



MARINE CORPS
INSPECTOR GENERAL PROGRAM
ASSISTANCE GUIDE

Inspector General of the Marine Corps
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INSPECTOR GENERAL
OF THE MARINE CORPS

Marine Corps
Inspector General Program
Assistance Guide

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This Guide has been approved by the IGMC

A handwritten signature in black ink, appearing to read "K. J. Lee". The signature is fluid and cursive, written over a light grey rectangular background.

BGen K. J. LEE

The Inspector General Program Assistance Guide

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Chapter 1

Overview

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Section 1-1

Introduction

1. **Purpose:** This guide outlines the recommended techniques, formats, and procedures for providing Inspector General (IG) Assistance.

2. **The IG Assistance Function:** The purpose of IG Assistance is to resolve issues for Marines, Sailors, and Civilians so the individual -- the complainant -- can focus on the assigned mission. Assistance can be an informal fact-finding process used to address or respond to a complaint involving a request for help, information, or issues but not allegations of impropriety or wrongdoing. To remedy a problem, IGs may make phone calls; ask questions of functional experts; solicit helpful information from the appropriate organization or agency; or put the complainant in contact with the person, organization, or agency that can appropriately address the complainant's problem. IGs may also take requests for assistance from other-than-Department of the Navy civilians such as contractors, third-country nationals, etc. as long as the requests concerns matters of United States interest.

3. **The Guide as a Handbook:** This guide is designed to serve as a ready reference and step-by-step handbook that will allow an IG to provide assistance to military members as part of the IG Action Process (IGAP). Many of the techniques and formats offered herein are not mandatory for use but instead offer all IGs a common frame of reference and a generally approved way of executing IG assistance actions. IGs must ensure that they remain cautious and use applicable Inspector General Program (IGP) standards whenever appropriate such as handling issues of family non-support by a Service member. This guide was designed to support and complement the Marine Corps Inspector General Program Concepts and Systems Guide.

4. **Format for Sample Memorandums:** This guide contains sample memorandums.

5. **Questions and Comments:** For questions or comments concerning this guide, please contact the Director, Assistance & Investigations Division.

Section 1-2

Definitions

1. **Purpose:** The purpose of this section is to explain some key terms associated with the IGP Assistance Function.
2. **Allegation:** An allegation is a statement offered for proof through an IG investigation. They usually take the form of unsupported accusations of wrongdoing. No presumption of veracity or accuracy attaches to an allegation unless some evidence tending to support the allegation is submitted with it or developed during the investigation. The investigator's job is to obtain evidence sufficient to sustain or refute the allegation or explain why it is not possible to do either. The conclusions in an inquiry or investigation of allegations are expressed as follows:
 - a. **Unfounded (UN)** – The evidence conclusively establishes that the allegation had no factual basis. Unfounded is a clear exoneration of the subject.
 - b. **Not Substantiated (NS)** – There is insufficient credible evidence to substantiate the allegation. “Ties go to the runner.” Not substantiated is not necessarily a clear exoneration of the subject. Not substantiated simply means that sufficient credible evidence that establishes a violation of law, regulation, or other accepted standard could not be gathered. The subject can still be left tainted and reasonable doubt can still exist in the decision makers mind.
 - c. **Substantiated (S)** – The allegation is supported by the preponderance of credible evidence and shows that there was a violation of law, regulation, or other accepted standard. In other words, the subject did what was proffered in the allegation. [Note: This is the strongest conclusion in support of the complainant.]
3. **Assistance:** The process of receiving, inquiring into, recording, and responding to complaints or requests for Assistance either brought directly to the IG or referred to the IG for action concerning matters of command interest.
4. **Assistance Function:** One of the five basic functions of the IG. The process of receiving, inquiring, recording, and responding to complaints or requests either brought directly to the IG or referred to the IG for action. Usually does not involve misconduct.
5. **Assistance Inquiry:** An informal fact-finding process used to address or respond to a complaint involving a request for help, information, or issues but not allegations of impropriety or wrongdoing. An Assistance inquiry may simply provide the facts to answer a question posed by the complainant.
6. **Complainant:** A person who present complaints, allegations, grievances, or requests for assistance to an IG.
7. **Complaint:** An expression of dissatisfaction or discontent with a process or system.

8. **Fivolous:** As used in this guide, a frivolous allegation is one that fails to allege facts that, if true, would constitute a violation of a standard whether defined by statute, regulation, or custom of service.
9. **Hotline:** A formal method of receiving Inspector General complaints, queries, or disclosures of wrongdoing. Hotlines are typically automated (electronic, telephonic, etc.) with 24-hour accessibility.
10. **IG Action Request (IGAR):** IGAR is the term used to refer to the process of receiving, inquiring into, recording, and responding to complaints or requests either brought directly to the IG or referred to the IG for action. IGs record this information on the IG Action Request.
11. **IG Investigation:** A formal fact-finding examination by an IG into allegations, issues, or adverse conditions to provide the directing authority a sound basis for decisions and actions.
12. **IG Investigative Inquiry:** A fact-finding examination by a IG into allegations, issues, or adverse conditions. The investigative inquiry is an informal fact-finding process followed by IGs to gather information needed to address allegations of impropriety against an individual that do not require a formal investigation.
13. **Issue:** 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. An issue is either founded or unfounded.
14. **Office of Inquiry (OOI):** If another IGP 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 OOI must gather all pertinent information and submit the completed case to the office of record for final disposition.
15. **Office of Record (OOR):** Normally the IG office that receives the complaint. This office may request to refer the office of record status to another IG office if the case falls under another's IG area of command. The OOR must ensure that all issues are addressed and all IG responsibilities were fulfilled.
16. **Preliminary Analysis:** The process for determining the most effective resolution strategy to resolve the issues raised by the complainant's assertion. It is a preliminary review of assertions and evidence to determine the potential validity and relevance of the assertion to the IG and to determine what action, if any, IG, supervisory, or other channels is necessary.
17. **Resolution Process:** The process by which IGs resolve Inspector General Action Requests (IGARs).
18. **Senior Official (SO):** Senior officials are active duty, retired, or reserve military officers in, or selected for, the grade of brigadier general (or rear admiral lower half) and above; current or former members of the Senior Executive Service (SES) or equivalent civilian positions such as: Senior Intelligence Executive Service (SIES), Senior Leader (SL), Senior Intelligence Professional (SIP), Senior Technical (ST), or Non appropriated Fund Level Six (NF-6).

19. **Status:** The component of which a person is part for pay purposes (active duty, reserve, or retired).

20. **Subject:** is a person against whom allegations of wrongdoing have been made. Used loosely, the term includes people accused of either criminal or non-criminal conduct. More precisely, a subject is accused of non-criminal wrongdoing. Compare to a suspect, defined below.

21. **Suspect:** is a person against whom sufficient evidence has been developed to warrant the belief that criminal prosecution would be reasonable and appropriate under the circumstances. Because most IG investigations are conducted after appropriate authority has determined not to pursue criminal sanctions, IG investigations seldom involve a suspect as so defined.

22. **Transfer:** is the action taken when analysis of the IGAR determines that another CIG other than the one receiving the IGAR is better suited to resolve the matters presented.

23. **Wrongdoing:** is a generic term for activity that may be the subject of an IG investigation, and includes misconduct, improper conduct, and inappropriate conduct.

Section 1-3

The Assistance Function

1. **Purpose:** This section explains the Assistance Function.
2. **Assistance Function:** Assistance is a multi-step process. It begins with receiving the complaint or a request for assistance followed by preliminary analysis to determine if the issue has merit and requires resolution, if the matter is appropriate for IG action, or if the IG should refer the matter to the command. If the complaint involves an allegation of impropriety, the IG must refer it for investigation within the command or elsewhere in the IGP system. This guide is designed to serve as a ready reference and step-by-step handbook that will allow an IG serving in the field to follow each step of the assistance process as necessary. The process for conducting an investigation is contained in the Marine Corps Inspector General Program Investigations Guide.

The Assistance Function is the process of receiving, inquiring into, and responding to complaints, requests for information, and requests for help presented or referred to an IG. This process is used to correct problems indirectly. IGs correct problems by bringing the matter to the attention of the command and letting the command do the right thing. This referral occurs at the lowest level of command appropriate to take the corrective action and elevated only when deemed appropriate. This process assists in eliminating conditions detrimental to the morale, efficiency, or reputation of the unit and the Command.

The Assistance Function is a major portion of the IG's workload. It complements the Inspections and Investigations Functions of the IGP system. For example, during an Inspection you may receive IGARs with either issues or allegations following interviews and sensing sessions. Likewise, a simple request for Assistance may require an Inspection to resolve -- especially in cases where a systemic problem is suspected. Some complaints may expand into an Investigation depending on the situation. Any IG can perform the Assistance Function.

The Assistance Function is another opportunity for the IG to teach and train; provide information about military systems, processes, and procedures; and assess attitudes while assisting, inspecting, and investigating. The IG Teaching and Training function is an integral part of all IG functions.

Section 1-4

Who May Submit a Complaint to the IG?

1. **Purpose:** This section explains who may submit a complaint to an IG and lists and describes some of the many sources of IG Action Requests (IGARs).
2. **Who May Submit a Complaint to an Inspector General?** Anyone, regardless of status, may make a complaint, allegation, or request for information or Assistance to any IG concerning matters of military interest. There are no pre-conditions for coming to the IG for Assistance. During normal duty hours, military and Department of the Navy (DON) civilian personnel must inform their chain of command or supervisor that they are leaving their place of duty. They cannot just walk off the job and fail to inform their supervisors that they are going to the IG. After duty hours, they may go to the IG without notifying their supervisors.

The IG will encourage the Military or civilian employee to discuss complaints, allegations, or requests for assistance first with the commander, chain of command, or supervisor. If the complainant does not wish to do so, the IG will accept the IGAR. If specific redress procedures are available, the IG will teach and train the complainant on using the appropriate, formally established redress process and refer him or her to that process.

3. **Sources of IG Action Requests (IGARs):** IGARs can come from anyone and anywhere. They come from walk-ins, call-ins, e-mail messages, write-ins, anonymously, or with IGs hearing the IGARs for themselves. The following are some examples of sources of IG Action Requests:

- a. Active and Reserve (Example: Reserve members not getting the same treatment as an active counterpart when they access the service systems).
- b. Anonymous (Example: An unidentified person complains about a lack of command opportunities in a specific unit).
- c. DON civilians (Example: Pre-selection in hiring / promotions).
- d. Family members (Example: Nonsupport issues).
- e. Retirees / Veterans (Example: Veteran administration (VA) benefits / medical problems).
- f. Commander (Example: Discussing a policy or consulting the Inspector General).
- g. Other services (Example: Member of the Navy comes to an IG for Assistance).
- h. Civilian-civilians (Example: Civilians complaining about a Marine driving too fast or drinking while driving a government vehicle).
- i. Media (Example: Requesting that the IG confirm or deny something).

j. Contractors (Example: Contractors not meeting requirements or the Government exceeding the requirements of a contract).

k. Third parties (Example: Parents complaining on behalf of a son or daughter).

l. Other Inspectors General (Example: Another Inspector General received your case by mistake, or a Marine is not in his or her command).

m. Congress (Example: A Marine went to his or her Congressional Representative).

An IG's responsibility is to receive the IGAR and determine if it is appropriate for that IG to work or refer to another agency. Because an IG can assist on an area basis, IGARs can come from anyone and anywhere. As long as the matter is service-related, the IG will provide Assistance by working the case or referring the issue to the appropriate agency for action.

Section 1-5

The Purpose and Use of IG Action Request

1. **Purpose:** This section discusses the IG Action Request (IGAR).
2. **IG Action Request Form:** Complete the IGAR Form in as much detail as possible for every request for IG Assistance except for those regarding senior officials. A good rule of thumb is to complete this form with sufficient detail to allow another IG without prior knowledge of the case to work the issue. The IG will ensure that he or she gets a good phone number to contact the complainant and ask the complainant exactly what it is that he or she wants the IG to do for him or her.

During the initial interview with the complainant, the IG will advise the complainant of the Privacy Act Statement of 1974 on the IGAR Form. The purpose of discussing the Privacy Act is to show that the IG has 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.

For walk-in cases, the IG will have the complainant complete, or will assist the complainant in completing, IGAR Form. The complainant will then sign the form.

INSPECTOR GENERAL ACTION REQUEST IGMC / CIG				Case #:			
<p>AUTHORITY: SECNAVINST 5430.57_ and SECNAVINST 5370.5_ PRINCIPAL PURPOSE(S): To register a personal complaint relating to individual injustices or suspected Fraud, Waste and Abuse. ROUTINE USE(S): Data provided are furnished to supervisors, commanders or inspectors in response to queries for resolution of complaints and to eliminate conditions considered detrimental to the efficiency or reputation of the United States Marine Corps or Naval Services . DISCLOSURE: Disclosure of your identity is voluntary and not required. Failure to provide the information will not adversely affect the resolution of your complaint but may delay the investigating officer in resolving the issue.</p>							
Section I- TO BE COMPLETED BY COMPLAINANT:							
NAME (Last, First, Middle initial) (optional):							
Grade:	Organization:	Sex: male / female	Have you asked your immediate commander/ supervisor for assistance with this problem?	Yes	N o		
ADDRESS (Where response to this complaint will be sent.)			Is this a request for Assistance?	Yes	N o		
			Are you making a HOTLINE Complaint?	Yes	N o		
Email:			NAMES AND/OR POSITIONS OF OFFICIALS YOU HAVE CONTACTED (or others having knowledge of your complaint.) 1. 2. 3. 4. 5.				
Home Telephone Number:	Work Telephone Number:						
Description of Complaint or Issues that require Assistance or Inquiry: (Please detail the nature of the problem or issue and include who, what, where, when, and how. Continue on reverse)							
						What exactly do you want the IGMC /CIG to do for you to resolve this complaint?	
Section II- To be completed by IG Receiving Request:							

Official Receiving Request		Telephone#:		Investigating Official/Agency:		Telephone #:	
Date Opened:	Date Closed:	Office Symbol/Command:		Are there other similar complaints regarding this issue?		Yes No	
Complainant status:				Special Interest Complaints:			
Active Duty		Civilian Government Employee		WB Reprisal		Senior Official	
Reserve		Dependent/Relative		Mental Health		FWA	
Midshipmen/Candidate		Civilian		Grievance Channel:			
Retired Military		Other Service:		USN USA USAF USCG		IG	
Complainant's Command:		Subject's Command:		Congressional		CMC	
				DoD HOTLINE		USMC HOTLINE	
				Most Significant Complaints/Allegations:			
IGMC Complaint Registration Form/version(1) dtd March 2004 ACTION:				Complaint:		Finding Codes:	
Assist		Referred for Info				R= Resolved S = substantiated NS=not-substantiated I = inconclusive	
Transferred for Action		Transferred to External Agency					
IGMC Investigation		Command Inspector Investigation					
Referred /Transferred/ Tasked to:							

PERSONAL AND FRAUD, WASTE & ABUSE COMPLAINT REGISTRATION FORM (Continued):							

PRIVACY ACT INFORMATION

Data Required by the Privacy Act of 1974 PRIVACY ACT STATEMENT For Personal Information Taken During Inspector General Interviews

AUTHORITY: Title 10 US Code, Sections 5014 and 5020.

PURPOSE: To determine the facts and circumstances surrounding allegations or complaints against Navy/Marine Corps personnel and/or activities. To present findings, conclusions and recommendations developed from investigations and other inquiries to the Secretary of the Navy, CNO, CMC, or other appropriate commanders. Disclosure of Social Security Account Number is voluntary, and if requested, is used to further identify the individual providing the information.

ROUTINE USES: The information is used for the purpose set forth above and may be:

- a. forwarded to federal, state or local law enforcement agencies for their use;
- b. used as a basis for summaries, briefings or responses to Members of Congress or other agencies in the Executive Branch of the Federal Government;
- c. provided to Congress or other federal, state and local agencies, when determined necessary.

MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUAL NOT PROVIDING INFORMATION:

For Military Personnel: Disclosure of personal information is mandatory and failure to do so may subject the individual to disciplinary action.

For Department of the Navy Civilians: Failure to disclose personal information in relation to your position responsibilities may subject the individual to adverse personnel action.

For All Other Personnel: Disclosure of personal information is voluntary and no adverse action can be taken against individuals for refusing to provide information about themselves.

ACKNOWLEDGMENT

I understand the provisions of the Privacy Act of 1974 as related to me through the foregoing statement.

Signature: _____ Date: _____

**Figure 1-1
IGAR Form**

Section 1-6

Teaching and Training

1. **Purpose:** This section explains the IG's Teaching and Training function.
2. **Teaching and Training:** The Teaching and Training function is incorporated into all aspects of an IG's duties. When an IG learns that personnel do not know regulatory requirements, the IG explains the requirements and the reason these requirements were established. Additionally, IGs pass on lessons learned and good ideas (or benchmarks) observed during the conduct of other IG functions (Inspections, etc).

The effectiveness of the Inspector General Program (IGP) system is, to a great extent, a function of how receptive personnel are to the IG. Therefore, IGs must teach leaders and their personnel how IGs contribute to mission accomplishment and search for opportunities to inform them of the IGP system's purpose, functions, methods, benefits, and constraints. The bottom line is that while inspecting, assisting, or investigating, IGs contribute to improving the command by Teaching and Training others in policy and procedures.

Section 1-7

References

1. **Purpose:** This section contains a list of key references used in developing this guide. They are also a source of additional information when conducting assistance.

2. **Department of Defense (DoD) Directives and Instructions:**

a. DoD Directive 1401.3, Reprisal Protection for Nonappropriated Fund Instrumentality Employees / Applicants

b. DoD Directive 2311.01E, DoD Law of War Program

c. DoD 5240.1-R, Procedures Governing the Activities of DoD Intelligence Components that Affect United States Persons

d. DoD Directive 5505.6, Investigations of Allegations Against Senior Officials of the Department of Defense

e. DoD Directive 6490.1, Mental Health Evaluations of Members of the Armed Forces

f. DoD Instruction 6490.4, Requirements for Mental Health Evaluations of Members of the Armed Forces

g. DoD Directive 7050.06, Military Whistleblower Protection

h. DoD Instruction 7050.01, Hotline

i. DoD Instruction 7050.6, Defense Hotline Quality Assurance Review (QAR) Program

j. IGDG 7050.6, Guide to Investigating Reprisal and Improper Referrals for Mental Health Evaluations

3. **Department of the Navy (DON) Instructions:**

a. SECNAVINST 5370.5B, DON Hotline Program

b. SECNAVINST 5370.7C, Military Whistleblower Reprisal Protection

c. SECNAVINST 5430.57G, Mission and Functions of the Naval Inspector General

d. SECNAVINST 5430.92B, Assignment of Responsibilities to Counteract Acquisition Fraud Waste and Related Improperities Within the DON

e. SECNAVINST 5800.12B, Allegations Against Senior Official of the DON

4. Marine Corps Orders and Policy Manuals:

- a. MCO 1700.23E, Request Mast
- b. MCO 3800.2B, Oversight of Intelligence Activities
- c. MCO 5040.6H, Marine Corps Readiness Inspections and Assessments
- d. MCO 5370.8, Marine Corps Hotline Program
- e. MCO 5430.1, Marine Corps Inspector General Program
- f. NAVMC 1700.23F, Request Mast Procedures
- g. NAVMC 5040.6H, Marine Corps Readiness Inspections and Assessments
- h. Marine Corps Inspector General Program Concepts and Systems Guide
- i. Marine Corps Inspector General Program Inspections Guide
- j. Marine Corps Inspector General Program Investigations Guide
- k. Marine Corps Inspector General Program Intelligence and Oversight Guide

5. Other Guidelines or Standards:

- a. Quality Standards for Federal Offices of Inspectors General (President's Council on Integrity and Efficiency)
- b. Quality Standards for Inspections (President's Council on Integrity and Efficiency)
- c. Quality Standards for Investigations (President's Council on Integrity and Efficiency)

Chapter 2

Seven-Step IG Action Process (IGAP)

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- Section 2-2 - Step 1, Receive the IGAR
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 - Section 2-2-2 - Call-in IGAR
 - Section 2-2-3 - Write-in IGAR
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 - Section 2-2-5 - Anonymous IGAR
- Section 2-3 - Step 2, Conduct IG Preliminary Analysis (IGPA)
 - Section 2-3-1 - Analyze for Issue(s) and Allegation(s)
 - Section 2-3-1-1 - What is an Issue?
 - Section 2-3-1-2 - What is an Allegation?
 - Section 2-3-1-3 - What is a Complaint?
 - Section 2-3-2 - Determine IG Appropriateness
 - Section 2-3-3 - Open a Case
 - Section 2-3-4 - Acknowledge Receipt
 - Section 2-3-4-1 - Acknowledge Receipt to a Complainant
 - Section 2-3-4-2 - Acknowledge Receipt to a Third Party
 - Section 2-3-5 - Select a Course of Action
 - Section 2-3-5-1 – Assist a Complainant
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Section 2-1

IG Action Process (IGAP) Chart

1. **Purpose:** This section explains the IG Action Process (IGAP) Chart.

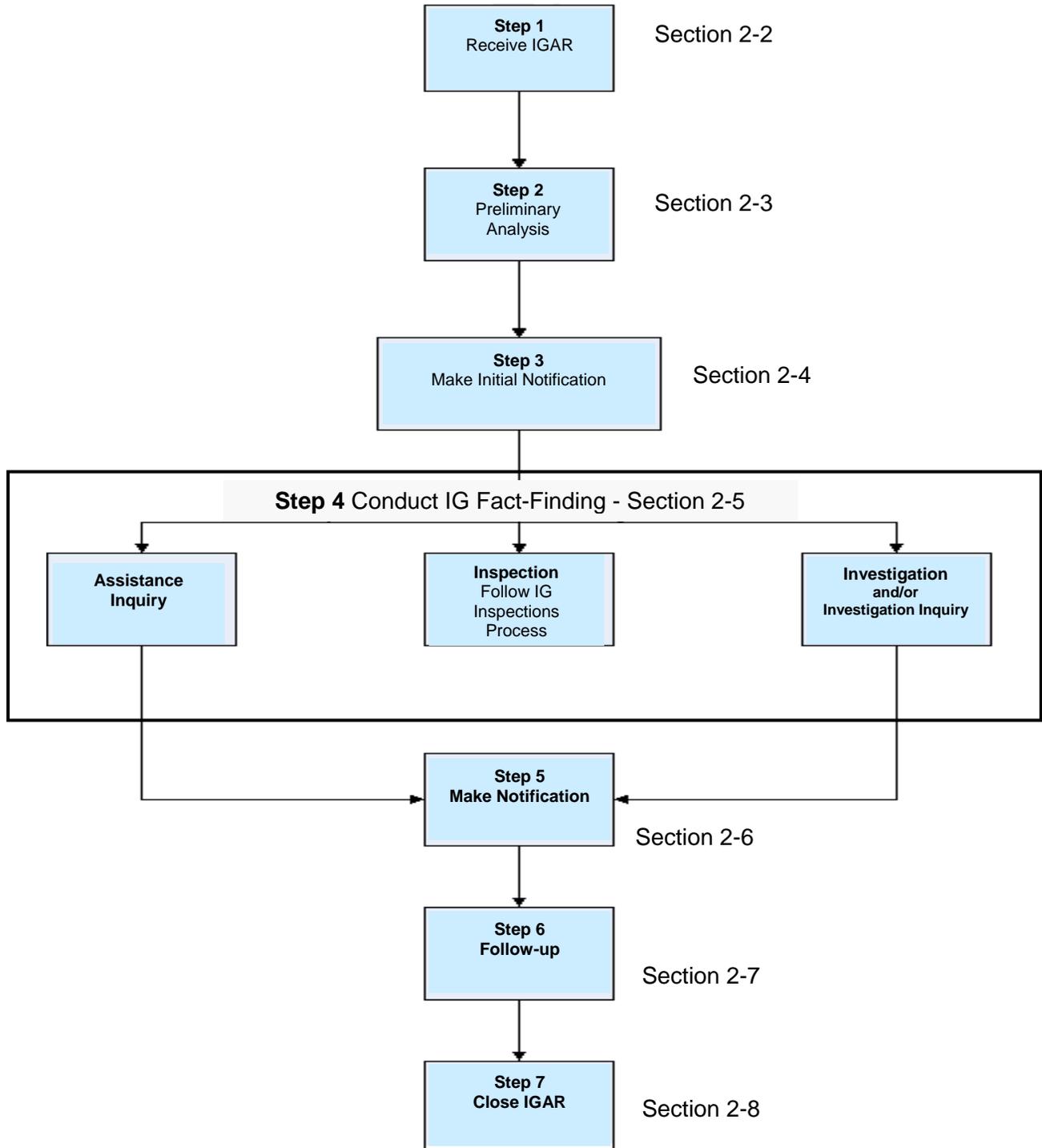


Figure 2-1
IGAR Chart

2. This chart covers seven steps beginning with receiving the IGAR in Step 1 to closing the IGAR in Step 7. The IGAP Chart will assist IGs in following a logical sequence in which to process a IGAR from beginning to end. The process does not require dogmatic, sequential application of each step for every case, but using this process allows the IG to accomplish all critical tasks in resolving complaints.

Section 2-2

Step One - Receive the IGAR

1. **Purpose:** This section explains Step One in the seven-step IG Action Process (IGAP).
2. **Step One, Receive the IGAR:** Step One starts the seven-step IGAP when an IG receives a request for assistance, a request for information, or a complaint or allegation. These things constitute an IGAR. The receiving IG records all information received during step one on an IG Action Request, which serves as the base-control document.

The Inspector General will encourage all personnel, both military or civilian employee first to discuss complaints, allegations, or requests for assistance with the commander, chain of command, or supervisor. If the complainant has not already contacted or allowed the chain of command to resolve the issue, but at this time agrees to try this avenue, the IG will document this course of action and follow up with the complainant later to ensure that the issue has been resolved. If a complainant does not wish to use the chain of command at this time, the IG still accepts the IGAR and asks the complainant for reasons. If the complainant is concerned about reprisal or does not trust the current chain of command to properly address the issue(s), then the IG needs to proceed with caution to protect the individual. If specific redress procedures are available, the IG will teach and train the complainant on using the appropriate, formally established redress process and refer him / her to that process (see Chapter 3, Issues with Other Forms of Redress).

Even if the case is not appropriate for IG action, the IG receiving the IGAR will always open a case, unless the complaint involves a senior official (SO) or a member of a special-access program (SAP) or a sensitive activity (SA). In these instances, do not open a case, but notify the Commander before contacting IGMC to report the SO allegation or to report the SAP or SA allegation. If the case is referred to an agency outside the chain of command, the IG will close the case. When referring to the local chain of command, the IG will keep the case open to monitor the chain of command's actions and to document actions before closing the case.

Anyone can submit a complaint, allegation, or request for information or assistance to any IG concerning a matter of interest. IGARs come from all directions: walk-ins, call-ins, write-ins, emails, and indirectly (see figure 2-1). An example of an indirect IGAR is an IG shopping in the Military Exchange who overhears two individuals discussing double standards in the awards program in their unit. The IG just received an IGAR.

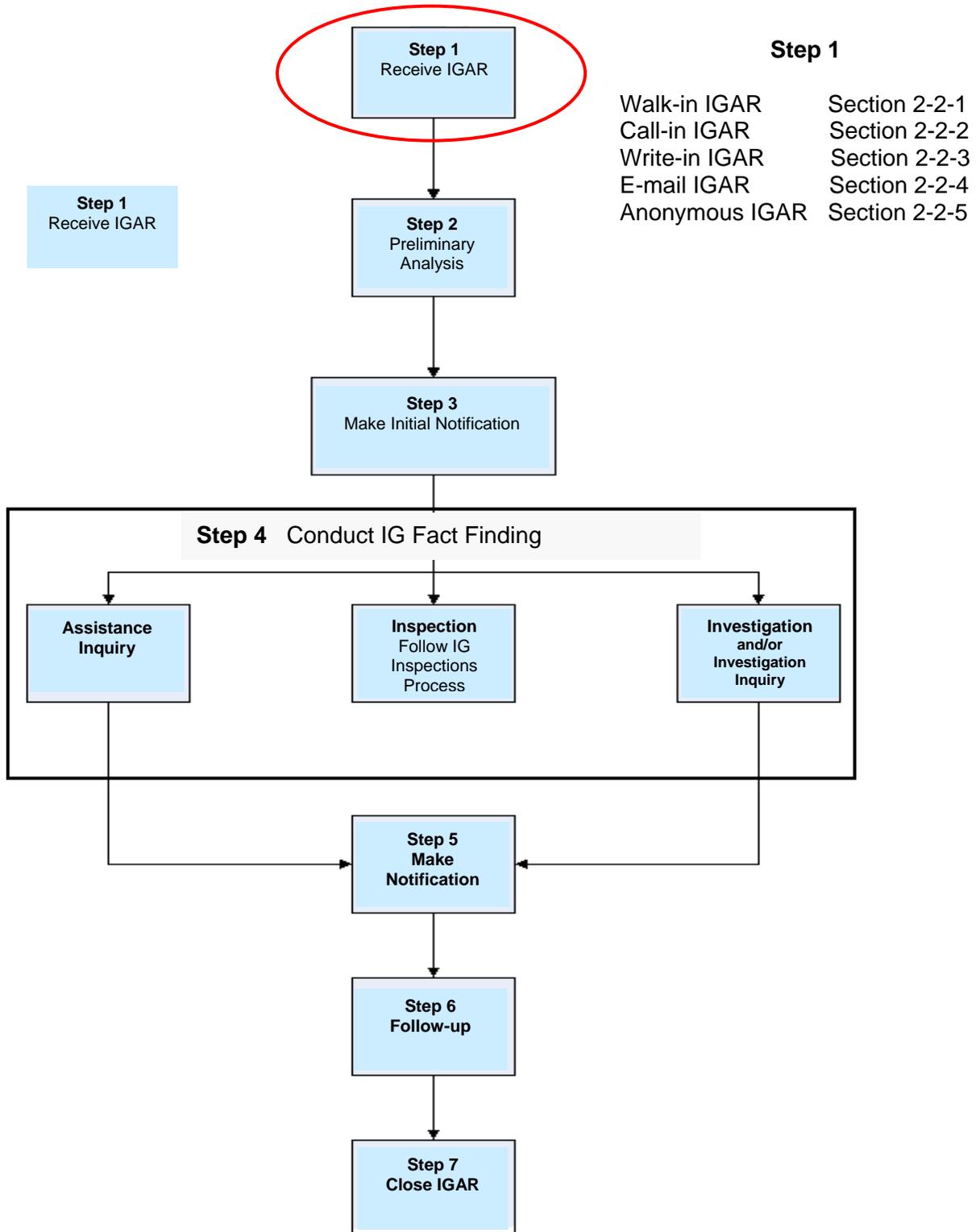


Figure 2-2
Step 1 IGAR Chart

Section 2-2-1

Step One - Receive the IGAR – Walk-In

1. **Purpose:** This section explains the process of receiving a walk-in IGAR.
2. **Walk-in IGARs:** Walk-in is one of many options to a complainant for requesting assistance from the IG. The IG will conduct an interview with the complainant to capture the essence of that person's complaint. The IG must record information received from the complainant on the IGAR Form. The IG will follow the procedures listed below when interviewing a complainant.
 - a. **Interview:** The IG will interview the complainant during a walk-in complaint. The key to a successful interview is to establish rapport and to listen actively.
 - b. **Private Area:** The IG will interview the complainant in a private or semi-private area that affords confidentiality between the IG and the complainant. If there are two or more complainants, the IG will attempt to conduct separate interviews.
 - c. **Action Desired:** The IG will ask the complainant at a minimum these five basic questions:
 - (1) What do you want the IG to do for you?
 - (2) Do you have any supporting documentation?
 - (3) Have you asked any other agency to assist you?
 - (4) Is your chain of command aware of your problem?
 - (5) What is your status?
 - d. **IGAR Form:** A complainant may submit a IGAR in any form such as by telephone, in person, or by letter. The preferred method is for the complainant to submit a completed IGAR Form because it facilitates the standardization of IGARs. IGAR Form also provides the complainant with Privacy Act information. The IG must read the Privacy Act statement to each complainant. The IG must ensure that IGAR Form is completed with as much detail as possible and must give the complainant an opportunity to review the form before signing and departing the IG office.
 - e. **Confidentiality:** IGs will ensure complainant confidentiality to the maximum extent possible. The complainant does not necessarily need to request confidentiality; the IG will automatically maintain confidentiality. **However, IGs never guarantee confidentiality because the nature of the complaint may require the IG to reveal the person's name in order to resolve the issue.** If an IG must release a person's identity, he or she will first attempt to notify the complainant and to obtain a Privacy Act Information Release Statement, or a similar statement, before doing so.

f. **Commitments:** The IG will avoid making any promises or commitments. Instead, the IG will inform the complainant that he or she will look into the matter and, when appropriate, respond to the complainant.

g. **Case File:** All information gathered during an interview in Step One, Receive the IGAR, will be included in the IG case file. This information includes the IG's notes and documents received from the complainant's initial interview. The IG will then make copies of all documents received from the complainant but will not take original documents from the complainant. See the next page (figure 2-3) for a completed IGAR Form.

INSPECTOR GENERAL ACTION REQUEST IGMC / CIG				Case #:	
<p>AUTHORITY: SECNAVINST 5430.57_ and SECNAVINST 5370.5_ PRINCIPAL PURPOSE(S): To register a personal complaint relating to individual injustices or suspected Fraud, Waste and Abuse. ROUTINE USE(S): Data provided are furnished to supervisors, commanders or inspectors in response to queries for resolution of complaints and to eliminate conditions considered detrimental to the efficiency or reputation of the United States Marine Corps or Naval Services . DISCLOSURE: Disclosure of your identity is voluntary and not required. Failure to provide the information will not adversely affect the resolution of your complaint but may delay the investigating officer in resolving the issue.</p>					
Section I- TO BE COMPLETED BY COMPLAINANT:					
NAME (Last, First, Middle initial) (optional): Robb, Harmon S					
Grade: Col	Organization: II MEF	Sex: male / female	Have you asked your immediate commander/ supervisor for assistance with this problem?	Yes	<u>N</u> <u>O</u>
ADDRESS (Where response to this complaint will be sent.) II MEF SJA			Is this a request for Assistance?	<u>Yes</u>	<u>N</u> <u>O</u>
			Are you making a HOTLINE Complaint?	Yes	<u>N</u> <u>O</u>
			NAMES AND/OR POSITIONS OF OFFICIALS YOU HAVE CONTACTED (or others having knowledge of your complaint.) 1. LtCol Sarah "Mac" McKenzie 2. LtCol Bud Roberts 3. 4. 5.		
Email: harmon.robb@usmc.mil					
Home Telephone Number: (910) xxx-xxxx		Work Telephone Number: (910) xxx-xxxx			
Description of Complaint or Issues that require Assistance or Inquiry: (Please detail the nature of the problem or issue and include who, what, where, when, and how. Continue on reverse) Every week I come to work expecting to perform the JAG duties that are assigned to me, however a crisis always occurs that requires me to stop practicing law and instead drop everything and head into harms way. Just last week, I had to perform a dead stick landing with an F-18 and prior to that I was sent to Cuba to arrange a defection of a high level (continued)					
What exactly do you want the IGMC /CIG to do for you to resolve this complaint? Take away my additional duties.					

Section II- To be completed by IG Receiving Request:									
Official Receiving Request		Telephone#:			Investigating Official/Agency:			Telephone #:	
Date Opened:	Date Closed:	Office Symbol/Command:			Are there other similar complaints regarding this issue?			Yes	No
Complainant status:					Special Interest Complaints:				
Active Duty		Civilian Government Employee			WB Reprisal		Senior Official		Other
Reserve		Dependent/Relative			Mental Health		FWA		
Midshipmen/Candidate		Civilian			Grievance Channel:				
Retired Military		Other Service: USN USA USAF USCG			IG		Congressional		CMC
Complainant's Command:		Subject's Command:					DoD HOTLINE		USMC HOTLINE
Most Significant Complaints/Allegations:									
IGMC Complaint Registration Form/version(1) dtd March 2004 ACTION:					Complaint:		Finding Codes:		Code:
Assist		Referred for Info					R= Resolved S = substantiated NS=not-substantiated I = inconclusive		
Transferred for Action		Transferred to External Agency							
IGMC Investigation		Command Inspector Investigation							
Referred /Transferred/ Tasked to:									

PERSONAL AND FRAUD, WASTE & ABUSE COMPLAINT REGISTRATION FORM (Continued):
 Operative. I can not adequately perform my JAG duties with these additional duties. My superiors need to let me do my job and not assign me so many extra duties operative.

Figure 2-3
Pages 1 – 3 of IGAR Form

Section 2-2-2

Step One - Receive the IGAR – Call - In

1. **Purpose:** This section explains the process of receiving a call-in IGAR.
2. **Call-in IGARs:** Call-in is one of the options to a complainant for requesting assistance from the IG. The IG will conduct an interview with the complainant over the telephone to capture the essence of that person's complaint. The IG will record the information from the complainant on IGAR Form. Receipt of a telephonic complaint does not mean that the IG must handle it. However, IGs analyze all complaints in accordance with **Step Two - Preliminary Analysis** of the seven-step IGAP. In addition to the interview, the IG will follow the four steps listed below during a call-in interview:
 - a. **Written Follow-up Documentation:** The IG will ask the complainant to forward any supporting documentation to the IG's office.
 - b. **Privacy Act:** The IG will read the Privacy Act Statement of 1974 to the complainant. The IG must ensure that the complainant understands the Privacy Act statement before working the complainant's case.
 - c. **Read Back IGAR Form:** The IG will read back to the complainant the information taken during the telephone interview for clarity and accuracy.
 - d. **Telephonic:** When taking complaints via the telephone, the IG annotates in the signature block the word "Telephonic." The IG may forward to the complainant a copy of the IGAR Form for that person's records.

Section 2-2-3

Step One - Receive the IGAR – Write – In

1. **Purpose:** The purpose of this section is to explain the process of receiving a write-in IGAR.
2. **Write-in IGARs:** IGs may receive written complaints, allegations, and requests for IG assistance in a variety of written formats. Upon receipt of a written request for assistance, the IG will attach the document to an IGAR Form and write in the “specific action requested” block the words “see attached letter.” Often it is in the form of a letter, but it could come as a fax. The following are some types of write-in IGARs.
 - a. **Congressional Correspondence:** These referrals from Members of Congress include requests from constituents who may be Military, Family members, or private citizens. Chapter 6 outlines the procedures for responding to Congressional correspondence and / or inquiries.
 - b. **Secretary of Defense, Secretary of the Navy, and Commandant of the Marine Corps Correspondence:** IGs may receive from IGMC referrals from the Secretary of Defense, Secretary of the Navy, Commandant of the Marine Corps, and other senior leaders. These referrals normally include instructions as to the type of action requested and the desired form of reply. The IG should advise the command of these referrals and respond back to the IGMC.
 - d. **IGMC Hotline Correspondence: IGMC Hotline Complaints:** MCO 5370.8, Marine Corps Hotline Program, establishes policies and procedures used in processing allegations referred to the IGMC. Chapter 7 outlines the procedures for responding to these complaints.
 - (1) **Action Hotline Complaints:** IGs will receive and evaluate referral-for-action taskings and forward them as appropriate when IG action is deemed necessary. The IG must provide the IGMC a copy of the Hotline Completion Report (HCR).
 - (2) **Information Hotline Complaints:** IGs will receive and evaluate referral-for-information taskings and forward them as appropriate. Action is not required; but, if taken, the IG must provide IGMC a copy of the Hotline Completion Report (HCR).
 - (3) **Hotline Completion Reports:** Ensure HCRs include a description of the actions taken by the IO or IG to determine the findings, identity of all witnesses, the date of and information relayed during interviews, specific details and locations of all documents reviewed during the examination, and a description of any other actions taken as a result of the inquiry.
 - e. **Normal Correspondence:** These are letters written to the IG presenting an allegation, concern, or request for assistance. Enter “see attached” in the “specific action requested” block rather than transferring the contents of the correspondence onto the form.

Section 2-2-4

Step One - Receive the IGAR – E-mail

1. **Purpose:** This section explains the process of receiving an e-mail IGAR.
2. **E-Mail IGARs:** IGs may receive complaints, allegations, and requests for IG assistance via electronic mail (e-mail). Upon receipt of an e-mail request for assistance, the IG will acknowledge receipt by sending a generic e-mail if the complainant did not provide a mailing address or phone number.

When using e-mail to acknowledge receipt, the IG must use a generic subject line to ensure confidentiality of the complainant. Never respond to the actual message; develop and send a new message so that you do not inadvertently send any confidential information through an open e-mail server.

There is no way for the IG to know if the person making the complaint is actually the same person on the e-mail address line. The IG should make every attempt to speak with the complainant by phone. The bottom line is that the IG receiving the case should treat e-mail IGARs just like a call-in IGAR and ask the complainant to confirm the issue(s) or allegation(s) in writing.

If the complainant refuses to reply in writing or to call the IG, treat the case just like an anonymous one and work it if there is enough information. If the complainant did not provide sufficient information, then close the case.

The following is an example of an e-mail IGAR sent to the IG for action from a complainant.

Sample E-Mail IGAR

From: Complainant Name
Sent: Monday, June 20, 2xxx 3:19PM
To: CIG
Subj: My IG Complaint

Dear CIG

I am making this complaint because I cannot live with my conscience anymore. I just asked to back date an arms room inspection report.

What can you do about this?

Complainant

This next e-mail is in response to Complainant's e-mail message to the IG regarding back dating the arms room inspection report. Notice the subject line and the content of this reply e-mail are different to protect the complainant's confidentiality.

Send a new message; do not reply to the message sent to you so that you do not transmit this person's IGAR through the e-mail system unnecessarily. All e-mails should be digitally signed.

Sample Response to an E-mail IGAR

Subj: Your e-mail

We are in receipt of your e-mail dated June 20, 2xxx. Please give us a call at (xxx) xxx-xxxx or e-mail us back with your mailing address or phone number so that we can discuss this matter with you.

By policy, the IG will not initiate an inquiry on your behalf based upon an e-mail message. To ensure that you are the one presenting these matters, we request that you provide us with a signed IGAR Form, Inspector General Action Request (IGAR). You may fax or mail this request to our office.

Our fax number is (xxx)xxx-xxxx and our mailing address is:

Sincerely,

CIG
(xxx)xxx-xxxx

If the complaint arrives via e-mail, fax, or letter, the IG will attach the IGAR Form to the source document and write in the "Specific Action Requested" block – See attached document. The IG will provide the complainant a copy of this form when completed and signed.

Section 2-2-5

Step One - Receive the IGAR – Anonymous

1. **Purpose:** This section explains the process of receiving an anonymous IGAR.
2. **Anonymous IGAR:** IGs will always look into anonymous IGARs. The substantiation rate for anonymous allegations is about the same as signed Inspector General Action Requests (IGARs). IGs will take action to resolve anonymous IGARs and protect the interests of the government. When processing anonymous allegations and complaints, IGs should not create the appearance of unduly trying to identify a complainant. The determination of the facts and circumstances related to the IGAR is the IG's primary concern.

If the IG does not have enough information to work the case, then close the case and annotate that fact in the synopsis. Since the complaint is anonymous, there is no need to reply to the complainant even if the IG discovers the identity of the complainant.

If the complaint is anonymous, the IG will write the word anonymous in the signature block.

Section 2-3

Step Two – Conduct IG Preliminary Analysis (IGPA)

1. **Purpose:** This section describes step two, Conduct IG Preliminary Analysis (IGPA) (see figure 2-2).

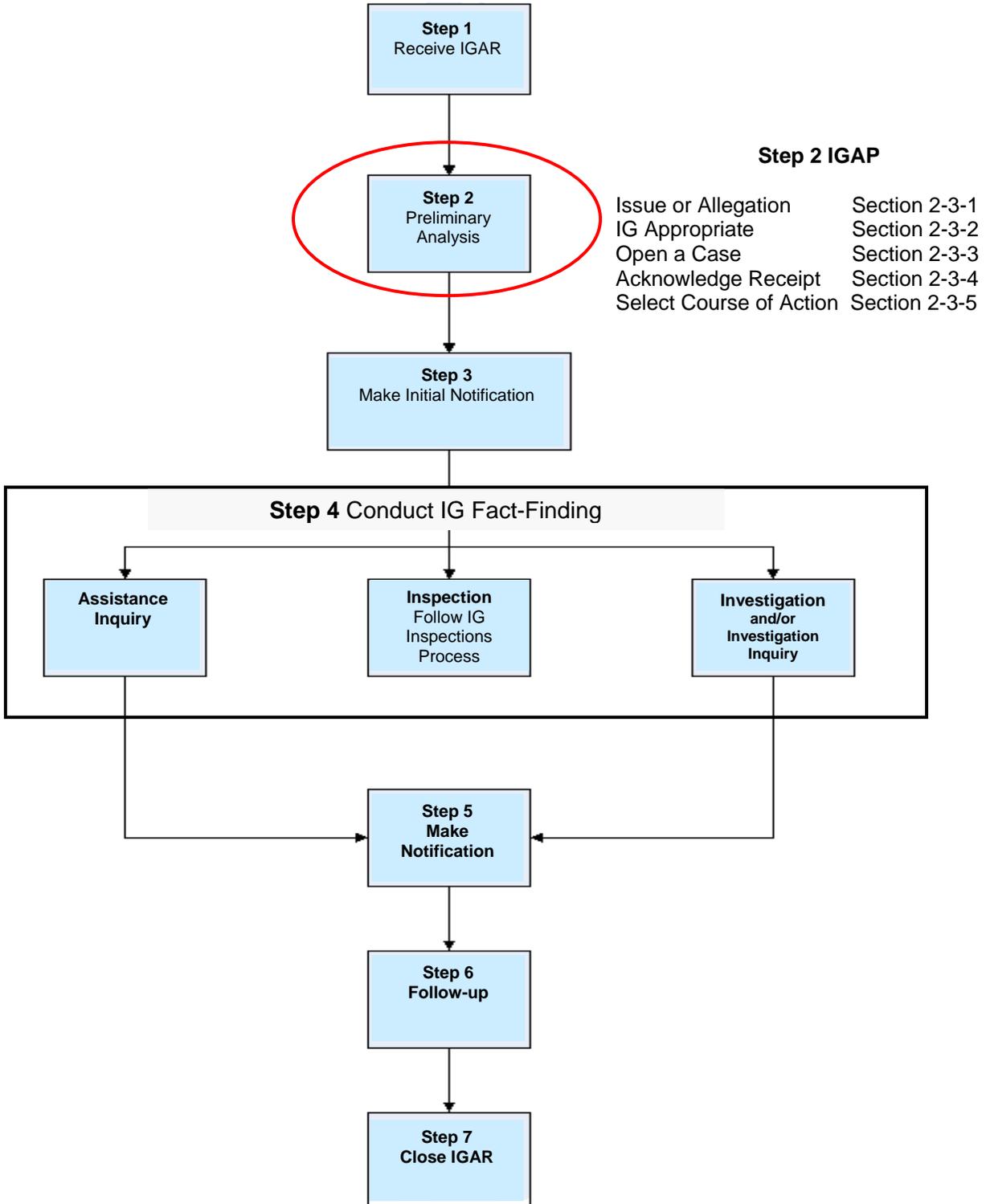
2. **Step 2, Conduct IG Preliminary Analysis (IGPA):** This part of the process will determine if the IGAR is an allegation, an issue, a request for assistance or a combination of the three. Not all issues brought to the IG's attention require an investigation. Some issues will be referred onward.

a. IG Preliminary Analysis (IGPA) is a process used by an IG to determine how best to proceed with a case. IGPA may take a few moments, hours, or days. 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 (COA). An IG will use IGPA to determine who should resolve the problem and how to solve it.

The IG may provide Assistance; conduct an IG Inspection or Investigation; refer the case to another Inspector General or agency; or recommend a follow-on Investigation using other Investigative processes such as a commander's inquiry or appropriate Service – related criminal investigation. An IG is usually in IGPA until he or she selects a course of action.

b. IGs always look for the central issues at the core of a problem (or problems) when formulating allegations and providing assistance. 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. A person who asks for help may not want his supervisor to know that he made a complaint to the IG. While interviewing the complainant, the IG should determine the circumstances and act accordingly.

Referring the complaint to another agency usually means the IG will need to follow-up to determine the action taken and whether or not it addressed the complaint. The IG should request that the individual or agency provide the response back to the IG. The IG reviews the response to ensure that he or she addresses each concern before the complainant receives a final response. A response provided directly to a complainant, if not complete, may require additional time to resolve completely and may decrease the credibility of the IG.



**Figure 2-4
Step 2 IGAR Chart**

Section 2-3-1

Step Two – Conduct IG Preliminary Analysis (IGPA) Analyze for Issues and Allegations

1. **Purpose:** This section explains the process of analyzing complaints or requests for assistance for issues and allegations.
2. **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. For example, a military member who complains about not receiving a paycheck is a request for help, but it could also be a systemic problem if trends indicate that the same problem may be pervasive throughout the organization which would then indicate that inspections are needed. 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 should 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, a military member with a pay complaint who has not initiated the complaint with his or her chain of command or servicing Personnel Administration Center should do so first. The IG will follow-up referrals to ensure that the complainant receives the appropriate assistance.

Section 2-3-1-1

Step Two – Conduct IG Preliminary Analysis (IGPA) What is an issue?

1. **Purpose:** This section explains how an IG determines a complaint to be an issue.
2. **An Issue:** An issue is a request for information or assistance to the IG that does not list a **who** as the violator of a standard or policy. The IG determines the issues and allegations, not the complainant. 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 the Marine Corps Inspector General Program Investigations Guide).

Issues are defined as a point in question of law or fact. Simply stated, an issue is something a person states in a complaint into which an IG must inquire. It may be a rationale for why something has transpired or an allegation of wrongdoing by someone or some organization.

3. **Requirement:** Issue identification is critical to preliminary analysis. IGs must address a complainant's issues during the investigation or investigative inquiry in order to resolve the complaint. Failure to do so frequently results in an incomplete investigation or investigative inquiry, or a follow-on complaint may arise from the dissatisfied complainant alleging that the IG improperly "white-washed" or "covered-up" the complaint.

However, there are times when the complainant will express dissatisfaction, resentment, or discontent that does not necessarily imply a violation of a standard but is more appropriate for the chain of command. If the IGAR involves more than simple assistance, the IG must determine the action necessary to resolve the issues -- referral, IG Inspection, Assistance Inquiry, or an Investigative Inquiry. The following are some examples of issues:

- a. A request for pay.
- b. A request to locate missing household goods.
- c. A request for a copy of a travel voucher.
- d. The finance office improperly failed to process a TAD voucher in a timely manner.

Final resolution of issues presented to and worked by an IG will be categorized as either "Founded" or "Unfounded" when the final determination is completed in the ROI / ROII.

Section 2-3-1-2

Step Two – Conduct IG Preliminary Analysis (IGPA) What is an allegation?

1. **Purpose:** This section explains what represents an allegation to an IG.
2. **Allegation:** The IG will analyze all requests for assistance, requests for information, and allegations. The IG is responsible to place any allegations into the proper allegation format. The IG should use the investigative process when the information from the complaint has the following five elements:

- a. **Who?** -- The complaint involves an individual.

For example: My commander, Capt Smith. If no name is given, the IG can find the commander's name.

- b. **Improperly?** -- The complainant alleges the subject or suspect to have committed an improper action.

For example: The commander, Capt Smith, improperly did something. Some standards already include language that indicates a wrongful act. In these cases, the word "improperly" might not be required. Seek the SJA's advice when formulating allegations.

- c. **Did or did not do what?** -- Describing of improper behavior.

For example: The commander, Capt Smith, improperly used a government vehicle.

- d. **In violation of what standard?** -- There is a policy, regulation, or law that has allegedly been violated.

For example: The commander, Capt Smith, improperly used a government vehicle to transport his girlfriend to the movies in violation of the Joint Ethics Regulation (JER).

- e. **When?** When did the alleged impropriety occur?

A correctly worded allegation by a IG must contain all parts: who improperly did or did not do something in violation of an existing standard and when.

For example: Capt Smith improperly used a government vehicle to transport his girlfriend to the movies in violation of DoD Directive 5500.7-R, The Joint Ethics Regulation, on 10 July 2xxx.

All allegations require an IG to pursue a course of action of either an investigative inquiry or investigation. Therefore, a Report of Investigation (ROI) or Report of Investigative Inquiry (ROII) is required for each allegation presented to an IG. The final determination on either the ROI or ROII that is made after reviewing all evidence and information provided will be either "Substantiated," "Not Substantiated," or "Unfounded."

IGs might close a case prior to completion if the investigation or investigative inquiry is terminated due to a special circumstance. These circumstances include an allegation that relates to actions that are more than three years old or a legal process that may terminate the ongoing inquiry or investigation (see the Marine Corps Inspector General Program Investigations Guide). In these instances the IG will document this situation in the case file.

Inspections and Assistance inquiries are not appropriate forms of action for resolving any allegation.

Section 2-3-1-3

Step Two – Conduct IG Preliminary Analysis (IGPA) What is a complaint?

1. **Purpose:** This section explains what a IG determines to be a complaint.
2. **Complaint:** 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. The following is an example of a complaint.

Sample Complaint

LtCol Jones complains to the CIG about the Basic Allowance for Housing (BAH). He is dissatisfied with the amount that he is receiving based upon the zip code for Arkansas. He feels that he should be getting more.

The IG's job is to teach and train the individual while at the same time analyzing the complaint for larger issues. In this case, the IG must explain the BAH process to the complainant and, if necessary, refer the complainant to either the Housing or Finance office for a more informed explanation. If the complainant is receiving BAH in accordance with approved rates, then the IG can refer his dissatisfaction about the approved BAH rate to the chain or command or recommend that the complainant use another established appeal or grievance process (if one exists).

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.

Section 2-3-2

Step Two – Conduct IG Preliminary Analysis (IGPA) Determine IG Appropriateness

1. **Purpose:** This section explains what issues are appropriate for IG action.
2. **Determining Inspector General Appropriateness:** 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. As a rule, not all matters presented to the IG are appropriate for IG action.

a. When presented with non-Inspector General appropriate matters of concern, 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. IGs may elect to refer the issue to the appropriate agency on behalf of the complainant but must be mindful of confidentiality concerns. IGs will provide the necessary information to the agency and determine whether to monitor the action until completion.

For example: If an individual alleges criminal activity, IGs will refer the case to the local NCIS or Marine Corps CID investigation office.

The bottom line is that if the IG knows of this problem (whether it is appropriate for Inspector General action or not), he or she must act on what is known. This action could be the IG's own work or referral to another agency. The IG will still open the case, complete the IGAR Form stating why the issue is not appropriate for IG action, and explain what the IG did with the IGAR. The IG will then close the case.

b. If the IG determines that the matters of concern are appropriate for IG involvement, then the IG should ask the following questions as part of preliminary analysis:

(1) Is the matter of concern clearly systemic in nature? If so, does the IG need to conduct an Inspection?

(2) Is there any indication of general officer or senior executive service misconduct or violations of 18 U.S.C., 207(a), (b), or (c) (post employment violations)? Refer these allegations directly to IGMC in accordance with MCO 5370.8, Marine Corps Hotline Program and DoD Directive 5505.6, Investigations of Allegations Against Senior Officials in the Department of Defense.

(3) Do the matters of concern involve an allegation against an Inspector General? See Section 3-8 of this guide for procedures.

(4) Are the concerns within the purview of the IG's Directing Authority? If not, refer them to the Command Inspector General (CIG) of the appropriate organization.

(5) IGs should consult with the Office of Legislative Affairs (OLA) to determine if a current IG case may have also gone to a Congressperson.

3. Complaints Involving Suicide: An IG might face situations that involve possible suicide either by the complainant or someone else. Such situations involve a potential conflict between protecting IG confidentiality and taking immediate action to protect individual(s) by releasing IG information to third parties. If, while conducting an interview, a IG determines that a witness, subject, suspect, or complainant may be a suicide risk, the IG should first advise the individual of the places he / she can seek treatment or help. Strongly urge the individual to seek such professional assistance.

If the individual declines this advice, or if the IG is not confident the individual will indeed seek appropriate treatment or help, AND if time permits, the IG should then coordinate with the legal office for further guidance on how to proceed. This coordination with legal is intended as a sanity check so the IG does not inadvertently release too much information.

To protect the individual or the safety of others, the IG may in certain instances reveal some protected communications to the individual's chain of command or to appropriate medical personnel without first coordinating with the legal office. This release would be done on a "FOUO" (for official use only) basis to give the commander the information necessary to consider and process an emergency mental health referral under DoD Directive 6490.1, Mental Health Evaluations of Members of the Armed Forces. For extreme emergencies, especially when others are possibly in harm's way, the police (either military or civilian) might also provide assistance, especially if the incident is developing in a housing area. Your command surgeon or the local medical facility's doctor-on-call might also be able to assist in extreme emergencies, especially when civilians are involved.

Bottom Line: Never place IG confidentiality over an individual's safety. You may reveal protected communications to the appropriate chain of command or medical authorities to the limited extent necessary to protect the safety of others.

Section 2-3-3

Step Two – Conduct IG Preliminary Analysis (IGPA) Open a Case

1. **Purpose:** This section provides an overview of opening a case.
2. **Databases:** IGs will open cases in the electronic database. A paper file will also be maintained to retain original documents.
 - a. The Online Database and Inspector Network (ODIN) is the Marine Corps Inspector General Program (IGP) electronic network. This network stores all cases entered into it as a complete record of all issues and allegations received by the IGP. This database facilitates the identification of trends and helps Marine Corps IGs in the field to monitor and track open cases and refer back to closed cases as necessary. For technical instructions on how to use ODIN, see the ODIN user manual.
 - b. Eventually the IGP will use the Naval Inspector General Hotline Tracking System (NIGHTS): NIGHTS is a web enabled electronic corporate set of processes and metrics to measure qualitatively and quantitatively, providing real time analysis and feedback of Health of ---and Trends within the DON. NIGHTS is a paperless case and document management and storage system. For technical instructions on how to use NIGHTS, see the NIGHTS user manual.

Section 2-3-4

Step Two – Conduct IG Preliminary Analysis (IGPA) Acknowledge Receipt

1. **Purpose:** This section explains when and how to acknowledge receipt of an IGAR.
2. **Acknowledge Receipt:** IGs will properly acknowledge receipt of all IGARs. IGs acknowledge, orally or in writing, individual complaints, allegations, or requests for assistance. An acknowledgment is simply a notification that the IG received the request and may either open a case, refer the IGAR, or do nothing if the issue does not meet the criteria for IG action. In some cases, it may be appropriate to provide a more substantive acknowledgment based upon the nature of the correspondence.

IGs receiving an oral IGAR may acknowledge it at that time but will make a written record of the acknowledgment in the file's case notes. IG do not acknowledge anonymous complaints or requests for assistance.

In acknowledging a request, inform the complainant that he or she will only receive information on the results of the Inquiry or Investigation that affect him or her directly and personally.

IGs acknowledge IGARs received from another Inspector General via telephone. However, the IG is not required to acknowledge receipt of information copies of letters addressed to other agencies unless that IG should take action.

Section 2-3-4-1

Step Two – Conduct IG Preliminary Analysis (IGPA) Acknowledge Receipt to Complainant

1. **Purpose:** This section explains when and how to acknowledge receipt to a complainant.
2. **Acknowledge Receipt to a Complainant:** IGs choosing to acknowledge receipt of a complaint in writing should use the format on the next page. This recommended example is direct and to the point; appears less awkward to a civilian recipient; and is appropriate when there are no allegations requiring an IG investigation.

Sample of an Acknowledgment to a Complainant

(Letterhead)

December 2, 20XX

Office of the Command Inspector General

Name Here
3030 Anywhere Lane
Anywhere, VA 22060

Dear Name Here:

We received your letter to The Command Inspector General dated November 29, 20XX, concerning incorrect retirement points.

The Command Inspector General initiated a thorough inquiry into your complaint (or request for assistance). We will advise you of the results at the conclusion of the inquiry.

Sincerely,

(SIGNATURE BLOCK)*

* Normally the CIG or Directing Authority

Section 2-3-4-2

Step Two – Conduct IG Preliminary Analysis (IGPA) Acknowledge Receipt to a Third Party

1. **Purpose:** This section explains how to acknowledge receipt to a third party.
2. **Acknowledge Receipt to a Third Party:** IGs reply to third-party complainants in a very general manner. IGs may divide third-party letters into two types.
 - a. The first type is a letter sent by someone on behalf of someone else.

For example: Parent or family members may submit complaints on behalf of a Marine without the Marine's knowledge.

- b. The second type of third-party letter pertains to someone giving information about another person who alleges that someone has done something wrong.

The resultant inquiries in both cases will produce information not directly pertaining to the individuals who initiated the letters. Remember that the Privacy Act generally prohibits the release of personal information to third parties without consent. However, the Privacy Act has provisions that may require an IG to release personal information without the individual's consent (such as a subpoena); in this situation, the IG will attempt to contact the complainant and obtain a Privacy Act release statement from the complainant.

In general, IG replies to third parties are direct in nature and simply acknowledge receipt of the complaint or allegation. The replies contain no specific information about the complaint or what the IG has done with the complaint. Replies to third parties must not violate an individual's right to privacy (unless an exception exists as mentioned above). In general, the IG should always obtain a Privacy Act release authorization from the individual about whom the complaint is made in order to release personal information to any third party -- unless a specific Privacy Act provision demands that release.

Section 2-3-5

Step Two – Conduct IG Preliminary Analysis (IGPA) Select a Course of Action (COA)

1. **Purpose:** This section explains how to select a course of action once the preliminary analysis is completed.

2. **Select a Course of Action:** There are normally five courses of action available: conduct an IG Inspection, conduct a IG Investigation or Investigative Inquiry, conduct an IG Assistance Inquiry, refer the matter to another agency, or dismiss. IGs should determine the appropriate courses of action for each complaint, issue, and allegation determined in the IGAR. IGARs often contain issues that result in more than one course of action.

a. If a systemic problem exists and warrants an Inspection, the IG should follow the IG Inspections process outlined in the Marine Corps Inspector General Program Inspections Guide.

b. If an Inspection is not appropriate, you may use the IGAP for Assistance or an Investigation depending on the nature of the issue or allegation. If conducting an Investigation, remember that the IG must obtain authority from his or her Directing Authority. The Marine Corps Inspector General Program Investigations Guide covers the process for conducting an investigation and / or investigative inquiry.

c. Whether the complaint contains allegations of wrongdoing by an individual or an adverse condition or issue, refer to the process outlined in the Marine Corps Inspector General Program Investigations Guide. If the IG has done a proper preliminary analysis and determined that the IGAR contains an allegation of impropriety that the IG cannot resolve through assistance, referral or dismissal, then the IG should investigate the matter.

d. IGs could also determine that the case should be forwarded to another IG agency or recommend a follow-on investigation. Complaints or requests for assistance may be referred for appropriate action to the responsible commander or management official within the CIG's command; to other CIG's using Inspector General technical channels; to the IGMC.

Section 2-3-5-1

Assist a Complainant

1. When to Assist a Complainant. When your IGAR preliminary analysis shows there is no recognizable wrongdoing or violation of law, regulation, or policy and the complainant is seeking other help, the IG will provide assistance. This process generally involves making phone calls or other contact with persons or agencies that can provide assistance to the complainant. Table 2-1 outlines how to assist a complainant.

**Table 2-1
How to Assist a Complainant**

Step	Action
1.	Discuss concerns / issues with the complainant.
2.	Determine if the IG can handle the complaint appropriately through assistance.
3.	Advise the complainant that his or her complaint is not an IG matter but that you can assist him or her in resolving his or her concerns.
4.	Make phone calls or other contacts to provide the complainant with the assistance he or she needs.
5.	Ensure that the appropriate authority / agency is addressing the complainant's concerns.
6.	Document the case in applicable databases as an "Assist" and close the case.

Section 2-3-5-2

Transfer a Complaint

1. When to Transfer a Complaint. When your complaint analysis determines a violation of the law, regulation, or policy, and it is appropriate for an IG but at a different command, the CIG should refer the complaint to the appropriate CIG office. Table 2-2 shows when to refer a complaint to another CIG; however, this table is not all-inclusive. Table 2-3 explains how to refer a complaint.

**Table 2-2
When to Transfer a Complaint**

	If...	and...	then..
1.	The Subject is a Senior Official (General Officer, Flag Officer, SES, or General / Flag officer select).	The complaint is received by any level other than the IGMC	Refer the complaint to IGMC.
2.	The complaint has not been addressed at the level where the alleged wrongdoing occurred.	The higher level CIG determines transfer to the lower level CIG is appropriate and no evidence of bias by lower-level IG exists.	Refer the case to the lower-level CIG.
3.	The complaint presents a conflict of interest for the Directing Authority or CIG.		Refer the complaint to the next higher level CIG.
4.	The subject is the Directing Authority or a member of his / her immediate staff, or an IG staff member.		Refer the complaint to the IGMC.
5.	The subject is assigned to a higher level command than the CIG who received the complaint.		Refer the complaint to the CIG at the same command as the subject.
6.	The complainant is assigned to a tenant command and is anonymous or a third party.	The subject is assigned to the host command.	Refer the complaint to the CIG of the host command.
7.	The complainant is seeking assistance with an issue not under the receiving CIG's purview.	There is no allegation of wrongdoing.	Refer the IGAR to the CIG under whose purview the issue falls.

Table 2-3
How to Transfer a Complaint

Step	Action
1.	Using IGAR analysis, determine if the complaint is appropriate for the IG process and should be transferred to another CIG.
2.	Transfer the complaint, in writing, to the appropriate CIG explaining your rationale for the transfer. A courtesy telephone call prior to transfer is recommended. Ensure that the CIG transferring the documentation has all the required information in order for the receiving CIG to resolve the matter.
3.	Notify the complainant, in writing, of the transfer.
4.	Document the case as a "Transferred" and close the case at your level.

Section 2-3-5-3

Refer a Complaint

1. When to Refer a Complaint. When your IGAR analysis determines a recognizable wrong or violation of the law, regulation, or policy, but is not appropriate for the IG and some other established resolution path exists, then the IG should refer the complaint to the responsible person, agency, or organization. Table 3-1 in Section 3-, “Issues with other Forms of Redress”, of this Guide lists issues not appropriate for the IG and the appropriate person, agency, or organization to resolve them. Table 2-4 shows how to refer the complainant to that person, agency, or organization.

**Table 2-4
How to Refer a Complaint**

Step	Action
1.	Using IGAR analysis, determine if the complaint could be handled in other channels.
2.	Refer the complaint, in writing, to the appropriate agency and notify the complainant, in writing (if possible), of the referral.
3.	Ask the referral agency to provide you a copy of any closure response to the complainant for your case file.
4.	Document the case as a “Referral” and close the case at your level.
5.	If no closure response is received, follow-up with the referral agency every 30 days and document that follow-up action in your case notes.

Section 2-3-5-4

Dismiss a Complaint

1. **When to Dismiss a Complaint:** Some issues do not warrant further action by an IG. There are several reasons why an IG would dismiss a complaint such as a complaint of a frivolous nature or the complainant refusing to cooperate so the IG can determine the proper resolution path. Table 2-5 shows when an IG should dismiss a case. Table 2-6 shows how to dismiss a complaint.

**Table 2-5
When to Dismiss a Complaint**

	Considerations: IF...	and...	then..
1.	If IGAR analysis determines the complaint is frivolous because of no recognizable wrong or violation of law, regulation, or policy		Dismiss the complaint (Note 1)
2.	The complaint analysis discloses a matter within the IG's purview, but the amount of time that has elapsed exceeds 120 days AND there is little or no potential to determine the facts and circumstances surrounding the alleged wrongdoing	There are no extraordinary circumstances justifying the inquiry or special interest in the matters alleged	Dismiss the complaint
3.	The complainant has not provided sufficient information to conduct the IGAR analysis properly		Dismiss the complaint
4.	The complainant files a complaint that is already the subject of investigation by an alternative investigative agencies or venues	The complaint addresses the same matter addressed in the IG complaint	Dismiss the complaint (Note 2)
5.	The complaint analysis discloses a matter within the IG's purview, but a higher level IG office has already investigated and reviewed the allegation	The complainant provides no new evidence or information that justifies further investigation	Dismiss the complaint

Note 1. Generally, a complaint is not frivolous if it pertains to personnel, organizations, programs, or policies and identifies a violation of law, regulation, policy, or procedure.

Note 2. Examples of alternative investigative agencies or venues are the Naval Criminal Investigative Service and Marine Corps Criminal Investigative Division.

Table 2-6
How to Dismiss a Complaint

Step	Action
1.	Using IGAR analysis, determine if the IG should dismiss the complaint.
2.	Notify the complainant, in writing (if possible), of the dismissal, and clearly communicate the rationale for the dismissal.
3.	Document the case in the Online Database and Inspector Network (ODIN) as a "Dismissal" and close the case.

Section 2-3-5-5

Investigate a Complaint

1. **When to Investigate a Complaint:** If the IG has done a proper preliminary analysis and determined that the IGAR contains an allegation of impropriety that the IG cannot resolve through assistance, transfer, referral or dismissal, then the IG should investigate the matter. The process for investigating allegations of impropriety appears in the Marine Corps Inspector General Program Investigations Guide.

Section 2-4

Step Three – Make Initial Notifications

1. **Purpose:** This section explains the process of making initial notifications.
2. **Making Initial Notifications:** If IGs initiate an investigative inquiry or recommend an investigation, they will notify the appropriate commanders or supervisors and the subjects or suspects of the inquiry / investigation and inform them of the nature of the allegation(s) (see the Marine Corps Inspector General Program Investigations Guide). The IG will document these notifications and enclose them in the Report of Investigation (ROI) or Report of Investigative Inquiry (ROII) file.

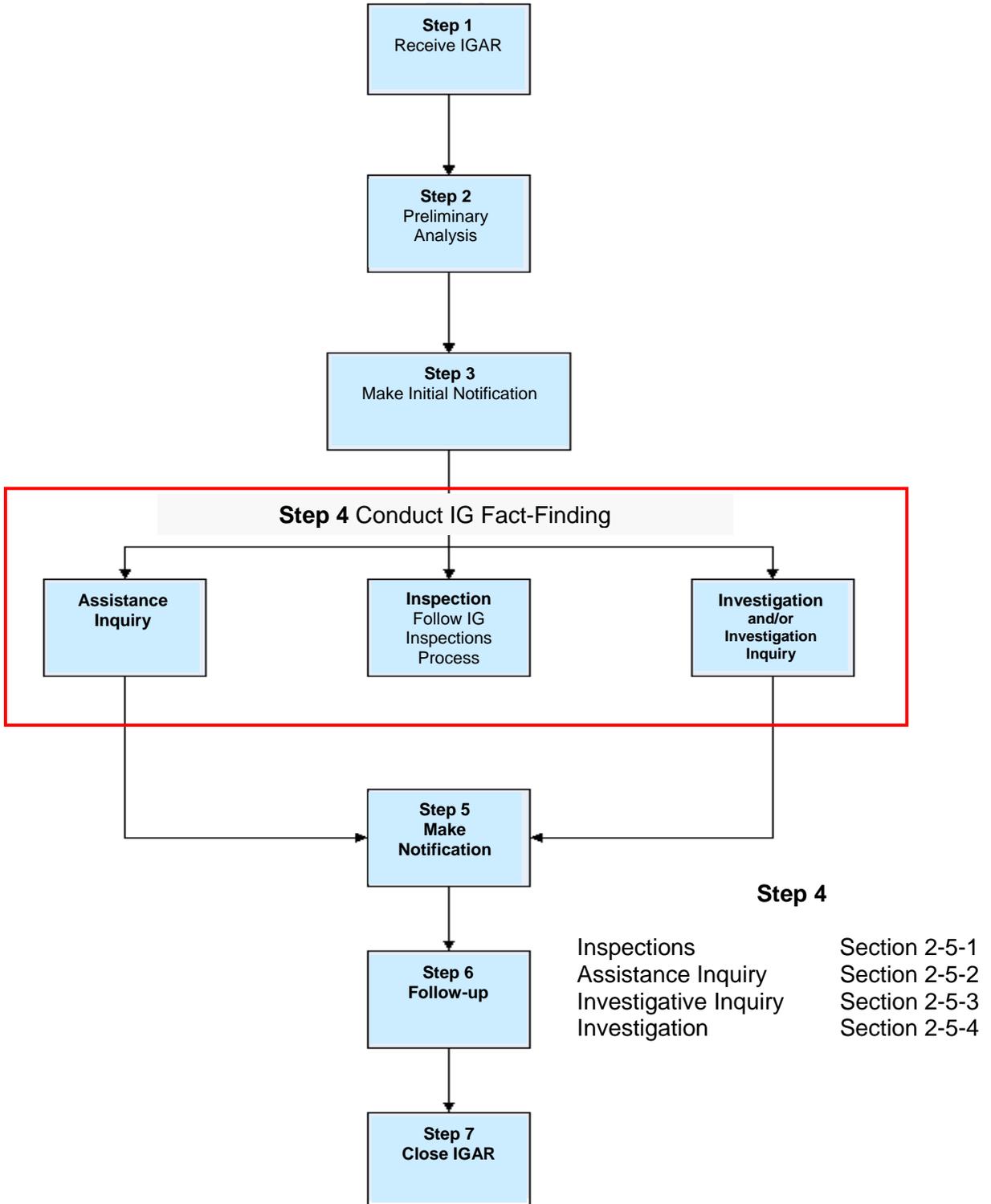
Section 2-5

Step Four – Conduct IG Fact Finding

1. **Purpose:** This section explains the process of conducting IG Fact-Finding (see figure 2-3).
2. **Conduct Inspector General Fact-Finding:** Fact-finding involves the process of obtaining factual information in the conduct of an IG Inspection, Assistance Inquiry, Investigative Inquiry, and Investigation. In order to resolve the issues and allegations gleaned from the IGPA (no matter whether the origin is from a complainant or a request from a commander), the IG must obtain facts that will support the IG's eventual decision.

The CIG needs no additional authority to conduct an Assistance Inquiry and Investigative Inquiry. When a CIG determines that an IG Inspection or Investigation is needed, he or she must first obtain authority from the CIG's Directing Authority (usually the Commander). The IG will use the Assistance Inquiry as the fact-finding process to gather the information needed to resolve IGAR Assistance issues. Each of the four elements of IG Fact-Finding is discussed on subsequent pages. These four elements are; Inspections, Assistance Inquiry, Investigative Inquiry and Investigation.

No matter which IG fact-finding process is used, the IG will enter each action taken along the way in the case notes to complete a detailed, chronological listing of all actions taken in resolving the complaint.



**Figure 2-5
IGAP Process Chart**

Section 2-5-1

Step Four – Conduct IG Fact Finding Inspections

1. **Purpose:** This section explains how assistance trends are best addressed through Inspections.
2. **Inspections:** An Inspection may be necessary if the IG learns of a trend or sees a pattern of individual complaints. When requests for assistance come to the IG, they are recorded on the IGAR Form and recorded in the Online Database and Inspector Network (ODIN) and analyzed for any developing trends or systemic issues. These trends may result in an IG Inspection. On the other hand, Inspections can assist the command in identifying local issues that are unique to that area. Members from the Inspection team sometimes bring back IGARs received during their Inspections fact-finding. Inspections complement the Assistance function by allowing the CIG to identify potential problem areas and acting on them proactively. See the [Marine Corps Inspector General Program Inspections Guide](#) for further information about IG Inspections.

Section 2-5-2

Step Four – Conduct IG Fact Finding Assistance Inquiry

1. **Purpose:** This section explains the process of conducting an Assistance Inquiry.
2. **Assistance Inquiry:** The Assistance Inquiry is an informal fact-finding process used to address or respond to a complaint involving a request for help, information, or issues and not allegations of impropriety or wrongdoing.

Depending on the nature of the IGAR, the IG may complete the Assistance Inquiry. 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. If there is a proponent available regarding the information requested, the proponent should verify the information provided to the IG when appropriate. However, the IG is responsible for ensuring that all issues have been addressed and / or resolved prior to notifying the complainant and closing the case.

The IG should obtain an opinion from the local supporting Staff Judge Advocate (SJA) on the legal sufficiency of the Assistance Inquiry, as needed. The inquiry findings will be the basis for the notification to the complainant as well as the final reply.

Section 2-5-3

Step Four – Conduct IG Fact Finding Investigative Inquiry

1. **Purpose:** This section explains the process of conducting an Investigative Inquiry.
2. **Investigative Inquiry:** An Investigative Inquiry is an informal fact-finding examination by an IG into allegations, issues, or adverse conditions. The Investigative Inquiry is the informal fact-finding process used by IGs to gather information needed to address allegations of impropriety against an individual that do not require an investigation. This process does not require the IGs to obtain additional authority from his or her Directing Authority (Commander). The process for an Investigative Inquiry is addressed in the Marine Corps Inspector General Program Investigations Guide.

Section 2-5-4

Step Four – Conduct IG Fact Finding Investigations

1. **Purpose:** This section explains the process of conducting an Investigation.
2. **Investigation:** The Investigation is a formal fact-finding examination led by an 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 testimony and documents but may also include physical evidence. The results are reported using the Report of Investigation (ROI) format addressed in the Marine Corps Inspector General Program Investigations Guide.

Section 2-6

Step Five – Make Notification of Results

1. **Purpose:** This section explains the process of making notification of results for an Assistance Inquiry, Investigative Inquiry, and Investigation (see figure 2-4).
2. **Make Notifications of Results:** At the completion of the Assistance Inquiry, Investigative Inquiry, or Investigation the complainant will be notified and informed of the results. Only information directly pertaining to the complainant regarding actions taken will be provided to the complainant.

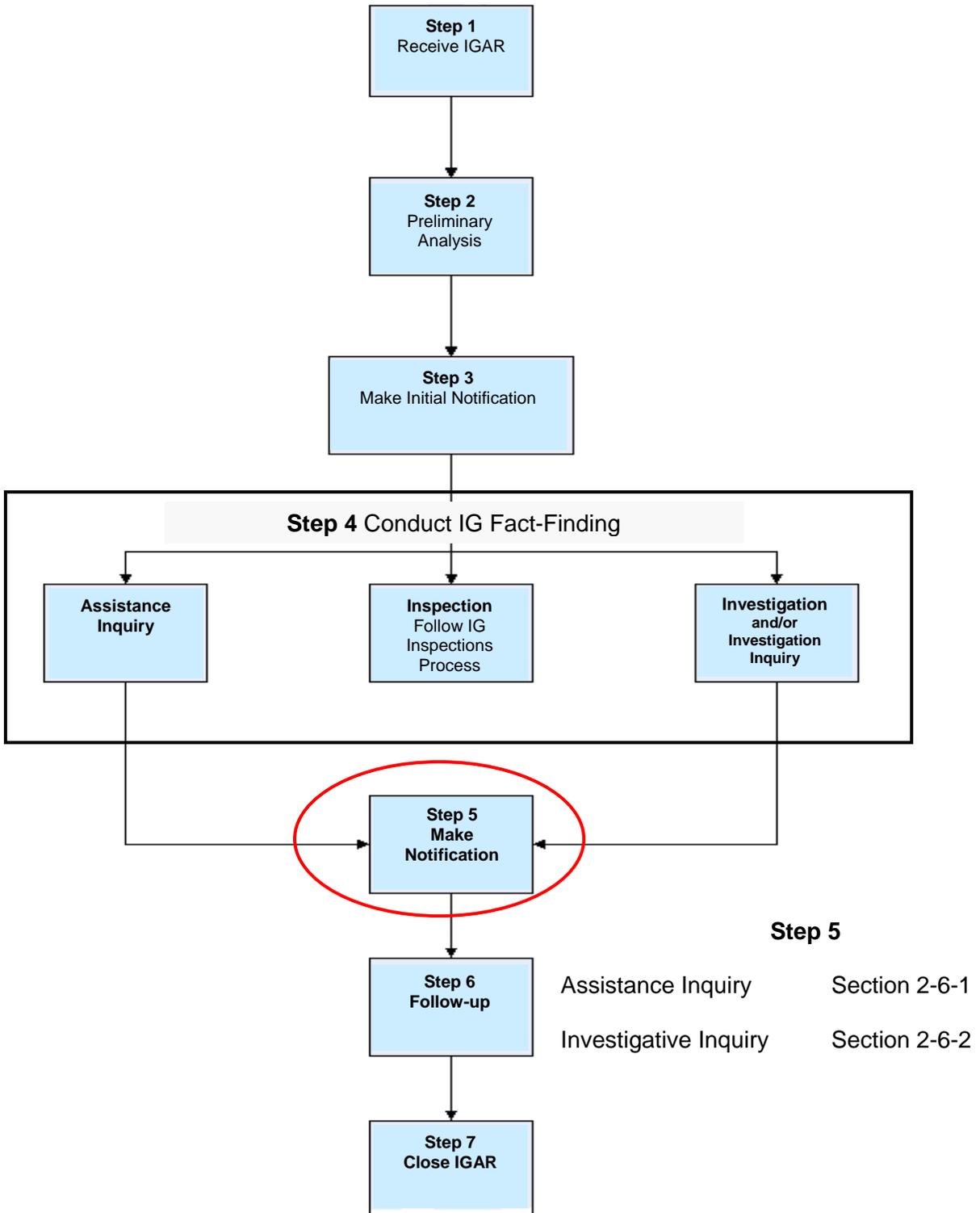


Figure 2-6
IGAP Process Chart

Section 2-6-1

Step Five – Make Notification of Results Assistance Inquiry

1. **Purpose:** This section explains the process of making notification of results for an Assistance inquiry.
2. **Make Notifications of Results for an Assistance Inquiry:** At the completion of the Assistance Inquiry, the complainant will be notified and informed of the results. Only information directly pertaining to the complainant regarding actions taken will be provided to the complainant.

Remember: The person presenting the complaint may in some cases be a third party and is only authorized by law to receive information directly pertaining to him or her without prior consent from the complainant (unless a Privacy Act exception applies). All notifications made will be recorded in the applicable database(s) and annotated in the case file using case notes.

Section 2-6-2

Step Five – Make Notification of Results Investigative Inquiry and Investigation

1. **Purpose:** This section explains the process of making notifications of results for an Investigative Inquiry and Investigation.
2. **Making Notification of Results for an Investigative Inquiry and Investigation:** Investigations or Investigative Inquiries notifications during Step 5 include the subject(s) / suspect(s), the supervisor / commander, and the complainant. See the Marine Corps Inspector General Program Investigations Guide for more details.

Section 2-7

Step Six – Conduct Follow-Up

1. **Purpose:** This section explains the IG's responsibilities in conducting follow-up.
2. **The IG's Responsibilities in Conducting Follow-up:** Follow-up ensures that all issues and / or allegations have been thoroughly addressed and the IG's responsibilities have been fulfilled. This responsibility includes follow-up on any needed corrective actions. Although the corrective actions may not satisfy the complainant, an IG's primary concern is with ensuring that all IG actions, command decisions, or proponent actions occurred as necessary. Follow-up should include a review of issues and / or allegations previously addressed to determine if further appeal procedures are available or if the IG should examine due process for the complainant. IGs may personally conduct follow-up or address the issues and / or allegations during a Staff Assistance Visit (SAV) or during future IG Inspections.

If the IG refers a complainant to another agency (such as the Finance office) for problem resolution, the IG should check back with the complainant to ensure that he or she received assistance from that agency.

Remember: IGs assist in resolving problems. Do not close a case until the complainant's problem is resolved or until you are satisfied that the complainant has received fair and just treatment or consideration.

If the problem is not resolved, the IG must determine the reason for the failure to resolve the issue. Some problems cannot be resolved until standards, such as laws, regulations, or policies, are changed. An IG's case is not closed until all appropriate actions are completed.

Section 2-8

Step Seven – Close the IGAR Send a Final Reply

1. **Purpose:** This section explains the process of sending the complainant a final reply.
2. **Send a Final Reply:** Closing an IGAR includes providing the complainant a final reply. The response should be helpful, reflect established policies, and state corrective action as appropriate. The response will not contain classified information, information from agencies outside the Command, private information about third parties, unconfirmed or speculative information, information pertaining to the loyalty of an individual, or information that could involve a breach of faith or violate a moral obligation to keep information confidential. The IG will annotate this action in the case file.

The complainant will only get the information pertaining directly to him or her. If the complainant wishes to have more information, he or she must complete a Freedom of Information Act (FOIA) request for unofficial use of IG records. At no time will the IG provide any documents from IG records directly to the requestor.

The final reply provides the IG with an excellent opportunity to teach and train. The complainant may not like the reply provided by the IG. In this case, the IG must be prepared to attempt to resolve the questionable issues with the complainant. If it becomes apparent that resolution in the complainant's favor is not possible, advise the individual that he or she can request the assistance of an Inspector General at a higher headquarters.

If the final reply is for Congressional Correspondence see Chapters 6 for the procedures. The IG should be thorough and accurate, even if it requires more time. Request suspense-date extensions through the appropriate command or agency -- the Office of Record -- who will in turn send an interim reply to the complainant if the extended suspense date is beyond the original expected date of the reply. For IG referrals, always interview the complainant; if not available, consult with the point of contact of the referral.

The final response for an Assistance Inquiry to the complainant may be verbal or written. For Investigative Inquiries or Investigations, the final response to the complainant must be in writing. For more information on responses to subjects or suspects and their supervisors, see the Marine Corps Inspector General Program Investigations Guide. IGs may use the example memorandums below when providing a written final response to the complainant as either the affected party or as a third party.

A Sample Final Response Letter to the Complainant

(Letterhead)

December 22, 20XX

Office of the Command Inspector General

Name Here
3030 Anywhere Lane
Anywhere, VA 22060

Dear Name Here:

This letter is in response to your letter dated December 1, 20XX, to the Inspector General concerning your pay problem.

We conducted a thorough inquiry into your request for assistance. Our inquiry determined that the Finance Office was missing the promotion orders they needed to pay you your base pay for the rank of captain. (If more than one issue or complaint was provided, address each one in the same order that the complainant listed them in the initial letter or phone call).

We trust this information responds to your concerns.

Sincerely,

(SIGNATURE BLOCK)*

* Usually the CIG or Directing Authority

A Sample Final Response Letter to a Third Party Complainant

(Letterhead)

December 22, 20XX

Office of the Command Inspector General

Name Here
Address Here
City, State 22222

Dear Name Here:

This is a final response to your September 19, 20XX, letter containing potential allegations against Name Here.

We conducted a thorough inquiry into your complaint. Legislation regarding an individual's right to privacy, however, restricts us from releasing information on an individual's personal affairs to those the Privacy Act classifies as third parties. You are classified as a third party under the act. Therefore, we are precluded from providing a further response to you.

We trust this information responds to your concerns. When contacting this office, please refer to case number xxx 07-0123. Our office will take no further action pertaining to these allegations at this time.

Sincerely,

(SIGNATURE BLOCK)*

* Usually the CIG or Directing Authority

Section 2-8-1

Step Seven – Close the IGAR
Close a IGAR in the Database

1. **Purpose:** This section explains the process of closing the IGAR in the database.
2. **Close the IGAR in the Database:** In closing the file, ensure that all relevant documents, including memorandums and collected evidence, are present and included in the file. Review completed actions to ensure that all issues and allegations have been appropriately addressed. The file is complete if another IG, unfamiliar with the case, can determine the extent of the examination conducted and understand the factual content on which the conclusions were based and agree that the inquiry was complete and accurate. Following the review, file the case in accordance with the relevant policies contained in the Online Database and Inspector Network (ODIN).

When a case is referred to a Commander to conduct an investigative inquiry or investigation, the IG will use the Commander's findings as part of the ROI or ROII.

For example: The commander substantiates a JAG Manual investigation, which in turn becomes a substantiation in the ODIN database with the ROI / ROII and the synopsis explaining that the Commander did the investigation and that the results were from the JAG Manual investigation. On the other hand, if the IG does not agree with the results of the Commander's investigation, then the IG may simply consider the Commander's results as evidence in the IG's ROI / ROII in the matter and make an independent determination based upon the preponderance of credible evidence.

Section 2-8-2

Step Seven – Close the IGAR Make Appropriate Reports

1. **Purpose:** This section explains the process of making appropriate reports.
2. **Making Appropriate Reports:** Appropriate reports are based upon the local Command Inspector General Standing Operating Procedures (SOP). These reports may vary from command to command. Check your local SOP.

Section 2-8-3

Step Seven – Close the IGAR Analyze for Developing Trends

1. **Purpose:** This section explains the process of analyzing for developing trends.
2. **Analyze for Developing Trends:** The final process in closing an IGAR is analyzing trends that may be developing. The IG's objectives are to identify trends that affect the command and to identify and correct systemic problems or potential problem areas. The IG may also provide the Commander and staff with information and insight for their use in improving the command.

See the ODIN user manual on the IGMC website for more information on the various reports that ODIN can generate to assist in trends development.

The following are some items that an IG should identify:

- a. Most frequent categories or function codes.
- b. Most substantiated categories or function codes.
- c. Most frequent assistance categories or function codes.
- d. Total numbers.
- e. Source of IGARs.

The CIG should always look for trends. Is there anything that suggests the need for an IG Inspection or other command or staff action? How frequently should the CIG conduct an analysis? Monthly? Quarterly? By major category or sub category? Comparing one quarter to the next or the fiscal year to a quarter?

Here are a few guidelines:

- a. Do not compare units (outside of the CIG office). Start your analysis with major categories and work down to sub-categories. Look for good news as well as bad. Be observant for seasonal aberrations.
- b. A high level of not-substantiated allegations may indicate areas that require more information and / or training.
- c. Consult closely with the other IGs in the office on a regular basis to ensure that similar cases are coded (determination and function codes) in a like manner.
- d. Look first at the coding process to explain wide variations in data.

Look at allegations most frequently substantiated in addition to allegations most frequently made.

Chapter 3

Request for Assistance and / or Complaints that are Generally Not Appropriate for an Inspector General

Section 3-1 - Non-Related Service Matters

Section 3-2 - Equal Opportunity Complaints

Section 3-3 - Hazardous Work Conditions

Section 3-4 - Issues with Other Forms of Redress

Section 3-5 - Criminal Allegations

Section 3-6 - Allegations Against Senior Officials

Section 3-7 - Allegations Against Members of SAPs and SAs

Section 3-8 - Allegations of Misconduct for a Specific Profession

Section 3-9 - Non-Support of Family Members

Section 3-10 – Civilian Grievances

Section 3-1

Non-Related Service Matters

1. **Purpose:** This section explains the process for working non-related Service matters presented to an Inspector General.

2. **Non-related Service matters:** In cases where the issues are clearly not Service related, the IG will advise the complainant to present the complaint to the appropriate agency. The IG will still complete an IG Action Request (IGAR) Form to capture the request for assistance, thoroughly analyze the complaint for all issues and allegations to ensure that the entire matter is not appropriate for the IG, open a case in the Online Database and Inspector Network (ODIN), and annotate any action taken. In cases where the issues are not appropriate for the IG, provide as much teaching and training as possible. When the IG refers a case that is not appropriate for action, he or she must refer, and then close, the case. The IG must acknowledge receipt to the complainant explaining what actions he or she took and what agency should process the complaint.

Listed on the next page is a sample letter of acknowledgment to the complainant in response to a complaint that is not appropriate for an IG.

Acknowledgment to Complainant, Case Referred with Direct Reply Authorized

(Letterhead)

December 2, 20XX

Office of the Command Inspector General

Name
Street Address
City, State Zip code

Dear Name Here:

We received your letter to the Command Inspector General dated November 29, 20XX, concerning sexual misconduct.

The matter you present is under the jurisdiction of the appropriate Criminal Investigation Division. We referred your correspondence for appropriate action and direct reply to you.

Sincerely,

(SIGNATURE BLOCK)*

* Usually the CIG or Directing Authority

Section 3-2

Equal Opportunity (EO) Complaints

1. **Purpose:** This section explains the process for working or referring Equal Opportunity complaints.
2. **Equal Opportunity Complaints:** The Command Equal Opportunity Office normally oversees these complaints. If the IG receives an EO complaint, the IG should refer the case to the command for action. Request Mast to the commander is the preferred Marine Corps method for making an EO complaint. As an alternative method, the IG may receive an EO complaint, but will normally refer the issue to the commander for action. Normally, the IG would only become involved in an EO related case when there is an allegation that the command did not comply with the EO process and procedures while handling an EO complaint as outlined in MCO 5354.1D. Marine Corps Equal Opportunity Manual and the Commander's Handbook for Processing Equal Opportunity and Equal Employment Opportunity Complaints.

When the complainant seeks redress for past alleged discriminatory practices that have become part of official military records, the IG should advise the complainant to seek redress through appeals procedures provided by law or Service related regulations pertaining to the particular adverse action.

Section 3-3

Hazardous Work Conditions

1. **Purpose:** This section explains the process for working or referring complaints involving Hazardous Work Conditions.
2. **Hazardous Work Conditions:** The IG will advise individuals presenting complaints of hazardous, unsafe, or unhealthy work conditions to follow the procedures outlined in NAVMC Directive 5100.8, Marine Corps Occupational Safety & Health (OSH) Program Manual. The IG will not work cases involving hazardous work conditions.

Section 3-4

Issues with other Forms of Redress

1. **Purpose:** This section explains the process for working issues where another form of redress exists.

2. **Issues with other forms of redress:** There are many situations for which law or regulation provide personnel with a remedy or means of redress. Personnel must seek the prescribed redress or remedy before an IG can provide assistance. Once the member has used the available redress procedures, the IG action is limited to a due-process review of the situation to determine if the member was afforded an opportunity for redress as provided by law or regulation.

Some common situations where specific redress, remedy, or appeals procedures are applicable include, but are not limited to, the following (see table 3-1 for a more complete listing):

- a. Courts-martial actions (10 USC, Chapter 47, United States Code of Military Justice).
- b. Nonjudicial punishment (Manual for Courts-Martial, Part V, paragraph seven).
- c. Officer evaluation reports
- d. Non-Commissioned Officer evaluation reports
- e. Enlisted reductions
- f. Type of discharge received
- g. Pending or requested discharge
- h. Complaint that a member has been wronged by the commanding officer
- i. Financial Liability Investigations of Property Loss
- j. Relief for cause
- k. Adverse information filed in personnel records
- l. Claims
- m. Security clearances

The IG does not need to be the subject-matter expert on what redress, remedy, or appeals procedures the member must take, but he or she must recognize if the member's request has a formally established redress process in place before taking action.

As a matter of policy, the IG does not normally become involved in complaints

where an established avenue of redress is available to resolve a problem. The IG's primary concern is that the complainant is afforded an opportunity for redress and that the redress was conducted by the applicable standard. If the complainant, after pursuing the established avenues of redress, still feels an injustice has occurred, the IG system could address his or her concerns. However, the involvement would be limited to ensuring the complainant's rights were protected and he or she received due process.

**Table 3-1
Established Redress and Resolution Paths**

	Type of Issue	Appropriate Agency to Resolve the Issue
1	Appropriated Fund employees -- Conditions of employment (personnel policies, practices, and matters affecting working conditions) Equal Employment Opportunity (EEO) issues (discrimination based on age, race, color, gender, religion, disability, or national origin), or reprisal against a civil service employee or applicant	The servicing Human Resources Office EEO Complaints go to the local EEO for processing For allegations of reprisal, direct the complainant to the Office of Special Counsel (www.osc.gov) or DoD Hotline (www.dodig.osd.mil/hotline/fwacompl.htm)
2	Nonappropriated Fund employees -- Conditions of employment and discrimination or reprisal	Servicing Nonappropriated Employment Office for conditions of employment or for reprisal allegations. Advise the complainant he or she can file the complaint directly with IG DoD IAW DoDD 1401.3, <u>Reprisal Protection for Non-appropriated Fund Instrumentality Employees / Applicants</u> , or take the complainant's information and forward it to IG DoD (IAW DoDD 1401.3).
3	Reserve Assignment matters	Appropriate Service Reserve command
4	Military Equal Opportunity Issues	Commander or EOA
5	Administrative Separations	DC, M&RA
6	Equal Opportunity in off-base housing	Housing Referral Office
7	Landlord or tenant disputes	Commander
8	Claims against the Government	SJA
9	Correction of military records	Board for Correction of Naval Records
10	Appeal of Performance Reports, Fitness Evaluations, and Promotion Recommendations	Board for Correction of Naval Records
11	Support of Dependents and Private Indebtedness	Subject's commander or DFAS
12	Change to an Instruction / Regulation, or current policy guidance	Appropriate Service proponent
13	Letter Of Counseling, Letter Of Reprimand, or Article 15 (other than discrimination / reprisal)	Commander or Area Defense Counsel (ADC)
14	Punishment under UCMJ	Area Defense Counsel

15	Article 138, UCMJ (Complaint of Wrong)	Appropriate Service Legal channels
16	Hazardous Working Conditions (unsafe or unhealthy)	Appropriate Service Safety channels
17	Elimination From Training	Appropriate Service Training Command
18	Medical Treatment	Servicing Medical Command
19	TRICARE Complaints	TRICARE Benefits Services Office
20	Allegations of homosexual conduct	Commander
21	Misuse or abuse of government vehicles	Base transportation or commander
22	Unprofessional Relationships / Adultery	Commander
23	Sexual Harassment and Discrimination	Commander or local EOA
24	Allegations of reprisal by DoD contractors	DoDIG
25	Allegations against Judge Advocates	SJA to CMC
26	Anti-Deficiency Act violations	SJA or Appropriate Service Financial Management Branch
27	Health Insurance Portability and Accountability Act (HIPAA) Issues	Surgeon General
28	Commander-Directed Investigations	Commander
29	Host or Third Country Nationals, contractors, or non-DoD civilians	SJA for advice on proper course of action
30	Sexual Assault	Report to law enforcement and SARC.

Section 3-5

Criminal Allegations

1. **Purpose:** This section explains the process for working criminal allegations.
2. **Criminal Allegation:** Allegations of a criminal nature are normally not appropriate for IG action. However, the IG's directing authority may still direct the IG to conduct an Investigation or Inquiry into allegations of criminal conduct. IGs will report criminal allegations to the Commander and the Staff Judge Advocate. Coordination or consultation with the appropriate legal advisor is essential in such cases.

See The Marine Corps Inspector General Program Investigations Guide for more information.

Section 3-6

Allegations Against Senior Officials

1. **Purpose:** This section explains the process for handling allegations against senior officials.
2. **Allegations Against Senior Officials:** CIG is prohibited from investigating a senior official. The CIG must report the allegations to the IGMC. The IGMC will report senior official allegations to the DoDIG. MCO 5370.8, Marine Corps Hotline Program and DoD Directive 5505.6, Investigations Against Senior Officials of the Department of Defense provide policy and guidelines for SO actions.

Section 3-7

Allegations Against Members of SAPs and SAs

1. **Purpose:** This section explains the process for handling allegations against members serving in – or working with – special-access programs (SAPs) and sensitive activities (SAs).

2. **Allegations Against Military and Civilians assigned to -- or working with -- Special-Access Programs (SAPs) and Sensitive Activities (SAs):** IGs will forward all IGARS containing an allegation against any person assigned to a SAP or SA as defined in DoD Directive 5240.1-R and DoD 5200.1-R.

IGs must report allegations involving G-2 civilian personnel to the Defense Intelligence Agency (DIA) IG, and any investigations must occur in accordance with Marine Corps and DIA standing MOUs. CIGs and DIA IGs will coordinate investigations of command G-2 civilian personnel; all other reporting requirements apply in accordance with existing DoD, DON, Marine Corps and Federal guidance. The investigating IG will provide a copy of an issued report involving command G-2 civilian personnel to the appropriate CIG or DIA IG.

IGs will report criminal allegations to the commander and the Staff Judge Advocate and refer them to the respective criminal investigative authorities for action with information to the IGMC. Report allegations involving command G-2 civilian personnel, G-2 contracts, and G-2 funding to DIAIG and any investigations must occur in accordance with Marine Corps / DIA standing MOUs. CIG and DIA IGs will coordinate investigations of command G-2 civilian personnel, G-2 contracts, and G-2 funding. The investigating IG will provide a copy of an issued report involving command G-2 civilian personnel, G-2 contracts or G-2 funding to the appropriate command or DIAIG.

Section 3-8

Allegations of Misconduct for a Specific Profession

1. **Purpose:** This section explains the process for handling allegations of misconduct in a specific professional area.

2. **Allegations of misconduct in a specific profession:** During Step 2, Conduct IG Preliminary Analysis, the IG identifies issues and allegations and decides on a course of action on how best to resolve them. Some allegations will not be easily decipherable, and the IG might have difficulty deciding what standard to use. For example, when a complainant alleges misconduct by someone of a specific profession -- such as a doctor making a wrong medical decision, a lawyer's improper representation in a legal matter, or a recruiter fraudulently processing the initial enlistment contract -- the IG, if he or she is not of this particular profession, might not necessarily know what would be a right or wrong action. Since the IG is not a subject-matter expert in all topics of special interest, some issues or allegations presented to the IG might need special consideration and the assistance of subject-matter experts. In fact, for many of these professional misconduct cases, the IG will refer the case to the subject-matter experts. The following examples, though not all-inclusive, provide references and / or points of contact that will help the IG gather more information.

3. **Lawyers and Legal Counsel:** IGs will refer allegations involving professional misconduct by a lawyer to the Staff Judge Advocate to the Commandant of the Marine Corps (SJA to CMC) for Judge Advocates (JAs) or to the Office of General Counsel (OGC) Counsel to CMC (CL) for civilian counsels. Once the HQMC-related Legal Advisor confirms the referral, the IG will treat the case as an assistance request and close the case. The IG will then notify the complainant that the case has been referred to legal channels. The IG will not monitor the case any further.

4. **Inspectors General:** Complaints which involve the actions of an Inspector General while performing IG-specific duties, such as not resolving an Assistance Inquiry or not responding to the complainant, will be reported by confidential means to the IGMC for appropriate action within 2 working days after receipt.

5. **Chaplains / spiritual guidance:** When a complainant presents issues involving the nature and quality of spiritual or religious counseling or advice from a chaplain, the IG should recommend that the complainant take this issue to the next higher supervisory Chaplain. If there is no clear higher headquarters, the complainant should check with the local installation chaplain's office. Due to the sensitive nature and the complexity of the many various religious beliefs, the IG should consider these types of complaints as not appropriate for the IG. The IG advises the complainant to seek another chaplain's advice, and then should close the case.

6. **Recruiters:** Examples of recruiter misconduct or impropriety include, but are not limited to, prohibited relationships (social, business, or personal employment with subjects of recruiting efforts), criminal involvement, false documents, misrepresentation, and coercion. The IG should refer cases with allegations against a recruiter, to include contract recruiters, to the CIG Recruiting Command.

7. **Medical:** Complaints involving medical issues or allegations should be referred to the BUMED IG. For more information, including POCs, see the applicable MEDCOM Web page or, for TRICARE-specific questions, use <http://www.tricare.mil>.

8. **Criminal Investigative Agents:** Any allegations and issues involving an NCIS Special Agent as the subject or suspect should be referred to the Naval Inspector General (NAVINSGEN). Examples of special agent misconduct include treating a victim, witness, or suspect without dignity or respect; threatening the victim or suspect; conducting an unauthorized or illegal search of a person or premises; or violations of the Privacy Act by disclosing the victim's identity to unauthorized personnel. However, if the complainant believes that a detective in civilian clothing, who was rude to a witness or tried to ask a victim out on a date, was a special agent but, once identified, was actually a Military Police Investigator, then refer the allegation to the appropriate commander of the Military Police Investigator in question. Keep in mind that the sooner the Service-related criminal investigative IG has visibility on agent misconduct, the better.

9. **Other Considerations:** Even though a complaint might involve someone of a special profession, the issue or allegation might fall outside the specific professional conduct area as discussed previously. For example, a complaint that the doctor, chaplain, and IG used a military vehicle to move personal household goods from one off-post apartment to another is clearly a violation of the Joint Ethics Regulation and is not directly related to the medical, religious, or IG professions. Allegations and issues of these types are still best resolved at that local IG's office -- either by the IG or through the appropriate command.

Section 3-9

Non- Support of Family Members

1. **Purpose:** This section explains how to process a non-support request.
2. **Non-Support of Family Members:** The primary IG role is to ensure that the commander is aware of all complaints and takes appropriate action. The complainant has the responsibility of communicating non-support problems through command channels to the member's commander. The IG should refer the complaint to the commander and monitor the situation to ensure that the commander contacts the complainant within 14 days. An exception to this procedure occurs when the complainant provides information pertaining to a violation of another regulation or statute. For example, the complainant tells the IG that this is the third time in the past year that he / she has had to come to the IG to help obtain support payments from the military spouse, a possible allegation of a failure to obey the commander's order to pay family support the first time (a UCMJ violation). In these cases, the IG should refer these additional matters to the command for investigation of allegations against the military member.
3. **An Inspector General's Responsibility:** An IG may offer assistance in formulating and routing the complaint. The IG should do the following when presented with a request for IG assistance:
 - a. IGs should control the comments made to the family members being assisted. Do not offer opinions or be judgmental in their presence. Do not take sides.
 - b. IGs can provide assistance to ensure that the immediate needs of the family are met (shelter, food, medical care, etc.)
 - c. Determine if the service member's spouse (or other dependent) has forwarded a complaint through command channels informing the service member's commander of the problem. If not, offer assistance in formulating and properly routing the complaint to ensure that the commander is made aware of the situation.
 - d. If the complainant has already corresponded with the commander, continue assistance only if the responsible commander has not responded satisfactorily. In the case where the commander is not in the immediate area, use Inspector General technical channels but only to the extent necessary to ascertain that the commander has fulfilled his or her obligations as required by law or regulation.
 - e. If the IG continues to provide assistance, inform the complainant that the IG may need to release personal information (social security numbers, address, etc.) in order to resolve the issue. Obtain written consent to release this information).
 - f. When in doubt read the appropriate related instructions and contact the SJA.
 - g. Paternity and child custody issues will all be referred to the appropriate Commander for action. IGs will monitor.

Section 3-10

Civilian Grievances

1. **Purpose:** This section explains how IGs process civilian employee grievances.
2. **Grievances:** Code of Federal Regulations, Department of Defense Civilian Personnel Manual (CPM), Service-related Regulations, and local collective bargaining agreements include procedures for processing grievances, appeals, and Equal Employment Opportunity (EEO) complaints. These complaints pertain to all aspects of employment. As an IG, your role in these cases usually involves determining the nature of the complaint and where the person should take the complaint for action. In most situations, these complaints are not appropriate for IG action except to ensure due process unless they fall into the fifth category below (paragraph e).
 - a. Refer grievances within the purview of the DoD CPM and the local collective bargaining agreement to the Chief, Human Resources (HR) for information and assistance.
 - b. Refer appeals of adverse action within the purview of 5 U.S.C., Sections 7701 through 7703 to the HR for information and assistance.
 - c. Refer Equal Employment Opportunity (EEO) complaints, including reprisals for protected EEO activity, within the purview of 29 Code of Federal Regulations (CFR), 1614, to the local EEO counselor for action and resolution.
 - d. Refer complaints of retaliation or reprisal (Whistleblower) within the purview of 5 U.S.C., 2301 and 2302 to the Office of Special Counsel (OSC). In the case on Non-Appropriated Fund employees, refer them to Inspector General, DoD.
 - e. Civilian complaints involving matters that do not directly affect the employment, situation, or well-being of the individual will be worked by the IG. Examples include complaints or allegations against third parties and reports of alleged misconduct, mismanagement, or other matters requiring command attention.
3. **Inspector General Actions:** The IG must analyze a complaint upon receipt to determine the category and IG appropriateness. The IG should consult the following individuals and documents as necessary:
 - a. The Staff Judge Advocate (SJA).
 - b. The Chief, Human Resources (HR).
 - c. The Equal Employment Opportunity (EEO) Office.
 - d. Service-related Regulations and Public Laws.

4. **Appeal for Adverse Action:** If the IGAR is a grievance or appeal, the IG will refer the employee to the HR for information and assistance. The IG should advise the employee of procedures and timelines provided by regulation. If the complainant, while understanding due process and presenting valid reasons for not exercising the employee grievance channel, insists on IG involvement, the IG may, as an exception to policy, accept the IGAR and work it. The IGAR should be in writing. If a locally negotiated grievance procedure exists, it must be used. An IG Inquiry or Investigation can only determine the facts of the case. Subsequent correction of the record or change of a personnel action may still require submission of a request by the civilian to the appropriate agency.

5. **Equal Employment Opportunity (EEO):** If the IGAR pertains to a complaint based on discrimination or allegations of reprisal, harassment, or intimidation for filing such a complaint, the IG should:

a. Advise the complainant to contact the EEO officer or counselor for information and assistance in processing the complaint. EEO officers must be contacted by the complainant within 45 calendar days of an EEO-related incident.

b. Not accept EEO complaints.

6. **IGPA and Database:** In all cases involving civilians, the IG will thoroughly analyze the entire complaint and look for systemic issues or trends that might be IG or command appropriate. Furthermore, the IG will enter a case into the Online Database and Inspector Network (ODIN) annotating the IG's referral of the complainant to the appropriate agency.

Chapter 4

Considerations

Section 4-1 - Withdrawn Complaints

Section 4-2 - Complaints Not Received in a Timely Manner

Section 4-3 - Habitual Complainants

Section 4-4 - Abusers of the IG System

Section 4-1

Withdrawn Complaints

1. **Purpose:** This section explains the procedures for processing a complainant's request to withdraw a complaint.
2. **Withdrawn Complaints:** At any point following receipt of a complaint, the complainant or the initiator may ask to withdraw the IGAR. The IG decides whether or not to continue based on the best interests of the Service or the command. If the IG decides to continue the case, he does not require the permission of the complainant. If he accepts the request to withdraw the complaint but keeps the case open, he should change the case name on the IGAR Form from that of the complainant to a generic title plus update the Online Database and Inspector Network (ODIN); in addition, the IG is no longer required to provide a final response to the complainant.

The IG may want to ask the complainant why he or she wants to withdraw the complaint. Possible reprisal, coercion, or duress are issues of concern for all 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. In some instances, complainants have requested confidentiality. When a person who withdraws a complaint provides information about impropriety or wrongdoing, the IG may disclose the complainant's identity to IGs, the supporting legal advisor, and to 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.

Section 4-2

Complaints Not Received in a Timely Manner

1. **Purpose:** This section explains the procedures for processing a IGAR not received in a timely manner.

2. **Complaints not received in a timely manner:** Complaints must be presented to an IG in a timely manner in order to be resolved effectively. An IG is not required to look into a complaint if the complainant has failed to present the matter to an IG within one year of learning -- or becoming aware -- of an alleged problem or wrongdoing or if more than three years have elapsed since the date of the problem or wrongdoing. The IG will thoroughly analyze the complaint for all issues and allegations, open a case in the IGARS database, and inform the complainant that the request is not timely.

a. IGs may accept and refer complaints submitted between three and five years after the alleged wrongdoing where extraordinary circumstances justify the complainant's delay in reporting the allegation or issue -- or in cases of special interest to the Marine Corps or Department of the Navy (DON).

b. The IGMC must give a CIG approval to work any IGAR presented more than five years after an event occurred. The complainant always has the freedom to send the IGAR to the IGMC or DoDIG for final disposition. The IGMC or DoDIG is the final authority in the event the complainant is not satisfied with the CIG's decision.

c. This time limit does not give CIGs the authority to decline a referral from the IGMC or a Member of Congress (MoC); in addition, the time limit does not apply to the requirement to report allegations against senior officials.

Example: A complainant submits a IGAR to a CIG that is four years old. The CIG will thoroughly analyze the entire complaint for issues and allegations; and, if the CIG does not see any documents or other evidence available, the CIG will inform the complainant that the IGAR is untimely. If the CIG thinks there is enough evidence to work the case, he or she must obtain approval from the IGMC before proceeding.

Section 4-3

Habitual Complaints

1. **Purpose:** This section explains the process of receiving a IGAR from a habitual complainant.

2. **Habitual Complainants:** Some complainants will repeatedly bring complaints to an IG. Some complaints will be new and others will be issues previously handled by the IG. The IG must thoroughly analyze all issues and allegations to ensure that no new information is present. If the IG has worked the case before, he may choose not to reopen the case unless the complainant has presented new and relevant information to the case. If there is new information, the IG will either need to reopen the case or initiate a new case.

If the IG reopens the case and wishes to amend an opinion, judgment, or conclusion, the IG must get approval from the Directing Authority (DA) prior to doing so. The file includes one copy of the requested amendment, the original report, any recommendations whether to grant or refuse the amendment, and any supporting rationale or evidence.

If the CIG reopens a case and, upon review of the new information finds nothing new, the CIG may close the case without DA approval. Do not automatically reject the complainant's communication without first analyzing the correspondence for new matters.

Section 4-4

Abusers of the IG System

1. **Purpose:** This section explains the process of receiving a IGAR from abusers of the Inspector General Program (IGP) system.

2. **Abusers of the IGP System:** Since complainants have the responsibility to present truthful information concerning allegations or other information, the IG must assume that each complaint received is legitimate and worthy of further inquiry. If 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 IG may require the complainant to present any and all subsequent matters in writing only. The IG must obtain the directing authority's approval prior to imposing this requirement via written notification to the complainant.

Chapter 5

Civilian Employee Categories

Section 5-1 - Appropriated Fund Employees

Section 5-2 - Non-Appropriated Fund Employees

Section 5-3 - Local Nationals

Section 5-4 - Contractors

Section 5-1

Appropriated Fund Employees

1. **Purpose:** This section explains how IGs handle requests for assistance from Appropriated Fund Employees.

2. **Appropriated Fund Employees:** Appropriated Fund employees are U.S. citizens paid from funds appropriated by Congress and governed by Federal civil service laws. The Office of Personnel Management (OPM) administers the laws governing Appropriated Fund employees. Appropriated Fund employees include General Schedule (GS) civilians and civilians under the National Security Personnel System (NSPS) working in DoD, DON or in specific services such as the Navy and Marine Corps.

As in all cases, the IG receiving the request for assistance must determine if the request is appropriate for the IG. If the issues are IG appropriate, the IG will provide the necessary assistance. If not, the IG will refer the matter to the appropriate agency. The IG needs to be careful when addressing civilian matters as the IG may inadvertently deprive an employee of his or her right to due process.

If there is a procedure or system in place with the Human Resources (HR), Equal Employment Office (EEO), or a labor union, the IG must know the applicable procedure or system (e.g., written policy, negotiated agreement, etc.) as it relates to the grievance procedures.

Section 5-2

Non-Appropriated Fund (NAF) Employees

1. **Purpose:** This section explains how IGs handle requests for assistance from Non-Appropriated Fund Employees.

2. **Non-Appropriated Fund Employees:** Non-Appropriated Fund (NAF) employees are paid from funds generated through the sale of goods and services. They are civilians, usually from the local labor market, or off-duty U.S. military personnel who compete for employment on the basis of merit.

NAF employees play an important role in providing morale and recreation services to military personnel and their family members. Clubs, guest houses, child-care centers, craft shops, bowling centers, swimming pools, gymnasiums, and many other NAF activities employ a considerable number of civilian NAF employees at most military installations.

Service-related regulations establish policies and procedures applicable to NAF employees. These policies are designed to maintain uniform, fair, and equitable employment practices in keeping with the military's traditional concept of being a good employer. HR provides guidance and personnel support to NAF managers who are responsible for administering the NAF personnel program.

The IG will treat requests for assistance from NAF employees in the same manner as Appropriated Fund employees. If the issues are IG appropriate, the IG will provide the necessary assistance. If not, the IG will refer the matter to the appropriate agency. The IG needs to be careful when addressing civilian matters as the IG may inadvertently deprive an employee of his or her right to due process. If there is a procedure or system in place with the Human Resources (HR), Equal Employment Office (EEO), or a labor union, the IG must know the applicable procedure or system (e.g., written policy, negotiated agreement, etc.) as it relates to the grievance procedures.

Section 5-3

Local Nationals

1. **Purpose:** This section explains how IGs handle requests for assistance from the Local Nationals.
2. **Local Nationals:** Local National employees are normally hired to work in overseas duty stations such as Okinawa and Iraq. Federal law and DoD policy are consistent with of the applicable Status of Forces Agreements that form the basis of these employment systems. Within this framework, administration must be consistent with host-country practices, with U.S. law, and the management needs of the military based upon Department of the Defense requirements.
3. **Civilian Personnel Agencies or Activities:** Office of Personnel Management (OPM) is the central personnel agency of the Executive Branch with delegation of authority from the President to administer most Federal laws and executive orders dealing with all aspects of personnel administration and related subjects. Some laws and executive orders place certain personnel management responsibilities directly on agency or department heads subject to OPM policy and review.

In other cases, OPM has authority by statute and delegation to establish specific program standards and regulate and control the means of carrying out major aspects of agency / department personnel management.

The IG will treat requests for assistance from Local National employees in the same manner as Appropriated Fund employees. If the issues are IG appropriate, the IG will provide the necessary assistance. If not, the IG will refer the matter to the appropriate agency. The IG needs to be careful when addressing civilian matters as the IG may inadvertently deprive an employee of his or her right to due process. If there is a procedure or system in place with the Human Resources (HR), Equal Employment Office (EEO), or a labor union, the Inspector General must know the applicable procedure or system (e.g., written policy, negotiated agreement, etc.) as it relates to the grievance procedures.

Section 5-4

Contractors

1. **Purpose:** This section explains how IGs process requests for assistance from Contractors.

2. **Contractors:** The IG must analyze the substance of complaints and requests for assistance from contractors involved in commercial activities, procurement activities, or contracting to determine if the complaints are proper for IG action. Contract-related complaints could cover various topics: someone outside the contract complaining about the contract or contractors not fulfilling the requirements for which they are being paid; unfair awarding of the contract; unfair hiring practices by the contractor (nepotism); contractor complaints about the military or government not fulfilling their requirements, not getting paid, or not getting paid in a timely manner; or individual complaints from people working for the contractor concerning promotions, pay, leave accountability, overtime, time cards, supervisors inactions, discrimination, harassment, etc.

The IG may render general requests for assistance. This assistance may include referring contractors to the appropriate agency for a specific issue since most contract-related matters normally have their own avenues for redress usually outlined in the contract. The IG should check with the Contracting Officer Representative (COR) or the Contracting Officer (CO) for specific guidance. Additionally, the SJA can provide assistance with legal issues. For complaints involving fraud, waste, or mismanagement, an audit (possibly by the Internal Review and Audit Division) might be able to identify the problem.

Be cautious not to tell contractors to change certain procedures or practices since these changes might incur additional costs that the IG is not authorized to approve or obligate.

Chapter 6

Congressional Inquiries

Section 6-1 - Congressional Inquiries in Command Channels

Section 6-2 - Congressional Inquiries in Inspector General Channels

Section 6-1

Congressional Inquiries in Command Channels

1. **Purpose:** This section explains how Inspectors General process Congressional Inquiries in Command Channels.

2. **Congressional Inquiries in Command Channels:** Sometimes referrals from a Member of Congress (MoC) on behalf of constituents who may be a Service member, Family member, or private citizen will flow down through command channels.

The IG can receive MoC inquiries from one of several ways:

- a. Directly from the MoC.
- b. Directly from IGMC.
- c. Directly from the Command.
- d. Directly from the Office of Legislative Affairs (OLA), HQMC.

In all cases, the IG should coordinate their response with OLA. All responses will go to the MoC via OLA and not the complainant. The MoC will notify the complainant involved.

Procedures for handling/responding to Congressional Inquiries may vary from command to command.

Section 6-2

Congressional Inquiries in Joint IG Channels

1. **Purpose:** This section explains how IGs process Congressional Inquiries in Inspector General Channels.

2. **Congressional Inquiries in Inspector General Channels:** OLA, HQMC -- the Office of Record for all Congressional Inquiries -- may refer a case as Office of Inquiry through the IGMC to the Command Inspector General (CIG). The IG will then work the case as the Office of Inquiry and provide the completed case results to the IGMC for further forwarding to OLA.

For Congressional Inquiries, the IG -- as the Office of Inquiry -- will **not** provide final responses to the complainant, subject, or suspect as ordinarily done during Step 5 (Make Notifications) and Step 7 (Close the IGAR, Provide a Final Reply) of the IGAP. OLA -- as the Office of Record -- provides a final response to the Member of Congress.

Procedures for handling/responding to Congressional Inquiries may vary from command to command.

Chapter 7

IGMC Hotline Referrals

Section 7-1 - General

Section 7-2 - General Guidance for the Preparation of IGMC Hotline Completion Reports

Section 7-3 – Service-Related Criminal Investigation Cases

Section 7-4 - Documents Required for Forwarding with Completion Report

Section 7-5 - Subject / Suspect Notification

Section 7-6 - Quality Assurance Review and File Maintenance

Section 7-1

General

1. **Purpose:** This section describes the processing of IGMC Hotline Referrals.
2. **General:** The IGMC forwards by email Hotline cases pertaining to CIGs. The IGMC Assistance & Investigations Division has a telephonic Hotline operation and accepts cases submitted by complainants. The IGMC also receives Hotline referrals from the DoDIG and NAVISNGEN in which many cases are in turn referred to CIGs. The Office of Record (OOR) (DoDIG, NAVISNGEN, or IGMC) does the initial acknowledgement to the complainant, not the CIG (Office of Inquiry (OOI)). There is no final response to the complainant by the Office of Inquiry (OOI) CIG.
3. **Timeline:** The Office of Inquiry (CIG) is given 30 days by the IGMC to finish a Hotline Referral. If the Office of Inquiry (CIG) cannot meet the IGMC's established suspense date, a request for extension must be submitted to the IGMC with an explanation for why more time is required.
4. **Types:** The OOR (DoDIG, NAVISNGEN, or IGMC) determines if a case will be "Action" or "Information Only". Usually, "Information Only" cases have limited information provided in them. The CIG office to which the IGMC refers a case can convert "Information Only" to "Action" but not vice versa. The IGMC assigns the primary case number, which is a seven-digit number. Case numbers are generated by the Online Database and Inspector Network (ODIN).
 - a. **Action Cases:** Action cases are managed by the IGMC, Assistance & Investigations Division and are assigned a case number. IGMC remains the OOR and will refer these cases by e-mail to the appropriate CIG. All action cases must be addressed whether they are appropriate for the Inspector General or not.
 - b. **Information-Only Cases:** Information-Only cases are managed by the IGMC, Assistance & Investigations Division. These cases will be assigned a case number by IGMC and are referred by e-mail to the appropriate CIG. If this type of case is worked by the CIG, the CIG office working the case must forward a Hotline Completion Report to the IGMC, who will remain the OOR.
5. **Sample Progress Report:** Sample of a Progress Report appears on the next page.

Sample Hotline Progress Report

Hotline Progress Report as of xx April 20xx

1. Applicable DoD Component: Marine Corps
2. Hotline Control No: XXXXXXXX
3. Date Referral Initially Received: (enter the date the case was received from the IGMC)
4. Status:
 - a. Name of organization conducting examination:
 - b. Type of examination being conducted: Assistance Inquiry, Investigative Inquiry, or Investigation.
 - c. Results to date: If you have some definite results, then place them here. If not, just enter "None."
 - d. Reasons for delay: If more time is needed, then explain why (i.e., additional testimony is required; documentation is still being reviewed; inquiry is completed but more time is needed to write completion report, etc.)
5. Expected Date of Completion: Enter your best estimate of when the Hotline Completion Report is expected to reach the IGMC.
6. Action Agency Point of Contact:

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Section 7-2

General Guidance for the Preparation of IGMC Hotline Completion Reports

1. **Purpose:** This section describes the guidelines for preparing an IGMC Hotline Completion Report (HCR).

2. **General Guidance for the Preparation of IGMC Hotline Completion Reports (HCR):** This section details the process for preparing a IGMC Hotline Completion Report (HCR). The Completion Report format is established by the IGMC and can be found on the next page. The IGMC is the final approving authority to close a case when the Office of Record (OOR) is the IGMC. Accordingly, the Office of Inquiry will not tell a complainant that a case is closed just because the Office of Inquiry believes it has completed its part. All Hotline HCRs containing allegations require a legal review. The legal representative may sign at the bottom of the HCR, or the separate legal review will be submitted along with the HCR.

The reason for the HCR is to explain what was found during an Assistance Inquiry, Investigative Inquiry, or Investigation. The key thing to remember when writing the HCR is that the writer has to make a concise, detailed presentation that someone unfamiliar with the situation and the applicable guidelines can understand and be convinced that the finding is sound and based on a thorough Inquiry or Investigation. All allegations and issues in the complaint must be addressed. If the command or the CIG has previously worked the same exact allegations or issues, the command product or IG product may be used as evidence if the CIG feels the allegations or issues in the Hotline case were thoroughly addressed.

3. **Sample IGMC Hotline Completion Report:** A sample IGMC Hotline Completion Report appears on the next page.

Example of an IGMC Hotline Completion Report

IGA
5041
DATE

HOTLINE COMPLETION REPORT (HCR)

1. **Name of Official Conducting Inquiry:** First and Last Name
2. **Rank of Official:** Military/ Civil Service Grade
3. **Duty Position and Telephone Number:** (Example: Assistant Inspector General for Investigations: (703) 614-1348/1349/1698)
4. **Organization:** (Example: Office of the Inspector General of the Marine Corps)
5. **Hotline Control Number:** 0000000 (ODIN assigned number)
6. **Scope, Findings of Fact, Conclusions, and Recommendations:**

a. **Scope.**

(1) Explain the type of investigation/inquiry, the authority for the investigation/inquiry, applicable directives, and any constraints

(2) Identify the allegations:

(a) **ALLEGATION #1:** That (Who, did What, in violation of What, When). . .

(b) **ALLEGATION #2:** That . . .

(3) Enclosures: Provide a list of documents used to support the findings of fact (FOF) contained in this investigation/ inquiry. When these enclosures include witness statements/ testimonies, it should be annotated how these statements/testimonies were obtained (i.e., personal interview, phone call, questionnaire, and etc.). [Note: These enclosures should not be physically forwarded with the report, but should be identified at this point in the report.]

b. **Findings of Fact allegation 1.**

[Note: The FOFs that follow should pertain to this particular allegation. Every finding must be supported by documentary or other evidence and listed as an enclosure.

(1) **Analysis:** Describe the investigator's analysis of the findings of fact that led them to the conclusions.]

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(2) **Conclusions:**

[Note: Each allegation must have a finding. Acceptable findings are Substantiated (S), Not substantiated (NS), or Unfounded (UN). See Section 1-2, Definitions under Allegation]

7. **Criminal or Regulatory Violations Substantiated:** (*Example:* None, or JFTR SECTION 23, PARA B)

8. **Disposition:** Include the results of punitive and/or administrative sanctions, reprimands, value of property recovered, or other such actions taken to preclude recurrence. [If disposition is not available at the time the report is completed include Note: "To be provided" and submit a HCR update when the information becomes available.]

9. **Security Classification:** Specify security classification of information.

10. **Location of working papers:** The command inspector generals' office responsible for the HCR must maintain the file unless otherwise agreed upon.

SIGNATURE BLOCK

Section 7-3

Criminal Investigation Cases

1. **Purpose:** The purpose of this section is to describe the guidelines for referring a IGMC Hotline case to the appropriate criminal investigation command.

2. **Related Criminal Investigation Cases:** If the Office of Inquiry discovers during the Preliminary Analysis that all or part of the case should be referred to a criminal investigation command, the IG will make an annotation in the Online Database and Inspector Network (ODIN) case file. The CIG then monitors the criminal investigation and reports the results in the Hotline Completion Report.

If a case is split between a CIG and a criminal investigation, the CIG conducts the IG portion of the case while monitoring the criminal investigation. At the conclusion of the criminal investigation the CIG includes the results in the final Hotline Completion Report.

Section 7-4

Documents required for Forwarding with Completion Report

1. **Purpose:** This section describes the documents needed when forwarding an IGMC Hotline Completion Report (HCR) to the IGMC.

2. **Documents Required for Forwarding with Completion Report:** Each HCR prepared by a CIG will be forwarded with a completed IGARS Form, a legal review, and command endorsement (CIG, Chief of Staff, Deputy Commander, or Commander). The IGMC will not accept HCRs without the required documents.

Section 7-5

Subject / Suspect Notification

1. **Purpose:** This section describes the subject / suspect notification procedures for IGMC Hotline Cases.
2. **Subject / Suspect Initial Notification:** Initial subject / suspect notification is the responsibility of the Office of Inquiry (IGMC / CIG) conducting the Inquiry / Investigation. Use the format for initial notifications found in the Marine Corps Inspector General Program Investigations Guide.
3. **Subject / Suspect Notification:** The IGMC, when it is the Office of Record, will do the final notification of the subject / suspect and notify the appropriate CIG once IGMC has approved a case for closure. Hence, mailing addresses for the subject / suspect must be included in the Hotline Completion Report.

Section 7-6

Quality Assurance Review and File Maintenance

1. **Purpose:** This section describes the Quality Assurance Review and file maintenance process.
2. **General:** The IGMC conducts formal Quality Assurance Reviews (QARs) of selected Hotline cases completed by CIGs. MCO 5370.8, Marine Corps Hotline Program and the Marine Corps Inspector General Program Investigations Guide, defines responsibilities and procedures for the QAR Program.

A QAR is an analysis of the quality of the inquiry based on the documentation contained in the completed hotline case file and an evaluation of the timeliness, independence, objectivity and overall adequacy of the hotline inquiry. The QAR examines hotline inquiries completed during the previous 18 – 24 months and includes cases referred to the CIG by the IGMC as well as others received directly by the CIG. See the Marine Corps Inspector General Program Investigations Guide, Chapter 14 and Appendix D for details on the OAE program.

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