



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
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ASO 12810.1
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AIR STATION ORDER 12810.1

From: Commanding Officer, Marine Corps Air Station, Cherry Point
To: Distribution List

Subj: FEDERAL EMPLOYEES COMPENSATION ACT (FECA) FRAUD INVESTIGATION PROGRAM

Ref: (a) MCO 12810.1
(b) SECNAVINST 5430.107A

1. Situation. The Federal Employee Compensation Act (FECA) Fraud Investigation Program originated in 1996 providing Marine Corps Air Station Cherry Point (MCAS CHERPT) with the organic capability to combat FECA fraud. The FECA Fraud Program has two Criminal Investigators and was expanded in 2001 through reimbursable baseline funding to encompass Marine Corps Base (MCB), Camp Lejeune employees suspected of fraudulently receiving Workers Compensation payments. Reference (a) subsequently establishes that commands identify full-time FECA Fraud Investigator(s) to inquire and investigate questionable claims to identify and discontinue fraudulent claims.

2. Cancellation. ASO 12810.

3. Mission. To publish responsibilities for execution of the Command FECA Fraud Investigation Program to investigate questionable claims in accordance with references (a) and (b).

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. To administer a local FECA Fraud Investigation Program to ensure that alleged cases of FECA fraud are identified and properly adjudicated.

(2) Concept of Operations

(a) Federal Employee Compensation Act investigations will be conducted based on referrals received from the Workers' Compensation Human Resource Office, Hot Line Complaints, upon review of information contained in the command's Chargeback, through background and database checks, and sources identified during the course of investigations.

(b) The success of the program requires a close working relationship with the workers' compensation human resource specialists and agents from the U.S. Department of Labor, to identify potential fraudulent workers' compensation claims, and requires coordination with the Assistant United States Attorney, the claims examiners at the Office of Worker's Compensation Programs (OWCP), the MCAS CHERPT Naval Criminal Investigative Service (NCIS), and support from the Provost Marshall.

b. Coordinating Instructions. The following responsibilities are assigned.

(1) Director, Provost Marshall

- (a) Exercise oversight over the administration of the FECA Fraud Program.
- (b) Ensure FECA Fraud Investigators are provided with necessary office space and equipment necessary to conduct investigations.
- (c) Provide administrative support as required.
- (d) Provide an operating budget for justified expenses, travel, and professional annual training requirements.
- (e) Ensure FECA Fraud Investigators are hired as Occupational Series 1811 (Criminal Investigator).
- (f) Ensures investigators are properly credentialed.

(2) Supervisory Criminal Investigator, Criminal Investigative Division

- (a) Manage investigation program.
- (b) Submit monthly reports to Provost Marshall detailing current status of on-going investigations.
- (c) Maintain log to document issuance of FECA Investigator credentials.
- (d) Conduct physical inventory of FECA Consolidated Memorandum Records (CMR) assets.
- (e) Maintains a FECA Evidence Locker to store and account for evidentiary items.
- (f) Ensures completion of quarterly inspections of the FECA evidence locker by a disinterested third party.
- (g) Maintain assigned vehicle fleet equipped with surveillance equipment.
- (h) Maintain unexpired specialized confidential (under cover) vehicles tags (coordinated through the North Carolina Department of Motor Vehicles and State Bureau of Investigations).
- (i) Complete performance evaluations for FECA Fraud Investigators.

(3) Relationship with Federal and State Law Enforcement

- (a) Coordinate intercept authority (recorded conversation authority) through NCIS or through the U. S. Department of Labor Inspector General in the event NCIS is unable to do so.
- (b) FECA fraud investigations that reach the prosecutorial stage must be referred to NCIS who typically assume primary jurisdictional authority over investigations that reach criminal status.
- (c) Investigations that meet the criminal status, but declined by NCIS, will be adjudicated through the appropriate prosecution office or referred to OWCP for civil action as appropriate.

5. Administration and Logistics

a. Administration

(1) Credentials

(a) Investigators will be issued locally produced serialized credentials under signature of the SES Director.

(b) Credentials serve as a means of identification to conduct official government business. The protection of credentials is the sole responsibility of the person to whom issued, and do not authorize the FECA investigator any law enforcement authority. Duplication of an issued credential is unauthorized.

(c) Credentials will be surrendered to the Services Officer upon reassignment or when the individual is no longer filling the billet requiring the credentials.

(2) Investigative Reports

(a) Investigative reports will be maintained on file at the FECA Fraud Investigations office.

(b) Per reference (c), copies of investigative reports must be included when an investigation is referred to NCIS as a criminal investigation matter.

(c) Copies of investigative reports will be provided to prosecutors and OWCP as required in support of the adjudication process.

(3) Case Reviews

(a) The Supervisory Criminal Investigator will provide the Provost Marshall with an update on a monthly basis concerning current status of investigations.

(b) The Supervisory Criminal Investigator, accompanied by the Provost Marshall, will periodically update the Commanding Officer regarding the current status of investigations.

(4) Evidence Lockers

(a) The Evidence Locker and applicable documents will be maintained and safeguarded, as to protect the integrity, materiality and original condition of items as when received.

(b) Inspections of the Evidence Locker will be conducted at a minimum quarterly, by a disinterested third party individual to be identified by the Provost Marshall.

6. Command and Signal

a. Command. This order is applicable to MCAS CHERPT.

b. Signal. This order is effective the date signed.


M. R. HUBER