

GUIDE TO FILING A MILITARY WHISTLEBLOWER REPRISAL COMPLAINT

1. INSTRUCTIONS

- a. There are multiple avenues for filing a complaint with DoD Hotline. The most efficient and secure method is to use the online complaint form on the DoD Hotline website at www.dodig/Hotline/reprisalcomplaints.html. Alternatively, you may 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.
- b. If you have any questions, please call the Defense Hotline at 1-(800)-424-9098 or 1-877-363-3348 (SWA only).
 - a. If you previously filed this reprisal complaint with another agency, be prepared to 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. Be prepared to 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. Be prepared to 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 their contact information.
 - j. If more than one year has elapsed since the personnel action was taken or withheld, please explain why the complaint was not filed sooner.

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

- a. **Prohibition of Retaliatory Personnel Actions.** No person may take (or threaten to take) an unfavorable personnel action, or withhold (or threaten to withhold) a favorable personnel action, as a reprisal against a member of the armed forces for making or preparing or being perceived as making or preparing a protected communication.
- b. 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 reasonably believes evidences a violation of law or regulation, including a law or regulation prohibiting rape, sexual assault, other sexual misconduct in violation of sections 920 through 920c of the UCMJ, sexual harassment, or unlawful discrimination; gross mismanagement, gross waste, or an abuse of authority; a substantial and specific danger to public health or safety, or a threat that indicates a member's or federal employee's determination or intent to kill or cause serious bodily injury to members or civilians or damage to military, federal, or civilian property 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; a court-martial proceeding; or any other person designated pursuant to regulations or other established administrative procedures to receive such communications.
- c. **Inspectors General (IGs).** (1) The IG of the Department of Defense; (2) Any officer of the armed forces or employee of the DoD who is assigned or detailed to serve as an IG at any level within the DoD.
- d. **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.
- e. **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.