



DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND
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NAVSEAINST^{IN REF. TO} 5041.1A
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28 Mar 06

NAVSEA INSTRUCTION 5041.1A

From: Commander, Naval Sea Systems Command

Subj: DON HOTLINE PROGRAM POLICY AND PROCEDURES FOR NAVSEA HEADQUARTERS, AFFILIATED PEO ORGANIZATIONS, AND SUBORDINATE ACTIVITIES

Ref: (a) SECNAVINST 5370.5B
(b) SECNAVINST 5430.92B
(c) U.S. Navy Regulations of 1990
(d) SECNAVINST 5370.7C
(e) 18 U.S.C. § 1001
(f) Uniform Code of Military Justice
(g) Naval Inspector General Investigations Manual
(h) Naval Inspector General Investigations Guide
(i) Naval Inspector General Official Website
(j) SECNAVINST 5210.8D
(k) 5 U.S.C. § 552

1. Purpose. To establish Naval Sea Systems Command (NAVSEA) policy, procedures, and guidance for the processing and documenting of Hotline complaints at NAVSEA Headquarters, affiliated Program Executive Office (PEO) organizations, subordinate activities and detachments, and to supplement guidance contained in references (a) and (b). This instruction also reaffirms the Command's commitment toward ensuring that Hotline complaints are received and investigated by the NAVSEA Inspector General (IG) in a professional and timely manner. This is a complete revision and should be read in its entirety, as reference (a) establishes specific staffing, training, investigative, and quality assurance procedures for all Department of the Navy (DON) offices performing IG functions.

2. Scope. The provisions of this instruction are applicable to NAVSEA Headquarters, affiliated PEOs, and all NAVSEA subordinate activities and detachments.

3. Cancellation. NAVSEAINST 5041.1.

4. Definitions

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a. Inquiry: Any form of examination into a matter that is part of a fact-finding process in response to a DOD or DON Hotline call or Hotline referral. This includes any audit, investigation, inspection, examination, area visit, survey, or other type of review resulting from a Hotline call or Hotline referral.

b. Investigation: Any form of examination into specific allegations of wrongdoing.

c. Hotline: The purpose of the DOD and DON Hotlines are to receive allegations of fraud, waste, abuse, and mismanagement when the chain of command has been unresponsive, or the complainant fears reprisal resulting from the submission of allegations. Mechanisms may include manned or unmanned local and toll free telephone numbers, IG websites, Hotline submission forms, email addresses, or fax numbers.

d. IG Network: A communication mechanism and technical chain of command comprised of all DON personnel who perform an IG function as part of their regular or recurring duties at any level. Naval Audit Service (NAVAUDSVC) and Naval Criminal Investigative Service (NCIS) personnel conducting inquiries in support of a DOD or DON Hotline inquiry are members of the IG Network for the limited purpose and duration of that inquiry. In addition to NAVAUDSVC and NCIS personnel supporting a specific inquiry, the IG Network also includes any other DON personnel who are tasked to support an inquiry on a one-time basis. These other DON personnel are part of the IG Network only during the course of that specific inquiry.

5. Background

a. Reference (a) implements policies and procedures for the management, coordination, and operation of the DON Hotline program, and clarifies responsibilities for administering the Hotline Program at all DON organizations. Reference (b) establishes DON policy to eliminate fraud, waste, abuse, mismanagement and other related improprieties. References (b), (c) and (d) require all DON military and civilian personnel to report suspected wrongdoing to their respective chain of command.

b. The revision of this instruction is warranted by recent realignments and transfers of function within DON, as well as major changes in the DON IG process implemented by reference (a).

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6. Policy

a. References (b) and (c) require all NAVSEA personnel, both military and civilian, to report instances of fraud, waste, abuse, mismanagement and other related improprieties to proper authority. The "proper authority" for NAVSEA Headquarters and affiliated PEOs is SEA 00N, the NAVSEA Inspector General (NAVSEAINSGEN). For NAVSEA subordinate activities and detachments, the "proper authority" is the respective Commander/Commanding Officer or his/her representative designated to perform the IG function as part of his/her regular or recurring duties.

b. Personnel at NAVSEA Headquarters, affiliated PEOs, and NAVSEA subordinate activities and detachments should be encouraged to use the chain of command to report suspected incidents of fraud, waste, abuse, mismanagement, and other related improprieties. However, the DON Hotline Program provides an alternative to the chain of command when a complainant reasonably fears reprisal or believes the chain of command has been unresponsive. If the issue cannot be adequately resolved at the local command, then the employee may contact the NAVSEA Hotline at 1-800-356-8464 or IGHOTLINE@navsea.navy.mil, the Department of the Navy Hotline at 1-800-522-3451 or NAVIGHOTLINES@navy.mil, or the Department of Defense (DOD) Hotline at 1-800-424-9098 or HOTLINE@DODIG.osd.mil.

c. Hotlines have been established at the following NAVSEA subordinate activities:

- (1) Norfolk Naval Shipyard
- (2) Pearl Harbor Naval Shipyard & IMF
- (3) Portsmouth Naval Shipyard
- (4) Puget Sound Naval Shipyard
- (5) SUPSHIP Bath
- (6) SUPSHIP Gulf Coast
- (7) Naval Surface Warfare Center Division, Carderock
- (8) Naval Surface Warfare Center Division, Crane

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- (9) Naval Surface Warfare Center Division, Dahlgren
- (10) Naval Surface Warfare Center Division, Port Hueneme
- (11) Naval Surface Warfare Center Division, Panama City
- (12) Naval Surface Warfare Center Division, Corona
- (13) Naval Undersea Warfare Center Division, Newport
- (14) Naval Undersea Warfare Center Division, Keyport
- (15) NAVSEA Logistics Center, Mechanicsburg

d. NAVSEA affiliated PEOs, subordinate activities and detachments not listed in paragraph 6.c. have been granted discretionary authority not to maintain a designated Hotline, but rather to refer local hotline callers to the NAVSEA, Navy or DOD Hotlines, which are all considered part of the IG Network, and must adhere to basic requirements regarding accessibility, confidentiality, and responsiveness. The local Hotline will be managed by the command's representative designated to perform the IG function as part of his or her regular or recurring duties in order to ensure complaints are addressed in a timely, impartial manner, and to ensure confidentiality of the complainant to the greatest extent possible.

e. NAVSEAINSGEN personnel and representatives designated to perform the IG function at NAVSEA subordinate activities will receive and investigate allegations of fraud, waste, abuse and mismanagement in a timely and impartial manner, recommend corrective measures, and report the result of such investigations to the appropriate authorities. When requested by the complainant, personnel performing the IG function will protect the identity of the complainant during all stages of the Hotline investigation process, to the maximum extent possible. Exceptions are when release of the complainant's identity is specifically authorized by the complainant, or is required by law or judicial order. Commanders/Commanding Officers and supervisors responsible for enforcing accountability, as it relates to improprieties committed at their respective activities, will be given access to IG reports and supporting documentation when the investigation is complete.

7. Responsibilities

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- a. The Under Secretary of the Navy (UNSECNAV) is responsible for implementing the DON Hotline Program throughout DON. As the senior advisor to the Secretary of the Navy (SECNAV) on matters concerning Hotline investigations, the Naval Inspector General (NAVINSGEN) will lead the Navy's efforts in executing this responsibility.
- b. NAVSEAINSGEN will ensure that Hotline allegations referred by the Naval Inspector General are promptly, responsibly and impartially investigated. NAVSEAINSGEN will maintain its own Hotline for the direct receipt of complaints at its level, and authorizes subordinate activities to establish their own Hotlines. All Hotlines established pursuant to this paragraph will be considered part of the IG Network, and shall adhere to the requirements of references (a) and (b).
- c. SECNAV authorizes NAVINSGEN to task NAVSEAINSGEN to conduct inquiries or to provide assistance during inquiries. NAVSEA Headquarters, PEOs, and subordinate activities shall treat any referral from NAVINSGEN and NAVSEAINSGEN as a tasking from SECNAV.
- d. The DON Hotline Program, mandated by reference (a), requires all Navy activities to promote the availability of the Hotline and to stress the importance of this program. NAVSEA Headquarters, PEOs, and subordinate activities will make every effort to spend taxpayers' dollars wisely, correct systemic problems and take appropriate corrective or disciplinary measures against those who abuse the system. The NAVSEA Hotline Program is a valuable asset in reaching this goal. NAVSEA Headquarters, PEOs, subordinate activities shall assist NAVSEAINSGEN by inquiring into issues identified in the Hotline process, and shall take corrective measures whenever appropriate.
- e. As sharing assets is essential to the success of the DON Hotline program, NAVSEA subordinate activities may request assistance from NAVSEAINSGEN to resolve Hotline issues. Additionally, the Naval Criminal Investigative Service (NCIS) and the Naval Audit Service (NAVAUDSVC) may be called on to provide assistance, when reasonable and necessary.
- f. NAVSEAINSGEN is authorized to receive Military Whistleblower Protection Act (MWPA) complaints, and shall immediately report receipt of those complaints to DODIG and provide a copy to the Naval Inspector General, per reference (a). The Naval Inspector General, at his or her discretion, may

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task NAVSEAINSGEN to conduct a preliminary inquiry and report the findings concerning MWPA complaints. The Naval Inspector General will then determine whether to direct NAVSEAINSGEN to conduct a full investigation. All preliminary inquiries involving MWPA complaints at NAVSEA Headquarters, PEOs, and subordinate activities shall be investigated by NAVSEAINSGEN, and may not be delegated to a subordinate command for action.

g. Hotline complaints from NAVSEA personnel shall be based on the complainant's "good faith" belief that the information is true. The use of the Hotline Program to file knowingly false complaints is a violation of references (e) and (f). Those suspected of willfully and knowingly filing false complaints are subject to prosecution and/or administrative action.

8. Action

a. NAVSEA shall appoint, with the concurrence of the Naval Inspector General, a full-time, dedicated IG at the pay grade specified in reference (a) to bear the title of "Inspector General." NAVSEAINSGEN shall report to Commander, NAVSEA (SEA 00) and be assigned Additional Duty (ADDU) to the Naval Inspector General. NAVSEAINSGEN shall perform the IG function for NAVSEA Headquarters and affiliated PEOs, as prescribed by reference (a), and may not perform any other function except on an exception basis. In addition, NAVSEAINSGEN shall be staffed by an appropriate number of GS-18xx series investigators in accordance with the staffing guidance prescribed in reference (a).

b. NAVSEAINSGEN shall ensure that all personnel assigned to perform investigative duties meet the requirements of the Naval Inspector General certification-training program in accordance with reference (a). NAVSEAINSGEN may issue initial certification after the investigator successfully completes the Naval Inspector General Investigation School. Hotline investigators and reviewers must complete this school within six months of assignment to a DON IG functional organization, and must complete annual training requirements established by the Naval Inspector General to maintain their certification. NAVSEAINSGEN shall provide to the Naval Inspector General a record of certifications granted. Upon written request from the Commander/Commanding Officer of a subordinate activity, NAVSEAINSGEN may waive attendance at the Naval Inspector General Investigation School if the investigator possesses equivalent or higher qualifications; however, this waiver will have no affect

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on the annual training requirement for maintaining certification.

c. NAVSEA subordinate activities are not required to have a full-time IG, but shall have an IG function. Personnel at these commands who conduct Hotline investigations on a routine basis shall be certified and required to maintain their certification by complying with the annual training requirements set forth in reference (a). NAVSEAINSGEN shall ensure that subordinate activities are capable of conducting a professional investigation before tasking them with a Hotline investigation. Any NAVSEA subordinate activity that intends to assign a non-certified employee as a Hotline investigator for a single case, must obtain a certification waiver from NAVSEAINSGEN based upon a written request. Requests for certification waivers may be addressed to the Office of the Inspector General (SEA 00N1), Naval Sea Systems Command, 1333 Isaac Hull Avenue SE, Washington Navy Yard, DC 20376-1161.

d. The Hotline Program is an essential element of a Commander's/Commanding Officer's overall management process to combat fraud, waste, abuse and mismanagement at his or her command. Accordingly, Commanders/Commanding Officers of the subordinate activities listed in paragraph 6.c. shall ensure that Hotline investigations are conducted independently, impartially and objectively. In order to maintain independence from operational influences and have the capability to work across organizational lines within their respective commands, personnel who conduct Hotline investigations on a routine basis shall have a direct staff relationship to the Commander/Commanding Officer.

e. To help maintain the independence and objectivity of the Hotline program, the Commander/Commanding Officer, the Executive Officer, or the Executive Director shall evaluate the performance of the person designated to head this IG function, rather than this responsibility being delegated to one of the functional department managers.

f. NAVSEAINSGEN shall establish and maintain an electronic database to track and manage NAVSEA Hotline investigations. All Hotline complaints reported to NAVSEAINSGEN will be entered into this electronic database until such time that the Naval Inspector General establishes a web-based Case Management Information System to manage all IG Hotline investigative files throughout DON.

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g. The Office of Special Counsel (OSC) normally investigates Whistleblower complaints filed by civilian employees. If a civilian complainant rejects an investigative role by OSC, a preliminary inquiry shall be performed consistent with the procedures described in reference (d).

h. NAVSEAINSGEN and subordinate activity personnel assigned to this IG function will safeguard the identity of complainants, to the maximum extent permitted under the law and governing regulations, and will assist them, as appropriate, if it is determined that they are victims of reprisal. NAVSEAINSGEN and subordinate activity personnel assigned to this IG function shall explain to complainants that the use of their testimony and the release of their identity as witnesses, but not as complainants, may be necessary under due process procedures associated with disciplinary or administrative action.

i. NAVSEAINSGEN and subordinate activity personnel assigned to this IG function will, to the maximum extent permitted under the law and governing regulations, safeguard the identity of witnesses and assist them, as appropriate, if it is determined that they are victims of reprisal. NAVSEAINSGEN and subordinate activity personnel assigned to this IG function shall explain to witnesses that it may be necessary to release their identity under due process procedures associated with disciplinary or administrative action. Such identifications will be made only to those with an official need to know the identity of the witness.

9. Procedures

a. All NAVSEA personnel conducting Hotline investigations shall refer to references (g), (h) and (i) for guidance.

b. The Naval Inspector General will act as the liaison with DODIG on all Hotline issues applicable to DON. NAVSEAINSGEN shall address all correspondences concerning Hotline investigations referred by DODIG to the Naval Inspector General, and will keep the Naval Inspector General informed of any contact from DODIG.

c. The Naval Inspector General will normally refer all applicable DOD and Navy Hotline complaints to NAVSEAINSGEN, which is authorized to task the investigative responsibility to the affected subordinate activities, unless it is a MWPA or civilian reprisal complaint.

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d. All subordinate activities tasked by NAVSEAINSGEN with conducting a Hotline investigation shall forward the completed investigation report to NAVSEAINSGEN for review. The Commander/Commanding Officer is the responsible authority to ensure that appropriate corrective or disciplinary actions are taken based on the conclusions and recommendations in the report, and must endorse the final report. The final report shall include a statement of all corrective or disciplinary actions taken by the responsible authority in response to each allegation addressed in the investigation.

e. NAVSEAINSGEN will ensure that IG investigative reports to be forwarded to the Naval Inspector General for closure meet the standards for independence, timeliness, completeness and accountability as prescribed in reference (g). NAVSEAINSGEN will return investigations submitted by subordinate activities that do not comply with these standards via the appropriate chain of command for appropriate action. NAVSEAINSGEN will also ensure that the legal review requirements specified in reference (a) are accomplished, including the requirement for a legal review and endorsement by a Flag Officer in the Commander's/Commanding Officer's chain of command for investigations involving Commanders/Commanding Officers at the pay grade of O-6 and above.

f. All working papers associated with a Hotline investigation shall be kept in accordance with the Naval Inspector General Records Retention Policy as set forth in reference (j).

g. IG reports and associated papers shall be maintained in a secure environment and made available only to government investigative/law enforcement officials on a need-to-know basis. Release of IG-related material to individuals without an official need to know will be in accordance with provisions of the Freedom of Information Act and Privacy Act, reference (k), or other applicable Federal law. The release authority for DON IG-related material resides with the Naval Inspector General or the commander of the activity that generated the material.

10. Reports and Forms

a. Commands are required to provide the widest dissemination of this Hotline instruction within their area of responsibility. To assist in efforts to place adequate emphasis on the DON Hotline Program, NAVSEAINSGEN will make Hotline Posters available for command use, upon request.

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b. Commands shall post their local IG Hotline phone numbers and points of contact in addition to the NAVSEA Hotline (800-356-8464, NAVSEAIGHotline@navy.mil), the Navy Hotline (800-522-3451, NAVIGHotlines@navy.mil), and the DOD Hotline (800-424-9098, Hotline@DODIG.osd.mil).

11. Authority. Reference (c) authorizes NAVSEAINSGEN to issue this instruction and publish changes to it.



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