U.S. Department of Transportation
Office of the Secretary of Transportation

ORDER

DOT 8000.5A

12-27-89

Subject: OFFICE OF INSPECTOR GENERAL INVESTIGATIVE PROCEDURES

1. PURPOSE. This Order provides a summary of the Office of Inspector General's (OIG) investigative procedures under the Inspector General Act of 1978, as amended. DOT Order 8000.1C, OIG Audit and Investigative Report Findings, Recommendations and Followup Action provides procedures for the issuance of reports of investigation and management followup actions.

2. CANCELLATION. DOT 8000.5, Office of Inspector General Investigative Procedures, dated April 4, 1984.

3. SPECIFIC RESPONSIBILITIES AND OPERATING PROCEDURES.

   a. Referrals for Investigation. To effectively carry out its investigative responsibilities, the OIG must have the full cooperation of all officials and employees of the Department to ensure that investigative matters within the purview of the Inspector General Act are promptly referred to the OIG for disposition in accordance with the below-described procedures.

   b. Agency Officials. Agency heads, in addition to ensuring compliance with applicable statutes, regulations, and agency instructions and except as otherwise provided by law, are responsible for bringing to the attention of the OIG complaints, allegations, or information relating to matters within the jurisdiction of the OIG. Information brought to the attention of supervisory or management officials will be so referred to the OIG without delay and without change. Such information must be safeguarded and restricted to officials who have a "need-to-know." Each administration will appoint a liaison official and notify the OIG of such individual's identity and any subsequent changes in representation.

   c. Departmental Employees. Employees are responsible for reporting to proper officials, for referral to the OIG, all instances of direct or suspected violations of law, waste, abuse, mismanagement or irregular activities by a DOT employee, contractor, or grantee affecting DOT programs or activities. Employees also have the option of making a direct referral to the Inspector General via the OIG hotline (see subparagraph d) on FTS 366-1461 or 800-424-9071, or by mail to the Office of Inspector General, P.O. Box 23178, Washington, DC 20026-0178.

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All Operating Administrations

OPI: Office of Inspector General

d. OIG Hotline.

(1) The Inspector General Act of 1978, as amended, Section 7, authorizes the Inspector General to receive and investigate complaints or information concerning the possible existence of any activity constituting a violation of law, rules, regulations, mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety. The Inspector General, after receipt of a complaint or information from a source, shall protect the identity of the source when anonymity is requested, unless the Inspector General determines that such disclosure is unavoidable during the course of an investigation.

(2) Some complaints may not be appropriate for OIG investigation or audit but more suitable for investigation or administrative action by a DOT element or other Governmental agency. When this occurs, the OIG will forward the complaint to the concerned DOT element or other Governmental agency for their information or action.

(3) The OIG has a responsibility to document the nature and disposition of all hotline complaints regardless of disposition. When a complaint is referred to a DOT element, the OIG will require notification of action taken by the DOT element, normally within 30 days of transmitting the complaint.

e. Requests for OIG Investigation.

(1) Requests for investigation from DOT elements should be in writing from the designated liaison official or other agency officials authorized to request OIG investigations. In exigent circumstances, telephonic requests may be made, followed by a written confirmation.

(2) Requests may be directed to OIG Headquarters or field offices, commensurate with the internal procedures of each DOT element.

(3) All pertinent available facts, information, and supporting documentation should be included in the request.

(4) The OIG will promptly acknowledge such requests and advise the requester whether the OIG will conduct an investigation. If declined, the matter may be referred back to the requester for administrative action as appropriate.

f. Notice of Investigation. The OIG will (1) provide notice of an investigation to the designated Departmental investigation liaison official or higher DOT authority as promptly as possible after

initiating an investigation, except when other considerations make notification impractical; (2) as appropriate, keep them informed in a timely manner of significant case developments; and (3) provide the results of investigation to the appropriate DOT official as promptly as possible following the completion of an investigation.

4. ASSISTANCE DURING INVESTIGATIONS.

a. Agency officials must, in accordance with the Inspector General Act, Section 6(a)(1), provide OIG personnel access to all records, reports, audits, reviews, or other available material which relate to programs and operations for which the Inspector General has audit or investigative responsibilities under the Inspector General Act. Requests for technical assistance should be approved whenever possible.

b. Agency officials must not take actions prejudicial to an investigation and shall coordinate proposed administrative actions with the OIG on matters affecting a pending investigation, prosecution or civil proceeding in which the OIG has an interest. Every effort will be made by the OIG, in coordination with the Department of Justice, or other appropriate Federal agency, and interested DOT elements, to accommodate all interests in expeditiously resolving issues in cases of parallel proceedings.

c. Officers and employees must cooperate in official investigations or inquiries or face possible administrative action. The cooperation required includes testifying and providing information relating to the performance of their duties. Based on court precedents, refusal to cooperate may result in removal from office or employment unless the officer or employee validly invokes his or her privilege against self-incrimination.

FOR THE SECRETARY OF TRANSPORTATION:

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Administration