



Department of Defense INSTRUCTION

NUMBER 7050.01
December 17, 2007

IG DoD

SUBJECT: Defense Hotline Program

- References:
- (a) DoD Directive 7050.1, "Defense Hotline Program," January 4, 1999 (hereby canceled)
 - (b) DoD Instruction 7050.7, "Defense Hotline Procedures," December 14, 1998 (hereby canceled)
 - (c) DoD Instruction 7050.8, "Defense Hotline Quality Assurance Review (QAR) Program," December 14, 1998 (hereby canceled)
 - (d) DoD Instruction 5025.01, "DoD Directives Program," October 28, 2007
 - (e) through (j), see Enclosure 1

1. PURPOSE

This Instruction:

1.1. Reissues Reference (a) as a DoD Instruction and consolidates References (a), (b), and (c) in accordance with the guidance in Reference (d) and the authority in DoD Directive 5106.01 (Reference (e)), to streamline their content and clarify the DoD Hotline Program responsibilities.

1.2. Implements policy, assigns responsibilities, and prescribes procedures for the operation of the Defense Hotline Program (hereafter referred to as the "Defense Hotline") within the Office of the Inspector General of the Department of Defense (OIG DoD) in accordance with Reference (e) and within DoD Component hotline programs (hereafter referred to as "Component hotline").

1.3. Implements the Defense Hotline Quality Assurance Review (QAR) Program to provide oversight of DoD Component hotlines and to maintain the integrity of the hotline process.

2. APPLICABILITY AND SCOPE

2.1. This Instruction applies to the Office of the Secretary of Defense, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff, the Combatant Commands, OIG DoD, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the “DoD Components”).

2.2. This Instruction also applies to nonappropriated fund activities of the DoD Components, and to all DoD personnel.

3. DEFINITIONS

3.1. Inquiry. Refers to, and is interchangeable with, the terms “audit,” “investigation,” “inspection,” “examination,” or any other type of review used to ascertain the facts in response to a Defense Hotline or Component hotline referral.

3.2. Referral for Action. Allegations that shall be resolved by a DoD Component. Referrals for action may indicate a systemic problem within the Component, or may have been determined through the Defense Hotline review process to require Component attention. In response to an allegation referred for action, the DoD Component shall conduct an inquiry and provide a Defense Hotline Completion Report (described at Enclosure 2) to the Defense Hotline.

3.3. Referral for Information. Complaints or disagreements that do not require a DoD Component inquiry, but should be brought to the Component’s attention. Referrals for information do not require a Defense Hotline Completion Report unless the DoD Component decides to conduct an inquiry, and that inquiry results in corrective action.

4. POLICY

It is DoD policy:

4.1. To support readiness and promote efficiency, economy, and effectiveness in DoD programs and operations through the detection and prevention of fraud, waste, abuse, and mismanagement.

4.2. To encourage DoD personnel to report suspected fraud, waste, abuse, and mismanagement without fear of reprisal.

4.3. That the OIG DoD shall provide leadership and coordination, as set forth in Reference (e), to ensure the proper receipt and evaluation of allegations of fraud, waste, abuse, and mismanagement and that appropriate actions are taken as a result of any inquiries.

4.4. To encourage the use of hotlines for reporting instances of fraud, waste, abuse, and mismanagement in DoD operations, and to endorse a proactive oversight and follow-up system that ensures the high program standards described in the President's Council on Integrity and Efficiency Publication, "Quality Standards for Investigations," (Reference (f)) are followed.

5. RESPONSIBILITIES

5.1. The Inspector General of the Department of Defense, as the principal advisor to the Secretary of Defense on all matters relating to the detection and prevention of fraud, waste, abuse, and mismanagement, shall:

5.1.1. Operate the Defense Hotline and direct its implementation in the DoD Components, ensuring that inquiries resulting from allegations are conducted in accordance with applicable laws, DoD regulations, policies, and standards for investigations. Receive and investigate complaints or information concerning allegations of violations of law, rules or regulations, mismanagement, gross waste of funds, abuse of authority, and a substantial and specific threat to the public health and safety involving the Department of Defense.

5.1.2. Issue implementing instructions that specify quality standards for the Defense Hotline and Component hotlines; procedures to ensure appropriate evaluation and action on all allegations of fraud, waste, abuse, and mismanagement; and methods to ensure appropriate protection of the identity of sources requesting anonymity or confidentiality.

5.1.3. Conduct periodic QARs of DoD Component implementation of the Defense Hotline and of Component hotlines, providing oversight and follow-up to ensure that reported allegations are appropriately evaluated and acted on and that the findings and conclusions of any inquiry are fully documented by the investigating organization. (See section 6.3.1. and Enclosure 3.)

5.1.4. Maintain an active Defense Hotline publicity campaign using local newspapers, official notices, posters, telephone directories, and other media. Implement marketing programs to encourage employees to identify and report fraud, waste, abuse, and mismanagement in DoD programs and operations.

5.1.4.1. The Defense Hotline can be reached at the following telephone numbers: (toll-free) 1-800-424-9098, (commercial) 703-604-8569, or DSN 664-8569. Mailed correspondence should be addressed to the Defense Hotline, The Pentagon, Washington, DC 20301-1900 or e-mail addressed to hotline@dodig.mil.

5.1.4.2. The Defense Hotline also can be accessed at the OIG DoD Web site at www.dodig.mil/hotline.

5.1.5. Establish procedures necessary to ensure that the collection, maintenance, use, and dissemination of Defense Hotline case file information are consistent with the requirements of DoD 5400.11-R (Reference (g)).

5.2. The Heads of the DoD Components shall:

5.2.1. Establish policies to ensure the Defense Hotline program is fully effective within their respective organizations; designate a Defense Hotline Component Coordinator to report the results of inquiries conducted by the DoD Component in response to Defense Hotline referrals.

5.2.2. Establish hotline programs as they deem appropriate and ensure that these programs adhere to the policies and standards established by the Defense Hotline/OIG DoD.

5.2.3. Ensure accountability by taking appropriate corrective action in response to substantiated allegations of fraud, waste, abuse, and mismanagement, and by providing redress to any Defense Hotline source who has been the victim of substantiated reprisal.

6. PROCEDURES

6.1. The OIG DoD Defense Hotline Staff shall:

6.1.1. Obtain from the complainant the specific information necessary to ascertain referral to the appropriate DoD Component for action or information.

6.1.2. Document pertinent information of allegations meriting examination that are received by telephone, mail, Internet, or other means of communication.

6.1.3. Assign a case control number for tracking Defense Hotline referrals.

6.1.4. Prepare and send a memorandum to the appropriate organization for each complaint referred, indicating whether the referral is for action or information, and any additional information relative to the complaint.

6.1.5. Refer items preliminarily determined to be sensitive, controversial, or inappropriate for direct referral to a DoD Component to the appropriate office within the OIG DoD for further evaluation. This includes allegations against general or flag officers, members of the Senior Executive Service, matters of "urgent concern" according to Section 8H of Appendix 3 of Title 5, United States Code (Reference (h)), military whistleblower reprisals, improper referrals for mental health evaluations, civilian appropriated fund employee reprisals, nonappropriated fund employee reprisals, and Defense contractor employee reprisals.

6.1.6. Review and analyze all interim and final inquiry reports to ensure all aspects of the complaint were addressed fully, inquiries were conducted properly, and appropriate corrective measures were taken based on the stated findings and conclusions.

6.1.7. Notify the designated Defense Hotline Component Coordinator of discrepancies noted in individual reports or apparent deficiencies in the related inquiry so that the

DoD Component may review and, if necessary, reconduct an inquiry of the complaint and submit a revised or corrected closing report.

6.1.8. Follow up on completed Defense Hotline referrals to determine if appropriate corrective action was taken.

6.2. The DoD Component Hotline Coordinators shall:

6.2.1. Establish procedures to ensure the prompt receipt, processing, controlling, examining, independent and objective reviewing, and reporting of all allegations referred for action through the Defense Hotline and/or the DoD Component hotline.

6.2.2. Examine Defense Hotline information referrals to determine if an inquiry is warranted.

6.2.3. Ensure necessary controls are in place to provide maximum protection for the identity of all hotline users.

6.2.4. Ensure that individuals who initiate a complaint or provide information to a hotline within the Department of Defense understand they are not required to discuss their complaint or related information with anyone other than the investigator.

6.2.5. Prepare a Defense Hotline Completion Report, using the format in Enclosure 2, and submit to the Defense Hotline through the DoD Component Defense Hotline Coordinator within 90 days (180 days for criminal investigations and audits) from the date the complaint was transmitted by the Defense Hotline. When necessary, requests for extensions of these timeframes shall be in writing to the Defense Hotline stating the reason for the delay and the anticipated completion date.

6.2.6. Ensure each Defense Hotline case file contains documentation that supports the findings and conclusions contained in the Defense Hotline Completion Report. This includes the Defense Hotline referral, the Defense Hotline Completion Report, a description of the actions taken by the examining official to determine the findings, the complete identity of all witnesses, the date of and information relayed during interviews, specific details, and locations of all documents reviewed during the examination, and a description of any other actions the DoD Component took as a result of the inquiry.

6.2.7. Ensure completed Defense Hotline case files are retained in accordance with DoD Directive 5015.2 (Reference (i)). Similar retention times are recommended for DoD Component hotline case files.

6.3. The Deputy Inspector General for Policy and Oversight (DIG(P&O)), OIG DoD, shall:

6.3.1. Conduct periodic QARs of DoD Component hotline programs in accordance with paragraph 5.1.3. to verify that complaints are processed properly and that files

contain adequate documentation to support Defense Hotline Completion Report findings and conclusions. The QAR is an analysis of the quality of the inquiry based on the documentation contained in the completed hotline case file and an evaluation of the timeliness, independence, objectivity, and overall adequacy of the hotline inquiry.

6.3.1.1. The QAR examines hotline inquiries completed during the previous 12 to 18 months, and includes cases referred to the DoD Component by the Defense Hotline and those received directly by the DoD Component hotline. The analysis shall focus on compliance with policy and procedures, and on identification of systemic strengths or weaknesses in the manner in which the DoD Component conducts its inquiries.

6.3.1.2. The DIG(P&O) shall select the DoD Components for review and determine the review methodology. The major elements of a Defense Hotline QAR are as follows:

6.3.1.2.1. Announcement Letter. Once the DoD Component is selected for review, the DIG(P&O) shall prepare a memorandum to the DoD Component Inspector General announcing the dates for the QAR.

6.3.1.2.2. Team Composition. The QAR team will consist of from one to three investigators or other members as determined by the DIG(P&O).

6.3.1.2.3. Selection of Cases and Case Files. The DoD Component selected for review shall provide the ODIG(P&O) a summary listing of DoD Component hotline cases closed during the previous 12 to 18 months. The list shall include cases closed at the DoD Component Inspector General level and at any lower level that conducts DoD Component hotline case inquiries. The summary listing shall contain sufficient information for the review team to determine the nature of the allegations and the results of the inquiry. The hotline cases to be reviewed are selected from the DoD Component-provided listing and a Defense Hotline-generated listing of completed cases referred to the DoD Component during the previous 12 to 18 months. Cases selected for review shall usually contain allegations of fraud, waste, abuse, and mismanagement that could have major impact on DoD programs, personnel, and/or policies within the DoD Component. The DoD Component shall forward its case files to the review team by the date specified in the QAR announcement letter. Copies of original case files are acceptable if all documents contained in the original file are copied and placed in the same location as in the original file. This includes memorandums and post-it notes if these items support the case findings and conclusions.

6.3.1.2.4. Entrance and Exit Briefing. The QAR team shall conduct an entrance and exit briefing, either in person or by telephone. Briefing participants may include the Head of the DoD Component, the Component Inspector General, and any other officials agreed to by the review team and the DoD Component Inspector General. The entrance briefing shall discuss the review objectives and answer DoD Component concerns or questions. The exit briefing shall provide preliminary results of the review and suggestions for correcting any noted deficiencies.

6.3.1.2.5. Review Analysis and Report. When the review team has completed their analysis of the case files, the team shall prepare the final written report with the review findings and recommendations. The report shall be issued by the DIG(P&O), to the Head of the DoD Component with a copy to the DoD Component Inspector General.

6.3.1.2.6. Files Maintenance. After the QAR final report is issued, the review team shall promptly return the original case files, when obtained from the DoD Component. The DIG(P&O) shall retain copied case files, along with notes and files generated by the QAR, for a period of 2 years from the date the QAR final report is issued.

6.3.1.2.7. Follow-up. The DIG(P&O) shall follow-up on corrective actions taken based on recommendations from the QAR.

6.3.2. Enclosure 3 provides the criteria the review team uses when conducting a QAR.

7. INFORMATION REQUIREMENTS

7.1. The DoD Components shall comply with the reporting requirements of this Instruction.

7.2. Inquiries to identify fraud, waste, abuse, and mismanagement in DoD programs and operations resulting from Defense Hotline referrals are exempt from licensing in accordance with paragraph C4.4.7. of DoD 8910.1-M (Reference (j)).

7.3. Periodic QARs are exempt from licensing in accordance with paragraph C4.4.4. of Reference (j).

8. EFFECTIVE DATE

This Instruction is effective immediately.


Claude M. Kicklighter
Inspector General

Enclosures - 3

- E1. References, continued
- E2. Defense Hotline Completion Report
- E3. QAR Evaluation Criteria

E1. ENCLOSURE 1

REFERENCES, continued

- (e) DoD Directive 5106.01, "Inspector General of the Department of Defense," April 13, 2006
- (f) President's Council on Integrity and Efficiency, "Quality Standards for Investigations," December 2003¹
- (g) DoD 5400.11-R, "Department of Defense Privacy Program," August 31, 1983
- (h) Section 8H of appendix 3 of title 5, United States Code
- (i) DoD Directive 5015.2, "DoD Records Management Program," March 6, 2000
- (j) DoD 8910.1-M, "DoD Procedures for Management of Information Requirements," June 30, 1998

¹ Copies may be obtained via the Internet at <http://www.ignet.gov/pande/standards/invstds.pdf>

E2. ENCLOSURE 2

DEFENSE HOTLINE COMPLETION REPORT

E2.1. REPORT PREPARATION

The DoD Components shall prepare a Defense Hotline Completion Report documenting the results of hotline inquiries as specified in paragraph 6.2.5.

E2.2. REPORT FORMAT

The following format is recommended for completing a Defense Hotline Completion Report:

E2.2.1. Name of Official Conducting Inquiry

E2.2.2. Rank and/or Grade of Official

E2.2.3. Duty Position and Telephone Number

E2.2.4. Organization

E2.2.5. Hotline Control Number

E2.2.6. Scope of Inquiry, Findings, Conclusions, and Recommendations

E2.2.6.1. Scope of Inquiry. Contains a statement of the allegations and identifies the organization and location, the person or persons against whom the allegation was made, and the scope, nature, and manner of the inquiry conducted, including documents reviewed, witnesses interviewed, and whether inquiries or interviews were conducted by telephone or in person.

E2.2.6.2. Findings. States the findings as they relate to each allegation. Provides a list of documents and/or evidence collected to support the findings. The identity of interviewees need not be reflected in the report, but should be documented in the official file of the component conducting the inquiry.

E2.2.6.3. Conclusions and Recommendations. For each allegation, states the analysis of the findings and the conclusions made by the official conducting the inquiry. Conclusions must state the results, that is, whether the allegations were substantiated, not substantiated, or unfounded. This section also should include comments as to the adequacy of existing policy or regulations, noted weaknesses in systems of internal controls, and any recommended corrective actions.

E2.2.7. Criminal or Regulatory Violations Substantiated

E2.2.8. Disposition. For inquiries involving economy and efficiency, reports the management actions taken. For inquiries involving criminal or other unlawful acts, includes the results of criminal prosecutions and provides details of all charges and sentences imposed. Also includes the results of administrative sanctions, reprimands, the value of property or money recovered, or other such actions taken to prevent recurrence.

E2.2.9. Specification of Security Classification of Information. Each organization must determine and state, when applicable, the security classification of information included in the report that might jeopardize national defense or otherwise compromise security if the contents were disclosed to unauthorized sources.

E2.2.10. Location of Field Working Papers and Files

E3. ENCLOSURE 3

QAR CASE EVALUATION CRITERIA

E3.1. TIMELINESS OF INQUIRY

Noncriminal inquiries shall be completed or a progress report provided within 90 days (180 days for criminal investigations and audits) from the date the complaint was transmitted by the Defense Hotline.

E3.2. INDEPENDENCE OF INVESTIGATOR

The Quality Standards for Investigations in Reference (f) require that individuals assigned to conduct inquiries collectively possess the knowledge and skills required to perform the task required. It further requires that the organizations in which they work maintain an independent attitude, be organizationally independent, and be free in both fact and appearance from impairments to independence.

E3.3. CASE FILE DOCUMENTATION

Results of inquiries shall be documented in the case file in a timely, accurate, and complete manner. The documentation contained in the case file must support the findings and conclusions stated in the Defense Hotline Completion Report. The documentation shall include the Defense Hotline referral or the initial hotline allegation received by the DoD Component hotline; a copy of the Defense Hotline Completion Report; the complete identity of all witnesses interviewed, including the date and information related during interviews; specific details, and locations of all documents reviewed during the inquiry; and any other actions the DoD Component took as a result of the inquiry.

E3.4. ADEQUACY OF INQUIRY

The following are examples of questions the Defense Hotline will use to review the case files during the QAR:

E3.4.1. Were all the allegations in the basic complaint addressed?

E3.4.2. Were all key individual witnesses and subjects interviewed?

E3.4.3. Were all relevant questions asked?

E3.4.4. Did the investigating official collect and review all pertinent documentation needed to support the findings and conclusions?

E3.4.5. Were legal opinions and/or technical expertise solicited when appropriate?

E3.4.6. Did the investigating official demonstrate a “common sense” approach while conducting the inquiry?

E3.5. ADEQUACY OF PROCEDURES AND CONTROLS

The DoD Components shall establish methods for processing and controlling the receipt, examination, and reporting of all allegations referred through the Defense Hotline and/or the DoD Component hotline. The methods shall comply with the operating standards outlined in Reference (f).