



Defense Health Agency

ADMINISTRATIVE INSTRUCTION

NUMBER 088
August 27, 2019

DHA Office of Inspector General

SUBJECT: Office of Inspector General (OIG)

References: See Enclosure 1.

1. **PURPOSE.** This Defense Health Agency-Administrative Instruction (DHA-AI), based on the authority of References (a) and (b), and in accordance with the guidance of References (c) through (af), establishes the Defense Health Agency's (DHA) functions and procedures for the OIG and provides guidance on the implementation of Reference (d).

2. **APPLICABILITY.** This DHA-AI applies to all DHA personnel, to include: assigned, attached, or detailed Active Duty and Reserve members; federal civilians; contractors (when required by the terms of the applicable contract); other personnel assigned temporary or permanent duties within the DHA enterprise; and members of Office of the Assistant Secretary of Defense for Health Affairs, when support is requested.

3. **POLICY IMPLEMENTATION.** It is DHA's policy, pursuant to References (d) through (aj), that:

a. All DHA personnel will have access to a fair and impartial Inspector General (IG).

b. All DHA personnel will provide IG access to any information to include verbal, hardcopy, electronic copy, locations or personnel as required in support of an inspection, investigation, assistance, or hotline case, only limited by the IG security clearance. DHA military and civilian employees may not refuse to answer IG questions, as limited by law.

c. Selected, appointed, and certified IGs are essential to the effective and efficient management and operation of the DHA.

d. The DHA IG will report directly to the Director, DHA; or Deputy Director, DHA. This IG control and reporting relationship may not be further delegated.

e. This DHA-AI will not limit the inherent authority of the DHA IG, or the independence of the DHA OIG pursuant to Reference (d).

f. The DHA OIG will consult and coordinate activities with Defense and Military Component IGs and the IG DoD to enhance effectiveness, increase efficiency, and minimize conflict and redundancy.

g. DHA IG functions will be centralized under the DHA OIG. No DHA IGs will be appointed or assigned lower than the Agency level.

4. MISSION. The DHA IG will administer the IG DoD Programs authorized by Reference (d), and in accordance with References (g) through Reference (v), in order to improve agency operations by providing independent support to deter and prevent fraud, waste, abuse, and mismanagement; in order to improve economy, accountability, integrity, and efficiency.

5. RESPONSIBILITIES. See Enclosure 2.

6. PROCEDURES. See Enclosure 3.

7. RELEASABILITY. **Not cleared for public release**. This DHA-AI is available to users with Common Access Card authorization on the DHA SharePoint site at:
<https://info.health.mil/cos/admin/pubs/SitePages/Home.aspx>.

8. EFFECTIVE DATE. This DHA-AI:

a. Is effective upon signature.

b. Will expire 10 years from the date of signature if it has not been reissued or cancelled before this date in accordance with Reference (c).


R. C. BONO
VADM, MC, USN
Director

Enclosures

1. References
2. Responsibilities
3. Defense Health Agency Office of Inspector General Functions

Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 5136.01, “Assistant Secretary of Defense for Health Affairs (ASD (HA)),” September 30, 2013, as amended
- (b) DoD Directive 5136.13, “Defense Health Agency (DHA),” September 30, 2013
- (c) DHA-Procedural Instruction 5025.01, “Publication System,” August 24, 2018
- (d) DoD Directive 5106.04, “Defense Inspectors General,” May 22, 2014
- (e) DoD Directive 5106.01, “Inspector General of the Department of Defense (IG DoD),” April 20, 2012, as amended
- (f) DoD Manual 5106.06, “Joint Inspectors General Manual,” May 7, 2018
- (g) DoD Instruction 5505.16, “Investigations By DoD Components,” June 23, 2017
- (h) DoD Instruction 5505.03, “Initiation of Investigations by Defense Criminal Investigative Organizations,” March 24, 2011, as amended
- (i) DoD Instruction 5015.02, “DoD Records Management Program,” February 24, 2015, as amended
- (j) DoD Directive 5400.07, “DoD Freedom of Information Act (FOIA) Program,” January 2, 2008, as amended
- (k) DoD Directive 5400.11, “DoD Privacy Program,” October 29, 2014
- (l) DoD Directive 5505.06, “Investigations of Allegations Against Senior DoD Officials,” June 6, 2013
- (m) DoD Instruction 8500.01, “Cybersecurity,” March 14, 2014
- (n) United States Code, Title 10, Section 1034(a), Section 1034(b), Section 1587, Section 2409
- (o) DoD Directive 7050.06, “Military Whistleblower Protection,” April 17, 2015
- (p) Presidential Policy Directive 19, “Protecting Whistleblowers with Access to Classified Information,” October 10, 2012
- (q) Directive-Type Memorandum 13-008, “DoD Implementation of Presidential Policy Directive 19,” July 8, 2013, as amended
- (r) Inspector General Act Of 1978, As Amended (Current through Pub. L. 113-126, enacted July 7, 2014) DoD Instruction 7050.01, “Defense Hotline Program,” October 17, 2017
- (s) DoD Joint Inspector General, “Assistance Guide,” Rev. 1, January 21, 2011
- (t) DoD Joint Inspector General, “Investigations Guide,” Rev. 1, April 1, 2011
- (u) DoD Joint Inspector General, “Inspections Guide,” Rev. 1, April 1, 2011
- (v) DoD Joint Inspector General, “Concept and System Guide” Rev 1, April 1, 2011
- (w) United States Code, Title 5, Section 2302
- (x) DoD Manual 7600.07, “DoD Audit Manual,” August 3, 2015
- (y) DoD Instruction 7650.01, “Government Accountability Office (GAO) and Comptroller General Requests for Access to Records,” January 27, 2009, as amended
- (z) DoD Instruction 7650.02, “Government Accountability Office (GAO) Reviews and Reports,” November 20, 2006, as amended

- (aa) DoD Instruction 7600.02, "Audit Policies," October 16, 2014, as amended
- (ab) DoD Instruction 7050.03, "Office of the Inspector General of the Department of Defense Access to Records and Information," March 22, 2013
- (ac) DoD Instruction 7650.03, "Follow-up on General Accounting Office (GAO), Inspector General of the Department of Defense (IG DoD), and Internal Audit Reports," December 18, 2014
- (ad) DoD Instruction 7650.02, "Government Accountability Office (GAO) Reviews and Reports," November 20, 2006, as amended
- (ae) DoD Instruction 7650.03, "Follow-up on Government Accountability Office (GAO), Inspector General of the Department of Defense (IG DoD), and Internal Audit Reports," December 18, 2014
- (af) DoD Instruction 7050.05, "Coordination of Remedies for Fraud and Corruption Related to Procurement Activities," May 12, 2014

ENCLOSURE 2

RESPONSIBILITIES

1. DIRECTOR, DHA. The Director, DHA will:

a. Provide executive-level oversight to the DHA OIG, in order to ensure compliance with this DHA-AI pursuant to References (d) and (e).

b. Ensure the DHA OIG is fully effective within the DHA.

c. Appoint, in writing, a military officer or civilian official in the grade of O-6/General Schedule-15 or above to serve as the DHA IG and point of contact to coordinate IG matters for DHA.

d. Appoint, in writing, a military or civilian official in the grade of O-5/General Schedule-14 to serve as the DHA Hotline Coordinator.

e. Ensure personnel and organizations integrated into the DHA in the future have access to a formally appointed and qualified IG.

f. Ensure DHA personnel are informed of their right to access an IG.

g. Accept IG investigative and assistance referrals from DoD IG and other DoD Component IGs; process them in accordance with applicable laws, policies, and regulations. If not accepted, reroute, as appropriate, and inform the referring DoD Component in accordance with Reference (d).

h. Coordinate and address IG issues with the OIG DoD and other Component IGs.

i. Oversee execution of DHA OIG inspections in accordance with this DHA-AI and DoD Reference (d).

j. Ensure all allegations of criminal activity are reported to the responsible Defense Criminal Investigative Organization in accordance with References (f) and (g).

k. Provide the necessary staff, resources, and access to the DHA OIG to perform IG functions in support of the DHA.

l. Ensure the assigned duties of the DHA OIG personnel do not interfere with their responsibility as fair and impartial fact-finders for the DHA or create a conflict of interest.

m. Rate and evaluate the DHA IG. This authority may be delegated only to the Deputy Director, DHA.

n. Maintain all DHA OIG records and release them in accordance with References (i) through (k). This authority is delegated to the DHA IG.

o. Serve as the directing authority for DHA OIG inspections, investigations, and audits. The Director, DHA, will not direct an investigation into allegations against him or herself or the DHA OIG staff. These complaints must be elevated to the OIG DoD for resolution.

p. Establish objectives for IG inspections based on DHA strategic goals and mission.

q. Delegate the authority to serve as the directing authority to the Deputy Director, DHA and DHA IG for inspections, investigations, and audits. Any investigation into allegations against the Director, DHA; Deputy Director, DHA; or DHA IG will be elevated to the OIG DoD for resolution without delay. The directing authority may not be further delegated.

r. Grant IG personnel access to all DHA facilities, personnel, and records, as required to conduct their IG responsibilities, as limited by law.

s. Grant IG personnel the authority to directly communicate with personnel at all levels of DHA organizations on matters to conduct their IG responsibilities. When confidentiality restrictions allow, the Directors of major organizational elements may be informed the OIG is pursuing a matter within the organization unless the matter directly involves the personal conduct of those leaders or there is a conflict of interest.

2. DEPUTY DIRECTOR, DHA. The Deputy Director, DHA will:

a. Support the Director, DHA, in providing oversight of the DHA OIG.

b. At the direction of the Director, DHA, enforce DoD policies, in accordance with References (d) through (ab), to ensure the DHA OIG is fully effective within DHA.

3. GENERAL COUNSEL (GC), DHA. The GC, DHA, will delegate authority to the GC staff to:

a. Provide legal advice and counsel on matters relating to the missions, functions, responsibilities, and duties of the DHA IG.

b. Be responsible for conducting legal sufficiency reviews of DHA OIG investigative, inspection, and audit reports, and other official documents as required.

4. DHA IG. Under the authority, direction, and control of the Director, DHA, the DHA IG will:
 - a. Serve as a member of the Director, DHA, Special Staff.
 - b. Provide advice to the Director and Deputy Director, DHA, on all IG matters pertaining to the DHA.
 - c. As directed by Director, DHA, report on the state of the economy, efficiency, discipline, morale, training, and readiness throughout the DHA.
 - d. Supervise the DHA Hotline Coordinator.
 - e. Perform IG investigative, inspection, assistance, audit liaison, and teaching and training functions, in accordance with Reference (d), as directed by the Director, DHA, and make inquiries into any matters within the scope of the Director, DHA, authority.
 - f. Execute duties and responsibilities with directing authority delegated from the Director, DHA.
 - g. Maintain IG records in accordance with References (i) and (u), and release them only when sanctioned by authorized personnel with an established need-to-know.
 - h. Recommend actions to correct deficiencies identified during investigations, inspections, and assistance visits; monitor the progress of corrective actions.
 - i. Coordinate DHA OIG activities with the IG DoD, Joint Staff IG, Military Department IGs, and other Federal Agencies as appropriate.
 - j. Promptly report allegations against senior officials to the IG DoD in accordance with Reference (l).
 - k. Promptly report and investigate when appropriate, alleged violations of Section 1034(a) of Reference (n), and Section 1034(b) of Reference (o), to the DoD IG Whistleblower Reprisal Investigations Directorate in accordance with Reference (r).
 - l. Promptly report all allegations of criminal activity to the responsible Defense Criminal Investigative Organization in accordance with References (g) and (h).
 - m. Promptly report alleged violations of References (r) and (s) to the IG DoD and provides a copy of the written complaint to IG DoD, ensuring that classified materials are submitted through appropriate channels.

n. Ensure complaints concerning violations of References (p), (q), and (ab), are forwarded to the Defense Hotline.

o. Coordinate with other IGs as requested by the designated lead IG for the overseas contingency operation or OIG in accordance with section 8L of Reference (t), and as directed by IG DoD.

p. Refer any matter(s) outside the authority of the DHA IG to the appropriate official including, but not limited to; non-Service related matters, Equal Opportunity complaints, hazardous working conditions, criminal allegations, allegations of misconduct for a specific profession/professional advice, and civilian grievances.

q. Successfully complete the Joint IG Course administered by IG DoD within 120 days of appointment in order to perform the duties, responsibilities, and functions of the DHA IG. This requirement may be waived by the DoD IG or designee.

r. Use a case management tracking system compliant with information security requirements, in accordance with Reference (m).

s. Oversee and direct the operation of the DHA Hotline Program, ensuring inquiries resulting from allegations are conducted in accordance with applicable laws, DoD regulations, policies, and standards for investigations, in accordance with Reference (v).

t. Establish certification and credentialing requirements for DHA OIG personnel.

u. Coordinate DHA OIG inspections and include the assessment of programs for detecting and eliminating fraud, waste, inefficiency, and related improprieties.

v. Conduct organization assessments e.g., surveys, sensing sessions, individual interviews in support of the inspection function, or as required.

w. Oversee appointed DHA OIG personnel, and;

(1) Identify training and education programs for the development of personnel.

(2) Provide input for all staff employment actions (i.e., hiring, evaluations, reviews, and promotions).

(3) Ensure quality and timeliness standards are maintained.

(4) Ensure IGs will always adhere to the policy on confidentiality in accordance with References (s) and (t).

- x. Conduct Quality Assurance Reviews throughout the DHA OIG.
- y. Oversee and direct the DHA Audit Liaison function, coordination of external engagements in accordance with applicable laws, DoD regulations, policies, and in accordance with References (ad) through (aj).
- z. Coordinate with DoD law enforcement activities and DHA GC on investigations of procurement fraud in accordance with Reference (af).

5. DHA HOTLINE COORDINATOR. The DHA Hotline Coordinator will:

- a. Facilitate DHA Hotline and Defense Hotline referrals to ensure sound and impartial adjudication.
- b. Report to the DHA IG.
- c. Establish procedures to ensure the DHA Hotline Program is fully effective within the organization and ensure the program adheres to the policies and standards established by the Defense Hotline, IG DoD, DHA OIG, and the Council of the Inspectors General on Integrity and Efficiency.
- d. Ensure appropriate action is taken on received complaints by managing the complaint resolution process.

ENCLOSURE 3

DEFENSE HEALTH AGENCY OFFICE OF INSPECTOR GENERAL FUNCTIONS

The DHA OIG conducts four primary functions: assistance, investigations, inspections, and teaching and training. These functions allow the DHA OIG staff to establish themselves as the eyes, ears, voice, and conscience of the Director, DHA; inquire and report on the discipline, efficiency, economy, morale, training, and readiness of the DHA.

a. Assistance. Assistance provides all DHA personnel the ability to seek help from the IG on matters affecting their health, welfare, and personal readiness. Assistance is an informal fact-finding process used to address or respond to a complaint involving a request for help, information, or issues. Allegations of impropriety or wrongdoing are not assistance cases and are conducted through an established investigative process. Anyone may submit a complaint, allegation, request for information or assistance to any IG concerning a DHA matter. Complaints often contain both issues and allegations, but the assistance function focuses IGs on resolving only the issues.

b. Investigation. An investigation provides the Director, DHA, another means through which to resolve allegations of impropriety. IGs may investigate violations of policy, regulation, law, or ethical standards, including, but not limited to, allegations of fraud, waste, abuse, and mismanagement. The primary purpose of IG investigations and investigative inquiries is to resolve allegations of impropriety; to preserve confidence within the DHA hierarchy; and, if allegations are not substantiated, to protect the reputation of the subject or suspect. IG investigations must meet four standards: independence, accountability, completeness, and timeliness. The investigation process consists of a seven-step process outlined in Reference (w). Within the investigation function, IGs have two fact-finding methodologies:

(1) Investigative Inquiry. An informal fact-finding examination into allegations, issues, or adverse conditions that are not significant in nature as deemed by the IG, or the directing authority and when the potential for serious consequences are not foreseen. The IG's investigative inquiries involve the collection and examination of evidence that consists of testimony or written statements, documents, and in some cases, physical evidence. IGs resolve most allegations using this methodology and report their conclusions using a Report of Investigative Inquiry (ROII). The DHA IG can authorize investigative inquiries.

(2) Investigation Formal Fact-finding. An examination into allegations, issues, or adverse conditions of a serious nature that provides the directing authority a sound basis for making decisions and taking action based on the findings. IG investigations involve the systematic collection and examination of evidence consisting of testimony recorded under oath, documents, and in some cases, physical evidence. The Director, DHA; Deputy Director, DHA; and the DHA IG can authorize IG investigations using a written and signed directive in accordance with Reference (d). IGs report the conclusions of their investigations using a Report of Investigation (ROI).

c. Inspection. The fundamental purpose of an inspection is to assess, assist, and enhance the ability of the DHA to prepare for and perform its assigned mission. IG inspections support the DHA by providing the Director, DHA, with a flexible and timely program to conduct independent assessments of DHA operations, programs, or policies. Inspections provide information useful and credible for DHA managers, policymakers, and employees to have a positive impact on Agency operations. There are five basic principles the IG's Inspection Program must be: purposeful, coordinated, focused on feedback, instructive, and followed-up. The inspection function entails conducting IG inspections, developing and implementing the IG Inspection Programs, and assisting the Director, DHA, in achieving the DHA mission. The Director, DHA; Deputy Director, DHA; and DHA IG can direct or authorize IG inspections using a written and signed directive in accordance with Reference (d).

d. Teaching and Training Function. An integral and embedded part of inspections, assistance, and investigations. During other IG functions, DHA IGs will train non-IGs on the IG system, inform DHA personnel on current procedures for implementing policy and doctrine, and pass on lessons learned, good ideas, and best practices acquired from research, observation, and other IG activities.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

DHA	Defense Health Agency
DHA-AI	Defense Health Agency-Administrative Instruction
GC	General Counsel
IG	Inspector General
OIG	Office of Inspector General
ROI	Report of Investigation
ROII	Report of Investigative Inquiry

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purposes of this DHA-AI.

abuse. Intentional or improper use of government resources. Examples include misuse of grade, position, or authority or misuse of resources such as tools, vehicles, or copying machines.

allegation. A statement or assertion of wrongdoing by an individual formulated by the IG. An allegation contains five essential elements: Who, improperly did What, to Whom, in violation of What order, regulation, or policy, and When. The IG refines allegations based upon evidence gathered during the course of an investigation or inquiry.

assistance. The process of receiving, inquiring into, recording, and responding to complaints or requests either brought directly to the DHA OIG, or referred to the IG for action concerning matters of Agency interest.

audit. An independent appraisal activity for the review of financial, accounting and other operations as a basis for protective and constructive service to command and management at all levels.

fraud. Any intentional deception designed to deprive the United States unlawfully of something of value or to secure from the United States for an individual, benefit, privilege, allowance, or consideration to which he or she is not entitled. Such practices include, but are not limited to, the offer, payment, or acceptance of bribes or gratuities; making false statements, submitting false claims, using false weights or measures, evading or corrupting inspectors or other officials, deceit either by suppressing the truth or misrepresenting material fact, adulterating or substituting materials, falsifying records and books or accounts, arranging for secret profits, kickbacks, or commissions, and conspiring to use any of these devices. The term also includes

conflict of interest cases, criminal irregularities, and the unauthorized disclosure of official information relating to procurement and disposal matters.

IG personnel. Any personnel assigned or detailed to the DHA IG or Regional IG Offices.

inspection. A process that evaluates, reviews, studies, and/or analyzes the programs and activities of an Agency for the purposes of providing information to managers for decision making; making recommendations for improvements to programs, policies, or procedures; and identifying where administrative action may be necessary. The term “inspector” is used generically to refer to the individual conducting such work.

investigation. A fact-finding examination by an IG into allegations, issues, or adverse conditions to provide the Directing Authority a sound basis for decisions and actions. IG investigations normally address allegations of wrongdoing by an individual and are authorized by written directives. IG investigations involve the systematic collection and examination of evidence that consists of testimony, documents, and in some cases, physical evidence. IGs report the results using the ROI.

investigative inquiry. An informal fact-finding examination into allegations, issues, or adverse conditions that are not significant in nature as deemed by the IG or directing authority and when the potential for serious consequences are not foreseen. IG investigative inquiries involve the collection and examination of evidence that consists of testimony or written statements; documents; and, in some cases, physical evidence. IGs direct investigative inquiries and provide recommendations to the directing authority or subordinate commanders as appropriate. The directing authority reserves the right to direct an investigative inquiry if he or she feels an investigation is not appropriate. IGs resolve most allegations using this methodology and report their conclusions using the ROI.

issue. A complaint, request for information, or request for assistance to the IG that does not identify someone by name as the violator of a standard. Someone charged by name with an impropriety results in an allegation.

mismanagement. Any action:

- That fails to meet the standard for public stewardship of funds, property and resources.
- Dealing with the administration of military and civilian personnel matters having unwarranted adverse effect on the person who is the subject of such action, be it an act of commission or omission.
- That brings negative attention/publicity on DHA or any malfeasance that affects the operation or capabilities of DHA.

quality assurance review. Conducted to ensure OIG investigation and assistance functions are compliant and effective.

ROI. A written report used by IGs to address allegations, issues, or adverse conditions to provide the directing authority a sound basis for decisions. The directing authority approves the ROI. Any IG who investigate or inquire into issues and adverse conditions may use these same formats.

ROI. A written report used by IGs to address allegations, issues, or adverse conditions to provide the directing authority a sound basis for decisions. The directing authority approves the ROI.

senior official. An active duty, retired, Reserve, or National Guard military officer in grades O-7 and above, and an officer selected for promotion to O-7 whose name is on the O-7 promotion board report forwarded to the Military Department Secretary.

waste. The extravagant, careless, or needless expenditure of government funds, or the consumption of government property that results from deficient practices, systems, controls, or decisions.