

NGB-IG DISTRIBUTION:

CNGBI 0700.00A 29 July 2024 Incorporating Change 1, Effective 27 September 2024

NATIONAL GUARD INSPECTORS GENERAL

Reference(s): See Enclosure B.

1. <u>Purpose</u>. This instruction establishes policy and assigns responsibilities for National Guard (NG) Inspectors General (IG) in accordance with (IAW) the references.

2. <u>Cancellation</u>. This instruction cancels and replaces Chief of the National Guard Bureau Instruction (CNGBI) 0700.00, 15 May 2020, "National Guard Inspector General" and CNGBI 0700.01A, 21 December 2018, "Inspector General Intelligence Oversight."

3. <u>Applicability</u>. This instruction applies to the entire NG.

4. <u>Policy</u>. The Inspector General of the National Guard Bureau (TIG-NGB) is the Department of Defense (DoD) Component IG for the National Guard Bureau (NGB) IAW reference a and reference b.

a. All NG personnel will have unrestricted access to fair and impartial IGs.

b. NGB IGs are Defense IGs IAW reference b.

c. Chief of the National Guard Bureau (CNGB) is the directing / appointing authority for NGB IG inspections, investigations, and audits IAW reference b. TIG-NGB is delegated the authority to direct inspections of NGB organizational elements. This delegation does not apply to any inspections of state NG units conducted by the CNGB under section 105(c) of Title 32 United States Code. Chief of the National Guard Bureau (CNGB) is the directing / appointing authority for NGB IG inspections, investigations, and audits IAW reference b. TIG-NGB is delegated the authority to direct inspections.

d. CNGB is the release authority for NGB IG records IAW reference b.

e. NG IGs will not be assigned any duties that create conflict of interest or interfere with their responsibility to serve as fair and impartial factfinders.

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f. NG IGs will report all allegations of criminal activity to the responsible Defense Criminal Investigative Organization IAW reference b.

g. Nothing in this instruction will be construed as limiting the authority of the Inspector General of the Department of Defense or to impinge on the Military Department IGs and Defense Intelligence Component IGs IAW reference b.

h. The NGB - Air National Guard (ANG), Directorate of the Inspector General (NGB/IG) is realigned under TIG-NGB and redesignated as the NGB-IG Division for ANG Inspections (NGB-IG-IZ).

5. Definitions. See Glossary.

6. Responsibilities. See Enclosure A.

7. <u>Summary of Changes</u>. This instruction has been substantially revised.

8. <u>Releasability</u>. This instruction is approved for public release; distribution is unlimited. It is available at ">https://www.ngbpmc.ng.mil/>.

9. <u>Effective Date</u>. This instruction is effective upon publication and must be reviewed annually by the Proponent/Office of Primary Responsibility for continued validity, and revised, reissued, canceled, or certified as current every ten years.

EL R. HOKANSON

General, USA Chief, National Guard Bureau

Enclosure(s):

A -- Responsibilities B -- References GL -- Glossary

ENCLOSURE A

RESPONSIBILITIES

1. <u>Directors Army National Guard (DARNG)</u>, Air National Guard (DANG), Space <u>Operations (DSO)</u>.

a. Coordinate the assignment of NG personnel to the Department of the Army Inspector General (DAIG) and Secretary of the Air Force, Office of Inspector General (SAF/IG) through NGB-IG.

b. Provide subject matter experts (SME) as requested by TIG-NGB to assist in the execution of IG functions. SMEs may be requested to provide technical knowledge and expertise for IG assistance, investigation, inquiry, inspection and teaching and training lines of effort. Any request for SMEs by TIG-NGB shall be facilitated by a Memorandum for Record (MFR) that includes expertise requested, rank/ grade, security clearance, and timeframe.

c. Ensure personnel are informed of their right to register complaints with, or request assistance from, an IG.

d. Ensure personnel are informed of their rights, protections, and prohibitions of retaliatory personnel actions IAW reference d.

- e. DANG retains responsibilities IAW reference j.
- 2. The Adjutants General (TAGs).
 - a. Support the NG IG enterprise as a core system to readiness and accountability.
 - b. Ensure unrestricted access to IGs.
 - c. Ensure personnel are informed of their right to register complaints with, or request assistance from, an IG.
 - d. Ensure personnel are informed of their rights, protections, and prohibitions of retaliatory personnel actions IAW reference d.
 - e. Serve as the directing / appointing authority for the State Inspector General (SIG).

f. Administer the NG IG oath of office to the SIG and any NG Joint Force Headquarters-State (NG JFHQ-State) IG upon assignment.

g. Rate SIGs and submit evaluations and federal awards to NGB-IG.

3. NGB Director of Staff (NGB-DS).

a. Authorize tours to NGB-IG Active Duty for Operational Support (ADOS). ADOS tours of no less than two years are recommended.

b. Receive and process command referrals from TIG-NGB.

4. <u>NGB Office of General Counsel (NGB-OGC).</u> Provide legal review and advice when requested by TIG-NGB.

5. <u>NGB Manpower, Personnel, Services & Recruiting (NGB/A1) and Human</u> <u>Resources Directorate (NGB-HR).</u> Route Title 5 civilian IG position and manpower changes through NGB-IG.

6. <u>The Inspector General of the National Guard Bureau.</u> (TIG-NGB)

a. Serve as the DoD Component IG for the NGB IAW reference b and the functional manager for all NG IG activities.

b. Serve as the principal advisor to the CNGB and Vice Chief of the National Guard Bureau (VCNGB) on assessed matters relating to the discipline, efficiency, economy, morale, training, and readiness of the NG and NGB IAW reference e. Provide IG support to DARNG, and DANG, and DSO.

c. Serve as the NG proponent for IG policy.

d. Direct the NGB-IG including NGB-IG-IZ.

e. Serve as the immediate higher echelon IG for SIGs and JFHQ-IGs.

f. Oversees the execution of the DoD OIG, the Secretary of the Army IG, and Secretary of the Air Force complaints resolution for the National Guard, and facilitates the Secretary of the Air Force Inspections programs in the National Guard IAW with references b. q. r. g. l. h. j. This authority does not extend to the execution of inspection authorities under section 105(c) of Title 32 United States Code. Direct the NG IG Complaints Resolution Program and oversee the execution of Department of the Army and Secretary of the Air Force IG programs in the NG.

g. Synchronize external, Army, and Air Force IG inspections.

h. Conduct inquiries, inspections, investigations, and teaching and training functions, as directed by the CNGB IAW reference b and e.

i. Report senior official allegations to the Department of Defense Office of the Inspector General (DoD OIG) IAW reference f, and to Military Department IG IAW reference g and h as appropriate.

j. Select and appoint one SIG from each of the four regions to serve as Regional Chairs to perform responsibilities listed in paragraph 13 of this instruction.

k. Execute signature authority for memorandums of understanding with DoD OIG, DoD Component, or Military Department IGs.

I. Oversee intelligence and intelligence-related oversight responsibilities IAW reference i. This includes foreign intelligence, counterintelligence, incident awareness and assessment, NG civil support, counterdrug Federal intelligence support and information operations within the NGB and the 54 States, Territories, and the District of Columbia.

m. Approve all NGB IG nominations prior to assignment.

n. Certify and credential Inspectors General assigned to the NGB. NGB IGs shall be issued a badged credential endorsed by TIG-NGB. TIG-NGB shall establish certification criteria for NGB IGs.

o. Serve as a member of the Defense Council on Integrity and Efficiency and represent NG equities at the DoD Whistleblower Reprisal roundtable and other DoD OIG working groups.

p. Delegated the authority to release NGB IG records IAW reference b, except for records pertaining to CNGB directed IG functions.

7. The National Guard Bureau Office of the Inspector General (NGB-IG).

a. Execute Defense IG duties IAW reference b.

b. Provide oversight and review all IG functions executed by NG IGs.

c. Serve as the DoD Hotline Coordinator for the NG IAW reference q.

d. Receive, process, and submit DoD IG Whistleblower (WBR) Issues and Investigations to DoD OIG IAW reference b and s.

e. Process NGB IG personnel actions including compiling and submitting documentation to DOD/Service screening, orders, evaluations, and awards.

f. Notify the Secretary of the Air Force, Office of the Inspector General, Complaints Resolution Directorate (SAF/IGQ) within seven days after receiving notification of an officer under investigation, or standalone adverse information against an officer IAW reference h.

g. Process performance evaluations and awards for NGB IGs.

h. Coordinate enrollment of NG IG attendance at The DoD Joint Inspector General Course, The Army Inspector General School (TIGS), The Air Force Inspector General Training Course (IGTC), and any other required training for inspectors general to fulfill their duties in support of the NG IG Enterprise.

i. Coordinate IG records screening of U.S. Property and Fiscal Officer nominees.

j. Liaise with DoD OIG, DAIG, and SAF/IG for NG IG matters.

k. Execute intelligence oversight (IO) responsibilities of NG intelligence and intelligence-related activities IAW reference i. This includes foreign intelligence, counterintelligence, incident awareness and assessment, NG civil support, counterdrug Federal intelligence support, and information operations within the NGB and the 54 States, Territories, and the District of Columbia.

(1) Inspect NG Intelligence and intelligence related activities.

(a) Ensure all NG intelligence or intelligence-related activities have an assigned mission and authority.

(b) Verify procedures exist for reporting Questionable Intelligence Activity (QIA), Significant or Highly Sensitive Matter (S/HSM), and Federal crimes.

(c) Ensure all inspections address DoD, Service, and NGB IO requirements.

(d) Inspect a sampling of ARNG and ANG units through combined or unilateral inspections.

(2) Report all QIAs, S/HSMs, and applicable Federal crimes IAW reference i.

(3) Investigate QIAs and S/HSMs IAW reference i.

(4) Liaise with: DoD Senior Intelligence Oversight Official (SIOO), DAIG IO Division, SAF/IG, and other agencies as required to ensure IO compliance.

(5) Assist NG IGs in executing IO responsibilities.

(6) In coordination with the NGB Intelligence Oversight Official (IOO) and NGB-OGC, submit a consolidated quarterly IO report to the DoD SIOO IAW reference i.

8. <u>NGB-IG-IZ</u>.

a. Perform inspections as directed by CNGB, TIG-NGB, or DANG as required by reference j.

b. Liaison to SAF/IG and Major Commands/Field Commands IGs for inspection policy.

c. Coordinate waivers to reference j.

d. Act as the Gatekeeper for all ANG inspection activities under the Air Force Inspection System and serve as the primary Gatekeeper for ANG wings IAW reference j.

e. Define NGB POAs inspection deficiency validation process for gaining MAJCOM/FLDCOM-levied significant and critical deficiencies on ANG wings and/or NGB IAW reference j.

f. Define inspection deficiency validation process for ANG-levied deficiencies on NGB.

g. Serve as lead deficiency manager for NGB A-Staff

h. Coordinate resolution of inspection deficiencies levied against NGB and/or assigned Pertinent Oversight Authority (POAs).

i. Execute duties IAW reference j.

9. State Inspectors General.

a. Execute Defense IG duties IAW references b, i, and k and Military Department IG duties IAW references g, h, j, and l.

b. Serve as the higher echelon IG for non-federalized subordinate IG matters.

c. Wear the NGB shoulder sleeve insignia.

d. Immediately report any allegation of impropriety of a Senior Official to NGB-IG for further elevation to DoD OIG, DAIG or SAF/IG IAW reference f, g, and h.

e. Report any officers under investigation both at the beginning and end of an investigation, any complaints against O-6s, and any adverse information against any officer to NGB-IG IAW reference h.

f. Submit an annual Force Management Report and risk assessment reflecting current staffing, projected vacancies, and prospective gains to IG sections to NGB-IG by 15 September each year.

g. Coordinate the NG IG oath of office swearing-in ceremony.

h. Receive, process, review, and submit DoD IG Hotline Completion Reports and Whistleblower Reprisal investigations to NGB-IG.

i. Submit IG nomination packets as appropriate for suitability screening to NGB-IG.

j. Refer all external requests for IG records to NGB-IG.

k. Oversee State NG intelligence and intelligence-related activities IAW reference b, g, h, i, and o. This includes foreign intelligence, counterintelligence, incident awareness and assessment, NG civil support, intelligence support to Federal counterdrug operations, and information operations under the direction of TAG or the Commanding General of the District of Columbia.

(1) Inspect NG intelligence and intelligence-related activities.

(a) Ensure all intelligence and intelligence-related activities have an assigned mission and authority.

(b) Verify procedures exist for reporting QIA, S/HSM, and Federal crimes.

(c) Ensure IO inspections occur IAW references b, g, and j. Inspect all elements at least once every two years.

(2) Report all QIAs, S/HSMs and Federal crimes to NGB-IG immediately. Investigations, command inquiries, or legal proceedings will not delay reporting.

(3) Investigate QIAs and S/HSMs within State established procedures to the extent necessary to determine the facts and to assess whether the activity is legal and consistent with applicable policies. At a minimum, investigation results will require a written report as prescribed by NGB-IG.

I. Submit requests for IG training and certification courses to NGB-IG.

m. The rater and senior rater for Department of the Army SIGs is TAG and CNGB.

n. The rater for Department of the Air Force SIGs is TAG and senior rater is CNGB with approved exception to policy.

o. Attend NG IG Enterprise Overview (EO), Teach and Train (T2), TIG-NGB SIG Quarterly Meetings, and other events as directed by TIG-NGB.

10. ARNG IGs (Title 5 and Title 32).

a. Execute IG duties IAW references g and I.

b. Receive and process WBR allegations and DoD Hotline referrals. Submit completed reports to the SIG.

c. Submit IG nomination packets for IG positions through the SIG to NGB-IG.

11. ANG IGs (Title 5 and Title 32).

a. Execute IG duties IAW references h and j.

b. Receive and process WBR allegations and DoD Hotline referrals. Submit completed reports to the SIG.

12. National Guard Inspectors General.

a. All Inspectors General in the National Guard will:

(1) Maintain and release IG records IAW reference b, g, h, j and I. All IG records release queries will be adjudicated by NGB-IG.

(2) Report all allegations of violations of Presidential Policy Directive 19 (reference m) and Directive-Type Memorandum 13-008 (reference n) through NGB-IG to DoD OIG.

(3) Determine whether any adverse action was taken against any personnel who intend to report or reported what they reasonably believe is a QIA or S/HSM IAW reference m.

(4) Promptly report all allegations against senior officials to NGB-IG.

(5) Receive IO training IAW reference o.

13. <u>Regional Chairs</u>. Regional Chairs are four SIGs who are selected by TIG-NGB, with TAG approval, to serve as experts in Title 32 IG matters for a specific geographical region. The Regional Chairs will:

a. Attend monthly NGB-IG regional synchronization teleconferences and disseminate information within their regions.

b. Facilitate biennial regional State IG conferences.

c. Attend annual Department of the Army and Secretary of the Air Force Worldwide Inspector General Conferences. Disseminate information within assigned region.

d. Nominate replacement Regional Chair candidates to NGB-IG no later than six months prior to anticipated departure.

e. Advise SIGs on coverage options during gaps in SIG staffing.

f. Select a SIG within assigned region to present at the NG IG Monthly EO Overview and T2 and TIGS.

(1) Select T2 and TIGS presenters for one quarter per FY as assigned by NGB-IG.

(2) Coordinate scheduling with NGB-IG. Presenters will provide presentation materials for review and approval by NGB-IG.

ENCLOSURE B

REFERENCES

a. Title 10 U.S.C. (U.S.C.), Section 10506, "Other Senior National Guard Bureau Officers"

b. DoDD 5106.04, "Defense Inspectors General," 22 May 2014, Validity Extended to 22 May 2024

c. DoDD 5105.77, "National Guard Bureau (NGB)," 30 October 2015, Incorporating Change 1, 10 October 2017

d. Title 10 U.S. Code, "Armed Forces," Section 1034, "Protected communications; prohibition of retaliatory personnel actions"

e. CNGBI 5101.01A, "National Guard Bureau Organization and Principal Official Responsibilities," 31 July 2024, Incorporating Change 1, 27 September 2024

f. DoDD 5505.06, "Investigations of Allegations Against Senior DoD Officials," 6 June 2013, Incorporating Change 1, Effective 28 April 2020

g. AR 20-1, "Inspector General Activities and Procedures," 23 March 2020

h. DAFI 90-301, "Inspector General Complaints Resolution," 4 January 2024

i. DoDD 5148.13, "Intelligence Oversight," 26 April 2017

j. DAFI 90-302, "The Inspection System of the Department of the Air Force," 15 March 2023

k. DoDM 5106.06, "Joint Inspectors General Manual," 7 May 2018

I. AR 1-201, "Army Inspection Policy," 1 December 2023

m. Presidential Policy Directive 19, "Protecting Whistleblowers with Access to Classified Information," 12 October 2012

n. Directive-Type Memorandum 13-008, "DoD Implementation of Presidential Policy Directive 19," 8 July 2013, as amended

o. CNGBI 2000.01D, "The Conduct and Oversight of National Guard Intelligence Activities," 18 January 2022, Incorporating Change 1, Effective 15 June 2023

p. Title 32 U.S.C., "National Guard," Chapter 1, "Organization," Section 105, "Inspection"

PART II. RELATED

q. DoDI 7050.01, "DoD Hotline Program," 17 October 2017

r. DoDD 7050.06, "Military Whistleblower Protection," 17 April 2015, Incorporating Change 1, 12 October 2021

s. DoDI 7050.09, "Uniform Standards for Evaluating and Investigating Military Reprisal or Restriction Complaints,"12 October 2021"

GLOSSARY

PART I. ACRONYMS

ADOS ANG ANGRC	Active Duty for Operational Support Air National Guard Air National Guard Readiness Center
ARNG	Army National Guard
CNGB	Chief of the National Guard Bureau
CNGBI	Chief of the National Guard Bureau Instruction
DAIG	Department of the Army Inspector General
DANG	Director of the Air National Guard
	Director of the Army National Guard
	Department of Defense
DoD OIG DS	DoD Office of Inspector General Director of Staff
DSO	Director of Space Operations
EO	Enterprise Overview
FLDCOM	Field Command
IAW	In accordance with
IG	Inspector General
IGTC	Inspector General Training Course
IO	Intelligence oversight
100	Intelligence Oversight Official
MAJCOM	Major Command
MFR	Memorandum for Record
NG	National Guard
NG JFHQs-State	National Guard Joint Force Headquarters–State
NGB	National Guard Bureau
NGB-DS	National Guard Bureau Director of Staff
NGB-HR	National Guard Bureau Human Resources Directorate
NGB-IG	National Guard Bureau Inspector General
NGB/IG	Air National Guard Directorate of the Inspector General
NGB-OGC	National Guard Bureau Office of General Counsel
OIG	Office of Inspector General
POA QIA	Pertinent Oversight Authority
SAF/IG	Questionable Intelligence Activity Secretary of the Air Force, Office of The Inspector General
SAF/IGQ	Secretary of the Air Force, Office of The Inspector General,
	Complaints Resolution Directorate
SAF/IGS	Secretary of the Air Force, Office of The Inspector General,
0,, 100	Senior Official Inquiries Directorate
S/HSM	Significant or Highly Sensitive Matter
SIG	State Inspector General
SIOO	Senior Intelligence Oversight Official

SME	Subject Matter Expert
T2	Teach and Train
TAG	The Adjutant General
TIG-NGB	The Inspector General of the National Guard Bureau
TIGS	The Army Inspector General School
VCNGB	Vice Chief of the National Guard Bureau
WBR	Whistleblower reprisal

PART II. DEFINITIONS

Adverse Action—Any personnel action, administrative or judicial, that takes away an entitlement, results in an entry or document added to the effected person's official personnel records that boards or superiors could consider negative, or permits the effected person to rebut or appeal the action.

Allegation—A statement or assertion of wrongdoing by an individual. An allegation normally contains four essential elements: who, improperly, did or failed to do what, in violation of an established standard. The inspector general refines allegations based upon evidence gathered during the course of an investigation or inquiry.

Appointing Authority—An Air Force term for the singular authority to direct inspector general investigations, appoint investigating officers, and approve reports of investigations directed under their authority and of equal or greater rank than subjects or suspects being investigated.

Complaint—An expression of dissatisfaction or discontent with a process or system or the specific behavior of an individual. Complaints often contain both issues and allegations.

Directing Authority—An official who has authority to direct an inspector general investigation or inspection. Commanders or directors who are authorized detailed inspectors general on their staffs may direct inspector general investigations and inspector general inspections within their commands. A directing authority may not delegate that authority, but may delegate in writing report approval authority to a deputy commander or director. Although command and State Inspectors General may direct inspector general investigative inquiries, they are not considered directing authorities.

Foreign Intelligence—Information relating to the capabilities, intentions, or activities of foreign governments or elements thereof, foreign organizations, foreign persons, or international terrorists.

Functional Manager—National Guard Bureau office having functional responsibility for National Guard position descriptions. This includes those located in the Joint Forces

Headquarters, Army National Guard Headquarters, and Air National Guard Headquarters.

Gatekeeper—Major Command/Field Command Inspectors General and wing/delta Inspectors General Points of Contact who facilitate optimum scheduling for inspections, evaluations, assessments, and other inspection-related visits (including audits and inquiries) conducted by outside entities (Office of the Inspector General, Department of Defense; Government Accountability Office, and others).

Inspector General Records—Any written, recorded, or electronic media information gathered and produced by an inspector general. These include any correspondence or documents received from a witness or a person requesting assistance; inspector general reports of inspection, inquiry, and investigation.

Intelligence Activity—All activities that Department of Defense intelligence components are authorized to undertake pursuant to reference r, including activities conducted by non-intelligence organizations.

Intelligence-Related Activity—An activity outside the consolidated Defense intelligence program that responds to operational commanders' tasking for time-sensitive information on foreign entities; responds to National Intelligence Community tasking of systems with the primary mission of supporting operating forces; trains personnel for intelligence duties; provides an intelligence reserve; or is devoted to research and development of intelligence or related capabilities. Specifically excluded are programs so closely integrated with a weapon system that their primary function is to provide immediate-use targeting data.

Issue—A complaint, request for information, or request for assistance to the inspector general that does not list a "who" as the violator of a standard or policy.

NGB IG records— Any written or recorded product, in any form, from any source, that is created or obtained in furtherance of the performance of an Inspector General function. An Inspector General record includes, but is not limited to, correspondence or documents received from a witness or a person requesting assistance, Inspector General reports, electronic media, computer automated data files or data, and Inspector General notes and working papers. This excludes Military Department Inspector General records.

Not Substantiated—A conclusion drawn by an inspector general or investigating officer at the close of an investigative inquiry or investigation when the preponderance of credible evidence suggests that the subject or suspect did not do what was alleged in the allegation.

Pertinent Oversight Authority—An agency responsible for the management and oversight of a program or functional area. Responsibilities can include managing and organizing personnel, equipment, training, and policy (i.e., continual evaluation).

Proponent—The directorate responsible for initiating, developing, coordinating, approving content, and issuing a publication, as well as identifying a publication for removal. The proponent is also responsible for providing formal National Guard responses and positions to external taskings and requests for information.

Senior Officials— An active duty, retired, Reserve, or National Guard military officer in grades O-7 and above, and an officer selected for promotion to O-7 whose name is on the O-7 promotion board report forwarded to the Military Department Secretary. A current or former member of the Senior Executive Service. A current or former DoD civilian employee whose position is deemed equivalent to that of a member of the Senior Executive Service Service, Senior Level employee, and non-appropriated fund senior executive). A current or former Presidential appointee.

State Inspector General—The active Air Force or Army senior inspector general (normally a colonel or lieutenant colonel) of a State, Commonwealth, Territory, or the District of Columbia. The State Inspector General is the State's command inspector general and works directly for The Adjutant General. The State Inspector General may also be referred to as Command Inspector General or Joint Force Headquarters Inspector General.

Substantiated—Conclusion drawn by an inspector general at the close of an investigative inquiry or investigation when the preponderance of credible evidence suggests that the subject or suspect actually did what was alleged.

Unfavorable Information—Any credible, derogatory information that may reflect on an individual's character, integrity, trustworthiness, or reliability