



SECRETARY OF THE ARMY  
WASHINGTON

MEMORANDUM FOR SEE DISTRIBUTION

JAN 26 2018

SUBJECT: Army Directive 2018-01 (Inspector General Investigations)

1. References:

a. Department of Defense (DoD) Instruction 7050.01 (Defense Hotline Program), December 17, 2007.

b. Army Regulation (AR) 15-6 (Procedures for Administrative Investigations and Boards of Officers), 1 April 2016.

c. AR 20-1 (Inspector General Activities and Procedures), 29 November 2010, Including Rapid Action Revision Issued 3 July 2012.

d. AR 600-8-2 (Suspension of Favorable Personnel Actions (Flag)), 11 May 2016.

e. AR 600-20 (Army Command Policy), 6 November 2014.

f. Memorandum, Secretary of the Army, 21 July 2015, subject: Pilot Program for Providing Adverse Information to Brigadier General and Major General Promotion Selection Boards.

2. This directive changes regulatory policy for inspectors general (IGs) regarding procedures for investigating issues or allegations presented to IGs and for closing cases in the Inspector General Action Request System (IGARS) database. This directive rescinds paragraph 7-3 in AR 20-1 (reference 1c). Commanders and field IGs are reminded that AR 20-1 requires that complaints to field IGs against colonels must be forwarded to the Department of the Army Inspector General's Investigation Division (SAIG-IN) before initiating an investigation. All allegations against senior officials, whether substantiated or not substantiated, will continue to be recorded in the IGARS database. This directive does not apply to investigations pursuant to The Military Whistleblower Protection Act (10 U.S. Code § 1034).

a. Pursuant to AR 20-1, paragraph 7-1, IGs will not investigate complaints received from complainants when the command elects to resolve those matters using a commander's investigation or inquiry. IGs will always afford their commanders or directing authorities, or subordinate commanders who have the means to investigate, the opportunity to resolve the matter within command channels. If the allegation comes to the IG but the command elects to investigate the matter, the IG will refer the allegation to the command and await the command product to resolve the allegation in

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the IG system. All allegations that begin with the IG—and are appropriate for IG action—must end with the IG.

b. Effective immediately, IGs will not close out issues or allegations in IGARS as “Substantiated” or “Not Substantiated” when those issues or allegations were received by an IG and then referred by the IG to the command for investigation. If the command elects to investigate the matter the IG referred, the IG will formally refer the issue or allegation to the command using a referral memorandum. The IG will open a case in IGARS, upload a copy of the referral, and enter into the case notes the nature of the allegation received, the date of referral, the date of command acceptance, and the name of the complainant. Once the command completes the investigation, the IG will review the investigation only to ensure that the command answered all the issues or allegations the IG referred. If the command investigation answers all issues referred to the command, the IG will annotate in the case notes the form of action the command took (for example, commander’s inquiry, AR 15-6 investigation, and so on) and close the case as “Assistance.”

c. If the IG believes the command investigation did not answer the issues or allegations the IG referred, the IG will first provide the commander responsible for conducting the investigation the opportunity to resolve the unanswered issues or allegations. If the commander and the IG disagree about whether all issues or allegations have been addressed, the IG will present the matter to the next higher commander for action. If the next higher commander is the directing authority, the IG will first obtain a legal review from his or her servicing legal office to determine whether the command investigation appropriately addressed all issues or allegations. The directing authority may order the command to do an additional investigation or direct the IG to investigate. If the directing authority directs the IG to investigate, at the completion of the investigation, the IG will close the case in IGARS as “Substantiated,” “Not Substantiated,” or other entry as may be appropriate.

d. If the directing authority determines that the command investigation answered the issues or allegations the IG referred to the command and the IG disagrees, the IG will close the case in IGARS, note the concerns regarding unanswered issues or allegations, and refer the matter to the next higher IG office for review. The immediate higher command IG will open a case in IGARS and do one of the following:

(1) determine that the original command investigation answered all issues or allegations presented by the field IG and close the case as “Assistance” in IGARS, or;

(2) present the matter to his or her directing authority with a recommendation that the directing authority either initiate an investigation into the unanswered issues or allegations, or direct the subordinate command to conduct an additional investigation into the unanswered issues or allegations. In either case, the IG must first obtain a legal review from the servicing legal office agreeing with the position that the command

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investigation did not address all the issues or allegations. If the directing authority determines an additional investigation is not warranted, the IG will note the decision and close the case in IGARS as "Assistance."

3. All relevant documentary evidence provided to an IG as part of a complaint or allegation will be provided to the command upon referral of the allegation to the command. The complainant (or party providing the documentary evidence) will be informed in writing that, should the party decide to provide documentary evidence to the IG as part of the complaint and, should the IG refer the complaint to the command, the documentary evidence will be provided to the command for use in the command's investigation or inquiry, regardless of whether the party subsequently decides not to participate in the command investigation. The IG will ensure, to the maximum extent possible, that the confidentiality of the person providing the documentary evidence is protected.

4. Complaints referred to an IG as a result of a DoD IG Hotline complaint and subsequently referred to the command for investigation will follow the procedures outlined in this directive. However, the review the IG conducts will not be limited to an assessment of whether the issues or allegations have been answered. The IG will use the command product to complete a DoD Hotline completion report and close the case as "Assistance" in IGARS, noting the action the IG took.

5. Commanders are reminded that they are required to flag Soldiers who are suspects or subjects of an investigation, pursuant to paragraph 2-2a of AR 600-8-2 (reference 1d).

6. This policy applies to the Active Army, Army National Guard/Army National Guard of the United States, and U.S. Army Reserve.

7. The Inspector General is the proponent for this policy and will incorporate it into the next revision of AR 20-1. This directive is rescinded upon publication of the revised regulation.



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