



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
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ASO 12810
MPR

19 DEC 2018

AIR STATION ORDER 12810

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

Subj: FEDERAL EMPLOYEES COMPENSATION ACT FRAUD INVESTIGATION PROGRAM

Ref: (a) MCO 12810.1
(b) MCO 5500.6H CH-1
(c) SECNAVINST 5430.107
(d) MCO 5580.2B

Encl: (1) FECA Fraud Investigations Status

1. Situation. The Federal Employees Compensation Act (FECA) Fraud Investigation Program originated in 1996 providing MCAS Cherry Point with organic capability to combat FECA fraud. The FECA Fraud Program has grown to three (3) criminal investigators and one (1) investigative assistant and was expanded in 2001 through reimbursable baseline funding to encompass Marine Corps Base, 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. None.

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

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) FECA 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 maintaining 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 Eastern Area Counsel Office, the United States Attorney Office for the Eastern District of North Carolina, the U. S. Department of Labor Office of Worker's Compensation Programs (OWCP), and the Cherry Point Naval Criminal Investigative Service (NCIS).

b. Coordinating Instructions. The following responsibilities are assigned.

(1) Director, Manpower Directorate

(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) Ensure investigators are properly credentialed and armed.

(g) Ensure armed investigator are issued OPNAV Form 5512/2 signed by the Commanding Officer.

(h) Complete performance evaluation for the supervisory FECA Fraud Investigator.

(2) Supervisory FECA Fraud Investigator

(a) Manage investigation program.

(b) Submit bi-weekly reports to Director of Manpower detailing current status of on-going investigations.

(c) Maintain log to document issuance of FECA Investigator credentials.

(d) Ensure, document, and maintain completion of pistol qualifications in accordance with reference (b).

(e) Conduct, document, and maintain completion of Annual Deadly Force Acknowledgement & Review in accordance with reference (b).

(f) Conduct physical inventory of FECA CMR (Consolidated Memorandum Records) assets.

(g) Maintain a FECA evidence locker to store and account for evidentiary items.

(h) Ensure completion a quarterly inspection of the FECA evidence locker is conducted by a disinterested third party.

(i) Maintain assigned vehicle fleet equipped with surveillance equipment.

(j) Maintain unexpired specialized confidential (under cover) vehicles tags (coordinated through the NCDMV and State Bureau of Investigations).

(k) Complete performance evaluations for FECA Fraud Investigators and Investigative Assistant.

(3) Relationship with Federal and State Law Enforcement

(a) Coordinate intercept authority (recorded conversation authority) through Naval Criminal Investigative Service (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 Commanding Officer.

(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 supervisory FECA investigator in charge upon reassignment or when the individual is no longer filling the billet requiring the credentials.

(2) Arming. References (b) and (d) govern arming of FECA Investigators.

(a) The Commanding Officer exercises authority to arm FECA investigators with government issued pistols from the Armory, Marine Corps Air Station Cherry Point.

(b) The Commanding Officer is authorized to issue a letter authorizing FECA investigators 24/7 carry and retention of government issued firearm.

(c) Investigators shall carry on their person OPNAV 5512/2 under signature of the Commanding Officer while armed.

(d) Investigators shall comply with the requirements for carrying, use, and training with their issued firearms.

(e) Issued firearms shall be properly maintained and secured.

(f) Firearms shall undergo Limited Technical Inspection and Pre-Fire Inspection prior to pistol range training.

(3) 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.

(4) Case Reviews

(a) The Supervisory Criminal Investigator will provide the Director of Manpower with an update (enclosure (1)) on a bi-weekly basis concerning current status of investigations.

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

(3) Evidence Lockers

(a) The evidence locker and applicable documents will be maintained in accordance with the requirements set forth in reference (d).

(b) Inspections of the evidence locker will be conducted in accordance with reference (d). A disinterested third party individual to conduct the inspection will be identified by the Director of Manpower.

6. Command and Signal

a. Command. This order is applicable to MCAS Cherry Point.

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


T. W. FERRY

DISTRIBUTION: A