

# ***Headquarters U.S. Air Force***

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## ***Ethics and the IG***



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- **The IG – who, what, where, why, when**
- **Ethics leadership and conduct ... as the IG sees it**
- **Process and Case Studies**
  - **How an IG has handled ethics issues/complaints**
  - **Your involvement in the process**
- **Final Thoughts**



# *Who is the IG*

**In one man's opinion:**

**“A typical IG is a man past middle age, spare, wrinkled and cold...a human petrification with a heart of feldspar and without charm or friendly germ, minus bowels, passion, or a sense of humor. Happily, they never reproduce and all of them finally go to hell.”**

***-- Gen George S. Patton, Jr.***



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# *Who is the IG*

- **Inspector Generals are normally relatively senior officers/officials that serve on commander's/leader's staffs**
- **Their personal/work backgrounds can be very diverse**
- **Their rank/grade will depend on the level of the agency/unit**
- **They will usually have a staff of their own, the size of which can vary greatly**
- **The IG staff's background will also be very diverse**



# *What is the IG*

- **The IG and staff perform the following functions:**
  - **Inspections**
  - **Criminal investigations**
  - **Audits**
  - **Intelligence oversight**
  - **Complaint resolution (investigation or resolution)**
  - **Policy oversight**
- **Ethics issues/cases usually arise in the investigations arena**



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# *Where is the IG*

- **Worldwide, not just in headquarters**
- **Normally very near the commander/leader since he or she is on the personal staff**
- **Individuals are deployed as IGs in a war zone**



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# Why an IG

- **Law, Policy, Instruction/Regulation/Directive**
- **Help commanders keep their people focused on mission accomplishment...help assess and ensure readiness**
  - **Commander responsibility to inspect**
  - **Commander responsibility for problem resolution**
    - **Resolve distractions to mission**

*Human dimension problems = mission degradation*



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# *When is the IG*

- Although IGs will work duty hours like most everybody else, their work is really

■ **24/7/365**



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# *Ethical Leadership Required by Law*

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## JOINT ETHICS REGULATION, DoD 5500.07-R

Para 1-404. The **head of each DoD Component command or organization** shall:

- a. Exercise **personal leadership** and take **personal responsibility** for establishing and maintaining the command's or **organization's ethics program** in coordination with the command's or organization's Ethics Counselors;
- b. Be **personally accountable** for the command's or organization's ethics program, including its ethics and procurement integrity training program, and the command's or organization's **compliance with every requirement of this Regulation; ...**

Para 1.416. Each DoD employee shall: *(among other things)*

- a. Abide by **ethical principles established by Executive Order 12731**



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# *Ethical Conduct Required by Law*

**Executive Order 12731, “Principles of Ethical Conduct for Government Officers and Employees,” Sect 101. “...each shall respect & adhere to...”**

- (a) Public service is a public trust
- (b) No financial interests that conflict with duty
- (c) No financial use of nonpublic Gov’t information to further private interests
- (d) Gift restrictions
- (e) Put forth honest effort in the performance of duties
- (f) No unauthorized commitments or promises purporting to bind Gov’t
- (g) Do not use public office for private gain
- (h) Act impartially; no preferential treatment to private org or individual
- (i) Protect and conserve Federal property; for authorized activities only
- (j) No outside employment/activities conflicting w/ Gov’t duty/responsibility
- (k) Disclose waste, fraud, abuse, and corruption to appropriate authorities
- (l) Satisfy In good faith obligations as citizens, such as debts and taxes
- (m) Comply with equal opportunity laws and rules
- (n) Avoid **appearance** of violating the law or the ethical standards



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# *Basic IG Process For Cases*

- **Multiple ways in which an IG can receive a case**
- **Complaint Analysis**
- **Full investigation**
- **Legal reviews**
- **Liaison with other agencies such as the US Attorney's office**
- **Final decision rests with The Inspector General**



- **Allegations: Senior Official improperly solicited and accepted prohibited gifts and benefits; misused subordinates' official time, and; misused government property, all in violation of the Joint Ethics Regulation**
- **Findings:**
  - **Senior Official acted in a manner to support Super Bowl events that circumvented wing staff provided guidance and ignored the JER**
  - **Senior Official directly and indirectly encouraged, coerced or requested his assigned and TDY personnel to use official time to perform activities other than those required in the performance of official duties**
- **Command Action: Letter of Admonishment by MAJCOM CC**



- **Allegation: GC used a government vehicle for personal use**
- **Findings:**
  - **During a wing down day, GC attended an official wing function, a wine tasting, at the Officers Club. GC was in uniform, and drove to the function in assigned GOV**
  - **GC purchased a case of wine at the function**
  - **While on his way to the next event, GC stopped at his on-base government quarters to drop off the wine**
  - **GC then proceeded to next event and eventually returned the GOV to it's assigned parking space at Wing HQ**
- **Impact: Misuse of government resources**
- **Command Action: Verbal counseling**



- **Allegation: Senior Official committed FW&A by consistently utilizing non-stop flights for TDYs instead of using more favorably priced city-pair flights; and wrongfully utilizing government travel for personal gain, in violation of the JTR**
- **Findings:**
  - **Member was advised by staff and superiors that he did not have justification to not use city-pairs**
  - **Member was scheduling TDYs to be with family in another city and collecting unauthorized per diem**
- **Command action: LOR, recoupment of unauthorized per diem, early retirement**



- **Allegation:** SO wrongfully utilized a GSA vehicle while TDY, for personal gain IVO the AFI on Vehicle Operations.
- **Findings:** Subject drove his family in a leased vehicle to his TDY location to attend a conference. This usage in and of itself was not a violation of the AFI. The violation occurred when he used the vehicle to drop off family members at a ski school and to pick up and drop off family members at his residence at the TDY location.
- **Command Action:** Subject (an SES) received a formal letter of counseling from his command chain



- **Allegation: Group Commander wrongfully solicited a subordinate to participate in a civilian commercial enterprise**
- **Findings:**
  - **GC and spouse participated in a home business dealing with the use and network marketing of products**
  - **GC initiated a conversation with the subordinate about the business/products**
  - **A few days later, subordinate received information and audio tapes concerning the business, accompanied by a written invitation to attend a business presentation at the GC's home**
- **Impact: Direct violation of JER, abuse of authority**
- **Command Action: Verbal counseling**



- **Allegation: Retired Senior Official (SO) wrongfully solicited a product to the AF IVO the JER which restricts all Senior Officials from solicitation to the service for 1-year post retirement.**
- **Findings:**
  - **Retired SO tried to solicit a product his company made to a MAJCOM Vice Commander**
  - **Retired SO made the contact and has been retired less than a year—so violated the JER**
- **Impact: Bona Fide ethics violation**
- **Command Action: Possible action for US Attorney's Office.**



- **Allegation: Retired Senior Official (SO) improperly represented a major defense contractor before the AF on a contract he was involved with while on active duty IVO 18 U.S.C. 207 (a)(1) and (a)(2)**
- **Findings:**
  - **SO was not “personally and substantially” involved in the contract while on active duty**
  - **The 2-year ban on gov’t employees exercising “official responsibility” over a “particular matter” had expired for the SO**
- **Impact: Perception by a competing contractor of wrongdoing who provided the allegation to the GAO**



- **Allegation: Senior Official (SO) wrongfully accepted gifts in the form of paid golfing fee from a contractor who provides services to the government in turn for preferential treatment and contracts, in violation of the Joint Ethics Regulation (JER)**
- **Findings:**
  - **Although information developed found the SO aggressive in supporting contracts with the above contractor, a preponderance of evidence did not establish that the SO accepted gifts from the contractor**
- **Impact: Perception by some personnel below the SO level that member was in fact, accepting gifts in return for preferential treatment to the contractor**



# *Final Thoughts*

- **Advice to Commanders – very big responsibility**
- **Ethics issues are complex – research thoroughly and understand the hierarchy of the rules and regulations**
- **Try to give the commander/leader a written opinion backed by good solid reasons/rationale**
- **In administrative investigations – IG uses “preponderance of the evidence”**
  - **If you are acting in a defense role, this may affect your advice to your client**



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**Get out of Jail**

**FREE**

*(Void where prohibited)*

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# QUESTIONS