn't a better measure of good order and discipline and when these relationships are in contravention of regulations or instructions it can be argued that there isn't a more morale crushing and good order and discipline damaging act. Therefore, it's critical that Soldiers and Airmen understand what is allowed and that leadership takes the appropriate action when personnel fail to meet these standards. Professional relationships are the backbone of any organization and it would be impossible for us to conduct missions without the close bonds that knit us together like family. However, when we fail to adhere to and enforce the appropriate regulations or instructions on unprofessional relationships we bring discredit to the uniform and ultimately weaken our standing in the eyes of the people who entrust us to uphold the highest standards of military service. The information below is designed to provide the left and right limits of what is authorized IAW regulations and instructions and the expectations of leadership in dealing with these issues.

Policies governing relationships between Soldiers of different rank can be found in Army Regulation 600-20, and AFI36-2909.

Army

Relationships between Soldiers of Different Rank

The provisions AR 600-20 apply to both relationships between Army personnel (to include dual-status military technicians in the Army Reserve and the ARNG) and between Army personnel and personnel of other military Services. This applies to different-gender relationships, and same-gender relationships.

Relationships between Soldiers of different rank are prohibited, per AR 600-20, if they -

- Compromise, or **appear to compromise**, the integrity of supervisory authority or the chain of command.
- Cause actual or **perceived** partiality or unfairness.
- Involve, or **appear to involve**, the improper use of rank or position for personal gain.
- Are, or are **perceived** to be, exploitative or coercive in nature.
- Create an actual or **clearly predictable** adverse impact on discipline, authority, morale, or the ability of the command to accomplish its mission.



Other Types of Prohibited Relationships

Certain types of personal relationships are prohibited in the Army. These relationships include, on-going financial or business relationships (this does not apply to landlord/tenant relationships or one-time transactions such as the sale of an automobile or house, but does apply to borrowing or lending money, commercial solicitation, and any other type of on-going financial or business relationship), dating, shared living accommodations other than those directed by operational requirements, and intimate or sexual relationships between officers and enlisted personnel and gambling between officers and enlisted personnel. The prohibitions are not intended to preclude professional team building associations that occur in the context of activities such as community organizations, religious activities, Family gatherings, unit-based social functions, or athletic teams or events.

Responsibility of Commanders and Supervisors

Commanders should seek to prevent inappropriate or unprofessional relationships through proper training and leadership by example. Should inappropriate relationships occur, commanders have available a wide range of responses. These responses may include counseling, reprimand, order to cease, reassignment, or adverse action. Potential adverse action may include official reprimand, adverse evaluation report(s), non-judicial punishment, separation, bar to reenlistment, promotion denial, demotion, and courts martial. Commanders must carefully consider all of the facts and circumstances in reaching a disposition that is warranted, appropriate, and fair.

Air Force

Prohibited Relationships in the Air Force

Prohibited relationships in the Air Force in regards to relationships within an organization pertain to relationships with civilian employees and government contractor personnel, dating and close friendship, shared off-duty activities. In addition officers will not gamble with enlisted members, nor will they lend or borrow money from or become indebted to enlisted members. Officers will not engage in sexual relations with or date enlisted members. Officers will not share living accommodations with an enlisted member, except when reasonably required by military operations.

Fraternization

Air Force fraternization policy (AFI36-2909, para 2, 2.2.1), is defined by the Manual for Courts-martial, as a personal relationship between an officer and an enlisted member that violates the customary bounds of acceptable behavior in the AF and prejudices good order and discipline, discredits the armed services, or operates to the personal disgrace or dishonor of the officer involved. ***The guidelines define relationships within an organization regarding familiar relationships between members in which one member has supervisory or command authority over another, which can become unprofessional or be perceived as such.*** This only enhances the possibility to influence, directly or indirectly, assignments, promotions, duties, awards, or anything else that puts unit members in a vulnerable position. Unprofessional relationships, including fraternization can impact the morale, discipline, respect for authority and cohesion of the military and must, at all costs, be avoided. The Air Force custom recognizes that officers will not form any personal relationship with enlisted Airmen on terms of military equality, whether on or off-duty.



Responsibility of Commanders and Supervisors



Commanders and supervisors at all levels share the same responsibility, and have the authority and responsibility for maintaining focus and discipline of any actions that can adversely affect the respect and authority, or mission accomplishment of the military. Commanders and supervisors at all levels must be held accountable for failing to act. Because of the damage fraternization can do to morale, good order, discipline, and unit cohesion, Army regulations, Air Force AFI, and Manual for Courts-martial outline what is and what is not considered fraternization, and the consequences for such actions. It can sometimes be a fine line of what may be considered or perceived as fraternization, and we as members of the military must be cognizant and sensitive to these types of relationships due to the potential damage fraternization can do.

*“You do not lead by hitting people over the head -
That’s assault, not leadership.”*

- Dwight D. Eisenhower

Handbook for Nevada Army Guard Leaders

The Nevada Handbook for Army Leaders has been published by the IG and is now available on the NV National Guard Website at: <http://www.nv.ngb.army.mil/igDocuments/IGHandbookforArmyLeaders.pdf> The handbook was prepared to help Soldiers become better leaders. The handbook provides an overview of the IG and then details “Information to Keep Leaders Out of Trouble” where you will find the following references:

- Administrative Separations (Chapters)
- Awards (Individual Awards/Decorations)
- Bars to Re-enlistment (Field Commander’s Bars)
- Flags (Suspension of Favorable Personnel Actions)
- Leave (DA 31, Request and Authority for Leave)
- Family Care Plan
- Family Advocacy Program
- Enlisted Promotion System
- Counseling
- Corrective Training
- Medical Boards
- Mental Health Evaluations of Members of the Armed Forces
- Line of Duty (LOD) and Incapacitation
- Physical Profiles
- Weight Control Program
- Physical Readiness Training and Testing
- Standards of Conduct
- Relationships between Soldiers of Different Rank
- Reprisals against Whistle-Blowers
- Equal Opportunity / Sexual Harassment
- Sexual Assault Prevention and Response
- Homosexual Conduct in the Armed Forces (Repealed)
- Gifts
- Official Use of Government Vehicles
- Unit Record of Reserve Training (DA Form 1379)
- Non-support of Dependents
- Indebtedness of Army Personnel
- Initial Command Inspections

Click on this link to check it out: <http://www.nv.ngb.army.mil/igDocuments/IGHandbookforArmyLeaders.pdf>

STEPS TO SUCCESS WITH THE IG

No doubt you have had Soldiers/Airmen in your command go to the Inspector General with their problems. Some received fast and fair solutions. Too often, though, the result was perceived as wasted time, disappointment, and a conviction that the IG system does not work. The trouble lies not with the system but with a failure to understand it and use it properly. What can the commander do to rectify this? He or she can bring these pointers to the attention of the Soldiers and Airmen.



- a. Be sure there is a problem. Personal peevs loom large in the minds of some Soldiers/Airmen. But there is little the IG can do about a peeve. If the cooks consistently turn out lousy chow, that's a problem. If someone doesn't like the menu for one particular meal, that's a peeve.
- b. Give the chain of command a chance to solve the problem. The chain of command consists of the people who solve problems. A Servicemen's Chaplain, Congressman or local IG can help out on occasion, but they must ultimately work with the chain of command.
- c. Try all other appropriate remedies. The IG is sort of a "court of last resort". If other remedies are available they should be used first.
- d. Deal with the closest IG; it will speed up the process and get an answer sooner. The IG at Major Command, NGB or Army/Air Force level cannot personally investigate each complaint. Most of the time, the IG at a higher level will refer complaints and requests to the IG at the level nearest that of the complainant. That IG will then inquire into all aspects of the case and provide all the information to the IG at the higher level. This is not intended to imply that a Soldier/Airman cannot deal with an IG at any level desired. The problem may be so sensitive that the individual is reluctant to discuss it with anyone assigned to his or her own unit.
- e. Level with the IG; once the IG starts inquiring, he'll know soon enough if the truth is being twisted. If a Soldier/Airman has not been completely honest about the complaint, a lot of time and effort will go to waste.
- f. Keep in mind the IG's regulatory and statutory limits. The IG cannot change a regulation or Instruction just because it does not suit an individual. He can, however, recommend changes to Army regulations and Air Force instructions determined to be inappropriate or unfair.
- g. An IG is not a commander; he can only recommend, not order. Some Soldiers/Airmen get upset because nothing seems to happen as a result of their complaint. Keep in mind that the IG can only advise, not order a commander. There may be good reasons why the IG recommendation was not acted upon.
- h. An IG can only resolve a case on the basis of provable facts. If the IG cannot find concrete proof, he cannot resolve the case in favor of the complainant. Just because a person says their supervisor violated a regulation does not make it a proven fact.
- i. Do not read evil thoughts into an ongoing investigation or inquiry. It is human nature to look at things from a very personal point of view. Some Soldiers assume the commander has intervened and muzzled the IG if they do not hear the results of the investigation/inquiry immediately.
- j. Be prepared to take "no" for an answer. Do not assume that a negative answer from the IG is wrong just because it is unpalatable. If the Soldier/Airman is absolutely certain the answer is wrong, and if he or she has some additional evidence to support that certainty, the case may be reconsidered. If, on the other hand, the individual is merely unhappy because the report does not go in his or her favor, it is pointless to continue.

*"If you have time to whine and complain,
Then you have the time to do something about it."*

- Anthony J. D'Angelo

Nevada National Guard - Inspector General's Office

<u>State Inspector General:</u>	LTC Steven Milliron steven.milliron@us.army.mil	(775) 884-8427
<u>State Deputy Inspector General:</u>	Mr. Robert McNamara robert.mcnaamara1@us.army.mil	(775) 884-8425
<u>Assistant Inspector General:</u>	CW4 Lynn Aboumrad lynn.aboumrad@us.army.mil	(775) 886-7789
<u>Investigations and Inquiry Specialist:</u>	MSgt Paul Hinen paul.hinen@us.army.mil	(775) 884-8426



152nd Airlift Wing – Inspector General's Office

Major Thomas Funk
thomas.funk@igt.com (775) 788-9353



The IG Informer – By MAJ Thomas Funk (Reprinted from the December High Roller News)

The Wing Inspector General is responsible for ensuring there is a viable Fraud Waste and Abuse (FWA) program to include training and awareness of FWA in order to have all Air Force members work together to mitigate issues arising from:

- **Fraud**—Any intentional deception designed to unlawfully deprive the Air Force of something of value or to secure from the Air Force for an individual a benefit, privilege, allowance, or consideration to which he or she is not entitled.
- **Waste**—Extravagant, careless, or needless expenditure of Air Force funds or the consumption of Air Force property that results from deficient practices, systems controls, or decisions. The term also includes improper practices not involving prosecutable fraud.
- **Abuse**—Intentional, wrongful or improper use of Air Force resources. Examples include misuse of grade, position, or authority that causes the loss or misuse of resources such as tools, vehicles, computers, or copy machines.

Additionally, the Wing IG also is responsible for matters under the Complaint Resolution Program (CRP) that is tied directly to the FWA program in an effort to protect members from negative effects of bringing accounts of FWA to the attention of an IG. The IG system, the CRP, and the laws associated with it give every member of the military the right to visit the IG in order to bring forth information of wrongdoing. Its intent is to allow the member to receive a resolution to an issue so that the member can return to focus on the mission. Its intent is not to override decisions made by command that don't align with an individual's interest or efforts at a self-serving gain. The IG makes recommendations on findings but cannot stop administrative actions already in progress.

Examples of what should be reported to an IG at any level are:

- Threats to Homeland Defense
- Unauthorized Disclosures
- Human Trafficking
- Bribery and acceptance of gratuities
- Conflicts of interest
- Restriction to access of an IG
- Military Reprisal (Violations of the Whistleblower Protection Act involving service members)
- Improper referrals of military personnel for mental health evaluations
- Gross mismanagement, abuse, theft, or waste of funds
- Procurement irregularities to include:
 - Cost/labor mischarging
 - Defective pricing
 - Defective parts
 - Bid rigging
 - Product substitution
 - Spare parts overpricing

For questions or concerns about this or any other matter you think needs 152 AW/IG attention, contact MAJ Tom Funk at the Wing IG office, (775) 788-9353 or via e-mail at thomas.funk@igt.com