



Highlights of [GAO-04-258](#), a report to congressional committees

Why GAO Did This Study

In the past few years, the nation's media have focused public attention on a series of misconduct and mismanagement issues within the Army National Guard and the Air National Guard.

As part of the Bob Stump National Defense Authorization Act for fiscal year 2003, Congress directed GAO to examine four issues related to the management of the National Guard. In this report, GAO assesses the effectiveness of the (1) procedures that the Army National Guard and the Air National Guard have established and implemented to deal with service members who stop attending required training; (2) procedures that the National Guard uses for federally recognizing state promotions of senior National Guard officers; (3) process that the National Guard uses for disciplining senior officers (colonels and generals) who are guilty of misconduct; and (4) federal protections for National Guard members or civilian federal employees who report allegations of waste, fraud, abuse, or mismanagement (whistleblowers) and the extent to which disciplinary action is taken against those in the National Guard who retaliate against whistleblowers.

www.gao.gov/cgi-bin/getrpt?GAO-04-258.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Derek B. Stewart at (202) 512-5559 or stewartd@gao.gov.

MILITARY PERSONNEL

Information on Selected National Guard Management Issues

What GAO Found

The Army National Guard and the Air National Guard have effective systems in place for identifying and removing nonparticipating members when appropriate. By placing greater attention on the accuracy of end-strength reports the Army National Guard has reduced the number of nonparticipating soldiers (so-called "ghost soldiers") on its rolls to less than 1 percent of end strength. The Air National Guard has not placed the same degree of command emphasis on the issue, but under existing procedures the guard had a nonparticipation rate of 1.6 percent as of July 30, 2003.

The Federal Recognition Examination process has an effective set of checks and balances that provide a reasonable assurance that senior National Guard officers who are promoted by their state are federally qualified for their grade and position, and moreover, that any significant issues relating to their leadership potential or moral character are disclosed. Our analysis of past board examinations showed that about 7 percent of Army National Guard officers and about 3 percent of Air National Guard officers examined for recognition as generals were denied recognition because they were found not qualified or had conduct issues. This would seem to indicate that information relating to the officers' leadership potential or moral character is disclosed.

The Army National Guard and the Air National Guard have established effective processes for taking action against senior National Guard officers (colonels and generals) involved in misconduct cases. Specifically, most officers found guilty of misconduct are punished. For example, 57 of 76 officers in our review received some administrative action ranging from a letter of reprimand to verbal counseling; 3 resigned or retired at the request of their commanders; and only 6 had no action taken against them. The remaining 10 cases were closed under special Army procedures used primarily in cases involving inconsequential allegations in which the officers involved had already retired.

The effectiveness of the federal protection for military and National Guard whistleblowers rests principally on a two-stage process of investigation and administrative review. The first stage involves a service or guard Inspector General's investigation of the specific facts and interpretation of issues associated with a reprisal allegation. In the second stage of the investigation/administrative review process, the Defense Department's Inspector General reviews and approves the findings of the service or guard Inspectors General. For the reprisal allegations that GAO reviewed, the military services took some disciplinary action against most guard management officials who had retaliated against guard members. However, federal whistleblower protection does not meaningfully apply to civilian federal employees ("technicians") of the guard.

DOD concurred with our report.