

# IG Bulletin



FEBRUARY 2017

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## Inspector General Observations

By LTC Gregory S. Vinciguerra, Command Inspector General

As we finish up with the holiday season, we were able to take a little time to reconnect with those around us, or travel to visit those far away, relax and enjoy a little down time. We were able to celebrate our branches through military balls, perhaps heading to a local restaurant with coworkers and peers or letting our hair down with some friends. With more training holidays approaching, and we enjoy some well-deserved respite, it's worth reminding ourselves that despite not being 'at work', in uniform or even on-post doesn't mean we are no longer members of the military or are relieved of our personal responsibility of how we conduct ourselves. Merriam-Webster dictionary defines responsibility as "the state of being the person who caused something to happen... a duty or task that you are required or expected to do... (and) something that you should

do because it is morally right, legally required, etc." Many may believe that responsibility is an individual requirement, and thus, not the business of another or what could be referred to as the 'not my job' syndrome. We see it all the time where individuals execute at the minimum or less than minimum standard, or outright inappropriately without regard to the organization. As Soldiers, we are on-duty 24/7 and that means correcting deficiencies in standards and in individuals when we see them. As the saying goes, when you pass a deficiency and you don't say anything, you've just created a new and lesser standard.

As Inspectors General, we are charged with assisting the Commanding General in ensuring the operations effectiveness and combat readiness of our organizations. In doing so, we must enforce standards large

and small. Enforcing standards is not only an IG requirement; it is a Soldier and DA Civilian requirement. If we look at the Army Values, we see that "Duty" is included as something we all should emulate. Duty is defined as "something that is done in part of a job (and) something that you must do because it is morally right or because the law requires it." Looks similar to the definition of responsibility, doesn't it? The Army defines Duty as "fulfilling your obligations". Doing your duty means more than carrying out your assigned tasks. Duty means being able to accomplish tasks as part of a team. The work of the U.S. Army is a complex combination of missions, tasks and responsibilities – all in constant motion. Our work entails building one assignment onto another. You fulfill your obligations as part of your unit every time you resist the temptation to take



shortcuts or act in a manner that might undermine the integrity of the organization. Being a member of the Army team, both as Soldiers and Civilians, means that we must be prepared to pick up the slack when others don't, especially when it's not anyone's specific job.

**See Personal Responsibility, Page 2**

## Corrective Training

By Lloyd Dixon, Deputy Inspector General



Military discipline is founded upon self-discipline, respect for properly constituted authority, and the embracing of the professional Army ethic with its supporting individual values. Military discipline will be developed by individual and group training to create a mental attitude resulting in proper conduct and prompt obedience to lawful military authority. Military authority is exercised promptly, firmly, courteously and fairly. Commanders should consider administrative correc-

tive measures before deciding to impose nonjudicial punishment.

NCOs are important to maintaining discipline in the Army. As enlisted leaders of Soldiers, NCOs are essential to furthering unit efficiency. This function includes preventing incidents that make it necessary to resort to trial by courts-martial or to impose nonjudicial punishment. Thus, NCOs are assistants to commanders in administering minor nonpunitive corrective actions as found in AR 27-10 and Part V, paragraph 1g, of the MCM, "Relationship of nonjudicial punishment to administrative corrective measures."

One of the most effective administrative corrective measures is non-punitive extra training or instruction (including on-the-spot correction). For example, if Soldiers appear in an improper uniform, they are required to

correct it immediately; if they do not maintain their housing area properly, they must correct the deficiency in a timely manner. If Soldiers have training deficiencies, they will be required to take extra training or instruction in subjects directly related to the shortcoming. Having Soldiers report 5 to 10 minutes early for formations is a reasonable corrective measure for Soldiers who display an inability to report to formations

Extra duty, on the other hand, is a form of non-judicial punishment that is used to correct misconduct that is in violation of the UCMJ. Such conduct may result from intentional disregard of or failure to comply with prescribed standards of military conduct.

**See Corrective Training, Page 2**

## Financial Nonsupport Issues

By MSG Adrian A. Campbell, Assistant Inspector General



When a Soldier fails to provide the correct amount of required financial support to his/her dependents -- for whatever reason -- this often results in a financial non-

-support case. This is the most common assistance case worked by IGs and commanders. Despite more widespread dissolution of families throughout the Army, Leaders and Soldiers must ensure families receive the required amount of financial support. This is a SOLDIER problem -- Army Regulations make it a Command responsibility.

AR 608-99, sets forth Army policy on financial support of family members, paternity, and child custody. Chapter 2 outlines the legal obligations of Soldiers. Of note is paragraph 2-6d., where in the absence of a court order or written agreement, BAH II WITH rate by rank is used to calculate a Soldier's required financial support. Chapter 3, paragraph 3-6 covers the commander's responsibilities in addressing financial nonsupport inquiries. Paragraph 3-10.c. outlines the options commanders have for taking action against Soldiers who fail to comply with or are repeat offenders of this requirement. Paragraph 3-10.c. reads, "*Commanders will take appropriate actions against Soldiers who fail to comply with this regulation or lawful orders based on this regulation. These actions include, but are not limited*

*to, the following: (1) counseling, (2) admonition, (3) memorandum of reprimand for filing in a Soldier's Military Personnel File (AR 600-37), (4) bar to reenlistment (AR 601-280), (5) administrative separation from the service (AR 635-100 or AR 635-200), (6) non judicial punishment under UCMJ, Article 15 and/or court-martial."*

Commanders should help Soldiers understand their legal obligations as well as the penalties for failure to meet these obligations. In addition, commanders should help Soldiers understand the different options they have available for meeting these obligations, such as direct deposit, money orders, certified mail, etc. This is where written counseling plays an important role. Leaders must be clear in their presentation to the Soldier of what the requirements are, what constitutes a violation, the expectation to rectify violations and the consequences of failing to fix shortfalls or failing to maintain support until another form of agreement has been established (for instance, a court-ordered divorce decree or separation agreement).

Commanders often get caught up in what the Soldier is receiving for BAH or other payments – unfortunately the regulation states the Soldier is required to make certain payments regardless of what entitlements they are receiving. For example, just because Soldier is not receiving BAH does not mean they do not have to pay support.

**Commander's Requirements(ask your IG or SJA for assistance):**

1. CDR is required to acknowledge, personally review and sign the inquiry (Ch 3-1).
2. CDR will notify and counsel the Soldier (Ch 3-4).

3. CDR is required respond to the complainant with-in 14 days. (Ch 3-5).

4. CDR should get SJA assistance for the Soldier and seek legal assistance for themselves.

5. CDR should avoid taking sides – you are not defending the Soldier or the Spouse – you are there to enforce the Army Policy and regulation. These can be highly emotionally charged cases.

6. CDR must comply with a court decision otherwise Chapter 2 lays out other scenarios.

### Personal Responsibility Cont.

Effective units and organizations are made of groups of individuals who genuinely care about each other and the unit isn't afraid to speak up when they see something is wrong or is in need of being corrected. As we move into 2017, remember to take pride in your service, your unit and the Army. Whether at work, at an event or simply down in town, maintain the responsibility to uphold standards, large and small.

### Corrective Training Cont.

Unlike corrective training, extra duty imposed as punishment under Article 15, UCMJ does not have to be related to the Soldier's form of misconduct.

Care should be taken at all levels of command to ensure that training and instruction are not used in an oppressive manner to evade the procedural safeguards applying to imposing nonjudicial punishment. Corrective training should not be oppressive in nature, humiliate the Soldier or present the appearance of punishment. The training, instruction, or correction given to a Soldier to correct deficiencies must be directly related to the deficiency. **It must be oriented to improving the Soldier's performance in his or her problem area.** Corrective measures may be taken after normal duty hours. **Such measures assume the nature of training or instruction, not punishment.** Corrective training should continue only until the training deficiency is overcome.

## Upcoming Inspections

| DATE                 | Inspecting Agency | Units Affected                           | Inspection Topic                      |
|----------------------|-------------------|--|---------------------------------------|
| Jan 23 - Feb 03 2017 | FCOE IG           | 40th MP, MPD, 75th, 31st, 30th, 434, 428 | Promotion Boards                      |
| Feb 14-15            | TIG Visit         | Select Personnel, 30th, 428              |                                       |
| Mar 13-16            | DAIG              | TBP                                      | Gold Star Family Services             |
| Apr - May 2017       | FCOE IG           | To Be Published                          | Sponsorship/Start-Right Re-Inspection |





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### *Inspector General Mission*

*The Office of the Inspector General provides assistance, teaches and trains, and conducts inspections and investigations as directed by the Commanding General for and throughout the United States Army Fires Center of Excellence and Fort Sill in order to assist commanders in achieving disciplined and combat-ready units and to maintain the operational effectiveness of the command.*

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