

U.S. Department of Energy
Washington, D.C.

ORDER

DOE O 221.2

Approved: 03-22-01
Sunset Review: 03-22-03
Expires: 03-22-05

SUBJECT: COOPERATION WITH THE OFFICE OF INSPECTOR GENERAL

1. OBJECTIVE. To establish Department of Energy (DOE) policy for cooperating with the Office of Inspector General (OIG).
2. CANCELLATION. DOE 2320.1C, COOPERATION WITH THE OFFICE OF INSPECTOR GENERAL, dated 5-18-92. Cancellation of this Order does not, by itself, modify or otherwise affect any contractual obligation to comply with the Order. Canceled Orders that are incorporated by reference in a contract will remain in effect until the contract is modified to delete the reference to the requirements in the canceled Orders.
3. APPLICABILITY.
 - a. DOE Elements. This Order applies to all DOE Headquarters and field elements, including the National Nuclear Security Administration (NNSA).
 - b. Contractors. This Order applies to all DOE major facilities management contractors and all other contractors as contractually mandated. Contractor requirements are listed in the Contractor Requirements Document (CRD), Attachment 1. Contractors are responsible for—
 - (1) compliance with the requirements of the CRD of this Order regardless of the performer of the work, and
 - (2) flowing down the requirements of the CRD of this Order to subcontracts to the extent necessary to ensure contractors' compliance with the requirements.
4. POLICY.
 - a. All DOE Federal and contractor employees must cooperate fully and promptly with requests from the OIG for information and data relating to DOE programs and operations. Employees shall also comply with requests for interviews and briefings and shall provide affidavits or sworn statements, if so requested by an employee of the OIG so designated to take affidavits or sworn statements.

Distribution:
All Departmental Elements

Initiated By:
Office of Inspector General

- b. Normally, the OIG shall not, after receipt of a complaint from an employee, disclose the identity of the employee without the consent of the employee. Circumstances when the OIG will disclose identifying information include, but are not limited to: referrals to appropriate agencies for law enforcement purposes; disclosures under court order and to administrative bodies, such as the Merit Systems Protection Board, when due process would require disclosure; responses to requests by congressional committees and subcommittees; and referrals to other agencies that may have cognizance over the matter.
 - c. DOE managers and contractor managers must ensure that reprisals are not taken against their employees who report fraud, waste, abuse, misuse, corruption, criminal acts, or mismanagement.
 - d. No DOE Federal or contractor employee shall impede or hinder an employee's cooperation with the OIG.
- 5. ADVANCE NOTICE. OIG personnel will maintain appropriate security clearances to access classified information. The OIG is not required to give advance notice or seek the approval of any official in DOE before conducting audits, inspections, or investigations. When possible, supervisors will be informed in advance that their areas of responsibility are to be audited or inspected. Because some OIG investigations may involve allegations of criminal misconduct, circumstances will dictate whether, and what type of, notice will be given.
- 6. RELATIONSHIP WITH OTHER LAWS. Nothing in this Order shall abrogate the employee's constitutional rights.
- 7. REFERENCES.
 - a. The Inspector General Act of 1978, Public Law 95-452, as amended, 5 United States Codes (U.S.C.), App. 3, sets forth authority and functions of the Inspector General.
 - b. Title 10 CFR Part 1010, Conduct of Employees, requires DOE employees to cooperate with the OIG.
 - c. DOE O 224.2, AUDITING OF PROGRAMS AND OPERATIONS, dated 03/22/01, which defines the audit responsibilities referred to in paragraph 5.
 - d. Title 5 U.S.C. section 2302(b)(8) and (b)(9), as amended by P.L. 101-12, which prohibits personnel actions against employees because of cooperation with, or disclosure of information to, the OIG.

- e. DOE O 221.1, REPORTING FRAUD, WASTE, AND ABUSE TO THE OFFICE OF INSPECTOR GENERAL, dated 03/22/01, which establishes policies and procedures for such reporting.
8. CONTACT. Questions concerning this Order should be addressed to the Office of Inspector General, 202-586-3202.



SPENCER ABRAHAM
SECRETARY OF ENERGY

CANCELED

CONTRACTOR REQUIREMENTS DOCUMENT

DOE O 221.2, COOPERATION WITH THE OFFICE OF INSPECTOR GENERAL

Department of Energy (D)E) contractors, including contractors of the National Nuclear Security Administration (NNSA), and their employees must cooperate fully and promptly with requests from the OIG for information and data relating to DOE programs and operations. Employees shall also comply with requests for interviews and briefings and shall provide affidavits or sworn statements, if so requested by an employee of the OIG so designated to take affidavits or sworn statements.

1. Contractor employees shall not impede or hinder another employee's cooperation with the OIG.
2. Contractor managers must ensure that reprisals are not taken against DOE contractor employees who cooperate with or disclose information to the OIG.