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**B10**

# Department of the Army Inspector General Action Request System

Vednesday, December 19, 2007

## Electronic 1559

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FZ060016

Case Number :	FZ060016	Close Date :	24-January-2007	Open Date :	27-October-2005
Suspense Date :	30-December-2005	External Suspense Date :			
Complaint Made To :	SAIG	Receipt Mode :	Letter		
Case Status :	Closed	Non-IG Referral :			

**Initiator Information :**

Name :	[Redacted]	SSN :	[Redacted]
Component :	Active Army	Grade :	[Redacted]
Home UIC :		Race :	Unknown
		Gender :	[Redacted]
Acknowledge Date :	25-October-2005		

**Complainant Information :**

Name :	[Redacted]	SSN :	[Redacted]
Component :	Active Army	Grade :	[Redacted]
Home UIC :		Race :	Unknown
		Gender :	[Redacted]

Case Label :	DIH 06-6008
Problem Area :	WB Reprisal
Notification Date :	
Home IG :	
IG :	[Redacted]
Location :	Fort McPherson, Georgia

**Subject Information :**

Name :	[Redacted]	SSN :	[Redacted]
Component :		Grade :	
Race :		Gender :	
Organization :			

**Other Issues or Allegations :**

Function :	YR	Reprisal
Organization :	XVIII Airborne Corps & Ft. Bragg	
Determination :	Assistance	TIM Category : C
Operation :	User Data :	

**Synopsis :**

In July 04, [Redacted], HHC, 51st Signal Battalion, Ft. Bragg, NC, filed an EO complaint. On 1 Sep 04 she visited the XVIII Airborne Corps IG and alleged that she was removed from her position and received an adverse NCOER as a result of her complaint. The XVIII Airborne Corps IG Office conducted an inquiry into her case under the provisions of AR 600-20. FORSCOM reviewed the report and discovered that it should

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have investigation for WB reprisal allegation concerning [REDACTED] reassignment. An advisement was then sent to DAIG on 24 Oct 05. The XVIII Corps IG conducted a whistleblower preliminary inquiry (PI). Based on the PI results, the IG determined that there were independent basis for the unfavorable personnel actions and that the complaint did not meet the criteria for whistleblower protection. The IG recommended that the complaint be declined under the provisions of DoD Directive 7050.6, Military Whistleblower Protection.

Case Notes:

Case electronically referred in IGARS 4.0

- 1 October 2005 [b)(6)] - Received advisement and opened case in IGARS.
- 25 October 2005 [b)(6)] - Prepared and mailed complainant acknowledgement letter and acknowledgement letter to Senator Dole. Prepared preliminary analysis referral letter to FORSCOM. Scanned and emailed advisement to IG DoD.
- 26 October 2005 [b)(6)] - Electronically referred case in IGARS and emailed referral memorandum and attachments to FORSCOM.
- 26 Oct 05 [b)(6)] accepted IGARS referral. Sent pdf file to [b)(6)] This case was split out from DIH 05-0261.
- 27 OCT 05 [b)(6)] Case processed for opening. Sent to [b)(6)] for referral
- 27 Oct 05 [b)(6)] IGARS referral sent and pdf file email sent to [b)(6)]
- 12 Dec 06 [b)(6)] [b)(6)] requested the status of the case. He thought he had seen a declination on it. There was not a declination in the case folder.
- 13 Dec 06 [b)(6)] [b)(6)] Called DAIG reference the case. [b)(6)] said they did not have a report on the case. Informed [b)(6)] and [b)(6)] via email.
- 15 Dec 06 [b)(6)] Found a copy of the declination [b)(6)] forwarded to me in Jan 06 within my email.
- 1/17/2007 [b)(6)] [b)(6)] : Reviewed the case file and the declination. [b)(6)] informed me that he had noticed that the complainant, in a separate complaint, had alleged that [b)(6)] had threatened actions against her that could be interpreted as an act of reprisal. The declination did not address the unfavorable action that was alleged against [b)(6)] Discussed the matter with [b)(6)] Noted the following:
- A chronology needs to be attached to the declination so that the sequence of events leading to the complainant's removal from her unit can be better understood. The chronology should also identify the protected communications and the alleged unfavorable personnel actions.
  - The complainant's initial complaint to her member of Congress stated that she was called a complainer and that she was told she would be removed from Fort Bragg. The complainant's statement, evidence included in a related case, DIH 05-0261 collaborated this allegation. The declination needs to clearly address whether this statement had any impact to the complainant's subsequent move within the Brigade.
  - The declination needs to clearly address whether the complainant's move constituted a downgrade in position or authority.
  - The preliminary analysis, enclosure 3 to the declination, stated that the answer to question 2 was no. This contradicts the evidence that the complainant was moved from her platoon sergeant position to a non-platoon sergeant position.
  - There was not a DA Form 1559 submitted with the declination.
- 1/18/2007 [b)(6)] [b)(6)] informed me that he discussed the case with [b)(6)] DAIG. She agreed to accept the declination as it is written. Requested that Fort Bragg IG provide a copy of their DA Form 1559. Forwarded the case file to [b)(6)] for a cursory peer review. Recommend that the case be closed at FORSCOM.
- 1/19/2007 [b)(6)] Received case from [b)(6)] for peer review on 18 January. Completed peer review on 19 January. Identified no issues with the declination or the DA Form 1559. Recommend the case be closed.

1/22/2007 [REDACTED] Reviewed WB declination. Case approved for closure and sent to D2 for processing.

1/24/2007 [REDACTED] Emailed declination to DAIG [REDACTED] for approval. Notified XVIII ABN Corps. Case Closed.

4/17/2007 [REDACTED] Received final closure letters from DAIG [REDACTED] Forwarded letters to XVIII ABN Corps(Mr. Archambault).

End-of-Report	1 Cases
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