

GUIDE TO FILING A MILITARY 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 the reply. If the documents are not available, please provide the details (identify agency, dated filed).
- b. Provide your full name, rank, duty status (Active, Reserve, Guard); job title, organization, duty location, work and residence telephone numbers, and mailing and email addresses.
- c. Provide a copy of the protected communication (if written) and any reply you received about the matter. If a copy is not available, please provide the following information:
 - (1) The date of the communication.
 - (2) To whom the protected communication was made (name, title, organization and location, and telephone number).
 - (3) The content of the protected communication.
 - (4) Whether the matter was investigated, when, and by whom.
- d. Identify each personnel action taken, withheld, or threatened to be taken or withheld.
- e. Provide documentation for each personnel action. If documentation is not available, please describe each personnel action and the date of the action.
- f. Provide, to the extent possible, the following information for **each** official responsible for signing, taking, recommending, or influencing the personnel action(s) at issue: full name, rank and/or grade, duty title, duty status, organization, duty location, commercial or DSN telephone number.
- g. Explain why and how any responsible official knew of the protected communication before taking the personnel action.
- h. Indicate why you believe there is a connection between your protected communication and the personnel action taken against you.
- i. Identify key witnesses that can provide evidence to support your reprisal complaint and include telephone numbers to contact witnesses.
- j. If more than 60 days have elapsed since you became aware of the personnel action, please explain why the complaint was not filed sooner.

3. DEFINITIONS (*Reference: DoD Directive 7050.06, Military Whistleblower Protection*)

- a. A **protected communication** is:

- (1) Any lawful communication to a Member of Congress or an IG.
- (2) A communication in which a member of the Armed Forces communicates information that the member reasonably believes evidences a violation of law or regulation, including a law or regulation prohibiting sexual harassment or unlawful discrimination, gross mismanagement, a gross waste of funds or other resources, an abuse of authority, or a substantial and specific danger to public health or safety, when such communication is made to any of the following:
 - (a) A Member of Congress, an IG, or a member of a DoD audit, inspection, investigation, or law enforcement organization.
 - (b) Any person or organization in the chain of command; or any other person designated pursuant to regulations or other established administrative procedures to receive such communications.

b. **Inspectors General (IGs).** (1) The IG of the Department of Defense; (2) Military Department IGs, which are the IG of the Army; the Naval IG; the IG of the Air Force; and the Deputy Naval IG for Marine Corps Matters; (3) IGs within the Military Departments, which includes the Service IGs and IGs assigned or detailed under regulations of the Secretary concerned to serve at any command level in one of the Armed Forces; (4) DoD Component IGs (other than Military Department IGs), which includes IGs assigned or detailed at any command level in one of the DoD Components other than the Military Departments; (5) an IG appointed under Appendix 3 of title 5, United States Code, "Inspector General Act of 1978, as amended."

c. **Member of Congress.** In addition to a Senator or Representative, or a member of a Senator's or Representative's staff or of a congressional committee, includes any Delegate or Resident Commissioner to the Congress.

d. **Personnel Action.** Any action taken on a member of the Armed Forces that affects, or has the potential to affect, that military member's current position or career. Such actions include a promotion; a disciplinary or other corrective action; a transfer or reassignment; a performance evaluation; a decision on pay, benefits, awards, or training; referral for mental health evaluations under DoD Directive 6490.1; and any other significant change in duties or responsibilities inconsistent with the member's grade.