



DEPARTMENT OF THE NAVY

COMMANDING OFFICER

NAVAL STATION

PEARL HARBOR, HAWAII 96860-6000

NAVSTAPEARLINST 5370.1A
016

18 NOV 1997

NAVAL STATION PEARL INSTRUCTION 5370.1A

Subj: INTEGRITY AND EFFICIENCY (I&E) PROGRAM

Ref: (a) CINCPACFLTINST 5041.1B
 (b) SECNAVINST 5370.5A
 (c) SECNAVINST 5430.92A
 (d) DODINST 5500.7R

Encl: (1) DOD/NAVY/PACFLT HOTLINE COMPLETION REPORT
 (2) "CAVEATS" (To be placed on each allegation, as appropriate)

1. Purpose. To publish instructions and to reaffirm within NAVSTA the Department of the Navy (DON) policy pertaining to the Navy's Integrity and Efficiency (I&E) Program to eliminate fraud, waste and abuse, and related improprieties; to reinforce the attendant responsibilities of all NAVSTA military and civilian personnel; and to prescribe procedures for processing all allegations of fraud, waste, abuse, or other forms of improprieties.

2. Cancellation. NAVSTAPEARLINST 5370.1 and SUBASEPEARLINST 5200.5A. This instruction is a complete revision and should be read in its entirety.

3. Definitions. For the purposes of this instruction and per references (a) through (d) the following definitions apply:

a. 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, a 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; submission of false claims, use of false weights and measures, evasion, or corruption of inspectors and other officials, deceit either by suppression of the truth or misrepresentation of a material fact, adulteration, or substitution of materials, falsification of records and books of account, arrangements for secret profits, kickbacks, or commissions, and conspiracy to use 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.

b. 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. The term also includes improper practices involving prosecutable fraud.

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c. Abuse. Intentional or improper use of Government resources. Examples include misuse of rank, position, or authority, or misuse of resources such as tools, vehicles, or copying machines.

d. Mismanagement. A collective term covering acts of waste and abuse.

4. Policy. The policy of the Commanding Officer, Naval Station Pearl is for all personnel, military and civilian, appropriated and nonappropriated funded, to sustain a high level of professionalism throughout NAVSTA. All personnel are expected to manage and operate with unquestionable integrity and utmost efficiency. All personnel are to be alert to fraud, waste, abuse, or other forms of mismanagement or improper acts, and shall report improprieties for investigation.

5. Command Responsibility and Individual Accountability

a. The Commanding Officer is responsible for economy within the command and shall require rigid compliance with the regulations governing the receipt, accounting, and expenditure of money and materials; they shall assign clear lines of authority and responsibility, reaching to the individual level for all resources within their command; they shall hold their subordinates accountable; and they shall initiate remedial action, which may be educational, corrective, or administrative, as well as disciplinary or punitive, when appropriate.

b. Each individual within NAVSTA is fully accountable for his/her own actions, or failure to act when required. This accountability is inherent in carrying out duties as members of the Armed Forces or as civil servants or nonappropriated fund employees.

c. NAVSTA will implement a process that eases reporting and prompt resolution of integrity and efficiency issues at the lowest level possible.

d. Each complaint alleging misuse or abuse of resources, or any other integrity and efficiency issue, shall be the subject of an inquiry or investigation, as appropriate. When a complaint is forwarded down the chain of command, a timely, factual, and complete report of inquiry results following the format of enclosure (1) shall be submitted back up the chain of command. When the complaint is forwarded directly by the complainant to the command for inquiry (i.e. "Hotline Calls" received by NAVSTA/PWC) response shall be provided directly to the complainant and a report provided to the Commanding Officer. Records relating to the inquiry shall be retained for a period of four years and thereafter, forwarded to the Federal Records Center.

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e. If evidence of impropriety is found, the Commanding Officer will refer the matter to the appropriate disciplinary/administrative forum. When applicable, the Commanding Officer will implement and/or reinforce procedures to preclude reoccurrence.

f. The Commanding Officer is responsible for ensuring personnel within the command are educated to prevent, detect, and report all instances of fraud, waste and abuse. Such education shall encompass:

(1) The example set by command supervisory personnel with regard to their responsibility, accountability and personal conduct.

(2) Periodic pronouncements and discussions at command and workcenter levels, as well as articles in plans of the day/week or newspapers of units and stations, which remind all hands of the requirements to maintain absolute integrity and high efficiency.

(3) Accessibility of command authorities and "hotline" resources to those who wish to report violations.

6. Integrity and Efficiency Communication Procedures

a. The chain of command is the appropriate channel for registering complaints and grievances, for suggesting management improvements, and for reporting suspected fraud and mismanagement. However, in addition, any complaints and allegations of wrongdoing, including those which fall outside the complainant's chain of command or overlap with other commands, can be submitted by calling the:

(1) Fraud, Waste and Abuse Hotline, Naval Station, Pearl Harbor: Commercial (808) 471-4123, or Public Works Center, Commercial (808) 471-3323.

(2) Office of the CINCPACFLT Inspector General: Commercial (808) 471-9981, or write to CINCPACFLT Inspector General, 250 Makalapa Dr., Pearl Harbor, HI 96860-7000.

(3) Navy Hotline: DSN 288-6743, Commercial (202) 433-6743/800-522-3451 or write to NAVINSGEN, ATTN: Navy Hotline, Bldg 200, Washington Navy Yard, Washington, D.C. 20374-2001. (See reference (b) for additional guidance).

(4) DOD Hotline: DSN 223-5080, Commercial 1-800-424-9098 or write to: DOD Hotline Program, The Pentagon, Washington, D. C. 20301.

b. The Command Evaluation Office has been designated as the coordinator for the Integrity and Efficiency Program at NAVSTA.

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In delegation/tasking through the chain of command, he/she shall be sensitive to the need for personal and organizational independence. Complete assurance of impartiality and objectivity is essential in conducting each inquiry. In selecting an individual to conduct an inquiry, consideration shall be given to seniority, maturity, professional experience, and prior autonomy from the matter under inquiry. Upon review, if the Commanding Officer could be construed as implicated, explicitly or implicitly, the investigator and/or Commanding Officer will ensure the complaint is referred to the next senior commander for investigation.

c. Every element of an integrity and efficiency issue, and of additional questions raised during an examination, shall be fully addressed in the record or report of examination.

d. Correspondence which forwards integrity and efficiency issues from the Naval Inspector General (NAVINGEN) to the Commander in Chief U.S. Pacific Fleet normally includes a copy to the cognizant Commanding Officer. Upon receipt of the informational copy, appropriate action shall be initiated immediately by the Commanding Officer. A report of inquiry results shall be forwarded via the chain of command for endorsement to CINCPACFLT (N00IG) in the format prescribed in enclosure (1), unless otherwise specified.

e. When forwarding reports of inquiry results, in response to integrity and efficiency issues received from NAVINGEN or INGENPACFLT, forwarding shall be accomplished in time to ensure receipt by CINCPACFLT (N00IG) via Immediate Superior in Command (ISIC) (COMNAVBASE PEARL) not later than seven calendar days prior to the suspense date established. When a due date cannot be met, a request for an extension accompanied by a progress report shall be submitted directly to CINCPACFLT (N00IG), with a copy to the ISIC to be received not later than ten calendar days prior to the suspense date. A monthly status report in the format of enclosure (3) to reference (b) shall be submitted to CINCPACFLT (N00IG) via the ISIC thereafter until completion of the inquiry.

f. Reports of examination in response to NAVSTA or PWC "Hotline Calls" shall be forwarded to the Commanding Officer via the chain of command and shall follow the format of enclosure (1).

g. NAVSTA shall implement procedures that assure:

(1) Assigning and recording of case numbers for all integrity and efficiency complaints.

(2) Maintenance of a log of case numbers and corresponding date of receipt of complaint.

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(3) Maintenance of case files as prescribed in paragraph 5d above.

(4) Determination of an appropriate inquiry/investigation official, documentation of his/her delegation/assignment to the case and/or request for assistance from another command, if necessary, to ensure independence and/or cost-effectiveness.

(5) All raw allegations and subsequent correspondence are treated as "sensitive," to protect the innocent. (e.g., correspondence will be sealed in an inner envelope which specifies the individual who shall open the envelope and when practical, handcarried between offices. File copies of correspondence will not include names of individuals.)

(6) Anonymity, confidentiality, and protection of whistleblowers.

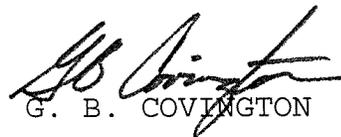
(7) Use of "caveats," when appropriate, on the document containing the complaint. (See enclosure (2)).

(8) The subject(s) of an integrity and efficiency issue are notified as to the results of examination.

(9) The complainant, if identity is known, is notified as to the results of an inquiry/investigation.

h. Cases involving potential criminality shall be referred to Naval Criminal Investigative Service (NCIS). In the event NCIS declines investigation authority, an appropriate senior in the chain of command shall conduct an administrative inquiry/investigation. Cases requiring a JAGMAN investigation shall be reported to the Staff Judge Advocate.

7. Reports. The reports specified in this instruction are exempt from formal approval and reports control by OPNAVINST 5214.7.


G. B. COVINGTON

Distribution:
NAVSTAPEARLINST 5605.2E
List I, Case 1 (NAVSTA PEARL depts/offices)

Stocked:
CO NAVSTA PEARL
Admin Office
Pearl Harbor, HI 96860-6000

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DOD/NAVY/PACFLT HOTLINE COMPLETION REPORT

DATE: _____

1. Name of Official(s) Conducting the Investigation:
2. Rank and/or Grade of Official(s):
3. Duty Position and Contact Telephone Number of Official(s):
4. Organization of Official(s):
5. Hotline Control Number:
6. Scope of Examination, Conclusions, and Recommendations:
 - a. Identify the allegations, applicable organization and location, person or persons against whom the allegation was made, dollar significance of actual or estimated loss or waste of resources.
 - b. Indicate the scope, nature, and manner of the investigation conducted (documents reviewed, witness interviewed, evidence collected, and persons interrogated). The report shall reflect whether inquiries or interviews were conducted by telephone or in person. The identity of the interviewee need not be reflected in the report; however, this information shall be documented in the official case file of the examining command. If individuals cited in the allegation are interviewed, the fact shall be reflected in the report. Procurement history data shall be reflected in complaints of excessive price increases in spare parts.
 - c. Report findings and conclusions of the investigating official. This paragraph may include program reviews made, comments as to the adequacy of existing policy or regulations, system weaknesses noted, and similar comments.
7. Criminal or Regulatory Violation(s) Substantiated:
8. Disposition: For investigations involving economies and efficiencies, provide management actions taken in the final report. For investigations involving criminal or other unlawful acts, provide the results of criminal prosecutions including details of all charges and sentences imposed. Include the results of administrative sanctions, reprimands, value of property or money recovered, or other such actions taken to preclude reoccurrence.
9. Security Classification of Information: Each investigating 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.
10. Location of Field Working Papers and Files:

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CAVEATS

1. There are a number of requirements to protect the anonymity of "Whistleblowers" and/or protect from reprisal those cooperating in a government examination. Such protections include military personnel, appropriated and nonappropriated fund employees, contractor employees and civilian government employees. The Staff Judge Advocate shall be contacted when applicable, to assist in interpretation of applicable rules and regulations.

2. To point out the necessity for exercising care in releasing certain information contained in the complaint, a caveat should be included thereon. Examples governing various circumstances appear below.

NOTICE: The complainant has requested confidentiality. However, the information contained herein may tend to identify him/her if revealed to those involved. Therefore, the details of this information shall not be made available to unauthorized personnel. If partial release of information is required to assist in the investigation, every effort should be made to protect the source's identity.

NOTICE: The complainant has chosen to remain anonymous. However, the information contained herein may tend to identify him/her if revealed to those involved. Therefore, the details of this information shall not be made available to unauthorized personnel. If partial release of information is required to assist in the investigation, every effort shall be made to protect the source's identity.

NOTICE: The identity of the complaint has not been deleted from the document in order to ease resolution of the matter. However, discretion must be exercised in the use or release of the source's identity to minimize the possibility of retaliatory action against the individual.