



# Inspector General Newsletter

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## Helping the Soldier?

SFC John Doe is a great NCO and well regarded by his subordinates and superiors. His annual NCOER is over due and all concerned agree that it should be a stellar one. He did a fantastic job on a recent deployment, decorated for valor and his soldiers did a fantastic job also. SGT Sadsack, the unit personnel clerk is behind on NCOERs and really wanting to get SFC Doe's NCOER turned in. The problem is that SFC Doe is off in a school and is not available to sign the NCOER. SGT Sadsack makes a command decision to sign SFC Doe's NCOER and get it turned in prior to hitting the late NCOER report. After all, it is a great NCOER, what harm could come if SFC Doe did not really sign it himself? **WRONG!!!**

SGT Sadsack just violated Article 123, Forgery, of the Uniform Code of Military Justice. He also violated Tennessee Code Annotated 58-1-622, False Official Statements. Either way, SGT Sadsack, without any purpose of malfeasance, just put himself in a serious breach of the law. This is but one example of a soldier committing forgery to "help the soldier". Unfortunately, this happens too often. Given that the regulation governing NCOERs allows for the statement, "soldier not available for signature" and with the electronic signature option becoming more widespread, there was certainly no reason for SGT Sadsack to have broken the law. This violation could actually backfire on the good SFC Doe if a board member suspects that the NCOERs in his file are not signed by the soldier himself.

Often we hear in the IG world that "I was just trying to help the soldier." Another area where "helping the soldier" fraud is prevalent is in extensions of enlistment. This often happens when a soldier makes a last minute decision to extend but is not immediately available to sign the extension contract. The soldier gives approval for someone to "sign his name" to the document. Many times this will go hand in hand with an officer signing an oath of extension/enlistment but the soldier not actually taking the oath in front of the officer. There are several bad things that can happen because of this fraud. One, if the soldier decides later that he doesn't want to be in the Guard, he can rightly claim that he never signed the extension agreement and they could be released due to the fraudulent documents. Other problems include a soldier's bonus payment could be voided and by the time it is sorted out, a bonus may not be available. Additionally, the perpetrators could be prosecuted for forgery and falsifying documents.

Some of the most egregious examples of falsifying documents involve the falsifying of the Army Physical Fitness Test and the height/weight data of a soldier. Once again, the desire to "help the soldier" usually drives this violation of army regulation and the law. It is usually obvious to their fellow soldiers when a soldier is overweight and cannot pass the APFT so violating the law will usually backfire on the leader that allows this to go on. It is especially insulting to those soldiers who pass the APFT and the height/weight due to their hard work and dedication.



Although not many of us are recruiters, we have all heard the horror stories of the soldier that signed up for the Army and was lied to by the recruiter. What we don't hear about as often are the various ways that a soldier can join the Army by lying about their medical, education or legal history. These lies are sometimes told in collusion with a recruiter and this is the quickest way for a recruiter to lose their job and be prosecuted. Once again, the old "helping the soldier" excuse is used when this occurs.

The bottom line in all of these cases is that none of the violations of army regulations "help" the soldiers, the unit, the National Guard or the U.S. Army. Each one of these violations is a breach of regulations and a breach of ethics that hurts the mission of the National Guard in our ability to actually perform our mission due to sub-standard soldiers getting into and/or remaining in units. It also damages our image in the public eye when these violations come to light; which many of them inevitably do. Do your part in keeping us combat ready by upholding the standards of our regulations.

COL Chuck Harrison

## The Army Weight Control Program

The new AR 600-9, The Army Weight Control Program went into effect on 2 April 2007, and everyone should now be using the new procedures for determining a Soldier's body fat if they exceed the screening table weight for their height. Recent inspections by the Department of the Army Inspector General (DAIG) Intelligence Oversight Division, indicate that the new procedures are not always understood or implemented by the inspected units, and there is an error in the example figures in the regulation. (Yes, the proponent has been informed of the errors.)

The new taping procedures for males is to first measure the abdomen, tape against the skin without compressing it, across the navel, to the nearest half-inch, rounding *down*. Then measure the neck circumference to the nearest half-inch rounding *up*. These rules give the soldier the maximum benefit (smaller waist, bigger neck). After the first set of abdomen-neck measurements are taken and recorded on the Aug 2006 DA Form 5500, the process is repeated. **DO NOT** take three abdomen measurements then three neck measurements as this violates the procedures in paragraph B-3.b of the regulation.

Once three abdominal measurements have been taken, average the three figures and round to the *nearest* half-inch (not up or down, but closest), and enter the average in the appropriate column. Compute the average neck measurement in the same manner, rounding to the nearest half-inch.

The most common mistake observed during inspections is rounding the average abdomen measurement down and the average neck measurement up instead of to the nearest half-inch. The example in Figure B-1 of AR 600-9 has an error. The three example abdomen measurements are 36.00, 36.50, and 36.50, but the average is shown as "36.00". This is incorrect. The average of the three measurements in this example is 36.333, and should have been rounded up to the nearest half-inch, 36.50, not down to 36.00.

For females, measurement points are now the neck, waist (abdomen) and hips (not wrist and forearm). When measuring the hips, the tape is applied over the athletic shorts (not to the skin), at the greatest protrusion of the gluteal muscles (buttocks) as viewed from the side. Make sure the tape is level and parallel to the

floor. The regulation allows "sufficient tension on the tape to minimize the effect of clothing." When measuring the waist, place the tape around the Soldier's natural waist circumference, against the skin at the point of minimal abdominal circumference, usually located about halfway between the navel and the lower end of the sternum (breast bone).

Again, the neck measurements are rounded up to the nearest half-inch, and the abdomen and hips measurements are rounded down to the nearest half-inch to give the soldier the greatest possible benefit. The same sequence is followed when measuring females, neck-abdomen-hips, and repeat two more times. Again, the average of the three measurements are rounded to the nearest half-inch, and entered in the right hand column of the DA Form 5501 for females.

The example in Figure B-3 of the regulation has a similar error in that the three hip measurements are 40.50, 41.00, and 41.00. The average of these three numbers is 40.888, so the correct entry should be 41.00, but the regulation incorrectly shows an entry of 40.50 inches.

MSG Barbara Sanders



Figure B-8. Female tape measurement illustration

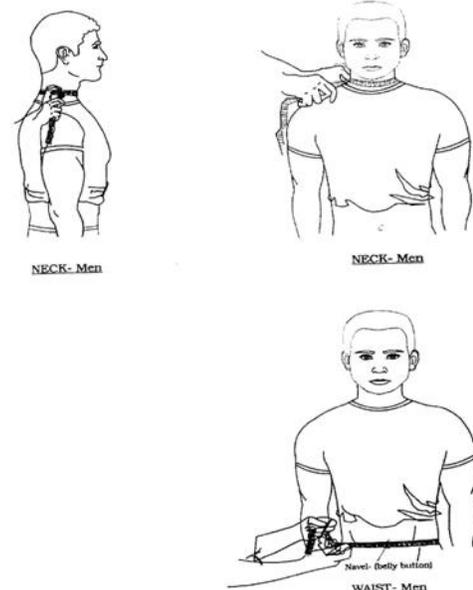


Figure B-7. Male tape measurement illustration

## Unit Training Assemblies (UTAs)

Our office has fielded several calls regarding different issues involving participation and Unit Training Assemblies (UTAs). This article will attempt to address just a few of those issues. To gain a full understanding of these issues you should review the cited regulations within the article.

### Participation and UTAs

UTAs are defined in NGR (AR) 350-1, Army National Guard Training dated 3 June 1991, table 1-2, as one training period of no less than four hours equal to one day of pay. Two or more UTAs are considered Multiple Unit Training Assemblies (MUTAs) and can be deemed a MUTA 2, 3, 4, 5 or 6 dependent upon the consecutive number of UTAs performed.

Another term that should be used is Additional Training Period (ATP). This training period is also called a Code 41 (Additional UTA (AUTA)) or Additional Training Assembly (ATA) is also being used to describe this period. It has been explained to soldiers as a MUTA 6 to get them to understand that it will encompass an entire day, however by NGR (AR) 350-1 an ATA is restricted to one period per day of no less than four hours equal to one day of pay. An AUTA is defined as the same by regulation. To further in the confusion an ATA cannot be performed on the same day as a UTA. Soldiers believe they have a MUTA 6 and will be getting paid for those six periods when they are actually performing an ATP and only getting paid for five periods. So terminology in explaining drill periods to soldiers is very important and must be used properly even if it takes longer to make everyone understand.

After explaining this to soldiers we are often asked "Can I be made to come to this ATA?" In accordance with NGR (AR) 350-1, paragraph 2-1 d.(1) "All service members will participate in at least 48 Unit Training Assemblies (UTA) each fiscal year." In addition federal law states under Title 32 USC Section 502 (a)(1), units are required to assemble at least 48 times per year. Under Section 502 (f)(1), "a member of the NG may (1) without his

consent, but with pay and allowances provided by law"; "be ordered to perform training or other duty in addition to that prescribed under subsection (a)." In essence since it can be required, soldiers could be appropriately disciplined if they did not attend the drills.

### Participation and Absences During UTAs

An excused absence and authorized equivalent training (ET) can only be authorized by the unit commander or acting commander in accordance with AR 135-91, Service Obligations, dated 1 February 2005, paragraph 4-2.a. It continues on to state "This authority will not be further delegated." The next paragraph also states that the adjutant general is authorized to grant exceptions to unexcused absences and this authority may be delegated to commanders who are LTCs or higher. Paragraph 4-8 defines an excused absence as "sickness, injury, or some other circumstance beyond the soldier's control caused the absence." At the discretion of the appropriate commander, ET may be scheduled to make up the excused absence. Pregnancy is also an excusable absence, however, the soldier must be counseled by a commissioned officer using the pregnancy counseling checklist and depending on the current training must be placed in the Retired Reserve, Individual Ready Reserve, Inactive National Guard or may request maternity leave. AR 135-91 paragraphs 4-25 through 4-29 address pregnancy. For all other excused absences reference AR 135-91 table 4-1 for required documentation and the basis for an excused absence.

Unexcused absences are found in AR 135-91 paragraph 4-14 and 4-15. Charging unexcused absences is addressed in paragraph 4-14 b. "unless an absence is authorized, a soldier failing to attend a regularly scheduled single or multiple unit training assembly will be charged with an unexcused absence. When the absence involves a MUTA (or any portion of a MUTA), the charge will be one unexcused absence for each 4-hour period not attended, but not to exceed four unexcused absences. If absent

from a MUTA 5 or MUTA 6, the maximum number of unexcused absences charged is four."

Documenting unexcused absences is addressed in AR 135-91 paragraph 4-15. "a. Notice of unexcused absence. A prescribed letter of instruction—unexcused absence (fig 4-1) will be delivered to the soldier. Delivery will be either in person or by U.S. mail, as provided in paragraphs (1) and (2) below. (If U.S. mail is used in lieu of delivery in person, the notice will be mailed during or immediately following the unit training assembly (UTA) or multiple unit training assemblies (MUTA) from which absent.) (1) Unit soldiers and IMAs who are required to perform 48 inactive duty training (IDT)s per year will be notified commencing with the fourth unexcused absence in a 12-month period and after each succeeding unexcused absence up to and including the ninth absence in that 12-month period which results in the determination of unsatisfactory participation. One letter will cover all unexcused absences from a MUTA. The first notification commencing with the fourth absence will be sent by certified mail, return receipt requested. The remaining notifications will be sent by first class mail."

### Unsatisfactory Participation During UTAs

An unsatisfactory participant is defined in AR 135-91 paragraphs 4-14 and 4-15. "A soldier is an unsatisfactory participant when nine or more unexcused absences from scheduled inactive duty training (IDT)s occur during a 1-year period." "c. Establishing the 1-year period. For counting unexcused absences, the 1-year period will begin on the date of the absence. It will end 1-year later. Beginning dates will be set for each succeeding unexcused absence. When longer than one year elapses from the date of the absence, it will no longer be counted. The new 1-year date will begin on the date of the later absence, if any."



paragraph 10-17 b. A soldier may be reduced one grade for unsatisfactory participation. The reduction authority for the grade concerned (paragraph 10-2 and table 10-1), or higher chain of command, may reduce the soldier. Reduction is discretionary. A commander may initiate reduction proceedings by presenting documentary evidence (AR 135-91) of unsatisfactory participation to the appropriate reduction authority. The commander reducing the soldier will inform the soldier in writing by certified mail or deliver the letter in person. A reduction board, when required, will be convened within 30 days after the soldier is notified in writing. Reductions are covered more in depth in another article in this issue.

**MAJ Bobby Rominger**

## Enlisted Reductions AR 600-8-19

A reduction board is required for Soldiers in the grade of CPL/SPC (when being reduced more than one grade) and for soldiers in the grade of SGT through SGM for any reduction for misconduct, inefficiency and unsatisfactory participation.

Individuals in grade of CPL and below may be reduced without action by a board. If a Soldier in the grade of CPL/SPC and below is being reduced one grade without referral to a reduction board, the reduction action must be accomplished within 30 duty days after receipt of documentary evidence and before separation or retention is considered. The reduction authority may extend the 30-day limitation for good cause.

When the separation authority determines that a Soldier is to be discharged from the Service under other than honorable conditions, he/she will be reduced to the lowest enlisted grade. Board action is not required for this reduction. The Commander having separation authority will, when directing a discharge under other than honorable conditions or when directed by higher authority, direct the Soldier to be reduced to PVI.

### Reduction for Inefficiency

Inefficiency is a demonstration of characteristics that shows that the person cannot perform duties and responsibilities of the grade and MOS. Inefficiency may also include any act or conduct that clearly shows that the Soldier lacks those abilities and qualities normally required and expected of an individual of that grade and experience. Commanders may consider misconduct, including conviction by civil court, as bearing on inefficiency.

A Soldier must have served in the same unit for at least 90 days prior to being reduced one grade for inefficiency. The Commander starting the reduction action will present documents showing the Soldier's inefficiency to the reduction authority. This may include:

- Statements of counseling and documented attempts at rehabilitation by chain of command or supervisors.
- Record of misconduct during the period concerned.
- Adverse correspondence from civil authorities.

Documents will establish a pattern of inefficiency rather than identify a specific incident. Reduction for inefficiency will not be used to reduce a soldier for a single act of misconduct.

The Commander reducing the Soldier will inform him or her in writing of the action contemplated and the reasons. The Soldier will acknowledge receipt of the memorandum by endorsement and may submit any pertinent matter in rebuttal. A reduction board, when required, will be convened within 30 days after written notification is given to the individual. The reduction authority may extend the 30 duty day limitation for good cause. A written justification must be included in the file if an extension is granted. The reduction board convenes within 30 duty days after the Soldier is notified in writing by the reduction authority of the proposed action. A Soldier who is to appear before the board will be given at least 15 duty days written notice before the date of the hearing. The Soldier or his or her counsel must have time to prepare the case. Failure of the Soldier to exercise the right to counsel will not negate the board's proceedings, findings, and/or recommendations. A Soldier may decline, in writing, to appear before the board or may appear in person with or without counsel at all open proceedings. The Soldier will respond, in writing, within 30 days of notice by the reduction authority stating his or her desire to appear, or not appear, before a reduction board. The Soldier may retain a civilian lawyer at no expense to the Government. The Soldier may request the appointment of a named judge advocate, a detailed judge advocate, appointment of a named military counsel, or a detailed military counsel.

### Reduction for unsatisfactory participation

*Unsatisfactory participation.* A soldier is an unsatisfactory participant when nine or more unexcused absences from scheduled inactive duty training (IDT)s occur during a 1-year period. Unless an absence is authorized, a soldier failing to attend a scheduled single or multiple unit training assembly (MUTA) will be charged with an unexcused absence. When absence involves a MUTA (or any portion of a

MUTA), the charge will be one unexcused absence for each 4-hour period not attended, but not to exceed four unexcused absences. If absent from a MUTA 5 or MUTA 6, the maximum number of unexcused absences charged is four.

*Establishing the 1-year period.* For counting unexcused absences, the 1-year period will begin on the date of the absence. It will end 1 year later. Beginning dates will be set for each succeeding unexcused absence. When longer than 1-year elapses from the date of an absence, it no longer will be counted. The new 1-year period will begin on the date of the later absence, if any.

A Soldier may be reduced one grade for unsatisfactory participation. The reduction authority for the grade concerned or higher Commander in the chain of command, may reduce the Soldier. Reduction action is discretionary. A Commander may initiate reduction proceedings by presenting documentary evidence (AR 135-91) of unsatisfactory participation to the appropriate reduction authority.

The Commander reducing the Soldier will inform the Soldier in person or by certified mail of the action contemplated and reasons. The Soldier will acknowledge receipt of the memorandum, in writing, and may submit any pertinent matters in rebuttal. CPLs or SPCs and below may be reduced without action by a board. SGT through SGM may appear before a reduction board. If Soldier declines appearance, it will be in writing and will be considered as acceptance of the reduction action. A reduction board, when required, will be convened within 30 days after the Soldier is notified in writing.

### Reduction for Failure to Complete or Attend Noncommissioned Officers Education System

Soldiers who fail to successfully complete, fail to remain eligible to be scheduled for or attend, who are denied enrollment in, or who do not attend their scheduled NCOES class (through fault of the Soldier) will be administratively,

## Enlisted Reductions AR 600-8-19 (continued)

without board action, reduced. Soldiers will only be reduced when NCOES is required for his/her current grade. The effective date of administrative reduction is the date of the action that caused the Soldier to be ineligible to retain the promotion. The will be the previous Date or Rank (DOR) held at the reduced grade.

### Voluntary Reduction

If approved by the unit Commander, a Soldier may volunteer in writing on DA Form 4187 for reduction to any lower grade for reassignment to another position, to another program, or to continue in service. The promotion authority may then administratively reduce the Soldier without board action. DOR for Soldiers who take a reduction to enter the AGR Program will remain the same as previously held in the grade to which reduced.

### Reduction Upon Return from Active Duty (mobilization)

ARNG Soldiers returning to their units after being released from active duty as a result of mobilization in a higher grade than held at the time of entry into such service may be retained in their higher grade for 1 year. Upon termination of the year, Soldiers not assigned to MTOE or TDA vacancies commensurate with their grade are reduced; reclassified; transferred to the ING, IRR, or Retired Reserve; or discharged per NGR 600-200, chapter 8. Soldiers released from active duty in a higher grade than held at time of entry into active federal service who are transferred to the ING or the IRR are transferred in the higher grade. If they return to paid drill status, they will be subject to reduction.

### Other Reasons for Reduction

The following are reasons for reduction in rank without board action or appeal.

a. *USAR and ARNG (SMP)*. For SMP participants who withdraw or are eliminated from the ROTC Advanced Course.

These participants will be reduced to the grade held on the day before appointment to cadet status or to the grade to which the soldier would be entitled if enlisting under the provisions of the ARNG Enlistment criteria, but not below PV2.

b. *AC, USAR, and ARNG (separated)*. A Soldier is separated to accept commission or appointment. The Soldier will be reduced to the grade held on the day before entering candidate or cadet status effective the day before commission or appointment. A Soldier will not be separated in special pay grades E5 or E6.

c. *AC, USAR, and ARNG (accepted)*. A Soldier accepted promotion but did not immediately extend or reenlist based upon losing SRIP entitlements and does not extend or reenlist within 24 (AC) or 12 (USAR and ARNG) months of scheduled ETS.

d. *ARNG (automatic reduction)*. A Soldier is promoted in his/her former MOS under unit reorganization or MOS conversion guidance but who refused or failed to apply for MOS, or other required training or who does not complete training in the MOS for the new position to which assigned per NGR 600-200, chapter 2. The Soldier will be reduced automatically effective on the date the Soldier fails the course, withdraws from the course, or

refuses training or on the expiration of the time set for completion. This includes Soldiers who fail to meet the standard.

e. *AC, USAR, and ARNG (promoted)*. A Soldier is promoted using an interim clearance but final clearance is not granted, for any reason. This Soldier must be reduced or reclassified into a position that does not require a clearance. This includes National Agency Checks that come back unfavorable, when it is a condition of the promotion.

f. *ARNG (grade assignment)*. A Soldier, 2 years after date of enlistment or reenlistment (Try One Program) into lower graded positions, has not been reassigned to a grade vacancy position commensurate with his/her grade.

g. *USAR and ARNG (involuntary loss of position)*. A Soldier (excluding AGR) who involuntarily loses his/her positions because of unit reorganization, inactivation, full-time support utilization requirements or downgrade of positions, and therefore cannot be properly utilized within the following timeframes: 24 months (SGT-SSG), 12 months (SFC-SGM). If immediate reassignment is not appropriate, Soldier will be retained in current grade for up to 1 year before involuntarily reduction or reclassification to fill valid positions. Soldiers who refuse an assignment for which eligible and available will be immediately reduced to the grade authorized for the position to which assigned, effective on the date of the refusal. When it is not possible to properly assign these soldiers, they will be transferred to the ING or IRR without reduction.

MSG Barbara Sanders



**“A reduction board is required for Soldiers in the grade of CPL/SPC (when being reduced more than one grade) and for soldiers in the grade of SGT through SGM for any reduction for misconduct, inefficiency and unsatisfactory participation”.**

## Counseling

*"Soldiers learn to be good leaders from good leaders."* Richard A. Kidd, 9<sup>th</sup> Sergeant Major of the Army (1991-1995)

We're all familiar with counseling. It is a necessity in our profession. Counseling is the process used by leaders to review with a subordinate the subordinate's demonstrated performance and potential. Counseling enables leaders to communicate effectively and empowers soldiers to achieve goals. While verbally counseling a soldier may be effective in some instances, it is not always appropriate. You must take the time to document both positive and negative events. Soldiers need to know when they require improvement and they need to be given a plan of action. Outside of the everyday verbal exchange, counseling is the appropriate forum to communicate with Soldiers. Verbal and written counseling are tools an effective leader must use.

Counseling is one of the most important leadership development responsibilities for Army leaders. It's our obligation. Unfortunately, we as a whole are plagued by the lack of counseling that happens within our organization. Counseling cannot be an occasional event but should be part of a comprehensive program to develop subordinates. Soldiers need to know how well they're performing, or not performing. If a soldier is not doing what is expected of them, they should be counseled. I'm not talking about the simple on-the-spot correction for a string or a boot lace. I'm talking about continuous or severe incidents. This could be anything from showing up to work late, poor performance, military appearance and bearing, or a poor attitude, to some sort of misconduct. On the other hand, if one of your soldiers is setting the example and is doing what is expected of him/her, that soldier deserves to be counseled and informed that he/she is doing just that. Soldiers need to know what they need to do to make it to the next level, whether it is working on their APFT score, correspondence courses, leadership, completing NCOES, etc.



How many times have you seen a soldier and asked yourself, "I wonder how he made it to that rank?" The answer may be that his leadership failed to document his true performance. Someone didn't do their job. Every Soldier does not deserve to get promoted or attend school. It is your task to identify those worthy Soldiers who deserve to be promoted and go to school - WLC, BNCOC, ANCO, etc. It is also your task to identify and counsel those Soldiers who do not deserve either opportunity. AR 600-20, *Army Command Policy*, stipulates that commanders will ensure that all members of their command receive timely performance counseling. Notice that this requirement does not differentiate between members of the National Guard or the Active Component as many regulations do. Effective performance counseling of officers, noncommissioned officers (NCO), enlisted Soldiers, and DA civilian employees helps to ensure that they are prepared to carry out their duties efficiently and accomplish the mission. Providing regular and effective performance counseling to all Soldiers, not just those whose performance fails to meet unit standards, is a command function. All commanders will ensure that their subordinate commanders have implemented and are maintaining an effective performance counseling program.

Regular counseling helps leaders and soldiers communicate more clearly and efficiently. Soldiers should want to be counseled. Effective counseling must include the following elements:

**Purpose:** Clearly define the purpose of the counseling.

**Flexibility:** Fit the counseling style to the character of each soldier and to the relationship desired.

**Respect:** View soldiers as unique, complex individuals, each with their own sets of values, beliefs, and attitudes.

**Communication:** Establish open, two-way communication with the soldier using spoken language, non-verbal actions, and gestures and body language. Effective counselors listen more than they speak.

**Support:** Encourage soldiers through actions while guiding them through their problems. Leaders conduct counseling to assist soldiers in achieving and developing personal, professional development and organizational goals, and to prepare them for increased responsibility. Leaders are responsible for developing soldiers through teaching, coaching, and counseling. This is done effectively by identifying weaknesses, setting goals, developing and implementing a plan of action, and providing oversight and motivation throughout the process. Leaders are responsible

for everything their units do or fail to do. Inherent in that responsibility is the duty to help develop, and, one day, makes their soldiers ready to lead.

I have talked with numerous soldiers across the state concerning counseling. What I have found is astonishing. Most leaders simply do not counsel their soldiers. I have met one soldier with over 20 years of service who stated to me that he had never received a counseling statement in his entire career. He also stated that he has never actually counseled any of his soldiers. When asked why, he replied "I don't know how to do a counseling statement. No one has ever shown me how." Some leaders are a little savvy and are able to fill out the purpose of counseling and the key points sections of the DA Form 4856. Then they simply slide it across the table and tell their soldiers, the ones they are charged to provide leadership for, to "fill out your information at the top, read it and sign it on the back." I have even seen a DA Form 4856 that was faxed to a soldier. He was instructed to sign it and fax it back to his unit. Soldiers deserve better than that. There are other leaders that will fill out a counseling statement, but never fill out the plan of action section or complete the assessment of the plan of action. What's the point of counseling a soldier if you don't complete the assessment portion of the DA Form 4856? Did the plan work? How do you know unless it's been documented?

If you're an officer or NCO, you've seen the quarterly counseling dates on an OER or NCOER. How many of us have ever actually conducted counseling on the dates listed on the form? If leaders don't counsel their subordinate leaders, how is that soldier supposed to know where he/she stands? By failing to complete the quarterly counseling, most NCOERs and OERs are thrown together. This is not only unfair to the soldier, but is also does not give an honest assessment of the soldiers performance and potential. With effective counseling, no evaluation report—positive or negative—should be a surprise.

Officers have two forms designed to facilitate performance and developmental counseling, the OER Support Form, DA Form 67-9-1, which will be used for officers of all ranks, and the Developmental Support Form, DA Form 67-9-1a which is used with the DA Form 67-9-1 for CPT/LT/CW2/WOI and is optional for other ranks. Counseling for company grade officers should be completed quarterly. Noncommissioned Officers should be counseled using DA Form 2166-8-1. It is designed to facilitate both performance and

## Counseling (continued)

developmental counseling. AGR NCOs should be counseled quarterly and M-day NCOs should be counseled at least semi-annually using DA Form 2166-8-1.

There are two major categories of developmental counseling, event oriented and performance and professional growth. Event-oriented counseling involves a specific event or situation. It may precede events, such as the promotion board or attending a school, or it may follow events, such as a noteworthy duty performance, a problem with performance of mission accomplishment, or a personal problem. Event oriented counseling includes:

Counseling for specific instances, which should be conducted as close to the time of the event as possible. It doesn't necessarily occur next to a desk with a counseling form in hand. It can occur in an informal setting, but it is important to have a record of some kind for reference later in a regular performance counseling.

Reception and integration counseling should be conducted by leaders when new team members report in. Reception and integration counseling serves two purposes: first, it identifies and helps fix any problems or concerns that new members have, especially any issues resulting from the new duty assignment; second, it lets you know the unit standards and how you fit into the team. It starts the team building process, clarifies your responsibilities and sends the message that the chain of command cares. Reception and integration counseling should begin immediately upon arrival to make a new soldier feel welcomed and integrated into the organization.

Promotion counseling must be conducted for specialists, corporals, and sergeants who are eligible for advancement, but are not recommended for promotion to the next higher grade. Flagging or barring a soldier from reenlisting/ extending is another tool that commanders have. Unfortunately, most commanders do not use these tools. Their intent is to notify a soldier that his/her performance is unacceptable. If a soldier makes the required improvements, the flag or bar can be removed. It is your job to conduct counseling for your Soldier's to address their shortcomings to achieve one of two outcomes: (1) to become a Soldier who should get promoted or go to school or, (2) to become a civilian because the individual can't cut it as a Soldier. There is no room in between.

Crisis counseling may be used to help a soldier get through the initial shock after receiving negative news, such as notification of the death of a loved one. A soldier may need your help, which you can do by listening and providing assistance as appropriate. Crisis counseling focuses on immediate, short-term needs.

Referral counseling helps soldiers work through a personal situation and may follow crisis counseling. Referral counseling also acts as preventative counseling before a situation becomes a problem. Usually, the leader assists the soldier in identifying the problem. Outside agencies, such as a chaplain or substance abuse counselor may be able to help resolve some soldier issues.

Adverse separation counseling may involve informing a soldier of the administrative actions available to the commander in the event of substandard performance continues and of the consequences associated with those administrative actions. Developmental counseling may not apply when a soldier has engaged in more serious acts of misconduct. In those situations, the leader should refer the matter to the commander or the servicing staff judge advocate's office.

Performance and professional growth counseling includes:

Reviewing your duty performance with your supervisor. You and your leader jointly establish performance objectives and standards for the next period. Rather than dwelling on the past, you both should focus the session on the strengths, areas needing improvement, and potential. Performance counseling communicates standards and is an opportunity for leaders to establish and clarify the expected values, attributes, skills, and actions. Performance counseling is required for non-commissioned officers; mandatory, face-to-face performance counseling between the rater and the rated NCO is required under the NCOER system. It is a generally accepted standard that all soldiers receive performance counseling at least monthly.

Professional growth counseling includes planning for the accomplishment of the individual and professional goals. You conduct this counseling to assist subordinates in achieving organizational and individual goals. Professional growth counsel-



ing begins with an initial counseling within the first 30 days of arrival. Additional counseling occurs quarterly thereafter with a periodic assessment (perhaps at a minimum of once a month). Counseling then is a continuous process. During the counseling you and your leader will identify and discuss together your strengths/weaknesses and then create a plan of action to build upon your strengths and overcome weaknesses. The leader will help you help yourself and focus more towards the future. This future-oriented approach establishes short and long-term goals and objectives. FM 6-22 (22-100), Appendix B, provides the necessary tools to do a self-assessment to help you identify your weaknesses and strengths and provide a means of improving your abilities and skills.

I encourage all leaders to reference AR 600-20, FM 6-22, FM 7-22.7, AR 623-3 and DA Pam 623-3 to implement a counseling program for their unit. These publications will provide the foundation on which your counseling program should be built, managed and enforced. Counseling, when done correctly, will help to ensure that we are taking care of our soldiers on both a personal and professional level. It will help us become a more effective fighting force and a more professional organization.

MSG Brian Stacy



**“What do I do if the gaining service does not turn in the completed DD Form 368 and DD Form 4 series upon enlistment of the soldier?”**



## Follow-up for Conditional Releases

A soldier read my article pertaining to conditional releases last quarter and asked the following question. “What do I do if the gaining service does not turn in the completed DD Form 368 and DD Form 4 series upon enlistment of the soldier?”

Here’s the book answer:

*DoDI 1205.19*, dated April 3, 1995, paragraph 5.6 states:

Upon receipt of an approved Section II, the gaining Service or component may process the member for enlistment or appointment. The gaining Service or component shall certify by completing Section III that the member has been enlisted or appointed, and the appropriate change in strength has been reported. The completed DD Form 368 with a copy of the oath shall be returned to the losing Service or component within 10 working days of the administration of the oath.

The instructions for completing the DD Form 368 are on the back side of the form. The TNARNG has a policy in effect that outlines the process step-by-step. Occasionally, we’ll have a problem where the recruiter for

the gaining service doesn’t complete his end of the deal. He was eagerly awaiting a copy of the approved Conditional Release so he could have a quick accession for the month. Now he has what he needed and doesn’t seem to care if the losing unit gets a copy of the DD 368 and DD 4 or not.

Being a former Army and Army National Guard recruiter, I have dealt with both ends of the spectrum. I think it’s safe to say that the majority of the soldiers we grant a conditional release from the TNARNG for enlist in the Regular Army. The army recruiter should want to build a working relationship with the Army National Guard. We have assets that they may want to use. I was stationed in Vermont. I called on the soldiers assigned to the Ethan Allen Firing Range and the Mountain Warfare School time and time again to let me borrow anything from a rappelling rope to a HMMWV. Most of the time, they were happy to assist me because of the rapport that I built with them. I even had a few enlistments from the guard.

So, what do you do if the recruiter doesn’t turn in the paperwork after he enlists one of your soldiers. A simple phone call or e-mail to remind the recruiter that you need this paperwork to close the loop may be enough. Most of the other service’s recruiting stations have a “station commander” or NCOIC. All recruiters also have a company and battalion level chain of command. I would recommend that prior to issuing an approved DD Form 368 to the soldier or recruiter; you request that the recruiter gives you their contact numbers, to include their chain of command. Although you shouldn’t have to do this, contacting a senior member of the recruiter’s chain of command should be the final step in trying to get this resolved. The recruiter’s chain of command knows the importance of maintaining a good working relationship with you. They do not want to jeopardize the possibility of enlisting another ARNG soldier into their service in the future.

*MSG Brian Stacy*

## What is an Inspector General?

The Inspector General is a special staff officer of the commander, providing the commander with a sounding board for sensitive issues. The IG is an extension of the commander's eyes, ears, and conscience. The role of the Inspector General is to determine and report on the economy, efficiency, discipline, morale, esprit de corps, readiness, and resources of the command. In other words, the Inspector General is interested in every aspect of the command. There are two categories of Inspector General:

- **Detailed and Assistant Inspector Generals** are officer's and senior NCO's who serve tours as full-time Inspector Generals. These individuals are school trained, and wear the IG insignia.
- **Acting Inspector Generals (AIGs)** are commissioned officers who perform limited IG functions. They receive complaints, but can only act on matters which are administrative in nature (e.g., pay problems).



## IG Functions:

The four basic functions of the Inspector General are used to accomplish our mission. Those functions are as follows:

- **Assistance** - Anyone may submit a complaint or request for assistance to an Army IG concerning matters of interest to the Army.
- **Inspection** - IG's conduct inspections at the direction of the commander. An IG inspection may focus on organizations, functions or both and may or may not be compliance oriented.
- **Investigation** - IG's only conduct investigations when directed by the commander. The investigation will focus on violations of policy or regulations. The commander may also direct an investigation into alleged mismanagement, unethical behavior, or misconduct.
- **Teaching and Training** - Teaching and training is integral part of the first three functions. IG's by their very nature possess a wealth of knowledge and experience. They use this knowledge and experience when assisting, inspecting and investigating to teach Soldiers at all levels about policies and procedures.

## Things to remember about the IG:

- Anyone can file a complaint and/or request for assistance either orally or in writing to the IG.
- Soldiers cannot be denied access to an IG. They do not have to go through their chain of command. They do not need permission to call or see an IG. They do need to exercise common sense and they cannot leave their place of duty without permission.
- No retribution will be taken against a Soldier who submits a complaint to an IG, however, anyone who knowingly submits an untruthful statement to an IG can be punished for making false statements.

## What can the IG do for Commanders?

- IG's can provide a great deal of assistance to commanders.
- IG's are linked worldwide through a technical channel and can gather information quickly and confidentially. IG's work closely with Soldier support agencies (Chaplain, JAG, Red Cross, ACS, etc.) to resolve problems. The IG can help you get started in the right direction.

## What the IG does not do:

- IG's do not provide legal reviews or opinions - these are provided by the Staff Judge Advocate.
- IG's do not conduct criminal investigations - those are done by law enforcement authorities or commanders.
- IG's do not direct action. We may make suggestions to commanders but commanders ultimately direct action.

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**Coming Next Quarter:**

Medical Issues

- LOD
- Medical Boards
- PHA
- Incapacitation Pay

The Inspector General is responsible for advising the Adjutant General of Tennessee on the state of the Tennessee National Guard. Our role is to be the eyes, ears and conscience of the command. Our four functions include—teaching and training, inspections, assistance, and investigations. This newsletter is one of the myriad ways we teach and train soldiers and leaders in the Tennessee National Guard. Your comments and questions on this newsletter are welcome and you may address them to COL Chuck Harrison, Tennessee National Guard State IG at [john.harrison@us.army.mil](mailto:john.harrison@us.army.mil) or (615) 313-3068.



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We're on the Web

<https://tn.ngb.army.mil/tnmilitary/IG/Default.htm>



**Inspector General**

*MSG Rodney Whaley will be filling in, for the next 6 months, during MSG Barbara Sanders deployment to Kuwait as an Assistant IG*