

GUIDE TO FILING A DEFENSE CONTRACTOR EMPLOYEE WHISTLEBLOWER REPRISAL COMPLAINT

1. INSTRUCTIONS

- a. Send the information requested in Section 2, "Complaint Information," to: Defense Hotline, The Pentagon, Washington, DC 20301-1900; or fax to: 703-604-8567, DSN 664-8567. You may e-mail the information to hotline@dodig.mil; however, you should consider the fact that unencrypted e-mail messages are vulnerable to eavesdropping when transmitted over the Internet.
- b. If you have any questions, please call the Defense Hotline at 1-800-424-9098 or 1-877-363-3348 (SWA only).

2. COMPLAINT INFORMATION

- a. If you previously filed this reprisal complaint with another agency, please provide a copy of the complaint and any reply. If the documents are not available, please provide the details (identify agency, contract number, date filed).
- b. Provide your full name, job title, status (employee or former employee), company and location, work and residence telephone numbers, and mailing and email addresses.
- c. Provide a copy of the protected disclosure (if written) and any reply received about the matter. If a copy of the disclosure is not available, please provide the following information:
 - (1) The date of the disclosure.
 - (2) Identify the **government official** to whom the disclosure was made (name, title, organization and location, and telephone number). **Note:** Disclosures to contractor officials are not protected under the statute.
 - (3) The content of the disclosure.
 - (4) Whether the matter was investigated, when, and by whom.
- d. Identify and provide a copy of the personnel action taken (for example, demoted, discharged, or otherwise discriminated against).
- e. Provide the full name, title, company and location, and telephone numbers of the company officials responsible for recommending or taking the personnel action at issue.
- f. Indicate why and how any responsible official knew of the protected disclosure before taking the personnel action.
- g. Indicate why you believe there is a connection between your protected disclosure and the personnel action taken against you.
- h. Identify key witnesses that can provide evidence to support your reprisal complaint and include telephone numbers to contact the witnesses.

3. DEFINITIONS *(Reference: Title 10, United States Code, Section 2409)*

- a. **Agency.** The term "agency" means the Department of Defense, the Department of the Army, the Department of the Navy, the Department of the Air Force, the Department of Homeland Security, and the National Aeronautics and Space Administration.
- b. **Contract.** The term "contract" means a contract awarded by the head of an agency.
- c. **Contractor.** The term "contractor" means a person awarded a contract with an agency.
- d. **Head of the Agency.** The term "head of an agency" means the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Secretary of Homeland Security, and the Administrator of the National Aeronautics and Space Administration.
- e. **Inspector General.** The term "Inspector General" means an Inspector General appointed under the Inspector General Act of 1978, as amended.
- f. **Investigation of Complaints.** A defense contractor employee who believes that he or she has been subjected to a reprisal prohibited by Title 10, United States Code, Section 2409, may submit a complaint to the Inspector General of the Department of Defense. Unless the Inspector General determines that the complaint is frivolous, the Inspector General shall investigate the complaint and, upon completion of such investigation, submit a report of the findings of the investigation to the person, the contractor concerned, and the head of the agency.
- g. **Prohibition of Reprisals.** An employee of a defense contractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a Member of Congress, a representative of a committee of Congress, an Inspector General, the Government Accountability Office, a Department of Defense employee responsible for contract oversight or management; or an authorized official of an agency or the Department of Justice information that the employee reasonably believes is evidence of gross mismanagement of a Department of Defense contract or grant, a gross waste of Department of Defense funds, a substantial and specific danger to public health or safety, or a violation of law related to a Department of Defense contract (including the competition for or negotiation of a contract) or grant.