

The Inspector General Program

The purpose of this lesson is for students to comprehend the two primary functions performed by the Inspector General as defined by CAP regulations CAPR 20-2 (Complaints) and CAPR 20-3 (Inspections).

Desired Learning Outcomes

1. Explain the IG structure used by Civil Air Patrol.
2. Describe the CAP inspection program.
3. Identify the main elements of complaint resolution.

Scheduled Lesson Time: 30 minutes

Introduction

The Inspector General plays a key role in an organizational environment of growing concern about governance, compliance and transparency. **Solid** organizations are built on trust. CAP is built on the trust of its members and the expectations of the US Air Force, as conveyed by CAP-USAF, our Air Force oversight agency, that we, as an organization are doing the right thing. To assure that trust is well placed, the IG program provides an avenue for complaint resolution and a process for inspections that assures compliance with the standards the organization sets for itself as defined in the CAP Constitution and Bylaws, regulations, the Cooperative Agreement (CA) and Statement of Objectives (SOO) with the Air Force.

No one really enjoys being inspected or being a party on either side of a complaint. We can't make it fun, but we must make it fair. The IG program utilizes systematic approaches that give structure to complaint resolutions and inspections, and render the process understandable, predictable and consistent. In CAP, with its nearly 55,000 members, 550 aircraft and numerous other assets, there are bound to be personal grievances and allegations of misuse of property, even fraud. Sometimes these stem from misunderstandings; sometimes they are true. The complaint resolution process provides a means to evaluate these concerns and resolve the issues at the lowest level before they develop into systemic faults. The task of assuring universal compliance with CAP standards within the 52 wings and over 1500 groups and squadrons that comprise the organization is the responsibility of the IG inspection program.

This segment of your training will give you an overview of how complaints are processed and what inspections comprise the CAP inspection program.

1. Explain the IG structure used by Civil Air Patrol.

The basis for the CAP IG program is found in the CA and the SOO between Civil Air Patrol and the United States Air Force. (See the History of CAP/USAF and Legal Basis for CAP lessons in this course for more information on the CA). The CA states, among other things, that "CAP shall develop and operate an inspector general program that is independent and objective." This mandate is implemented through three CAP regulations. These are:

- **CAPR 20-1, *Inspector General Program*.** This regulation covers the background, authority, and purpose of the CAP IG program.
- **CAPR 20-2, *Complaint Resolution*.** Establishes policies related to Civil Air Patrol Complaints, Fraud, Waste and Abuse (FWA) and Whistleblower Protection. It includes procedures for **submitting and processing complaints** against any CAP members acting in their volunteer capacity and against the corporate entity itself.
- **CAPR 20-3, *Inspections*.** Explains the procedures used to conduct the CAP inspection program.

The CAP Inspector General (CAP/IG) shall, according to the CA and SOO:

- Train inspectors general and educate members about the IG program.
- Develop and operate a CAP inspection program.
- Develop and operate complaint resolution that offers protection from reprisal.

There are a number of positional safeguards built into the IG program. The CAP/IG is a CAP member selected by the National Commander and approved by the Board of Governors. The CAP/IG can only be removed by the National Commander with the approval of the BoG. Region and Wing IGs report to their respective commander and a dotted line relationship with the next higher IG (See Fig. 1). This assures that an IG cannot be silenced by his commander. In fact, a Wing IG cannot be removed from appointment without the consent of both the wing commander and the region commander. The CAP/IG receives complaints against senior officials (anyone in the grade of Colonel and above). The BoG can appoint either the CAP/IG, or an investigating officer in lieu of the CAP/IG, to handle complaints against the National Commander or National Vice-Commander.

Within the IG program direct lines of communication exist among all IGs, from the CAP/IG all the way down to Assistant Wing IGs. These are not lines of authority, but "dotted lines" suggesting that communications within IG channels flow in both directions. There are similar communications between IGs and CAP Legal Officers as well.

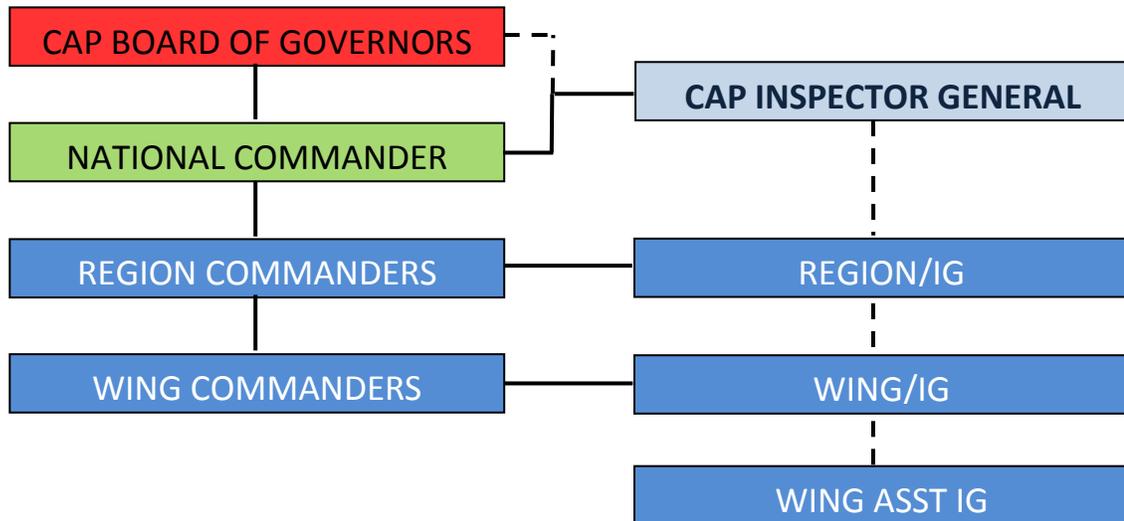


Figure 1 -- IG Reporting and Internal Communication Chart

CAP Wing/Region Inspectors General **must not be double-billeted** (can't hold two staff assignments). Being an IG and the Wing Director of Cadet Programs, for example, is a fundamental conflict of interest. However, there is a provision as outlined in CAPR 20-1 for an IG who is progressing through a specialty track to hold a secondary position ***with the approval of the commander and next higher echelon IG.***

2. Describe the inspection program used by CAP.

The CAP inspection program consists of two types of inspections: **Compliance Inspections (CI)** held at the region and wing level and **Subordinate Unit Inspections (SUI)** held at units below wing level.

SUBORDINATE UNIT INSPECTION (SUI):

Subordinate Unit Inspections are the Wing Commander's responsibility but managed by the Wing IG. Inspections are conducted by either CAP regions or wings to evaluate the management and mission capability of units below the wing level. SUIs are to be conducted on a 24-month cycle (or less) with the purpose of ensuring both safety and regulatory compliance. They are performed by the next higher (group or wing) headquarters. A report is prepared for each SUI by the inspection team and presented to the Wing Commander. It shows the compliance status of each program in the unit, documenting its strengths and weaknesses. SUI Reports must be posted in eServices and should be uploaded within 14 days of the actual inspection.

Each applicable staff position in the unit is inspected by a member of the inspection team. Grades are based upon the unit's ability to prove their answers to the questions found in the applicable SUI Worksheets. NHQ Offices of Primary Responsibility (OPR) decide upon the questions to be asked; the inspection team only asks the questions and gathers the information for command. Overall SUI grades are **"Effective"** or **"Ineffective"**.

- **Effective:** Performance or operation **meets** mission critical requirements. Procedures and activities are carried out in an effective and competent manner. Resources and programs are efficiently managed. Minor deficiencies may exist but do not impede or limit mission accomplishment.
- **Ineffective:** Performance or operation **does not meet** mission critical requirements. Procedures and activities are not carried out in an adequate manner. Resources and programs are not adequately managed, or personnel or resources are endangered. Significant deficiencies exist that preclude or seriously limit mission accomplishment.

In addition to the overall grades shown above, an individual Tab area can also earn a grade of **Highly Effective** which is defined as:

- Performance or operation exceeds mission critical requirements, all worksheet areas rated as compliant. Procedures and activities are carried out in a superior manner. Resources and programs are very efficiently managed and free of deficiencies.

Deficiencies discovered during the SUI, known as discrepancies, must be answered by the inspected unit, indicating how the deficiency was corrected. A discrepancy is not a general fault but is a specific violation of a CAP standard (regulation, etc.).

All SUI discrepancies must be answered and cleared within 6 months of the actual or inspection first visit or the unit will be suspended by the wing commander.

There is a great deal of unit pride in CAP. SUI grades are a potential source of pride to the unit and its members. More to the point, it is a clear indicator of mission performance.

Before a CAP member can be assigned temporary duty as an Inspection Augmentee (IA), they must first complete the Introduction to Inspections and IAQ courses found in the Learning Management System (LMS) under the IG tab. Prior to being classified as "Qualified" as a temporary duty IA the wing IG or IGA will mentor the new IA trainee through the IA Qualification process, ensuring he/she successfully completes the worksheets in an effective and professional manner. In other words, they are trained for the task.

COMPLIANCE INSPECTION (CI):

The CAP/IG and CAP-USAF/IG will jointly conduct compliance inspections of each CAP wing approximately every four years. The CI is a major inspection of each of CAP's programs at the wing level. The report is graded on a scale of "**Effective**" or "**Ineffective**". As with SUIs there is also a grade of **Highly Effective** for any individual Tab area. Discrepancies must be cleared within 14 months of the CI outbriefing. Since inspections is a Commander's program, the six-person joint CAP/CAP-USAF CI teams

represent the National Commander and CAP-USAF Commander, who jointly approve the signing of the resulting CI report by their respective IGs..

3. Identify the main elements of the complaints process.

The CA and SOO between CAP and the USAF states that CAP will operate a complaint resolution process to address the **prevention, detection, and correction of any fraud, waste, mismanagement or deficiency, to extend this system to include the protection of cadets and the abuse of authority.** The definitions of all those terms and the program details can be found in CAPR 20-2, *Complaint Resolution*.

The term complaint has a specific meaning in CAP. It does not mean that you don't like something or somebody. "Complaint" means a written document listing facts and circumstances specifically alleging a violation of a specific CAP directive, a violation of law, or misconduct. A member is not only entitled to file a complaint, but is obligated to do so if they have knowledge of any "fraud, waste, mismanagement or deficiency." complaint resolution includes a means for addressing threats to the cadet protection program and abuses of authority.

Why provide a complaint resolution process? First, consider CAP's Core Values. People engaged in abusive behavior are violating those values and the public trust. Second, it is a matter of governance, compliance and transparency. Third, CAP ethics expect members to avoid even a semblance of impropriety, self-interest, and greed.

You should know that all CAP members, after submitting a complaint to a Member of Congress, or a Department of Defense or CAP Inspector General, **are protected from reprisal or retribution.** CAP members must understand, however, that when submitting complaints they are making official statements within CAP channels. Therefore, **CAP members may receive administrative or disciplinary action under appropriate CAP regulations for knowingly making false statements in complaints they file.**

Before a member files a complaint, they should ask themselves some questions:

- Is this something I just don't like or is it a violation of a CAP Standard?
- Will I still feel the same way next week?
- Can I resolve this myself or is there someone (maybe my mentor) who can help me resolve this? Can I resolve it in my normal chain-of-command?
- Will this complaint resolve the matter?

Complaints can come from any source, including verbal and e-mail, but ultimately must be made in writing, signed and dated within 14 days of the initial IG contact. CAPR 20-2 specifies that complaints must be filed within 60 days of the time the event occurs or is

discovered. Complaints regarding events older than 60-days can be dismissed unless there is special importance to CAP that they be considered.

The proper form for filing an IG complaint is CAPF 20, *Inspector General Personal and Fraud, Waste & Abuse Complaint Registration*. Anonymous complaints are accepted but they generally leave little for an IG to act upon since there is no dialog between the complainant and the IG.

When filing an IG complaint, it is important to follow the procedures outlined in CAP 20-2 carefully. If not filed properly or in a timely manner, the complaint **may** be dismissed. Once filed, confidentiality by all parties concerned is critical. Discussing the complaint with people other than those conducting the investigation, attempting to conduct an investigation yourself, or interfering with the investigation (even if you are trying to be helpful) could compromise the process and bring on adverse administrative action. The IG's role is that of a fact-finder. It may take considerable time for an IG to successfully conclude an inquiry into a complaint. Be patient.

Should you be the subject (the person complained about) of a complaint, you have the right to an attorney or other guidance. However, please remember that the CAP complaint resolution process is an administrative, not legal, process. Cooperate with the IG or Investigating Officer (IO). Do not attempt to alter or destroy any evidence. Do not discuss the matter with people other than those conducting the investigation. Be truthful. CAP investigating Officers' and IGs' first obligation is to the truth. They conduct investigations for CAP, not for the Complainant or the Subject of the complaint. They do not pick sides.

Complaints are not automatically investigated. Upon receipt of a complaint, the IG will conduct a **complaint analysis** (see the 10-Step process described below) by reviewing the allegations, initial evidence, and the CAP standard alleged to be violated.

There are **FIVE** disposition options at the conclusion of a complaint analysis for resolution strategy. The IG may:

- **ASSIST** the complainant in resolving the issue at the lowest level. This could involve mediation or simply a helpful phone call to resolve the issue.
- **REFER** the case to the command level in CAP. This would include complaints that are appropriately resolved through the chain of command or other channels and are not within the scope of authority of the IG.
- **TRANSFER** the case to the appropriate CAP jurisdiction. Perhaps the location or facts of the complaint require it be handled by a different wing IG; or it involves a Senior Official, requiring the complaint to be transferred to the CAP/IG.
- **DISMISS** the complaint when an analysis indicates that the action complained about is not a violation of a CAP rule, regulation or standard. Unless they violate CAP standards, they are not IG concerns. IGs often receive complaints about

actions that are within a commander's scope of authority (promotions, assignments, management style, etc.).

- **INVESTIGATE** the complaint after obtaining an appointment letter. Investigation should be the option of last resort.

The IG or IO is guided through many detailed steps of the complaint process by CAPR 20-2 and the *CAP Investigating Officer Guide*.

When an investigation is received, the IG follows these 10 steps:

Step 1: Contact. A complaint is received and is determined bona fide (from a CAP member or cadet parent or guardian).

Step 2. Complaint Analysis. This step is the foundation of the complaint system. An analysis made to determine how the complaint will be processed. The process may stop here (see Five Alternatives above).

Step 3: Tasking . When complaint analysis indicates that an investigation is warranted, an IG or Investigating Officer is given an appointment letter from usually the wing commander, to investigate the complaint.

Step 4: Pre-fact Finding takes place. The IG/IO gathers facts, determines who the players are and drafts an investigating plan

Step 5: Fact Finding is the heart of the investigation. Interviews and sworn statements are collected. The written Report of Investigation (ROI) is begun

Step 6: Report writing means all those facts gathered are written down in the manner specified for a ROI.

Step 7: Quality Review is done by a trusted agent to assure the ROI is a grammatically correct and readable document.

Step 8: Legal Sufficiency Review is done by a CAP Legal Officer to assure that each allegation is adequately addressed in accordance with CAP rules and standards.

Step 9: Re-work. The ROI is corrected to accommodate the review comments.

Before providing the ROI to the appointing authority, the investigating officer or IG will determine a classification for each allegation (complaints may contain several allegations). There are two possible classifications for each allegation, **Substantiated** (the investigation reveals a preponderance of evidence in support of the allegation), or **Not Substantiated** (the investigation determined that the allegation did not occur, was not justified according to applicable directives, or that there was not a preponderance of evidence to support the allegation).

Step 10: Closure. The IG/IO gives the final report to the appointing authority (e.g. wing commander). That person makes decisions based on the facts presented in the ROI

and informs the Complainant and Subject of the complaint of the results of the ROI and may address any action to be taken. The IG or IO determines facts and presents those facts; but **does not** issue judgments or decisions. That is a command function.

An investigation may take up to 180 days, but only if everyone cooperates! Most investigations are accomplished more quickly; but more complex investigations take time to properly complete.

Lesson Summary and Closure

As you see the role of an IG is complex. This is why the IG cannot be double billeted, but instead must remain focused and unencumbered by other duties and influences in CAP. CAP members have free and open access to the IG to allow an avenue for complaint resolution and foster good governance.

The IG has two primary duties in CAP. The first is to assess the strength of CAP program management and mission readiness through inspections. The second is to resolve complaints at the lowest level and through a formal process. In both cases, **the result of the IG's fact-finding is passed to command for action.**

The IG must develop many skills to accomplish the job. He or she can rely on the CAP IG community for support and guidance and on many instructional materials from the CAP IG training curriculum. In the end, however, it is the IG's personal credibility as an honest broker that assures the benefit of the position to members and commanders alike.

Works Cited

CAP-USAF Cooperative Agreement and Statement of Objectives

CAP Constitution and By-Laws

CAPR 20-1, 20-2, 20-3