

## THE MILITARY WHISTLEBLOWER PROTECTION ACT

The Military Whistleblower Protection Act, Title 10 U.S.C. § 1034, as amended, prohibits any person from taking, withholding, or threatening any personnel action against a member of the Armed Forces as reprisal for making or preparing any protected communications. A protected communication is any lawful communication to a Member of Congress or an Inspector General, as well as any communication made to a person or organization designated under competent regulations to receive such communications, which a member of the Armed Forces reasonably believes reports a violation of law or regulation (including sexual harassment, unlawful discrimination, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial or specific danger to public health or safety).

The protections under the Military Whistleblower Protection Act afforded to members of the Armed Forces include uniformed members of the Coast Guard. Title 10 U.S.C. § 101(a)(4) defines "Armed Forces" to include "the Army, Navy, Air Force, Marine Corps, and Coast Guard."

### DoD Directive 7050.6 prohibits:

Restricting a military member from making a protected communication to a Member of Congress; an Inspector General (IG) of a DoD Component; a member of a DoD audit, inspection, investigation or law enforcement organization; or any other person or organization (including any person or organization in the chain of command) designated under component regulations or other established administrative procedures to receive such communications; and,

Taking (or threatening to take) an unfavorable personnel action or withholding (or threatening to withhold) a favorable personnel action as reprisal for making or preparing a protected communication to a Member of Congress; an IG of a DoD component; a member of a DoD audit, inspection, investigation or law enforcement organization; or any other person or organization (including any other person or organization in the chain of command) designated under component regulations or other established administrative procedures to receive such communications.

Substantiated reprisal by a military member is punishable under Article 92 of the Uniform Code of Military Justice, "Failure to Obey Order or Regulation." Substantiated reprisal by civilian employees is punishable under DoD regulations governing disciplinary or adverse actions.

### Department of Defense Inspector General Whistleblower Guidelines

The DOD Inspector General Directorate for Military Reprisal Investigations has the primary authority and responsibility to conduct investigations concerning allegations of reprisal against military members, nonappropriated fund employees and Defense contractor employees.

*Military Members now have the option of directly contacting their Military Department Inspector General or reporting their complaints to the DODIG Directorate for Military Reprisal Investigations through the Defense Hotline.*

Department of Defense Whistleblower Hotline: 1-800-424-9098 or [email](mailto:hotline@dodig.mil): hotline@dodig.mil.