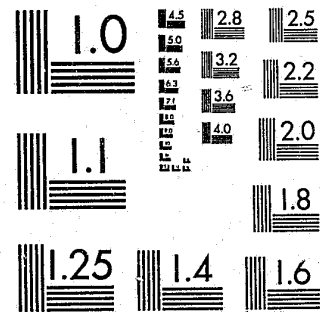


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National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

5-27-82

WHISTLEBLOWING AND THE FEDERAL EMPLOYEE

MF-1

Blowing the whistle on
fraud, waste, and mismanagement—
who does it and what happens

81074

OCTOBER 1981

A REPORT OF THE U.S. MERIT SYSTEMS PROTECTION BOARD
OFFICE OF MERIT SYSTEMS REVIEW AND STUDIES

MERIT PRINCIPLES GOVERNING THE FEDERAL PERSONNEL SYSTEM

The Civil Service Reform Act (Pub.L. No. 95-454, 92 Stat. 111 (1978)) requires that Federal personnel management be implemented consistent with the following merit principles:

- (1) Recruitment should be from qualified individuals from appropriate sources in an endeavor to achieve a work force from all segments of society, and selection and advancement should be determined solely on the basis of relative ability, knowledge, and skills, after fair and open competition which assures that all receive equal opportunity.
- (2) All employees and applicants for employment should receive fair and equitable treatment in all aspects of personnel management without regard to political affiliation, race, color, religion, national origin, sex, marital status, age, or handicapping condition, and with proper regard for their privacy and constitutional rights.
- (3) Equal pay should be provided for work of equal value, with appropriate consideration of both national and local rates paid by employers in the private sector, and appropriate incentives and recognition should be provided for excellence in performance.
- (4) All employees should maintain high standards of integrity, conduct, and concern for the public interest.
- (5) The Federal work force should be used efficiently and effectively.
- (6) Employees should be retained on the basis of the adequacy of their performance, inadequate performance should be corrected, and employees should be separated who cannot or will not improve their performance to meet required standards.
- (7) Employees should be provided effective education and training in cases in which such education and training would result in better organizational and individual performance.
- (8) Employees should be--
 - (a) protected against arbitrary action, personal favoritism, or coercion for partisan political purposes, and
 - (b) prohibited from using their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for election.
- (9) Employees should be protected against reprisal for the lawful disclosure of information which the employees reasonably believe evidences--
 - (a) a violation of any law, rule, or regulation, or
 - (b) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

It is a prohibited personnel practice to take or fail to take any personnel action when taking or failing to take the action results in the violation of any law, rule or regulation implementing or directly concerning these merit principles.

The Merit Systems Protection Board is directed by law to conduct special studies of the civil service and other Federal merit systems to determine whether these statutory mandates are being met, and to report to the Congress and the President on whether the public interest in a civil service free of prohibited personnel practices is being adequately protected.

These studies, of which this report is one, are conducted by the Office of Merit Systems Review and Studies.

THE U.S. MERIT SYSTEMS PROTECTION BOARD

Ersa H. Poston, Vice-Chair
Ronald P. Wertheim, Member

Office of Merit Systems Review and Studies

Patricia A. Mathis, Director
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THE VICE-CHAIR OF THE MERIT SYSTEMS PROTECTION BOARD

Washington, D.C. 20419

October 1981

THE PRESIDENT
THE PRESIDENT OF THE SENATE
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

Dear Sirs:

In accordance with our responsibilities under Section 202 (a) of the Civil Service Reform Act of 1978 (U.S.C. 1205 (a)(3)) it is my honor to present this report of a special study conducted by the Board's Office of Merit Systems Review and Studies.

This report conveys the results of a survey of Federal employees regarding their knowledge of illegal or wasteful activities affecting their agencies and whether they were able to report such activities free from reprisal.

We urge your careful consideration of the findings and recommendations presented here.

Respectfully,

Ersal H. Poston

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INTRODUCTION

Background. A cornerstone of the Civil Service Reform Act of 1978 (CSRA) was the belief that "whistleblowers" can play a legitimate role in ensuring the integrity and efficiency of the Government, and that the protection of whistleblowers was "essential to the improvement of the public service." Thus, for the first time, that law gave statutory protections to Federal employees who disclose illegal or wasteful activities. The intent of these provisions was not simply to protect employees who make disclosures, but more fundamentally and indirectly to "foster Government efficiency by bringing problems to the attention of officials who could solve them." ^{1/}

Thus the success of the legislation should be judged **not** in terms of the numbers of employees who go outside their chain of command to report fraud or waste or seek protection from reprisal, but by the number of employees who are persuaded to bring problems to the attention of their own management and have no need to go any further. According to this view, the major benefit of the legislation would be to create a climate where employees feel secure in bringing problems to the attention of their supervisors, and supervisors have a strong incentive to deal with those problems constructively at the local level.

The Merit Systems Protection Board was also established under the CSRA to perform a number of functions including the conduct of special studies to determine if a civil service free of prohibited personnel practices is being maintained. The Office of Merit Systems Review and Studies (MSRS) has responsibility for conducting the studies. This is the final report on one such study which seeks to shed some light on "whistleblowing" and the reprisals that are sometimes taken against whistleblowers.

Purpose. This study was intended to assess the extent of employees' awareness of illegal or wasteful activities, then trace what those employees did (or failed to do) with that information, and what, if anything, resulted. The study was also intended to explore the views of Federal employees on important issues related to whistleblowing. It was **not** intended to measure the extent of fraud, waste, or mismanagement in government, although the observations of employees shed considerable light on the nature and extent of these problems.

The survey is based entirely on the self-reported experiences of Federal employees, and may therefore be expected to reflect a certain degree of misperception of observed events, incomplete understanding of facts, one-sided viewpoints, and self-serving recollections. However, based on the size of the sample, the clear-cut nature of the trends, the consistency of the findings, and

^{1/} Testimony of Alan K. Campbell, Director of the Office of Personnel Management before the Subcommittee on Post Office and Civil Service, House of Representatives, March 12, 1980.

a careful reading of over 2,500 narrative accounts, the Office of Merit Systems Review and Studies is inclined to give substantial weight to these survey results. Moreover, the question of subjectivity or objectivity of these results appears largely irrelevant, since the beliefs of employees, as reported in this survey, may ultimately influence their actions, regardless of the truth or falsity of those beliefs.

The Office of Merit Systems Review and Studies believes this is the first time a study of reprisal has been conducted on a large-scale, random sample of employees in any organization, certainly the first time within the Federal Government. By basing the study on a random sample of employees (rather than on whistleblowers or reprisal victims only), the study was able to assess for the first time:

- The amount of illegal or wasteful activity which is observed by employees but not reported.
- The full range of outcomes in those instances which **are** reported.
- The attitudinal profile of Federal workers on issues which have a major impact on their decision to report--or overlook--any illegal or wasteful activities which come to their attention.

The results of this study, although somewhat disquieting, contribute some major pieces to the puzzle in the Board's attempt to understand the true nature and extent of whistleblowing within the Federal workforce and the adequacy of the CSRA's whistleblower provisions.

Procedure. The study was conducted through the administration of a questionnaire, developed in cooperation with the Offices of Inspector General (OIG) in fifteen major Federal departments and agencies. Agencies covered were Departments of Agriculture, Commerce, Energy, Health and Human Services, Education, Housing and Urban Development, Interior, Labor, Transportation and the Community Services Administration, Environmental Protection Agency, General Services Administration, National Aeronautics and Space Administration, Small Business Administration and the Veterans Administration. These 15 agencies employ a total of more than 757,000 permanent employees.

The questionnaire was developed in the summer of 1980 and distributed in December 1980 through the OIGs to the home addresses of approximately 13,000 randomly selected employees employed by the 15 covered agencies. The sample drawn from each agency, in effect, was a mirror image of the total population within that agency. Approximately 8,600 employees completed and returned the questionnaire. Over 2,500 of those employees also included written comments to elaborate upon their answers. (See Appendix A.)

Events Since The Survey Was Conducted. In March, 1981 (three months after our survey was conducted) President Reagan signed an executive order creating the President's Council on Integrity and Efficiency. The Council is intended to improve cooperation among Federal agencies in fighting fraud and waste. It is

chaired by the Deputy Director of the Office of Management and Budget and composed of representatives from the Cabinet departments and major agencies. (The 15 departments and agencies we surveyed are represented on the Council by their Inspectors General.)

In April 1981, we released a preliminary report of our findings from this survey. President Reagan immediately issued a statement in which he reaffirmed his determination to eliminate fraud, waste, and abuse and to change the current attitude among employees that "nothing would be done" if they reported an illegal or wasteful activity. Coinciding with the President's statement, the Council on Integrity and Efficiency publicized a list of whistleblower hotline numbers set up by over 20 departments and agencies.

Among significant actions that have occurred since the survey was conducted are the following:

- The Office of Special Counsel of the Merit Systems Protection Board has increased its outreach efforts by encouraging other Federal agencies to inform their employees about the Special Counsel, and by widely distributing informational posters and pamphlets.
- Approximately 2,500 written comments volunteered by our survey respondents were provided to the appropriate Inspectors General (minus **any** information that might identify the individual respondent) for possible follow-up. A number of the comments contained specific allegations of instances of fraud, waste, and mismanagement. ^{2/}
- The Council on Integrity and Efficiency is consolidating each IG's assessment of the significance of the questionnaire comments and will coordinate related development of any policy recommendations. The Council is also exploring possible solutions to some of the underlying problems identified by the survey. For example, they are facilitating the sharing of information among Inspectors General with regard to the methods used to follow-up on allegations of wrongdoing; their objective is to improve the weaker systems.

^{2/} Since the survey was **not** intended to develop specific information about fraud, waste, or mismanagement, however, many of the comments did not provide sufficient information to allow the Inspectors General to conduct follow-up investigations nor could the IG's contact the respondents for additional information since their identities are not known.

EXECUTIVE SUMMARY

The Merit Systems Protection Board was directed by the CSRA to conduct special studies to determine if a civil service free of prohibited personnel practices is being maintained. The Office of Merit Systems Review and Studies (MSRS) has responsibility for conducting the studies.

This is the final report of our special study on "whistleblowing" and the reprisals that are sometimes taken against whistleblowers. The study was **not** intended to measure the extent of fraud, waste, or mismanagement in government, although the observations of the surveyed employees shed considerable light on that subject.

The survey is based on the self-reported experiences of Federal employees and may therefore reflect a certain degree of misperception of observed events, incomplete understanding of facts, one-sided viewpoints, and self-serving recollections. However, the size of the sample, the clear-cut nature of the trends, the consistency of the findings, and a careful reading of over 2,500 narrative accounts, give substantial weight to these survey results.

MAJOR FINDINGS

What Fraud, Waste, And Mismanagement Is Observed By Federal Employees

- Approximately 45% of the employees surveyed claimed to have observed one or more instances of illegal or wasteful activity during the previous 12 months.
- According to these employees, waste of Federal funds caused by badly managed Federal programs was by and large the most serious problem in terms of the dollar value involved.
- Over half (52%) of all employees who observed an illegal or wasteful activity claimed that it involved more than \$1,000 in Federal funds or property.
- The percentage of employees who claimed to have observed specific types of fraud, waste, and mismanagement varied considerably from one agency to another.

- Respondents identified agency employees as the cause of the problem in the majority of cases. However, individuals or organizations receiving Federal funds, goods, or services were said to be responsible for as much as one-third of the problems in some agencies.

What Federal Employees Do With Information About Illegal Or Wasteful Activities

- Seventy percent of those employees who claimed to have personal knowledge of some type of fraud, waste, or mismanagement did **not** report the misconduct.
- The percentage of respondents within each agency who **did** report such activity ranged from a low of 22% to a high of 51%.
- Higher graded employees were more likely to have reported an improper activity than lower graded ones.
- Most of those employees who observed an illegal or wasteful activity and chose to report it did so within their supervisory chain of command, and apparently went no further.
- Over 78% of all employees reporting an activity reported it to their immediate supervisor and 39% reported it to someone **above** their immediate supervisor.
- Employees viewed existing channels of reporting as generally unresponsive.

Why Employees Do Not Report Fraud, Waste, And Mismanagement

- Employees most frequently cited their belief that nothing would be done to correct illegal or wasteful activity as a reason for not reporting the activity. (Fifty-three percent of those who did not report incidents which they had observed cited this belief as one reason for not doing so.)
- Less than one out of every five employees (19%) who had direct knowledge of fraud, waste, or mismanagement and chose not to report it gave fear of reprisal as a reason.
- The percentage of employees citing each of several major reasons for not reporting observed activities varied significantly among the agencies.

What Happens To The Employees Who Report Illegal Or Wasteful Activities

- The following consequences were reported by those of our respondents who claimed to have reported a serious incident of abuse (either the most serious problem of which they were aware, or the problem having the greatest impact on them personally):
 - Almost a fourth (24%) said that they were **not** identified as the source of the report. (We assume in this report that nothing happened to these employees as a result of their disclosing such activity).
 - More than half (55%) of those who **were** identified as the source of the report ("identified reporters") believed that nothing happened to them as a consequence of having made the report.
 - Approximately 11% of the identified reporters said that they were given credit by their management for having reported the incident.
 - Over a third of the identified reporters believed that reporting the incident resulted in some form of "negative experience" for them.
- Among a broader group of employees who reported **any** incident of misconduct-- whether the most serious or not--within the last year and who were identified as the source of the report, approximately 20% claimed to have been the victim of reprisal or the threat of reprisal.
- The most frequently cited forms of reprisal were more subjective, discretionary actions, such as poor performance appraisal, assignment of less desirable or less important duties, and denial of promotion. On the other hand, the least frequently cited forms of reprisal were more overt, objectively negative actions, such as grade level demotion, suspension from one's job, and reassignment to a different geographic area.

What Employees Think About Reporting Illegal And Wasteful Activities And The Chances Of Suffering Reprisal For Doing So

- Federal employees overwhelmingly agreed that fraud, waste, and mismanagement should be reported; that it is in the best interests of their agency to do so; and that employees should be **encouraged** to report such problems.

- However, a substantial percentage of employees were skeptical of the effectiveness of protections against reprisal.
- Employees were not confident that their supervisors and persons above their supervisors would not retaliate against them. Only about half (45%) of all employees expressed confidence that their supervisor would not take action against them if they were to report illegal or wasteful activities through official channels.
- On an agency basis, the percentage of employees who expressed confidence that their immediate supervisor would **not** take reprisal action ranged from a low of 38% to a high of 53%.

Employee Knowledge Of Reporting Channels And How Confident They Are In These Channels

- Employees were widely ignorant of the channels established to receive reports of illegal or wasteful activity. Less than half (47%) said that they would know where to report illegal or wasteful activity.
- The percentage of employees who said that they **do** know where to report wrongdoing varied substantially by grade level and by agency.
- Large percentages of employees had never even heard of the Office of Inspector General (OIG) within their agency (23%), or of the Office of Special Counsel (OSC) within the MSPB (51%). And among those employees who **had** heard of either organization, there was a low level of confidence in the ability of either to carry out its mission.
- However, those who indicated the **greatest** degree of familiarity with either organization also tended to have the greatest degree of confidence in that organization.

What Employees Believe Would Encourage Them To Report Fraud, Waste, And Mismanagement

- "Knowing that something would be done to correct the activity if I reported it" was the condition most frequently cited by respondents (81%) as the one that would most encourage them to report an activity.

- "Knowing that I would be protected from any sort of reprisal" was the second most frequently cited condition (41%).
- Only a small percentage (2%) of employees felt that a cash reward would personally motivate them to report fraud, waste, or mismanagement. Some advised against such rewards.

RECOMMENDATIONS

- Institutions (such as MSPB/OSC and agency OIG's) charged with responsibility for investigating complaints of illegal or wasteful activity should continue intensive efforts to inform all Federal employees of specific information about where and how such information can be confidentially reported.
- Although the risk of reprisal is serious, interested persons and organizations should take care to avoid over-publicizing "negative experiences" as the inevitable consequence of reporting illegal or wasteful activity. Employees should be made aware of the fact that nearly two-thirds of their peers who stepped forward to report such activity either suffered no consequence or were actually recognized for their action.
- Agency heads should build upon the data base made available by this study to thoroughly study and understand the dynamics of their own "organizational climate." They should learn why and how their agency differs from the norms revealed in this study, then devise strategies to correct what they are doing wrong and continue what they are doing right.
- Agency heads, and the heads of all organizations concerned with discovering and correcting wasteful or illegal activity (including prosecution of those responsible for such activities) should insure that the results of investigations prompted by employee disclosure are well-publicized among Federal employees, and particularly among those employees of the agency in which such activity was found to occur.
- Agency heads should consider establishing active "outreach" efforts to directly solicit employee viewpoints and knowledge regarding illegal or wasteful activities. These active efforts--which might include confidential surveys or ad hoc employee councils--would supplement existing "passive" reporting systems, such as "hot lines," which depend on employees to initiate such reports.

WHAT FRAUD, WASTE, AND MISMANAGEMENT IS OBSERVED BY FEDERAL EMPLOYEES

- Approximately 45% of the employees surveyed claimed to have observed one or more instances of illegal or wasteful activity during the previous 12 months.
- According to these employees, waste of Federal funds caused by badly managed Federal programs was by and large the most serious problem in terms of the dollar value involved.
- Over half (52%) of all employees who observed an illegal or wasteful activity claimed that it involved more than \$1,000 in Federal funds or property.
- The percentage of employees who claimed to have observed specific types of fraud, waste, and mismanagement varied considerably from one agency to another.
- Respondents identified agency employees as the cause of the problem in the majority of cases. However, individuals or organizations receiving Federal funds, goods, or services were said to be responsible for as much as one-third of the problems in some agencies.

In the vast Federal bureaucracy it is not difficult to conceal wrongdoing, provided that no one summons the courage to disclose the truth. Whenever misdeeds take place in a Federal agency, there are employees who know that it has occurred, and who are outraged by it. 1/

Estimates as to the amount of Federal tax dollars wasted annually because of illegal or wasteful Government activities range from hundreds of millions to billions of dollars. 2/ One of the principal goals of the Civil Service Reform

1/ Report of the Committee on Governmental Affairs, Civil Service Reform Act of 1978, S. Rep. No. 95-969.

2/ A recent GAO report, Fraud in Government Programs: How Extensive Is It? How Can It Be Controlled? (May 7, 1981), estimated the loss to the Federal Government from known fraud totaled between \$150 million to \$220 million. GAO maintains that "this is probably just the tip of the iceberg." Similarly, former Attorney General Benjamin Civiletti once estimated that "as much as 10 percent of the budgets of some Federal agencies is either wasted, misdirected, or stolen (see "The Government vs. Itself," Newsweek, April 27, 1981, pp. 73-74).

Act of 1978 was to encourage Federal employees to expose fraud, waste and mismanagement by protecting them from reprisal for bringing such problems to the attention of responsible officials. One of the purposes of our study was to determine whether those protections against reprisal are effective enough to have that intended effect.

To understand how reprisal and the fear of reprisal affect the willingness of Federal employees to report wasteful or illegal conduct, one needs first to identify a class of employees who have personal knowledge of such conduct. By definition, only these employees are in a position to reveal such wrongdoing and thereby expose themselves to reprisal for such reporting.

The questionnaire therefore asked respondents whether they had personally observed or obtained direct evidence of various types of illegal or wasteful activity affecting their agency during the preceding 12 months. Respondents were provided a list of ten different such activities, and were asked to indicate the dollar amount involved or the frequency of occurrence of each type they claimed to have observed. The ten activities listed in the questionnaire were:

- Employees stealing Federal funds.
- Employees stealing Federal property.
- Employees accepting bribes or kickbacks.
- Waste of Federal funds caused by ineligible people (or organizations) receiving Federal funds, goods, or services.
- Waste of Federal funds caused by buying unnecessary or deficient goods or services.
- Waste of Federal funds caused by a badly managed Federal program.
- Employees abusing their official position to obtain substantial personal services or favors.
- Employees giving unfair advantage to a particular contractor, consultant or vendor (for example, because of personal ties or with the hope of future employment by that contractor later on).
- Employees tolerating a situation which poses a danger to public health or safety.
- Employees committing a serious violation of Federal law or regulation other than those described above.

A Great Many Federal Employees Claimed to Have Observed Wrongdoing. Approximately 45% of all respondents claimed to have personally observed or obtained direct evidence of one or more of the ten listed activities within the preceding year. Since the total population of permanent employees in the 15 departments and agencies surveyed is approximately 757,000, we would estimate

that over 340,000 Federal employees in the agencies surveyed obtained direct knowledge of some type of fraud, waste, or mismanagement in their agency during the year preceding our survey.

However, the incidence of observed wrongdoing varied widely among the various categories of wrongdoing. For example, only 2% of all survey respondents claimed to have direct knowledge of someone accepting bribes or kickbacks, while 25% of all respondents claimed to have direct knowledge of waste caused by buying unnecessary or deficient goods or services.

The percentage of employees within each of the agencies who claim to have observed any kind of fraud, waste, or mismanagement also varied considerably. For example, 38% of the surveyed employees in the National Aeronautics and Space Administration claimed to have personal knowledge of some type of illegal or wasteful activity, while 53% of those surveyed in the Department of Transportation claimed such knowledge. Furthermore, the percentage of employees who have observed a specific type of activity also varied by agency, and the perceived dollar value or frequency of occurrence associated with each activity also varied considerably from one type of activity to another.

Employees Claimed to Have Observed A Variety of Wrongdoing. Graphs 1 through 6 (on the following pages) show by agency the percentage of all employees who claimed knowledge of each of six of the ten activities about which we inquired. ^{3/} The graphs also show the relative frequency or value assigned by the respondents within each agency to the incidents they claimed to have observed.

Graphs 1 through 6 demonstrate that the percentage of employees who claimed to have observed a particular activity varied widely among agencies. Although there may be a correlation between the percentage of employees who claim to have observed an activity and the actual incidence of that activity in a given agency, great care should be taken in drawing assumptions about the extent of fraud, waste, and mismanagement in each agency solely on the basis of such reported observations. There are many possible alternate explanations for

^{3/} We have not illustrated differences for the other four activities, because their relatively low overall incidence rate makes differences between agencies statistically insignificant. The percentage of all respondents who claimed knowledge of these categories was as follows:

- Employees stealing Federal funds - 2%.
- Employees accepting bribes or kickbacks - 2%.
- Employees giving unfair advantage to a particular contractor, consultant or vendor - 8%.
- Employees committing a serious violation of Federal law or regulation other than those described above - 5%.

inter-agency differences. For example, a given activity may have been observed and reported by more than one person, or the observing employees may have misunderstood the true nature of the events they observed. Likewise, some agency differences may be related to differences in agency mission, organization, and workforce composition.

While we cannot, therefore, estimate the total amount of fraud or waste in each agency based on our data, we can say that the employees in some agencies claimed to be much more aware of certain wrongful activities than employees in other agencies. And, assuming that there is at least a moderate correlation between the number of observations of activity and the extent of that activity, we can say that some categories of fraud, waste or mismanagement are more prevalent than others and involve greater dollar amounts.

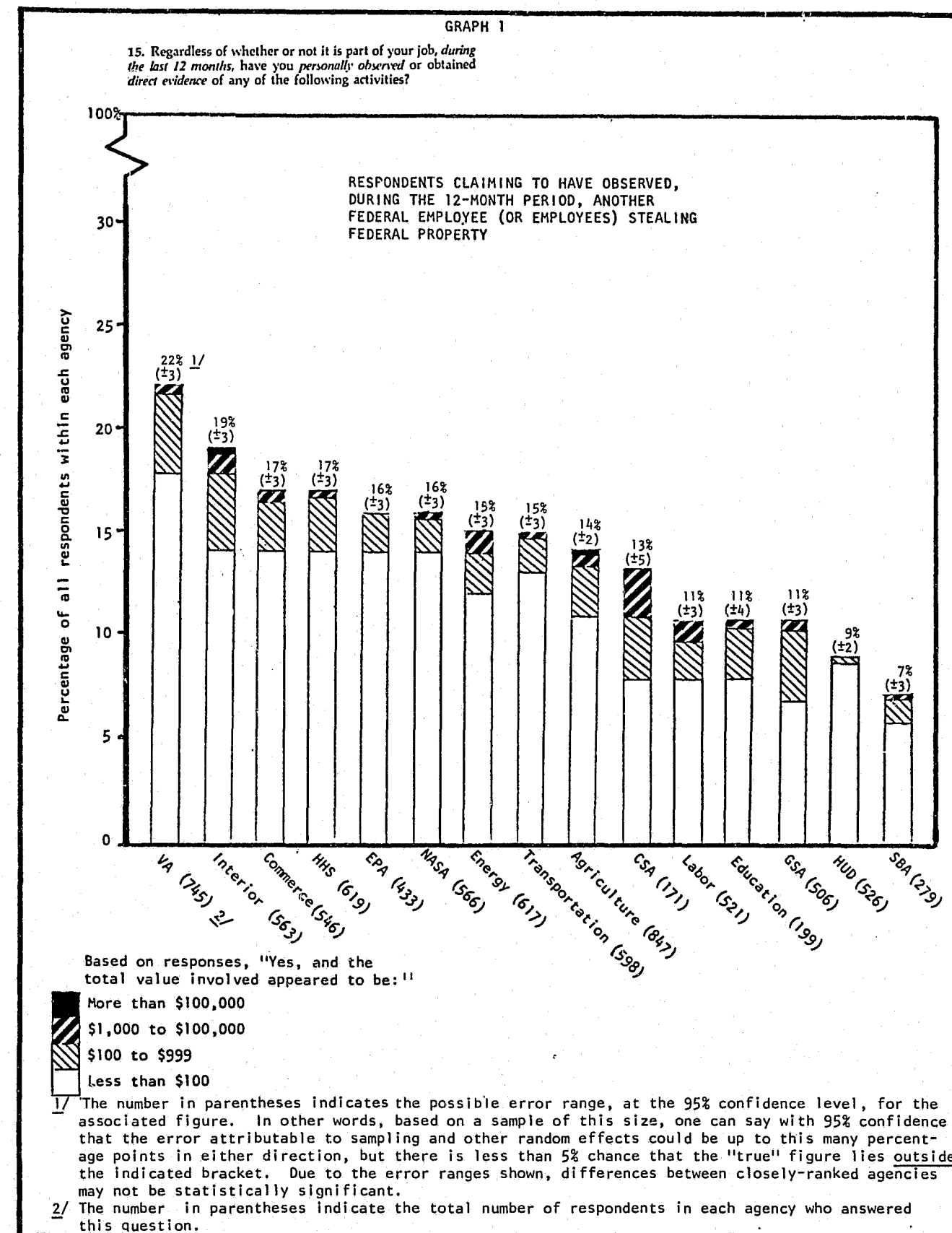
The Observed Activities Are Serious. The activities that the surveyed employees claimed to have observed are serious in that, for the most part, they are perceived either to involve substantial amounts of money or to occur on a more or less regular basis.

However, the employees also reported a wide range of relative dollar values and frequency of occurrence among the kinds of observed activities. Thus, the percentage of employees who claimed direct knowledge of employees stealing Federal property is relatively high, but the dollar amounts involved are most often less than \$100. (See Graph 1.) By contrast, employees who claimed knowledge of wasted funds caused by a badly managed Federal program typically estimated the dollar amount involved to be over \$100,000. (See Graph 4.)

Overall, over half (52%) of the survey respondents who observed an illegal or wasteful activity claimed that it involved more than \$1,000 in Federal funds or property. In fact, 20% of the respondents who claimed they observed an illegal or wasteful activity indicated that it involved more than \$100,000 in Federal funds or property.

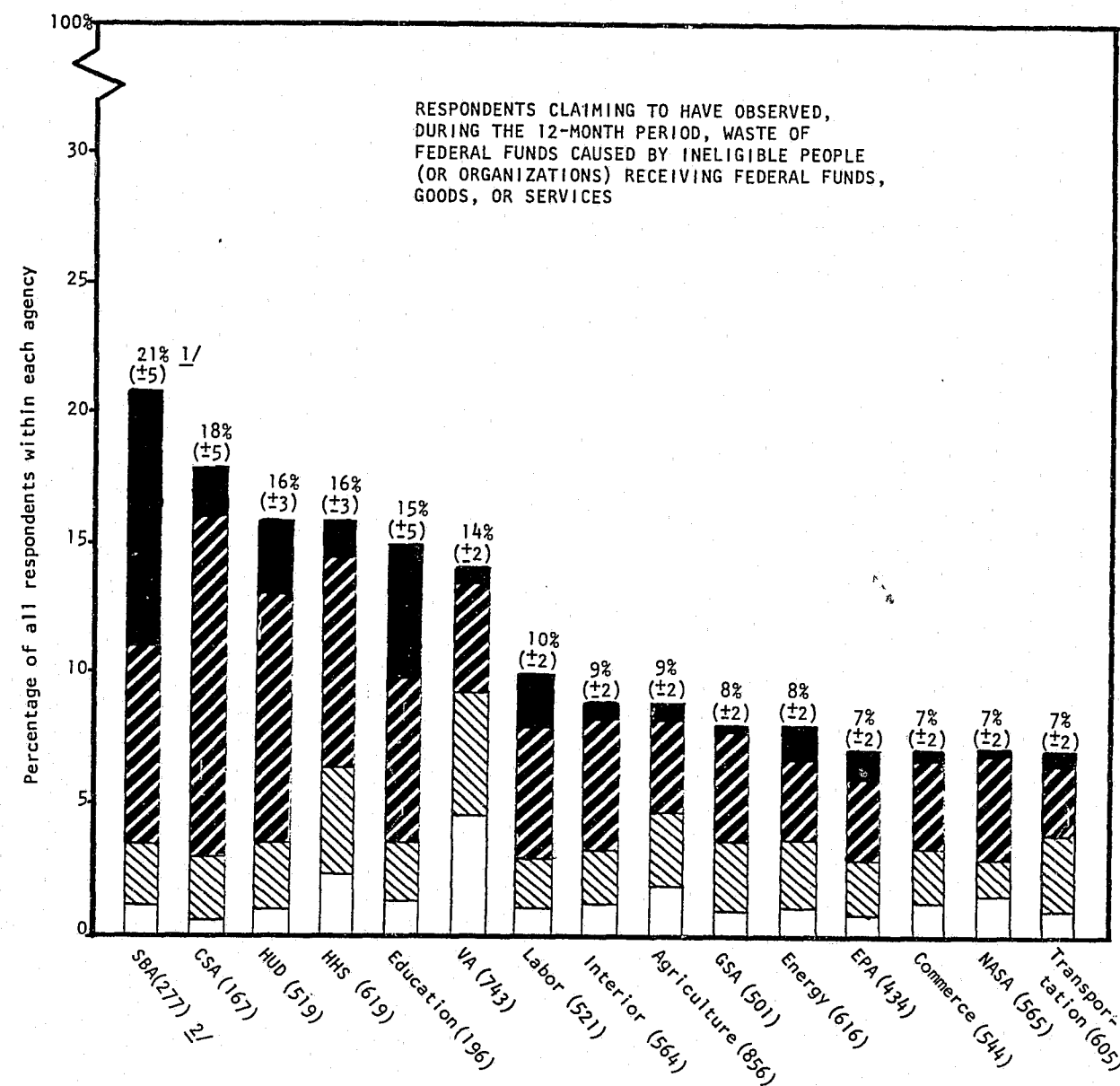
As for those activities which cannot be easily quantified (such as employees tolerating a situation which poses a danger to public health or safety), one out of every five respondents claimed to have observed such events occurring at least occasionally and, in many cases, frequently during the 12-month period.

Because some employees have personal knowledge of more than one type of activity (and because we wished to pursue the outcome of at least one observation in some detail), respondents were asked to select the most serious or personally damaging problem about which they had direct knowledge. The results are shown in Graph 7 on page 17. More than half (51%) of the respondents selected either "waste of Federal funds caused by a badly managed program," or "waste of Federal funds caused by buying unnecessary or deficient goods or services." The estimated dollar value attributed to each of these activities is relatively high, with "badly managed Federal programs" being perceived as the highest. (See Graphs 3 and 4.)

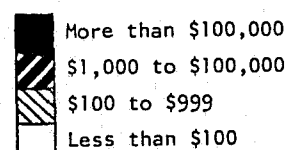


GRAPH 2

15. Regardless of whether or not it is part of your job, during the last 12 months, have you personally observed or obtained direct evidence of any of the following activities?



Based on responses, "Yes, and the total value involved appeared to be: "

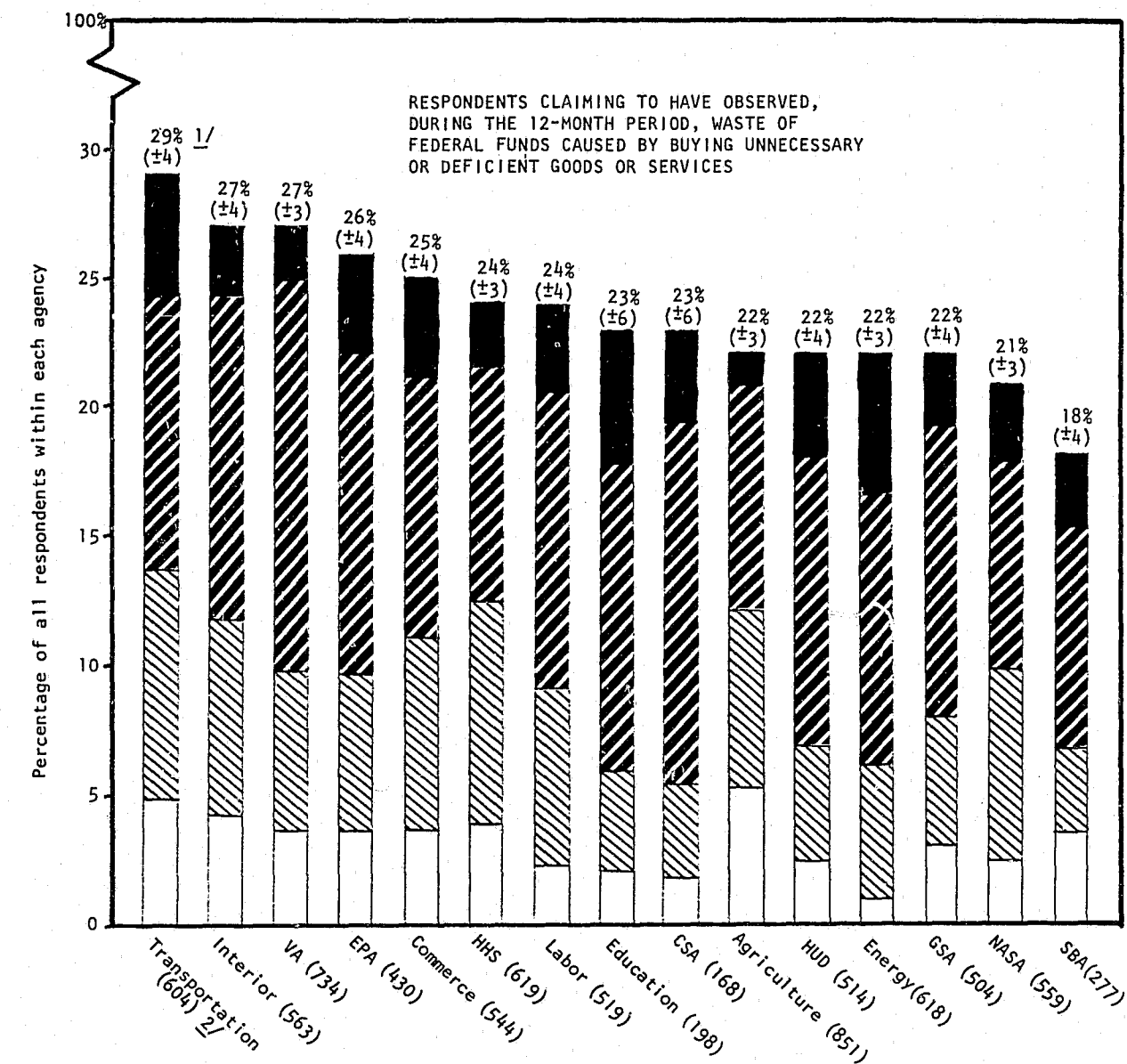


1/ The number in parentheses indicates the possible error range, at the 95% confidence level, for the associated figure. In other words, based on a sample of this size, one can say with 95% confidence that the error attributable to sampling and other random effects could be up to this many percentage points in either direction, but there is less than 5% chance that the "true" figure lies outside the indicated bracket. Due to the error ranges shown, differences between closely-ranked agencies may not be statistically significant.

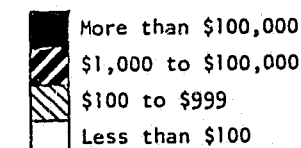
2/ The number in parentheses indicates the total number of respondents in each agency who answered this question.

GRAPH 3

15. Regardless of whether or not it is part of your job, during the last 12 months, have you personally observed or obtained direct evidence of any of the following activities?



Based on responses, "Yes, and the total value involved appeared to be: "

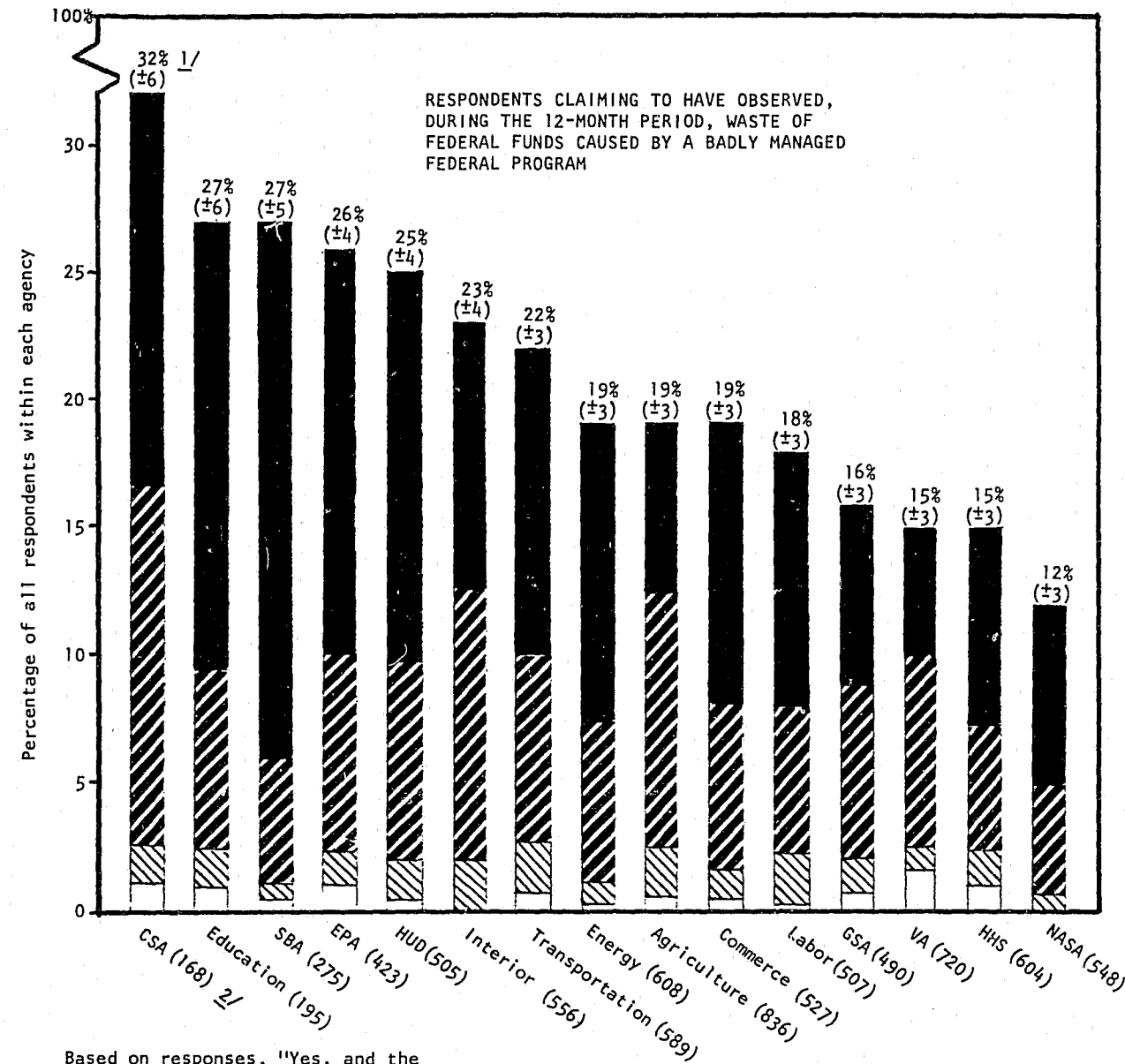


1/ The number in parentheses indicates the possible error range, at the 95% confidence level, for the associated figure. In other words, based on a sample of this size, one can say with 95% confidence that the error attributable to sampling and other random effects could be up to this many percentage points in either direction, but there is less than 5% chance that the "true" figure lies outside the indicated bracket. Due to the error ranges shown, differences between closely-ranked agencies may not be statistically significant.

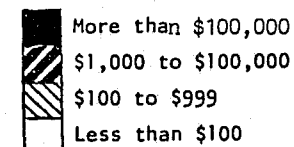
2/ The number in parentheses indicates the total number of respondents in each agency who answered this question.

GRAPH 4

15. Regardless of whether or not it is part of your job, during the last 12 months, have you personally observed or obtained direct evidence of any of the following activities?



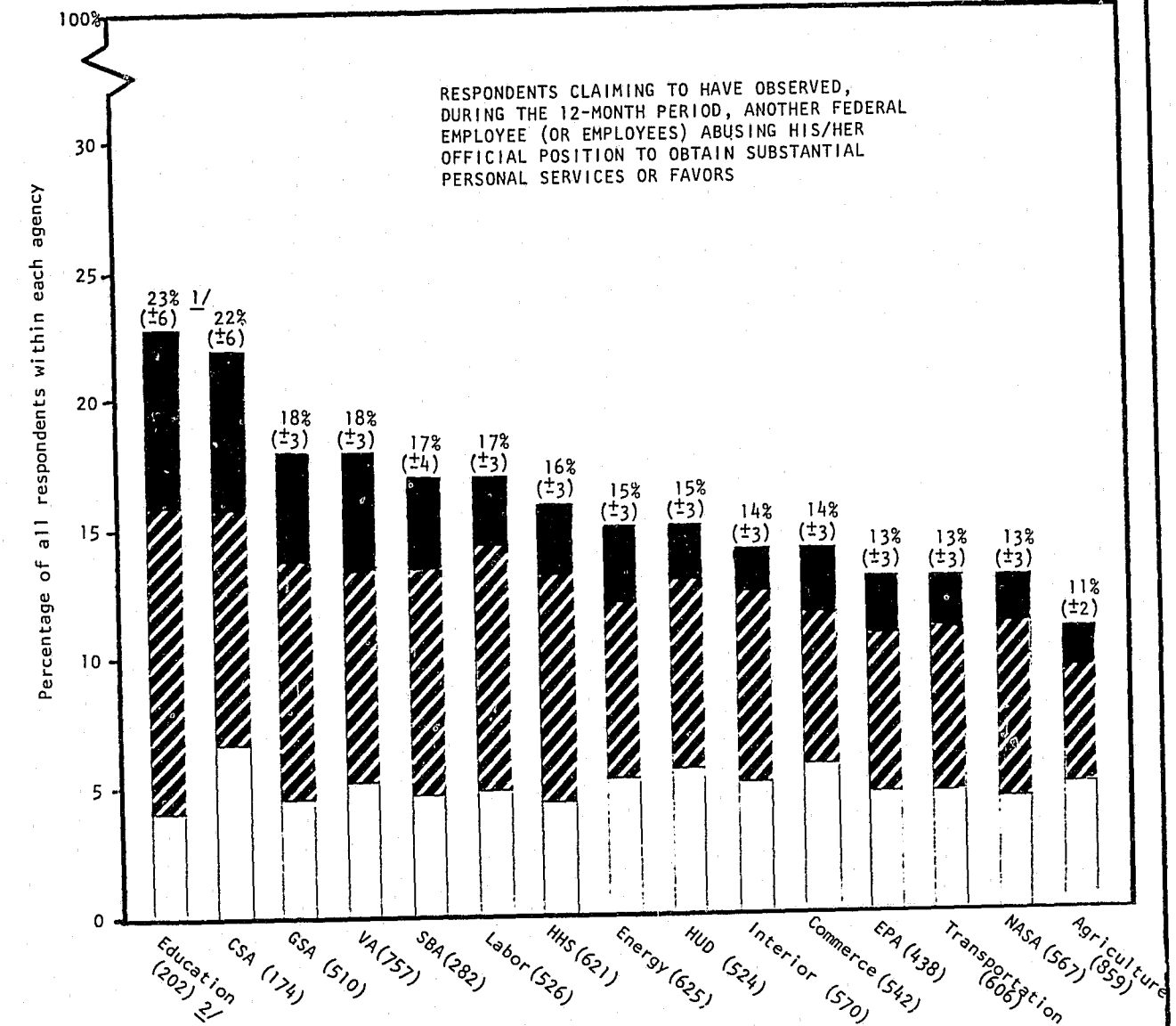
Based on responses, "Yes, and the total value involved appeared to be:"



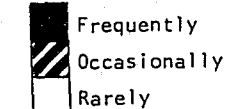
- 1/ The number in parentheses indicates the possible error range, at the 95% confidence level, for the associated figure. In other words, based on a sample of this size, one can say with 95% confidence that the error attributable to sampling and other random effects could be up to this many percentage points in either direction, but there is less than 5% chance that the "true" figure lies outside the indicated bracket. Due to the error ranges shown, differences between closely-ranked agencies may not be statistically significant.
- 2/ The number in parentheses indicates the total number of respondents in each agency who answered this question.

GRAPH 5

15. Regardless of whether or not it is part of your job, during the last 12 months, have you personally observed or obtained direct evidence of any of the following activities?



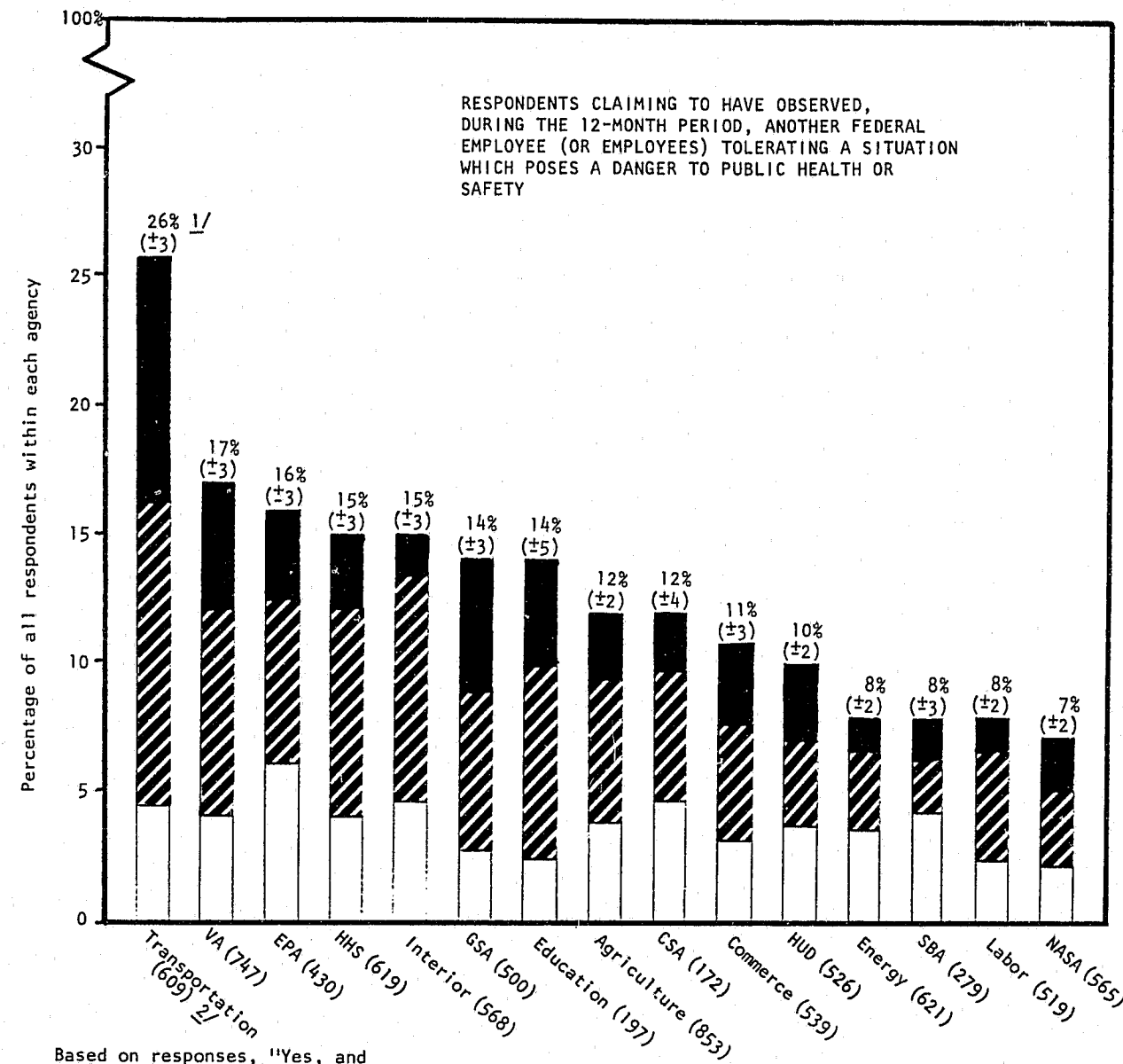
Based on responses, "Yes, and it appeared to occur:"



- 1/ The number in parentheses indicates the possible error range, at the 95% confidence level, for the associated figure. In other words, based on a sample of this size, one can say with 95% confidence that the error attributable to sampling and other random effects could be up to this many percentage points in either direction, but there is less than 5% chance that the "true" figure lies outside the indicated bracket. Due to the error ranges shown, differences between closely-ranked agencies may not be statistically significant.
- 2/ The number in parentheses indicates the total number of respondents in each agency who answered this question.

GRAPH 6

15. Regardless of whether or not it is part of your job, during the last 12 months, have you personally observed or obtained direct evidence of any of the following activities?



Based on responses, "Yes, and it appeared to occur:"

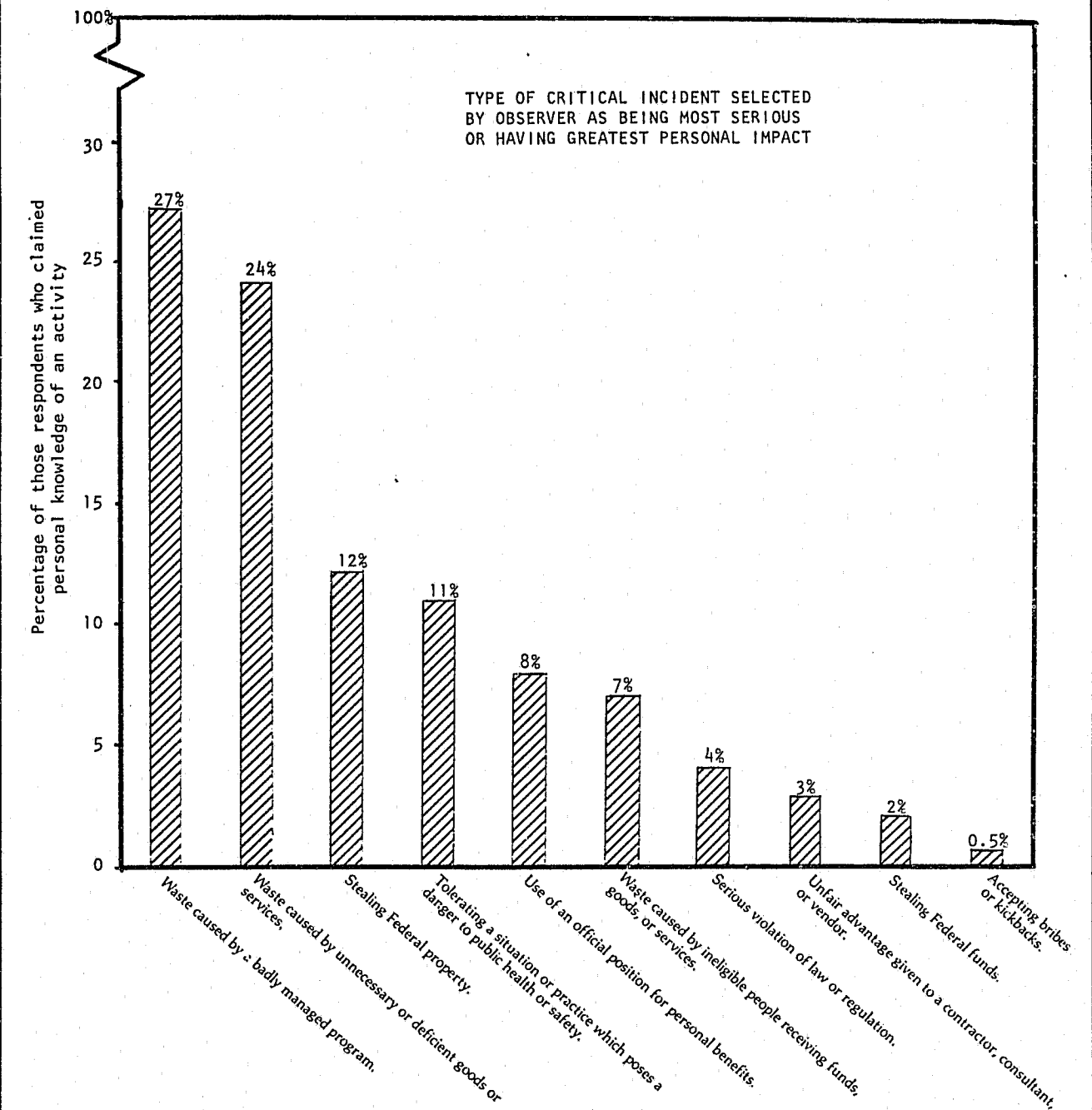
■ Frequently
 ▨ Occasionally
 □ Rarely

- ^{1/} The number in parentheses indicates the possible error range, at the 95% confidence level, for the associated figure. In other words, based on a sample of this size, one can say with 95% confidence that the error attributable to sampling and other random effects could be up to this many percentage points in either direction, but there is less than 5% chance that the "true" figure lies outside the indicated bracket. Due to the error ranges shown, differences between closely-ranked agencies may not be statistically significant.
- ^{2/} The number in parentheses indicates the total number of respondents in each agency who answered this question.

Appendix A contains narrative examples of the types of activities the respondents considered illegal or wasteful. The examples, which were volunteered by respondents in the commentary section of the questionnaire, demonstrate the wide range of different activities which employees considered to be illegal or wasteful.

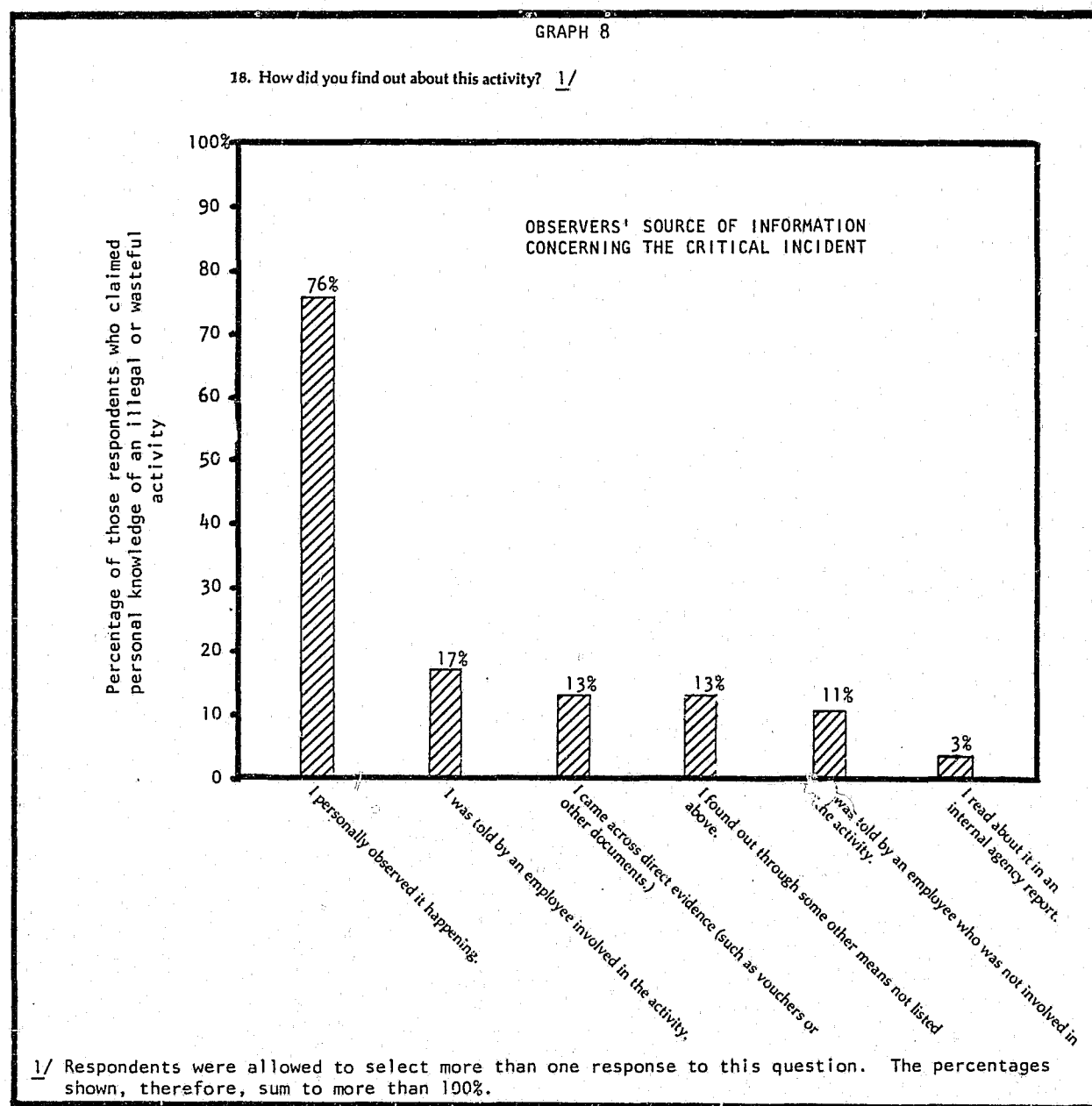
GRAPH 7

16. If you indicated "yes" to one or more of the activities listed in question 15, please select the one activity that represents the most serious problem you know about or the one that had the greatest impact on you personally and "X" the box of that activity below.



Employees Generally Discovered Wrongdoing by Personal Observation. The relatively high percentage of respondents who based their response on personal observation of an activity lends some credence to their allegations. Over three-fourths (76%) of the respondents who claimed knowledge of illegal or wasteful activity indicated that they had **personally observed** the activity which they considered either the most serious or which had the greatest personal impact on them. Approximately 13% of the respondents said that they found out about the activity by coming across direct evidence, such as vouchers or other documents.

Graph 8 indicates the different means by which respondents became aware of some type of fraud, waste, or mismanagement. Since multiple responses were allowed on this item, the data indicate that some employees found out about an activity through more than one means. (For example, a respondent may have been told about the activity by another employee and afterwards personally observed it happening.)



Federal Employees Were Blamed for Much Wrongdoing. Respondents who claimed to have observed an incident of wrongdoing were also asked whether the waste or illegal activity had been caused by any of four classes of persons or organizations listed on the questionnaire. (Some of the respondents indicated that the activity that they had observed was caused by a combination of two or more of the possible sources listed.)

In by far the largest percentage of cases (75%), the respondents believed that the illegal or wasteful activity they observed was caused at least in part by Federal employees within their own agency. Federal employees in other agencies were perceived to be the cause of the problem in 14% of the cases.

Fifteen percent of the respondents thought that **individuals** receiving Federal funds, goods or services were a cause of the wrongful activity. Sixteen percent of the respondents identified **organizations** receiving Federal funds, goods, or services as having caused at least part of the fraudulent or wasteful activity.

Some respondents also volunteered in the comment section of the questionnaire their opinions as to additional causes of waste in Government, chief among these was the belief that poorly written laws and Congressional mandates often cause waste and inefficiency.

The perceived cause of the activities observed by the respondents varied, depending on the agency involved. Table 1 on the following page details these differences by agency.

Conclusions. At least by their own account, Federal employees are a knowledgeable source of information about illegal or wasteful conduct in their agencies. In addition, those employees who claimed to have observed some type of illegal or wasteful activity believe it to have been consequential in the amount of funds involved or the frequency with which it occurred.

The architects of CSRA were therefore correct in their belief that Federal employees represent an important potential resource in preventing fraud, waste and abuse. Whether that resource has been effectively tapped is discussed in the next chapter.

WHAT FEDERAL EMPLOYEES DO WITH INFORMATION ABOUT ILLEGAL OR WASTEFUL ACTIVITIES

- Seventy percent of those employees who claimed to have personal knowledge of some type of fraud, waste, or mismanagement did **not** report the misconduct.
- The percentage of respondents within each agency who **did** report such activity ranged from a low of 22% to a high of 51%.
- Higher graded employees were more likely to have reported an improper activity than lower graded ones.
- Most of those employees who observed an illegal or wasteful activity and chose to report it did so within their supervisory chain of command, and apparently went no further.
- Over 78% of all employees reporting an activity reported it to their immediate supervisor and 39% reported it to someone **above** their immediate supervisor.
- Employees viewed existing channels of reporting as generally unresponsive.

Although it may be too early to make a final judgment on the success of the effort to involve Federal employees in exposing improper conduct, it is clear from our survey that the flow of communication from Federal employees concerning fraud, waste and mismanagement is a trickle, at best.

Few Employees Report Misconduct. Questionnaire respondents who reported that they had direct knowledge of one or more illegal or wasteful activities were asked to select the one activity that represented the most serious problem they had encountered or which had the greatest impact on them. They were then asked if they had reported that activity to any of ten individuals and groups listed in the questionnaire. (The listed points of contact ranged from co-workers to the news media, and included all principal points to which one might reasonably report wrongdoing.)

Slightly over 70% of the respondents who claimed direct knowledge of such a problem did **not** report it to anyone. Moreover, 28% of the relatively small percentage of employees who **did** report such activity did so because it was a routine part of their job (for example, as an auditor). Excluding those persons who reported the activity because it was a regular part of their job and those who reported the activity only to their co-workers, the percentage of employees who observed an activity and reported it on their own initiative to a responsible official or channel is **less than one in five** (less than 20%).

TABLE 1

Q20. Which Federal Department or agency did the activity involve?

Q19. Did the activity appear to be caused by any of the following?

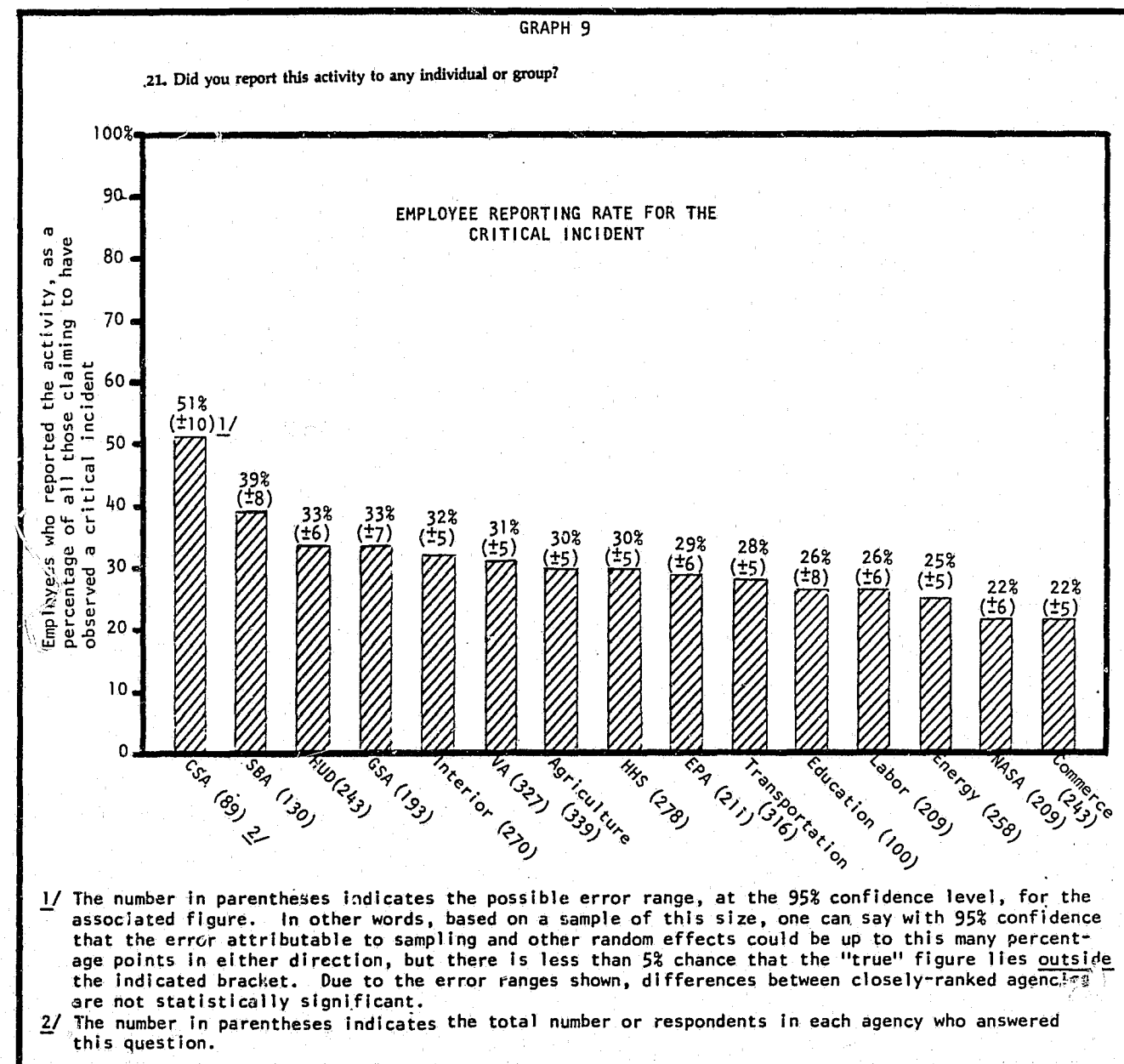
Agency	Number of respondents who selected this agency	RESPONSES ^{1/}			
		"Employee(s) of this agency"	"Employee(s) of some other agency"	"Individual(s) receiving Federal funds, goods or services"	"Organization(s) receiving Federal funds, goods or services"
Transportation	(280)	88% (+4%)	<u>2/</u> 9%	5%	14%
Commerce	(199)	86% (+5%)	14%	9%	15%
Interior	(234)	86% (+4%)	12%	8%	10%
National Aeronautics and Space Admin.	(173)	84% (+5%)	8%	10%	16%
Agriculture	(283)	83% (+4%)	11%	14%	10%
Energy	(217)	82% (+5%)	11%	7%	21%
Environmental Protection Agency	(192)	78% (+5%)	14%	9%	22%
Education	(54) <u>3/</u>	76% (+8%)	40%	26%	37%
Labor	(176)	76% (+6%)	17%	12%	16%
Veterans Administration	(293)	76% (+5%)	9%	15%	15%
Health and Human Serv.	(109) <u>3/</u>	71% (+8%)	7%	24%	15%
Health, Education and Welfare (Prior to re-organization)	(197)	70% (+7%)	7%	24%	16%
Community Services Administration	(73)	68% (+10%)	14%	12%	31%
Housing and Urban Development	(214)	66% (+6%)	9%	27%	35%
Small Business Administration	(114)	65% (+7%)	20%	31%	20%
General Services Administration	(271)	50% (+6%)	38%	9%	20%

^{1/} Respondents were allowed to select more than one response. The percentages shown, therefore, sum to more than 100%.

^{2/} The number in parentheses indicates the possible error range, at the 95% confidence level, for the associated figure. In other words, based on a sample of this size, one can say with 95% confidence that the error attributable to sampling and other random effects could be up to this many percentage points in either direction, but there is less than 5% chance that the "true" figure lies outside the indicated bracket. Due to the error ranges shown, differences between closely-ranked agencies may not be statistically significant.

^{3/} The Departments of Education and Health and Human Services were only in existence for approximately 8 of the 12 months covered by our review. Some of the respondents from these agencies, therefore, referred to activities which occurred under the old Department of Health, Education and Welfare.

The Rate of Reporting Varies by Agency and Grade Level. The overall percentage of employees who did report an activity varied from agency to agency. Graph 9 illustrates these differences among agencies.



These different reporting rates no doubt reflect the influence of many variables, some of which are entirely beyond the direct control of agency management. For examples, differences among the agencies' missions, relative sizes, organizational structures and workforce demographics may influence the rate at which employees report wrongdoing.

In addition to the differences among agencies in reporting rates, we also found that higher graded employees were slightly more likely to report an activity than were lower graded employees. Only about 25% of respondents in grades GS-1 through GS-8 who observed an illegal or wasteful activity reported it. On the other hand, 31% of those in grades GS-9 through GS-12, 36% in grades GS-13 through GS-15, and 39% of the employees in the Senior Executive Service reported such observed activity.

Again, these differences probably reflect many variables worthy of further scrutiny by policy makers. For example, it may be that higher graded employees are in general more knowledgeable about the channels available to report misconduct. However, no definitive conclusion can be drawn on the basis of our data as to precisely why these differences exist.

Employees Report Within Their Chains of Command. When employees do report perceived wrongdoing, most report it within their supervisory chain of command and apparently go no further. Over 78% of all employees reporting an activity reported it to their immediate supervisor and 39% reported it to someone above their supervisor. In some cases, (32%) employees reported the activity to both levels. About 5% of the surveyed employees who reported a problem reported it only to a co-worker. Another 46% reported it to both a co-worker and someone else.

By contrast, only about 8% of all employees reporting a problem reported it to the Office of Inspector General within their agency, 1.4% reported it to the General Accounting Office, and less than 1% reported it to the Special Counsel within the MSPB.

Graph 10 (on the next page) illustrates the extent to which those employees who reported an activity did so to these various persons and authorities.

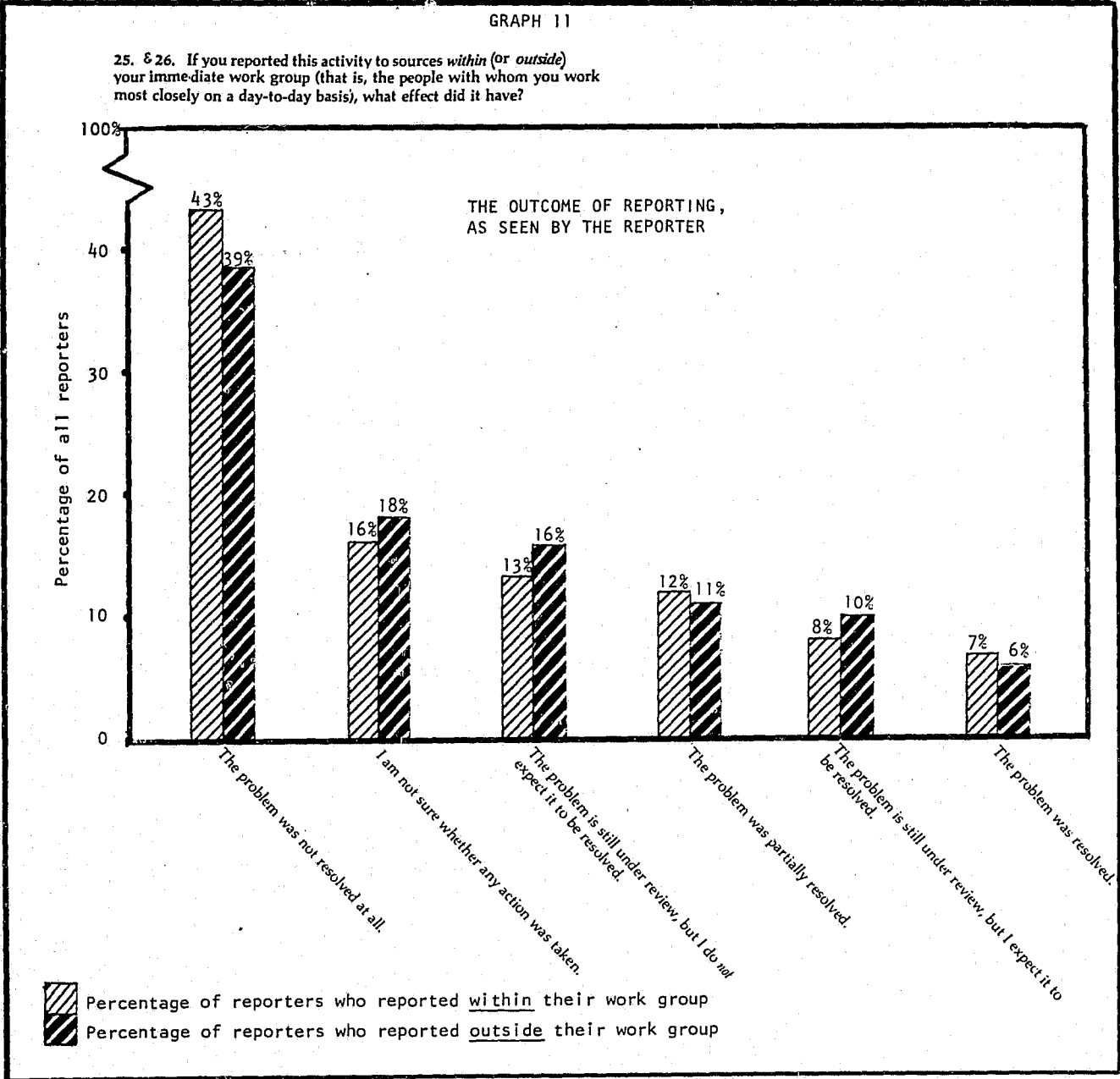
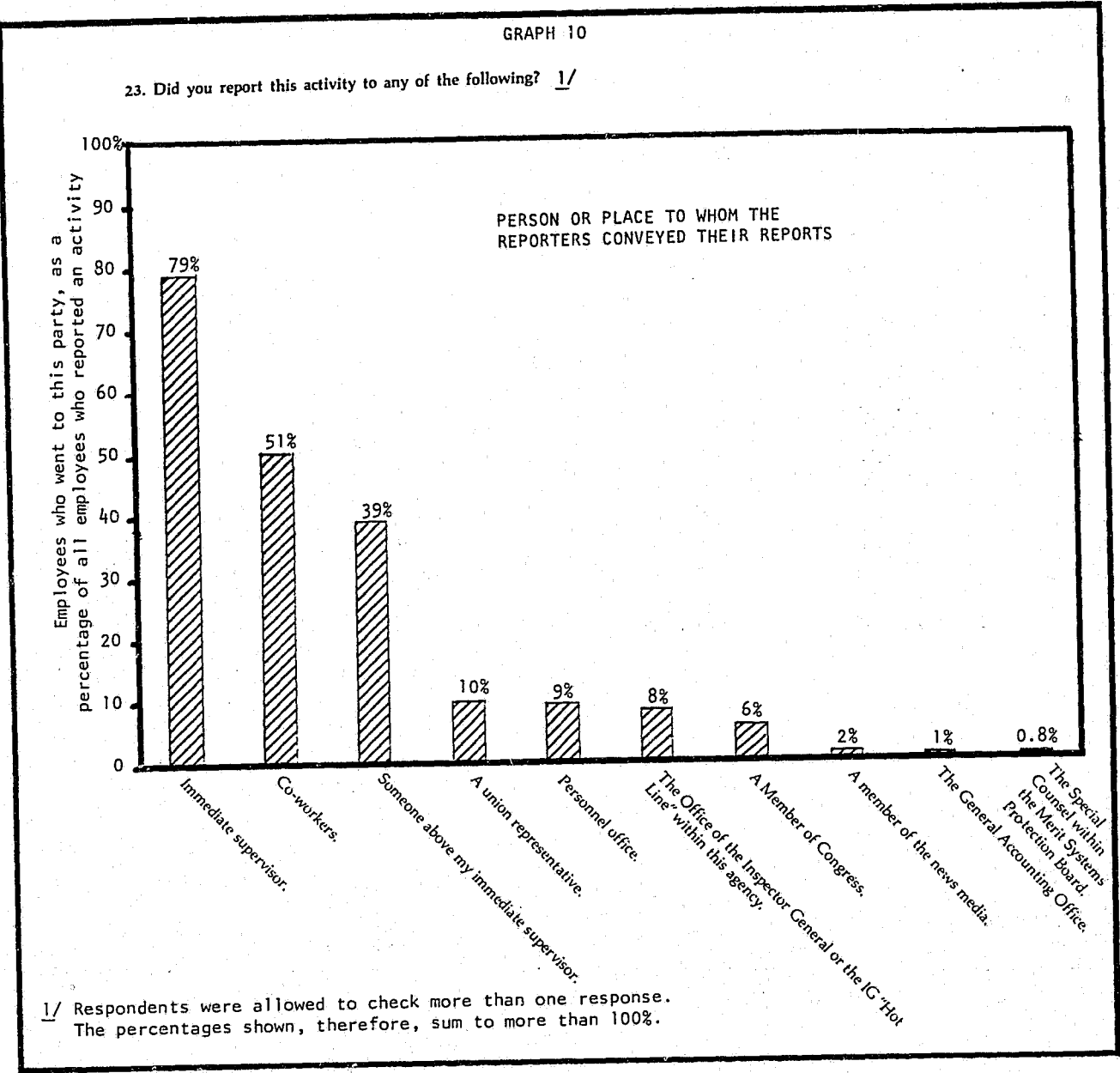
The percentage of employees who reported fraud, waste, or mismanagement to a particular person or organization does not necessarily indicate the relative effectiveness of that particular channel. For example, most employees are encouraged to report suspected problems through the supervisory chain of command. And many employees are not even aware of major channels outside of their chain of command to which they might report misconduct (a fact discussed more thoroughly in Chapter 6). Thus, the extent to which various channels are used may well be entirely independent of their effectiveness in dealing with the problems brought to them.

Employees Believe That Reporting Problems Has Little Effect. Given the fact that most employees who report a problem do so through the supervisory chain of command and then go no further, one might surmise that problems addressed to that channel are usually resolved, thus eliminating the need to pursue the matter.

However, when asked whether reporting an illegal or wasteful activity (either within or outside their immediate work group) had any effect on the problem, a large percentage of the respondents did not believe that problem had been resolved. Among those employees who reported an activity to sources

within their immediate work group, for example, 43% believed that the problem was **not** resolved at all. Another 8% indicated that the problem was still under review but they did not expect it to be resolved.

Perceptions of respondents as to the effect of reporting illegal or wasteful activity is shown in Graph 11.



Conclusions. Federal employees may represent an extremely knowledgeable source of information concerning fraud, waste, and mismanagement, but most of them are keeping that information to themselves. The disinclination of employees to report illegal and wasteful activities, however, varied across agency lines and by grade level.

These differences suggest that the problem of encouraging more Federal employees to report wrongdoing and waste will not be solved by simple solutions applied uniformly across the entire Federal Government. Rather, policy makers and managers must:

- Explore the many variables among agencies and among cohorts of employees which may affect the willingness of employees in a given situation to step forward and report misconduct; and,
- Tailor programs of action responsive to the relevant variables at work in each organization.

More specifically, agency managers can build upon the work of this report by exploring further the "organizational climate" within their own agencies. Do their employees trust their superiors to act upon reported information? What is the ethic among that particular agency's employees with respect to such reporting? How well informed are employees of channels available? How is the agency organized to deal with reports? What feedback and follow up results?

The list of such potential questions which managers should explore is endless. The point, however, is that only by coming to grips with the peculiar mechanics of the demography, employee ethics, organization structure and attitudes at play within each organization can managers and policy makers hope to improve upon the low level of action reported here.

In the next chapter we discuss some of the more global forces which appear to discourage employee reporting.

WHY EMPLOYEES DO NOT REPORT FRAUD, WASTE, AND MISMANAGEMENT

- Employees most frequently cited their belief that nothing would be done to correct illegal or wasteful activity as a reason for not reporting the activity. (Fifty-three percent of those who did not report incidents which they had observed cited this belief as one reason for not doing so.)
- Fewer than one out of every five employees (19%) who had direct knowledge of fraud, waste, or mismanagement and chose not to report it gave fear of reprisal as a reason.
- The percentage of employees citing each of several major reasons for not reporting observed activities varied significantly among the agencies.

A crucial question for the policy maker is why so many Federal employees who claimed to have recent and direct knowledge of fraud, waste, and mismanagement, chose not to report the activity. Skepticism appears to be the answer.

Employees Doubt That Action Will Be Taken. Fifty-three percent of the survey respondents who had personal knowledge of an activity they did not report ("non-reporters") indicated that they "did not think that anything **would** be done to correct the activity." Twenty percent said that they "did not think that anything **could** be done to correct the activity."

The skeptical attitude reflected by these responses was clearly the predominant reason for respondents' not reporting observed misconduct. Fewer than one out of every five non-reporters (19%) indicated that they had "decided that reporting this matter was too great a risk for me."

The following comments reflect something of these attitudes in the words of the respondents themselves:

I don't believe that the average employee is afraid of reprisals or is looking for a reward as much as he is convinced no one cares.

* * * * *

So long as they have millions of taxpayers dollars to spend in Washington, D.C. to fight any question of their impropriety, it doesn't help to report it (the impropriety) to anyone.

* * * * *

At present, even if your supervisor or agency did not take official action against you for reporting illegal or wasteful activities, there are far too many other ways that your life can be made miserable in an effort to get you to resign. ^{1/}

* * * * *

On the other hand, at least 18% of the non-reporters claimed that they did not report a problem simply because it "had already been reported by somebody else." Graph 12 shows the percentage of employees who selected each of the possible reasons provided for not reporting activities which they had observed.

Reasons Cited Varies Among Agencies. Differences among agencies again emerge from analysis of the data shown in Graph 12.

For example, not being sure "to whom I should report the matter" was at least one of the reasons given by 20% or more of the non-reporters at the Departments of Agriculture, Commerce, Energy, and the Veterans Administration. The same reason was given by less than 10% of the non-reporters at the Department of Housing and Urban Development, the Community Services Administration and the Small Business Administration.

In like fashion, only 11% of the non-reporters at CSA, cited "too great a risk" as a reason for not reporting, while 28% of those at the Department of Energy gave that reason.

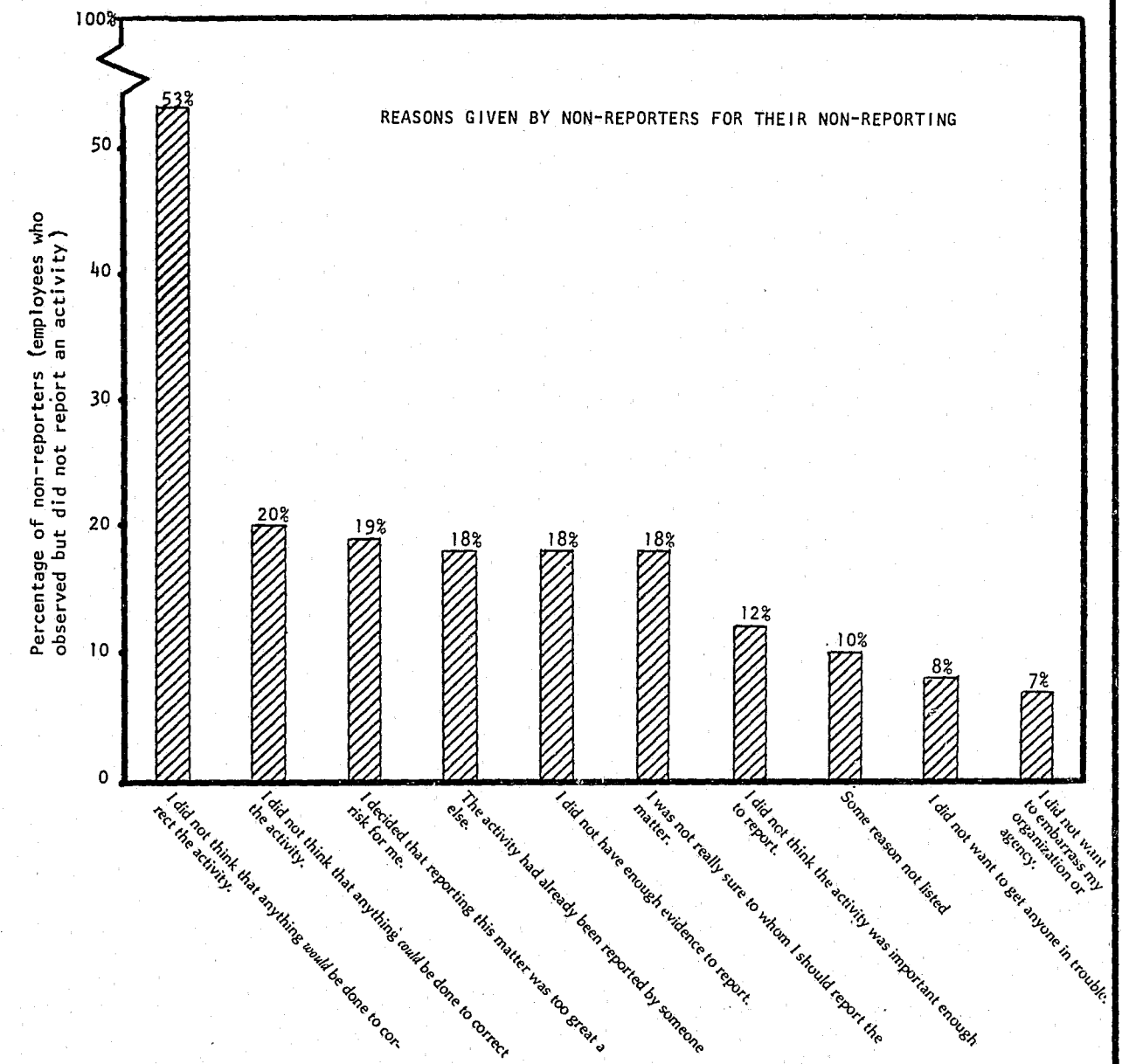
Finally, even though the skepticism expressed in the belief that nothing could or would be done to correct a reported problem was uniformly high in all agencies, there are some significant differences among the views of employees when grouped by agency. The rankings of all agencies on the four major reasons given by employees for not reporting a problem are shown in Table 2 on page 30.

Conclusion. One cannot help but be struck by a single powerful conclusion from this data: Federal employees simply do not believe that their reporting fraud, waste and mismanagement will result in its correction. It is as if the residents of a crime-ridden city had given up on calling the police, even when crimes are observed in progress.

^{1/} Written comments volunteered by three different respondents to the reprisal survey questionnaire explaining why they did not report an illegal or wasteful activity they had observed.

GRAPH 12

22. If you did *not* report this activity to any individual or group, which of the following statements best describes your reason(s) for *not* reporting it? ^{1/}



^{1/} Respondents were allowed to check more than one response. The percentages shown, therefore, sum to more than 100%.

The temptation is to pontificate on the point, to insist that somehow "managers must gain the confidence of the Federal employee." Yet, in all candor, the blunt truth is that we are at but the fringes of knowledge as to the **why** of this remarkable epidemic of skepticism. That there are differences among the agencies is clear. Why these differences exist is not.

Beyond these limitations inherent within the four corners of our study, there are other unanswered questions which comprehend the whole of the national work place. For example, how does this apparently high level of skepticism among Federal employees compare with comparable views of other workers as to the same problems in other places of work? Are Federal employees peculiar in their skeptical view?

These questions point again to the nut of the problem. Securing employee participation in preventing and exposing wrongdoing and waste will not be achieved by only such things as printing more posters advising employees of their rights, or establishing more "hot lines" into which employees may call reports of wrongdoing. Putting a fire alarm box on every corner will not result in better fire fighting if the residents simply do not believe that the fire department can or will respond to an alarm.

Although much more serious study must thus be given to learning and understanding the relation between the perceptions we report here and the character of our national workforce as a whole, policy makers and managers can nevertheless take specific actions, beginning with the base of data contained in this report. This report contains a wealth of normative data about the Federal Government as a whole against which agency heads may begin to assess the performance of their own managers. While one cannot reasonably say that "fraud and waste is worse at Agency X than at Agency Y" because of differences reflected in our data, one **can** reasonably say that agency heads should be concerned with learning why their agency differs from others, and what can be done to improve its relative standing.

Thus, agency heads should roll up their sleeves and dig into a thorough understanding of their own unique mix of organization, workforce attitudes and program characteristics. There is little likelihood of this Board or any organization dictating a universal panacea which will overcome the vast sea of employee skepticism. But managers must manage, and part of that managing is understanding why employees tolerate wrongdoing among themselves and how to turn that tolerance around, into corrective action.

TABLE 2

Q22. If you did not report this activity to any individual or group, which of the following statements best describes your reason(s) for not reporting it?

Agency	Number of agency respondents for this question	RESPONSES 1/			
		I did not think that anything would be done to correct the activity.	I did not think that anything could be done to correct the activity.	I was not really sure to whom I should report the matter.	I decided that reporting this matter was too great a risk for me.
Energy	(192)	61% (+7%)	22%	21%	28%
Agriculture	(236)	60% (+6%)	18%	23%	17%
National Aeronautics and Space Admin.	(162)	56% (+8%)	24%	12%	24%
Small Business Administration	(78)	55% (+11%)	21%	4%	15%
Community Services Administration	(45)	53% (+14%)	20%	7%	11%
Education	(76)	53% (+11%)	12%	13%	28%
General Services Administration	(131)	53% (+9%)	20%	16%	22%
Housing and Urban Development	(165)	53% (+8%)	18%	9%	17%
Transportation	(229)	53% (+6%)	16%	16%	14%
Labor	(158)	52% (+8%)	21%	14%	24%
Veterans Administration	(230)	52% (+6%)	22%	24%	23%
Commerce	(195)	51% (+2%)	24%	20%	19%
Interior	(184)	50% (+7%)	25%	12%	13%
Health and Human Services	(193)	48% (+7%)	20%	14%	17%
Environmental Protection Agency	(149)	45% (+8%)	24%	13%	15%

1/ Respondents were allowed to select more than one response. The percentages shown, therefore, sum to more than 100%.

2/ The number in parentheses indicates the possible error range, at the 95% confidence level, for the associated figure. In other words, based on a sample of this size, one can say with 95% confidence that the error attributable to sampling and other random effects could be up to this many percentage points in either direction, but there is less than 5% chance that the "true" figure lies outside the indicated bracket. Due to the error ranges shown, differences between closely-ranked agencies may not be statistically significant.

WHAT HAPPENS TO THE EMPLOYEES
WHO REPORT ILLEGAL OR WASTEFUL
ACTIVITIES

- The following consequences were reported by those of our respondents who claimed to have reported a serious incident of abuse (either the most serious problem of which they were aware, or the problem having the greatest impact on them personally):
 - Almost a fourth (24%) said that they were **not** identified as the source of the report. (We assume in this report that nothing happened to these employees as a result of their disclosing such activity).
 - More than half (55%) of those who **were** identified as the source of the report ("identified reporters") believe that nothing happened to them as a consequence of having made the report.
 - Approximately 11% of the identified reporters said that they were given credit by their management for having reported the incident.
 - Over a third of the identified reporters believe that reporting the incident resulted in some form of "negative experience" for them.
- Among a broader group of employees who reported **any** incident of misconduct-- whether the most serious or not--within the last year and who were identified as the source of the report, approximately 20% claimed to have been the victim of reprisal or the threat of reprisal.
- The most frequently cited forms of reprisal are more subjective, discretionary actions, such as poor performance appraisal, assignment of less desirable or less important duties, and denial of promotion. On the other hand, the least frequently cited forms of reprisal were more overt, objectively negative actions, such as grade level demotion, suspension from one's job, and reassignment to a different geographic area.

In most instances, whistleblowing may be averted by giving serious consideration to the merits of the message and by taking appropriate and timely action. By focusing only on the assumed motivations of dissenters or whistleblowers,

attention is diverted from the substance of their dissent or the merits of their allegations, to the detriment of the organization, its mission, and the general public. ^{1/}

Most Reporters Suffer No Adverse Consequence. The idea that managers and program officials should pay more attention to the message rather than the messenger when receiving complaints of fraud, waste, and mismanagement is a key tenet of the CSRA. Our study examined the question of what happened to that relatively small percentage of surveyed employees who said that they had been messengers--that is, who claimed to have reported an incident of waste or mismanagement.

We found that although about one third of such "reporters" believed that they had suffered some kind of "negative experience" (ranging from the displeasure of their co-workers to actual reprisal by management) as a consequence of reporting, such negative experience is by no means the universal consequence of "blowing the whistle." On the contrary, the great majority report that nothing untoward happened to them as a consequence of their reporting waste or wrongdoing, or that they received credit by management for making the report.

Because our respondents may have observed more than one incident of fraud, waste or abuse, and in order to focus our inquiry more narrowly, we asked our respondents to answer certain questions related only to the **most serious** incident they had observed, in terms of its being either the most serious problem of which they were aware, or its being the problem which had the greatest impact on them personally. We asked those of this group claiming to have reported such a serious incident what happened to them as a result.

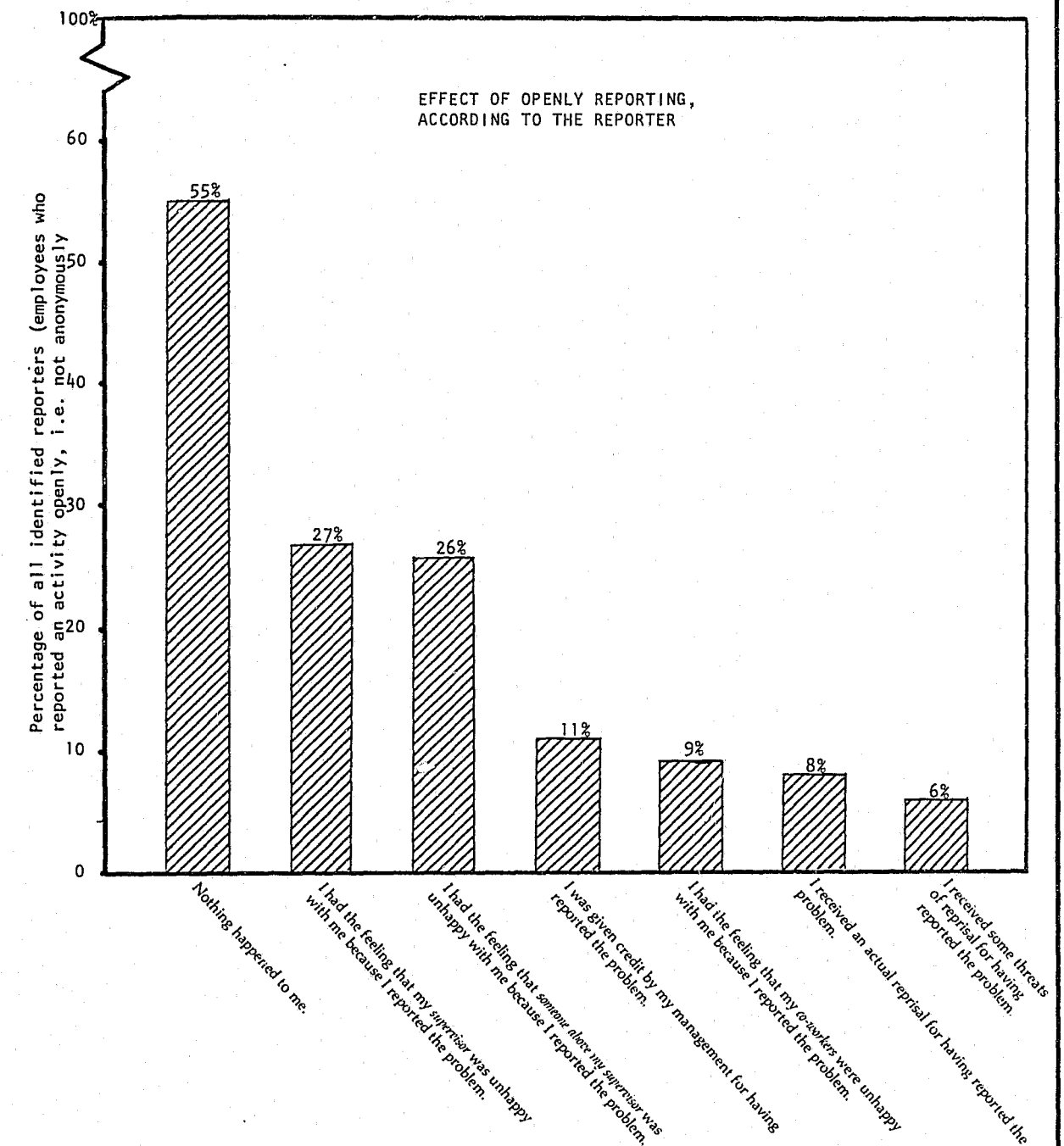
Almost a fourth (24%) responded that they had not been identified as the source of the report. Although it is theoretically possible that some of these anonymous reporters could in fact have been identified (and even covertly retaliated against), the more reasonable assumption appears to us to be that these reporters suffered no adverse consequence from having reported the improper conduct.

A variety of consequences were reported by those who **were** identified as having reported a serious incident ("identified reporters"). These consequences are shown in Graph 13. (It should be noted that respondents were permitted to indicate more than one consequence. However, we edited out of the statistics reported here the few instances in which respondents indicated consequences which were logically mutually exclusive, such as "nothing happened to me" and "I received an actual reprisal for having reported the problem".)

^{1/} "Whistleblowing--A Time to Listen . . . A Time to Hear. . . ." A policy statement of the American Society for Public Administration, adopted by the National Council, December 2, 1979.

GRAPH 13

27. If you were identified as the person who reported the activity, what was the effect on you personally? ^{1/}



^{1/} Respondents were allowed to select more than one response. The percentages shown, therefore, sum to more than 100%

What is apparent from these statistics is that by far the most frequent consequence to identified reporters was that nothing untoward happened. Fifty-five percent of respondents **who had been identified** as having reported a "serious" incident (as defined above) indicated to us that nothing had happened to them as a result.

Indeed, 11% of these identified reporters indicated that they had been "given credit" by management for having reported the problem, a "positive" result. After adjusting for those whose response indicated both "nothing happened" and "given credit" we found that a total of 63% of the identified reporters indicated that **either** nothing happened to them **or** they were given credit by management for reporting the incident.

Nevertheless, over a third (34%) of the identified reporters claimed to have suffered some form of "negative experience," a term which we use in this report to include consequences ranging from displeasure of co-workers or supervisors to actual reprisal.

The most commonly reported negative effect was the reporter's perception that someone in the supervisory chain of command was displeased with the employee for having made the report. Thus, 27% of the identified reporters indicated that they had the feeling that their supervisors were "unhappy with me because I reported the problem." Almost the same percentage (26%) said that they had the same feeling about how "someone above my supervisor" felt about them for having made the report. Only 9% reported that they felt that their co-workers were unhappy with them for having made the report.

Threats of reprisal or actual reprisal are more serious than the perception that one's superiors may be "unhappy" with one for reporting a problem. About 6% of this group of identified reporters of serious incidents claimed to have received threats of reprisal, and 8% claimed to have been the victims of actual reprisal. 2/

2/ The victims of an actual or threatened reprisal report that:

- In 20% of the cases, a threat of reprisal was made but **not** carried out.
- In 36% of the cases, a threat of reprisal was made and **was** carried out, and
- In slightly less than half (45%) of the cases, reprisal occurred without threat or warning.

Over half (56%) of the reprisal victims also reported that the immediate supervisor was at least one of the sources of the actual or threatened reprisal and 39% reported that the second-level supervisor was involved in taking or causing the reprisal.

The incidence of negative consequences for the group of employees who reported the most **serious** incident known to them may be compared to the incidence of negative consequences for a broader group of employees. Thus, we also asked our survey respondents to indicate whether they had reported **any** observed incident (as opposed to only the most serious) during the preceding 12 months and, if so, whether they had suffered threatened or actual reprisal.

Approximately 14% of this broader group claimed to have suffered either threatened or actual reprisal for having made the report. When anonymous reporters are excluded from this group, the percentage of those who claimed to have suffered such threatened or actual reprisal increases to 20%, or one in every five identified reporters.

Reprisal is Taken Subtly. According to our survey respondents, poor performance appraisal is the most frequent form of reprisal. Among those employees who believed that they were the victims of an actual or threatened reprisal, 24% claimed that they were **threatened** with a poor performance appraisal and 40% claimed that they actually **received** a poor performance appraisal as a result of reporting waste or illegal activity. The percentages of employees who believed that they had been subjected to other particular forms of reprisal are shown in Graph 14 on the next page.

Reprisal Has Serious Effects on Employees. As might be expected, over half (51%) of the employees who experienced reprisal or the threat of reprisal believe that it had an impact on the way they do their job, as is illustrated in Graph 15 on page 39. The greatest single work-related impact on such persons was that at least 30% believe they do not do their job as well as they did before the actual or threatened reprisal.

A much smaller percentage (8%), believe that they do their job better than before the reprisal or threat of reprisal. It should obviously not be assumed that these employees feel themselves to have been properly chastened. It may as well be that, to the contrary, such employees are simply determined not to open themselves to any substantial charges of misconduct or poor performance by their superiors.

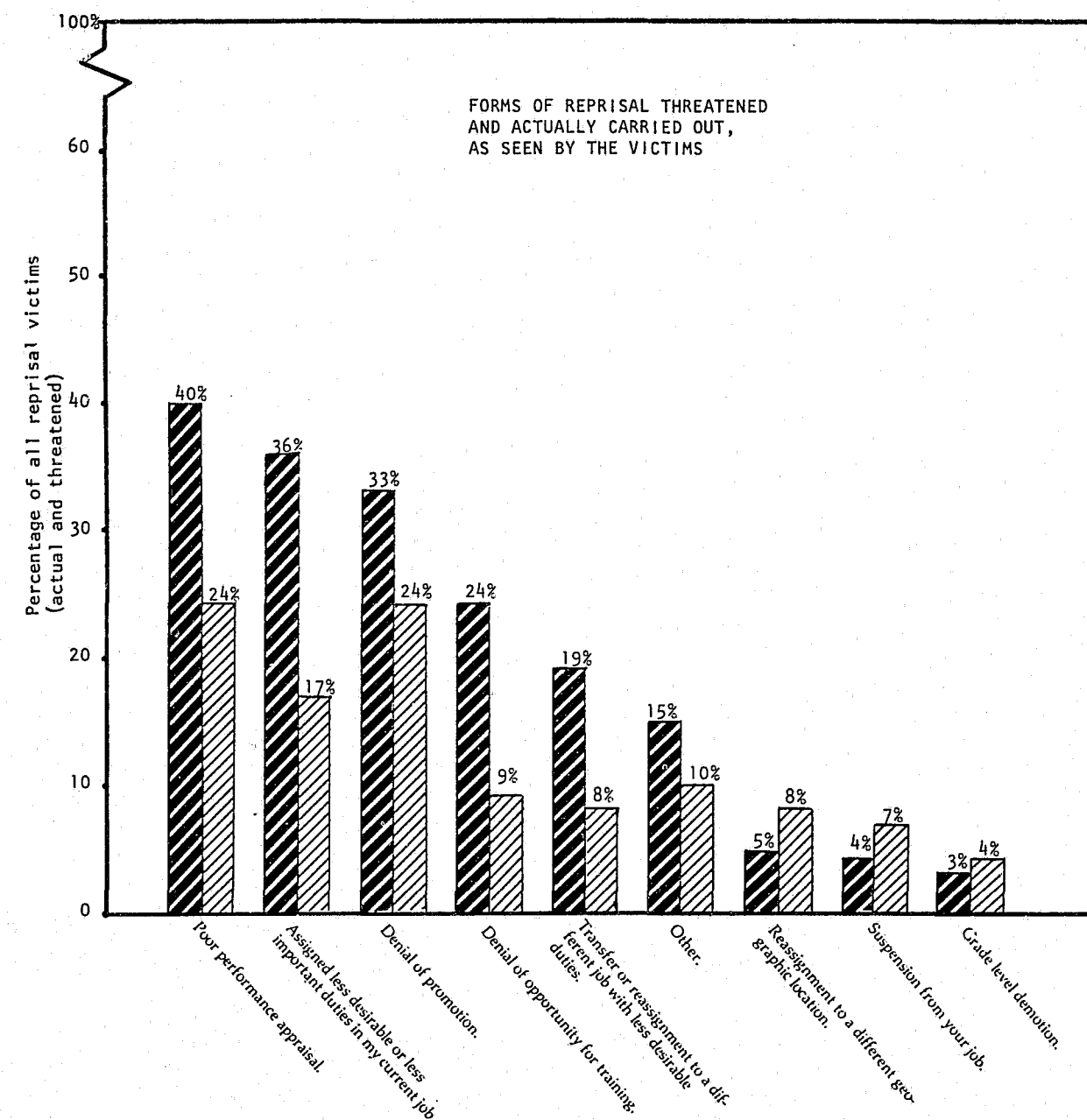
Employees React Passively to Reprisal. When confronted with a reprisal action, the most frequent employee response was no response. Forty percent of all reprisal victims took no action in response to the reprisal or threat of reprisal.

Graph 16 on page 40 illustrates that when employees took action, they most often did so in the form of a complaint to higher level management or to some other office within the agency, such as the personnel or EEO office. Employees rarely complained to channels outside their agencies, such as the Merit Systems Protection Board.

Forty-seven percent of those employees who did respond to the reprisal action, said that their response made no difference. In fact, 47% also indicated that responding got them into more trouble. The reprisal or threat of reprisal was withdrawn in less than 10% of the cases, and action was taken to compensate the affected employee for the reprisal action in only 7% of the cases.

GRAPH 14

34. Did the reprisal or threat of reprisal take any of the following forms? ^{1/}

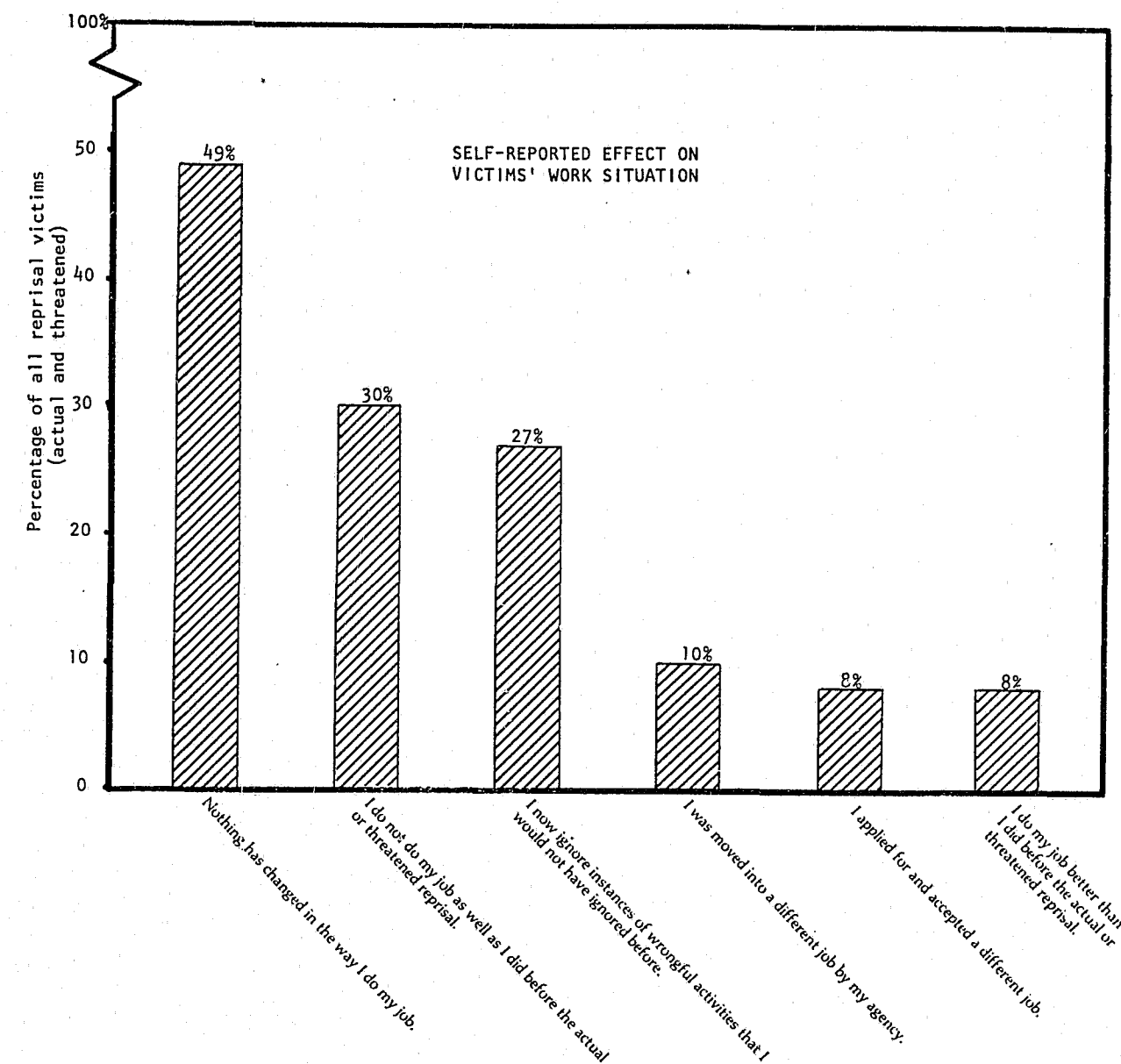


■ Employees who claim this action was actually carried out, as a percentage of all reprisal victims (actual and threatened)
 ▨ Employees who claim this action was threatened, as a percentage of all reprisal victims (actual and threatened)

^{1/} Respondents were allowed to select more than one response. The percentages shown, therefore, sum to more than 100%.

GRAPH 15

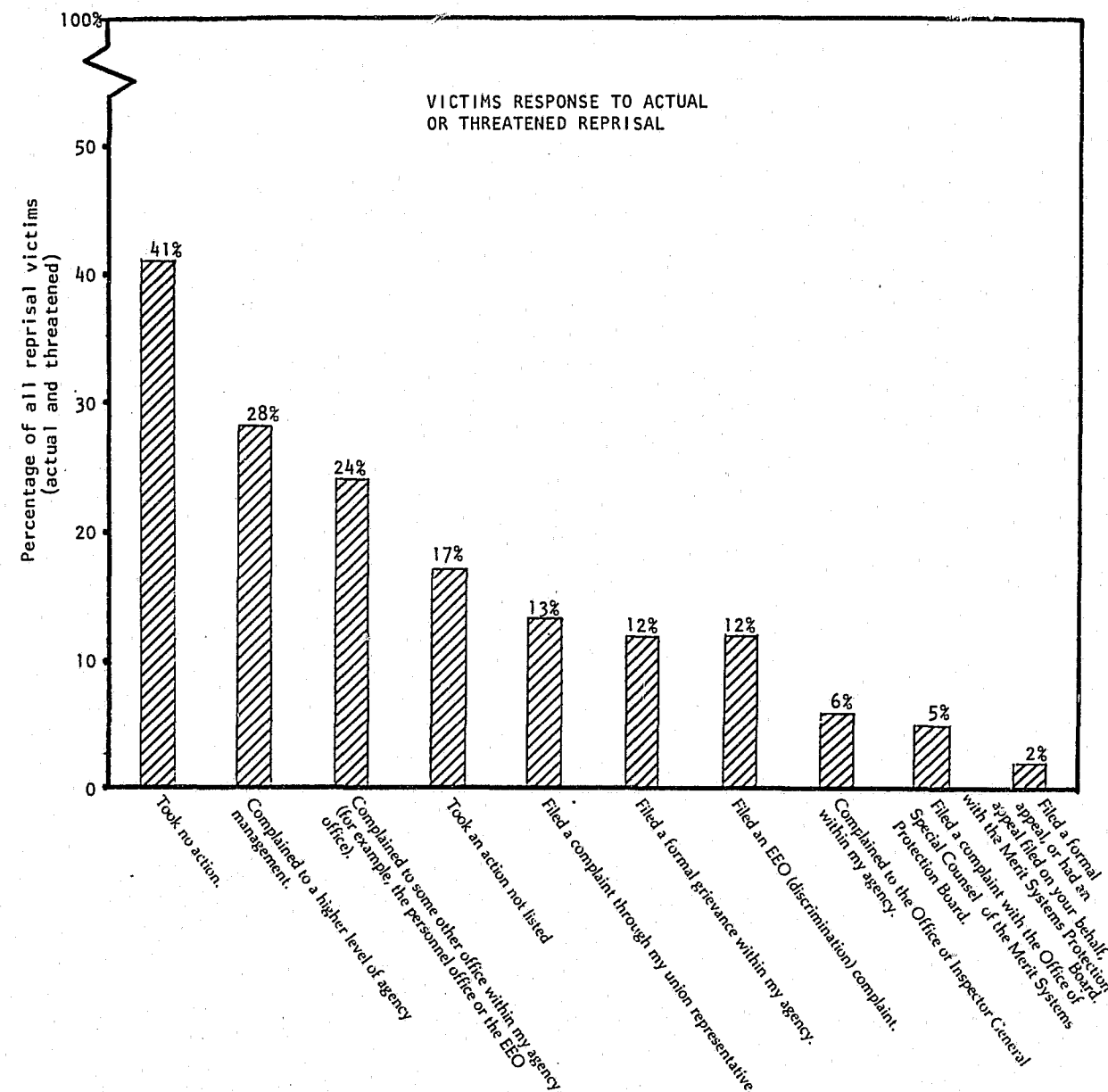
35. How was the way you do your job affected by the reprisal or threat of reprisal? ^{1/}



^{1/} Respondents were allowed to select more than one response. The percentages shown, therefore, sum to more than 100%.

GRAPH 16

36. In response to the reprisal or threat of reprisal, did you take any of the following actions? ^{1/}



^{1/} Respondents were allowed to select more than one response. The percentages shown, therefore, sum to more than 100%.

Conclusions. The results of our survey indicate that the incidence of actual or threatened reprisal against employees who report fraud, waste and mismanagement is high enough to warrant the continued concern of responsible policy makers and managers.

Nevertheless, there is another side to the coin. Our data also indicates that for the great majority of those who report such misconduct or mismanagement, the consequence was either that nothing happened to them or that they were given credit by management for having made the report.

Indeed, the most frequently reported negative consequence was a feeling on the part of the reporter that superiors were "unhappy" with them. While we may ideally wish to eliminate any negative reaction on the part of supervisors to the bearer of bad news, nevertheless we must recognize that there will no doubt always remain some irreducible minimum of animus toward such reporters.

Given such considerations, the implication of these findings for those who wish to encourage Federal employees to report fraud, waste and mismanagement is at least this: that the consequences of stepping forward need by no means be negative. Like the high dive, it is possible to survive the experience of reporting wrongdoing, of "blowing the whistle."

Thus, those who wish to enlist Federal employees in the effort to eliminate fraud, waste and mismanagement may be well advised to begin to more prominently "accentuate the positive," as opposed to painting the "whistleblower" as a person necessarily bound for career suicide.

None of which is to say that efforts should not continue to prevent and firmly punish reprisal. Law and good sense demand it, and the fact remains that the apprehension of such reprisal continues to inhibit many Federal employees from reporting misconduct.

**WHAT EMPLOYEES THINK ABOUT
REPORTING ILLEGAL AND WASTEFUL
ACTIVITIES AND THE CHANCES OF
SUFFERING REPRISAL FOR DOING SO**

- Federal employees overwhelmingly agree that fraud, waste, and mismanagement should be reported; that it is in the best interests of their agency to do so; and that employees should be **encouraged** to report such problems.
- However, a substantial percentage of employees are skeptical of the effectiveness of protections against reprisal.
- Employees are not confident that their supervisors and persons above their supervisors would not retaliate against them. Only about half (45%) of all employees expressed confidence that their supervisor would not take action against them if they were to report illegal or wasteful activities through official channels.
- On an agency basis, the percentage of employees who expressed confidence that their immediate supervisor would **not** take reprisal action ranged from a low of 38% to a high of 53%.

The problem with any type of whistleblowing system which may be established is that this quasi-political activity is absolutely contrary to the American experience. The American experience causes us to turn away from activities like whistleblowing not because of the short term benefits which might be derived but (because of) the monster which might be created. . . . Whistleblowers are not perceived as acceptable persons by the ordinary citizens of this country.

* * * * *

I believe that it is a responsibility of every employee to report fraud, waste, or mismanagement, however, there needs to be **more** information and guidance provided and **more** assurance that those reporting such occurrences **shall** be protected from reprisal. 1/

These divergent viewpoints illustrate that the question of whether "whistleblowing" is a good thing can be a volatile one. Indeed, we discovered

1/ Written comments volunteered by two different respondents to the reprisal survey questionnaire providing elaboration on their views of whistleblowers.

during the design phase of the survey questionnaire that the responses individuals gave to questions about "whistleblowers" varied significantly depending upon what they perceived the term "whistleblower" to mean. We therefore, substituted the term "employees who report illegal or wasteful activities" for the more value-laden term "whistleblower."

Federal Employees Believe That Illegal or Wasteful Activity Should be Reported. When employees were asked whether they **personally** approved of employees who report illegal or wasteful activities within government operations, an overwhelming 96% responded affirmatively. (See Graph 17.) In fact, 94% of the respondents believed that Federal employees should be **encouraged** to report such activities. (See Graph 18.) Finally, 94% of the approximately 8,600 respondents agreed that it is in the best interests of the agency when an employee reports wrongful activities. (See Graph 19.) There were no significant differences in these responses among agencies nor among categories of employees based on grade level, geographic location, or supervisory status.

Protection Against Reprisal. There was much less agreement among our respondents on the question of whether employees who report illegal or wasteful activities are currently being adequately protected by the Federal Government. Slightly more than one third (34%) of the respondents thought that Federal protections for whistleblowers could and should be more adequate. Seventeen percent felt that these protections were either about right or as adequate as can be. Almost half (48%) were not sure. (See Graph 20 on page 48.)

Approaching the issue of protection from reprisal from a different perspective, we asked respondents whether they thought it was even **possible** for the Federal Government to effectively protect from reprisal an employee who discloses illegal or wasteful activities within his or her agency. The respondents were almost evenly divided in their opinions. Forty-four percent thought it was possible to protect such reporters, 44% thought it was **not**, and 13% were not sure. (See Graph 21 on page 48.)

Mistrust of Supervisors. Since the chain of command is likely to be the primary channel thought about for those employees **contemplating** the reporting of an illegal or wasteful activity, it is important that employees have confidence that they might use these channels without suffering reprisal. This is not the case for a large percentage of employees.

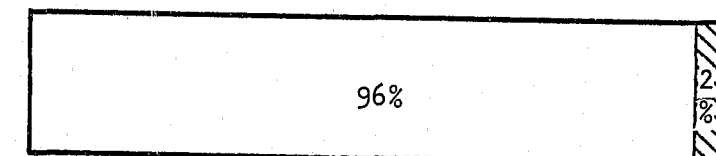
When asked how confident they are that their supervisor would **not** take action against them if they were to report some illegal or wasteful activity through official channels, 43% of our respondents expressed a lack of confidence and 13% were not sure. When asked the same question about someone **above** their supervisor, more than half (59%) expressed a lack of confidence that a higher level supervisor would not take a reprisal action and 18% were not sure.

In examining the issue of employee confidence in their supervisory chain of command, we also note that employees at the higher grade levels express more confidence in being able to report wrongdoing without reprisal than do lower graded employees. For example, 61% of the employees in the Senior Executive Service expressed confidence that their immediate supervisors would not take reprisal action, as opposed to 41% of the employees in grades GS-1 through GS-4.

1. The following questions ask for your *opinion* about the practice of reporting illegal or wasteful activities.

GRAPH 17

a. Do you personally approve of the practice of employees reporting illegal or wasteful activities within Government operations?



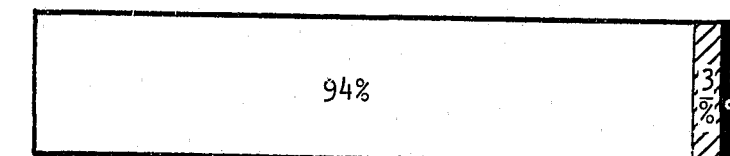
Based on responses:

"Definitely yes" and "Probably yes" ☐ "Not sure" ☒ "Probably not" and "Definitely not" ☐

1. The following questions ask for your *opinion* about the practice of reporting illegal or wasteful activities.

GRAPH 18

d. Should Federal employees be *encouraged* to report illegal or wasteful activities within their agencies?



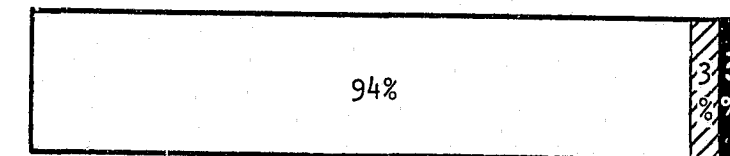
Based on responses:

"Definitely yes" and "Probably yes" ☐ "Not sure" ☒ "Probably not" and "Definitely not" ☐

1. The following questions ask for your *opinion* about the practice of reporting illegal or wasteful activities.

GRAPH 19

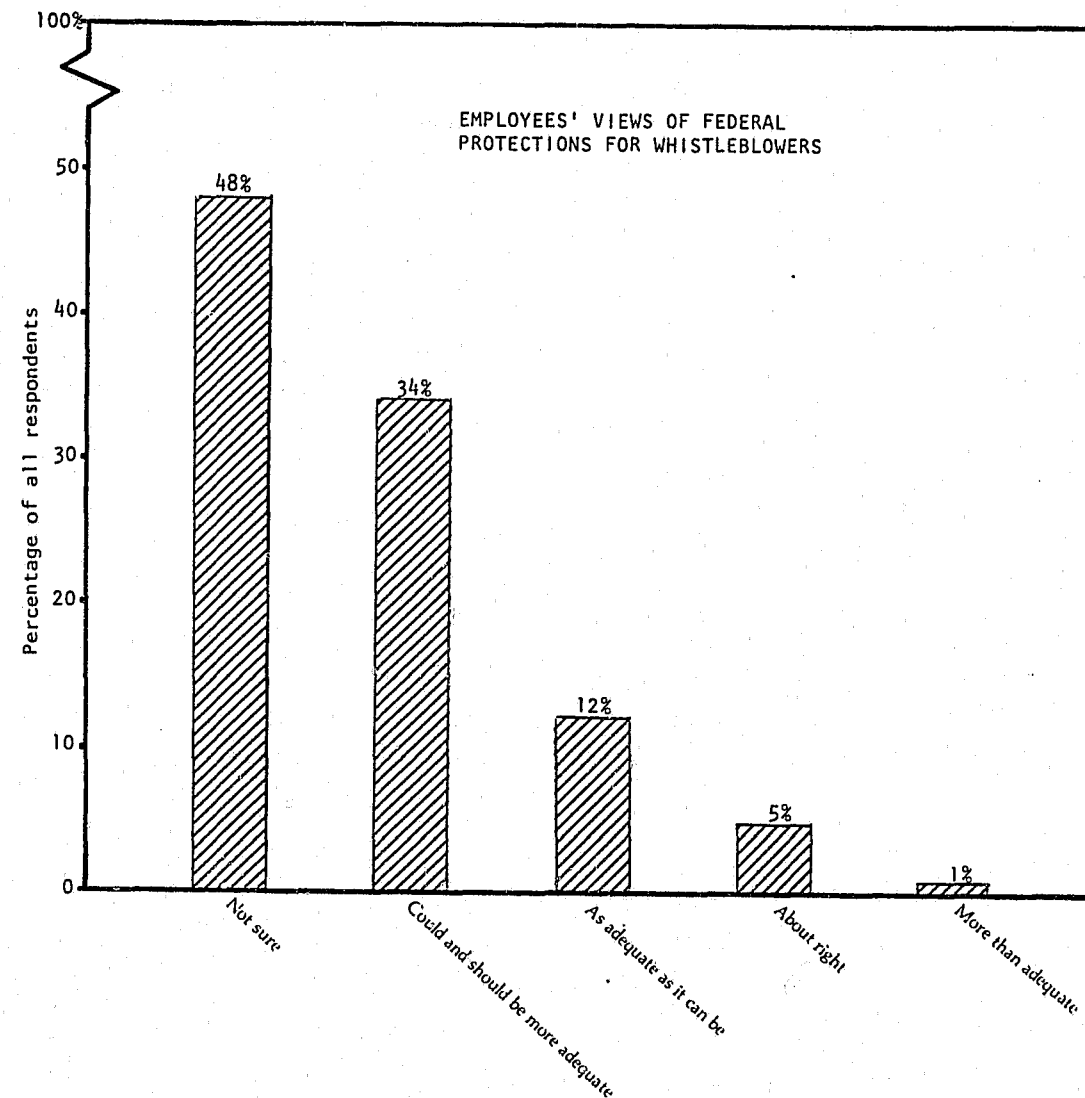
c. Is it in the best interests of a Federal agency when an employee reports illegal or wasteful activities?



Based on responses:

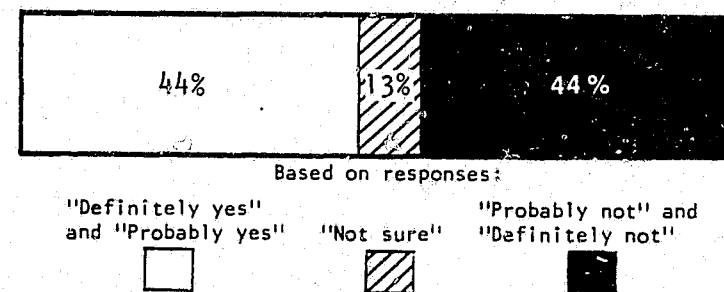
"Definitely yes" and "Probably yes" ☐ "Not sure" ☒ "Probably not" and "Definitely not" ☐

GRAPH 20
2. How adequate is the protection the Federal Government now offers to employees who report illegal or wasteful activities within their agencies?



GRAPH 21
1. The following questions ask for your opinion about the practice of reporting illegal or wasteful activities.

b. Is it possible for the Federal Government to effectively protect from reprisal an employee who discloses illegal or wasteful activities within his or her agency?



Of greater significance is the fact that the overall level of employee confidence varies by agency, as shown in Graphs 22 and 23 on the next page. These agency differences cannot be explained solely by the grade level composition of each agency's workforce or other demographic factors unique to particular agencies. Thus, it may be that some agencies have simply been more successful than others in inspiring confidence among their employees in the integrity of the agency's managers and supervisors.

Conclusions. The reluctance of Federal employees to report instances of fraud, waste and mismanagement cannot be explained as a widely held belief on their part that reporting such misconduct is in itself unacceptable. Most employees believe that reporting waste and illegal conduct is a desirable thing, with good results for the agency.

On the other hand, Federal employees do share a disturbingly high lack of confidence in their supervisors' not retaliating against them, and in the existing protections designed to assure that such retaliation does not occur.

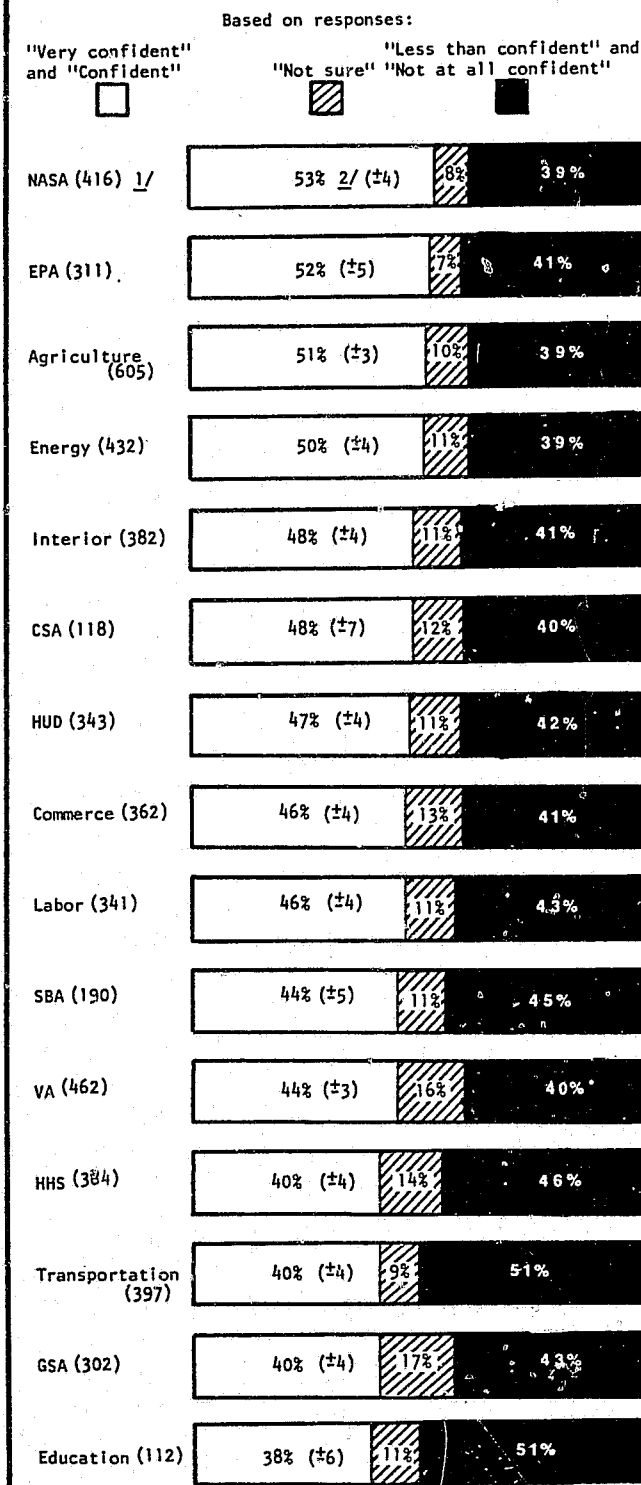
When compared to the actual incidence of reprisal discussed in Chapter 4, these apprehensions appear to be somewhat larger than real life. However, one simply cannot dismiss the practical effect of the pragmatic view that, whatever the statistical chances against being hit by lightning, when lightning strikes it is usually fatal. The popular fear of sharks--in spite of a miniscule number of actual attacks in any given year compared to the population of bathers--is an excellent example of this perception.

Thus, only a very small incidence of reprisal may be enough to chill a disproportionate group of employees from reporting misconduct.

Finally, we point out again the importance of differences among agencies in the levels of confidence employees have in the supervisory chain of command. Agency heads will be well advised to scrutinize their own "organizational climate" in great detail to learn what they may be doing wrong, or right, in this area.

GRAPH 22

4. How confident are you that your supervisor would not take action against you, if you were to report—through official channels—some illegal or wasteful activity?

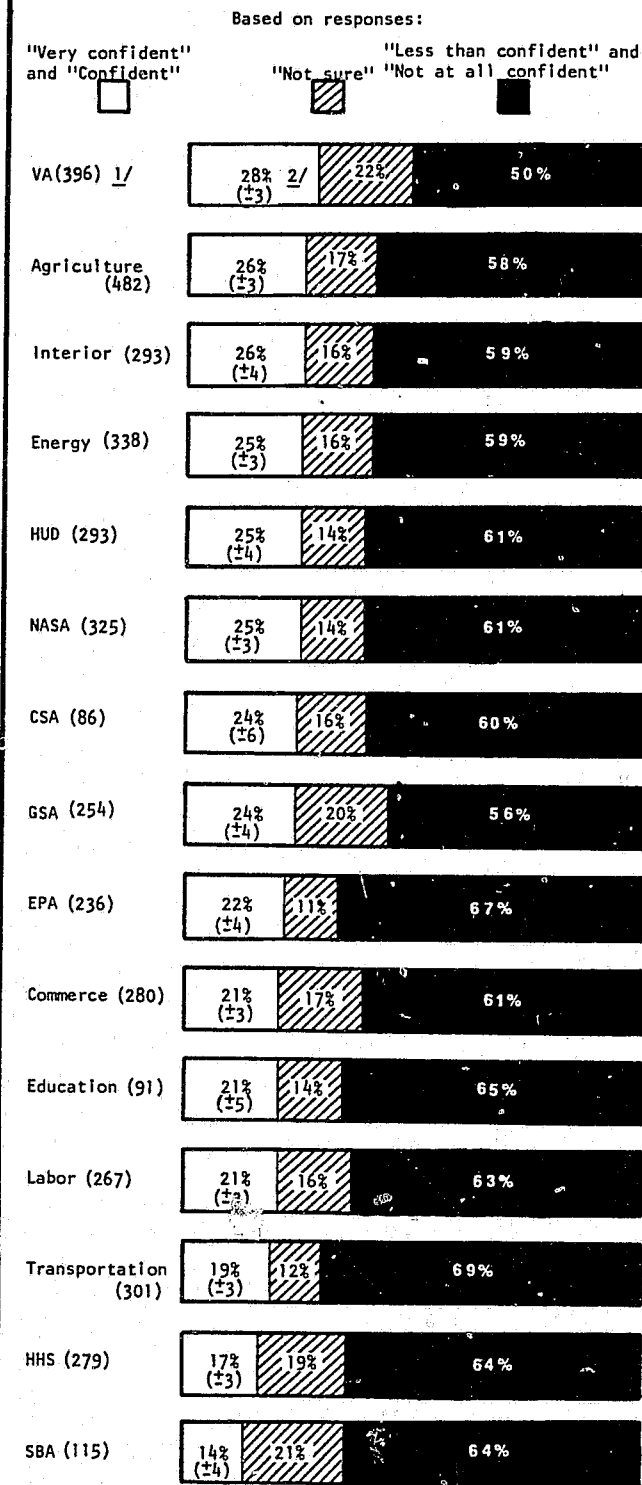


1/ The number in parentheses indicates the total number of respondents in each agency who answered this question.

2/ The number in parentheses indicates the possible error range, at the 95% confidence level, for the associated figure. In other words, based on a sample of this size, one can say with 95% confidence that the error attributable to sampling and other random effects could be up to this many percentage points in either direction, but there is less than 5% chance that the "true" figure lies outside the indicated bracket. Due to the error ranges shown, differences between closely-ranked agencies may not be statistically significant.

GRAPH 23

5. How confident are you that someone above your supervisor would not take action against you, if you were to report—through official channels—some illegal or wasteful activity?



1/ The number in parentheses indicates the total number of respondents in each agency who answered this question.

2/ The number in parentheses indicates the possible error range, at the 95% confidence level, for the associated figure. In other words, based on a sample of this size, one can say with 95% confidence that the error attributable to sampling and other random effects could be up to this many percentage points in either direction, but there is less than 5% chance that the "true" figure lies outside the indicated bracket. Due to the error ranges shown, differences between closely-ranked agencies may not be statistically significant.

EMPLOYEE KNOWLEDGE OF REPORTING CHANNELS AND HOW CONFIDENT THEY ARE IN THESE CHANNELS

- Employees are widely ignorant of the channels established to receive reports of illegal or wasteful activity. Less than half (47%) said that they would know where to report illegal or wasteful activity.
- The percentage of employees who said that they **do** know where to report wrongdoing varied substantially by grade level and by agency.
- Large percentages of employees had never even heard of the Office of Inspector General (OIG) within their agency (23%), or of the Office of Special Counsel (OSC) within the MSPB (51%). And among those employees who **had** heard of either organization, there was a low level of confidence in the ability of either to carry out its mission.
- However, those who indicated the **greatest** degree of familiarity with either organization also tended to have the greatest degree of confidence in that organization.

Not knowing who to trust or where to report are probably the most common factors preventing employees from reporting any illegal or wasteful activity. 1/

Many Federal Employees Do Not Know Where to Report Wrongdoing. Less than half (47%) of our respondents said that they would know where to report an illegal or wasteful activity if they observed one. One third (33%) indicated that they would **definitely not** know where to report such an activity, and 19% were not sure. Graph 24 on page 51 demonstrates that this level of awareness varies significantly among the agencies.

Employees at higher grade levels tend to be much more knowledgeable about where to report activities than those at lower grade levels. Only 32% of all employees in grades GS-1 through GS-4 said that they would know where to report an illegal or wasteful activity, compared to 42% in grades GS-5 through GS-8, 50% in grades GS-9 through GS-12, 60% in grades GS-13 through GS-15, and 72% in the Senior Executive Service.

1/ Written comment volunteered by a respondent to the reprisal survey questionnaire providing an opinion as to why illegal or wasteful activities are not reported.

Sixty-three percent of our respondents said that they did not have enough information about where to report illegal or wasteful activities and would prefer to have more. Once again, there are significant differences in these responses among agencies (illustrated in Graph 25) and among grade levels. Over 77% of all employees in grades GS-1 through GS-4 would like more information. Only 26% of Senior Executive Service employees indicated a similar desire. (See Graph 25 on the following page.)

Recognizing that some Federal employees might be unwilling to report misconduct through the supervisory chain of command, Congress established alternate channels for such reports when it enacted the Civil Service Reform Act of 1978 and the Inspector General Act of 1978. (The channels established by these Acts were in addition to some already existing alternatives such as the GAO and FBI "hot lines.") As we reported in Chapter 2, however, only a small percentage of those employees who reported an illegal or wasteful activity reported it to one of these alternate channels. Part of the reason for this is a general lack of awareness about these organizations on the part of employees.

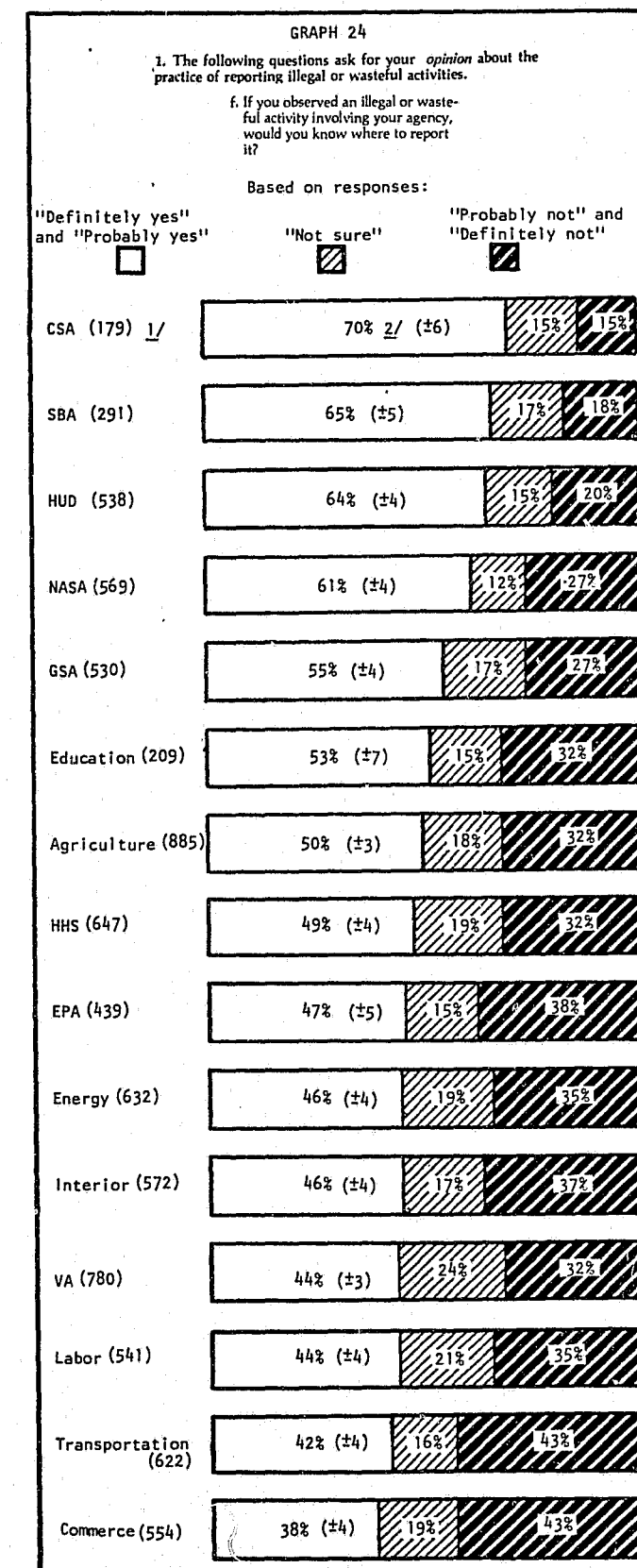
Few Employees Know of Alternate Channels for Reporting Wrongdoing. The level of knowledge that employees have about at least three of the major organizations who share some official responsibility for responding to allegations of illegal or wasteful conduct is generally very low. Over half (51%) of all respondents, for example, had never even heard of the Special Counsel of the MSPB. Another 20% had heard of it but had no specific knowledge of its mission.

Employees in some agencies, however, are much more knowledgeable about these organizations than employees in other agencies. The agency differences are especially pronounced with regard to awareness of the Offices of Inspector General and the Office of Special Counsel.

Thus, Graph 26 reflects the level of knowledge employees in each agency expressed about their OIG. The percentage of employees who had either a "pretty good" or a "very good" idea of what the OIG is supposed to do ranges from only 22% in the Department of Commerce to 76% in the Community Services Administration. Similarly, the percentage of employees who claimed "pretty good" or "very good" knowledge of the Office of Special Counsel ranges from 9% in EPA to 32% in CSA. Agency differences regarding knowledge of the OSC are depicted in Graph 27. (Graphs 26 and 27 are on page 52.)

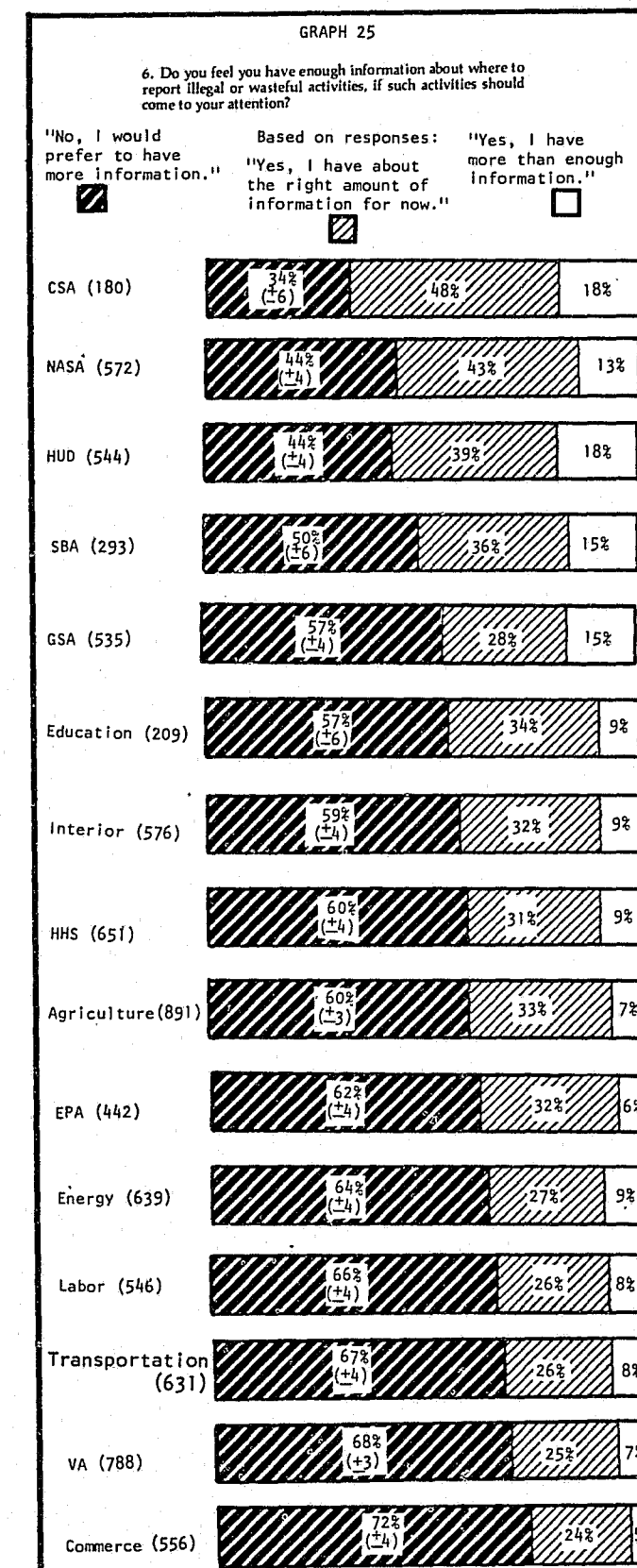
Respondents also exhibited differences by grade level in their level of knowledge and awareness of the OIG and OSC/MSPB. For example, only 18% of the employees in grades GS-1 through GS-4 had a "pretty good" or "very good" idea of what the Office of Inspector General was supposed to do with information concerning illegal or wasteful activity. By contrast, 66% of those in the Senior Executive Service indicated the same level of knowledge. Higher level employees also claimed greater knowledge of the Office of Special Counsel relative to lower graded employees.

Employees Lack Confidence in the Alternate Channels. Even employees who are aware of the existence of the OIG or MSPB/OSC channels tend to lack confidence in the ability of these organizations to carry out their assigned responsibilities.



1/ The number in parentheses indicates the total number of respondents in each agency who answered this question.

2/ The number in parentheses indicates the possible error range, at the 95% confidence level, for the associated figure. In other words, based on a sample of this size, one can say with 95% confidence that the error attributable to sampling and other random effects could be up to this many percentage points in either direction, but there is less than 5% chance that the "true" figure lies outside the indicated bracket. Due to the error ranges shown, differences between closely-ranked agencies may not be statistically significant.

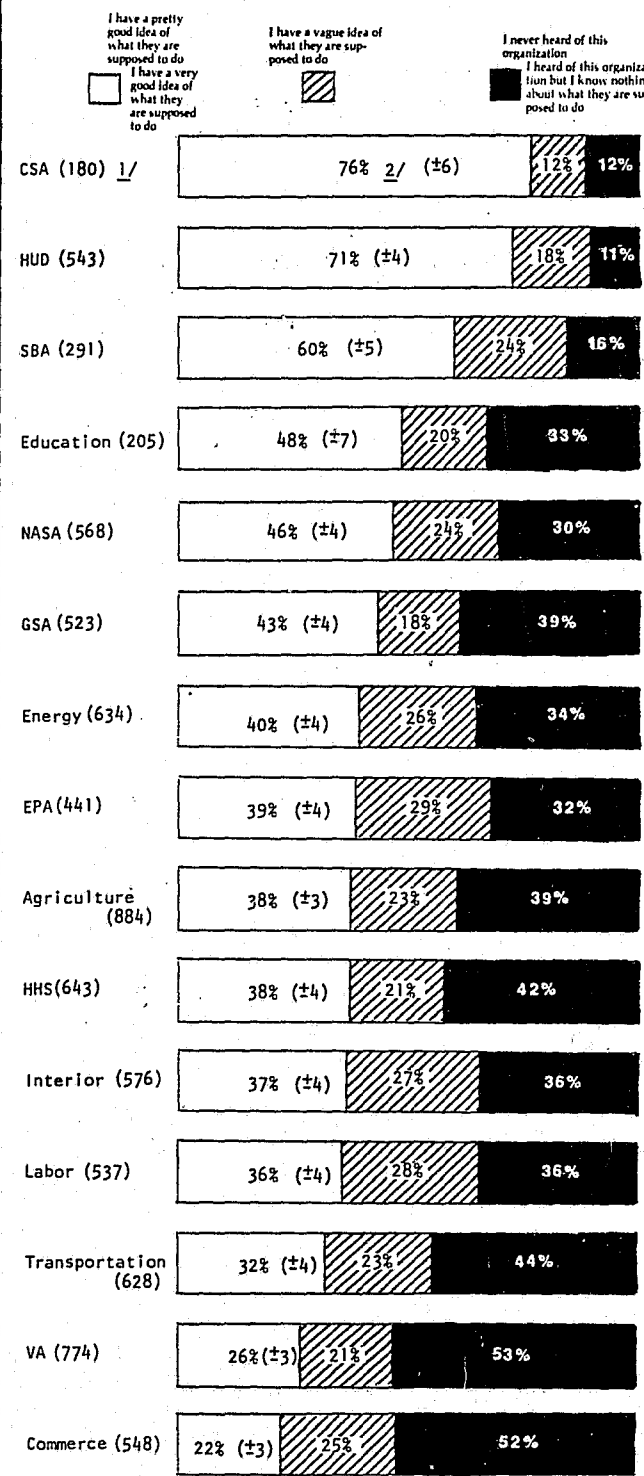


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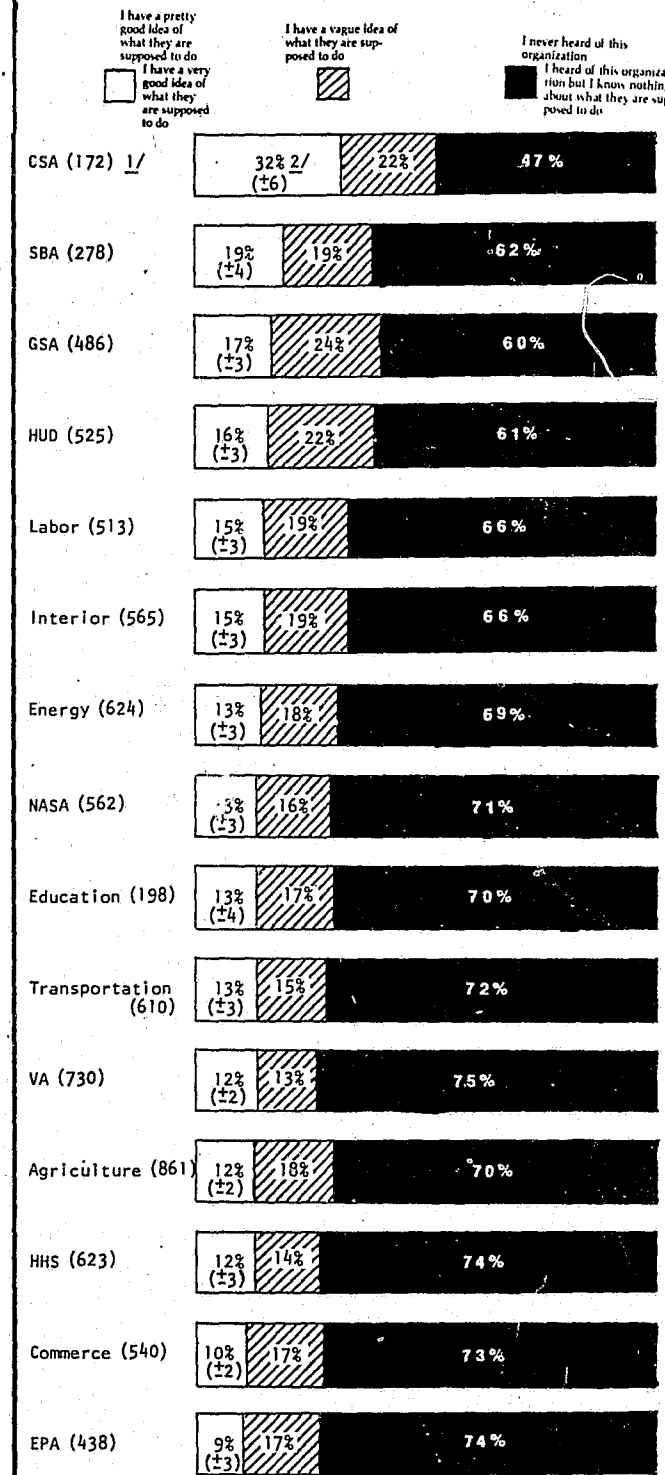
GRAPH 26

8. Have you heard of the following organizations, and how much do you know about what they are supposed to do if they receive information concerning illegal or wasteful activities?
a. The Office of Inspector General or IG "Hot Line" within your agency.



GRAPH 27

8. Have you heard of the following organizations, and how much do you know about what they are supposed to do if they receive information concerning illegal or wasteful activities?
b. The Special Counsel of the Merit Systems Protection Board.



1/ The number in parentheses indicates the total number of respondents in each agency who answered this question.

2/ The number in parentheses indicates the possible error range, at the 95% confidence level, for the associated figure. In other words, based on a sample of this size, one can say with 95% confidence that the error attributable to sampling and other random effects could be up to this many percentage points in either direction, but there is less than 5% chance that the "true" figure lies outside the indicated bracket. Due to the error ranges shown, differences between closely-ranked agencies may not be statistically significant.

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For example, among those employees who had at least heard of the Office of Special Counsel of the MSPB, 36% were "not sure" that the OSC would give careful consideration to an allegation of illegal or wasteful activities. Excluding those who were "not sure," only half (51%) of those who ventured an opinion had confidence that their allegations would receive careful consideration.

More disturbing is the fact that of those employees who knew about the Special Counsel, 35% were "not sure" that the OSC would protect them from reprisal. Excluding this group who were "not sure" only 34% of those who expressed an opinion were confident that they would receive protection.

In a similar vein, among those employees who knew about their agency's Office of Inspector General, 26% were "not sure" that their identity would be protected if they were to report an activity to the OIG. Excluding those who were not sure, less than half (46%) of the remainder were confident that their identity would be protected. When those employees who knew about the OIG were asked if the OIG would give careful consideration to their allegations, 25% were "not sure" while only 55% of those who expressed an opinion were confident that their allegations would receive careful consideration.

There are, however, important differences in results when employees are categorized by degree of knowledge about these organizations. Those with the greatest knowledge of each organization also tend to express the greatest degree of confidence.

For example, of those employees who said that they have a "pretty good" or "very good" idea of what the Office of Inspector General is supposed to do, 59% expressed confidence that the OIG would give careful consideration to an allegation of wrongdoing. In contrast, among those employees who only have a "vague" idea of what the OIG is supposed to do, only 31% expressed confidence that such an allegation would be carefully considered.

Graphs 28 through 31 on the next page show the levels of confidence expressed by employees relative to the degree of knowledge they professed to have regarding the OIG and the Office of Special Counsel.

Conclusions. A large percentage of Federal employees simply do not know where to report an illegal or wasteful activity if they observe it, although this relative ignorance varies among agencies and by grade level. Since the differences by grade level are not sufficient to explain the agency differences, it appears that some agencies are more effective than others in informing employees about where to make such reports.

Significantly, the degree of confidence that employees expressed in specific organizations established to receive such reports increased as their knowledge of the organizations increased.

Nevertheless, knowledge of where to report an illegal or wasteful activity is a necessary but not a sufficient condition to encouraging large numbers of employees to report wrongdoing. Even in those agencies where employees were

GRAPH 28

9. If you were to report an illegal or wasteful activity to the Office of Inspector General (OIG) within your agency and request that your identity be kept confidential, how confident are you that the OIG would protect your identity?

Based on responses:

"Very confident" and "Confident" "Not sure" "Less than confident" and "Not at all confident"

Where employees said, "I have a very good idea of what they are supposed to do," their level of confidence was as follows:



Where employees said, "I have a pretty good idea of what they are supposed to do," their level of confidence was as follows:



Where employees said, "I have a vague idea of what they are supposed to do," their level of confidence was as follows:



Where employees said, "I heard of this organization but I know nothing about what they are supposed to do," their level of confidence was as follows:



GRAPH 29

10. If you were to report an illegal or wasteful activity to the Office of Inspector General within your agency, how confident are you that the OIG would give careful consideration to your allegations?

Based on responses:

"Very confident" and "Confident" "Not sure" "Less than confident" and "Not at all confident"

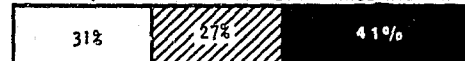
Where employees said, "I have a very good idea of what they are supposed to do," their level of confidence was as follows:



Where employees said, "I have a pretty good idea of what they are supposed to do," their level of confidence was as follows:



Where employees said, "I have a vague idea of what they are supposed to do," their level of confidence was as follows:



Where employees said, "I heard of this organization but I know nothing about what they are supposed to do," their level of confidence was as follows:



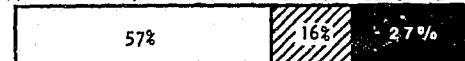
GRAPH 30

12. If you were to report an illegal or wasteful activity to the Office of the Special Counsel (OSC) of the Merit Systems Protection Board, how confident are you that the OSC would give careful consideration to your allegations?

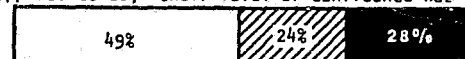
Based on responses:

"Very confident" and "Confident" "Not sure" "Less than confident" and "Not at all confident"

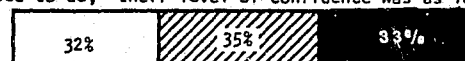
Where employees said, "I have a very good idea of what they are supposed to do," their level of confidence was as follows:



Where employees said, "I have a pretty good idea of what they are supposed to do," their level of confidence was as follows:



Where employees said, "I have a vague idea of what they are supposed to do," their level of confidence was as follows:



Where employees said, "I heard of this organization but I know nothing about what they are supposed to do," their level of confidence was as follows:



GRAPH 31

13. If you were to need protection for having reported an illegal or wasteful activity, how confident are you that the Office of the Special Counsel of the Merit Systems Protection Board would protect you from reprisal?

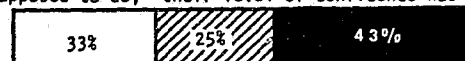
Based on responses:

"Very confident" and "Confident" "Not sure" "Less than confident" and "Not at all confident"

Where employees said, "I have a very good idea of what they are supposed to do," their level of confidence was as follows:



Where employees said, "I have a pretty good idea of what they are supposed to do," their level of confidence was as follows:



Where employees said, "I have a vague idea of what they are supposed to do," their level of confidence was as follows:



Where employees said, "I heard of this organization but I know nothing about what they are supposed to do," their level of confidence was as follows:



relatively more knowledgeable about reporting channels (such as the Department of Housing and Urban Development), only a small percentage of employees gave **not** knowing "to whom I should report" as one of the reasons for not reporting a matter. Clearly, conditions other than knowing where to report allegations must exist if significantly greater numbers of employees are to come forward and share their knowledge of fraud, waste, and mismanagement. Chapter 7 discusses what some of those conditions may be.

**WHAT EMPLOYEES BELIEVE WOULD
ENCOURAGE THEM TO REPORT FRAUD,
WASTE, AND MISMANAGEMENT**

- "Knowing that something would be done to correct the activity if I reported it" was the condition most frequently cited by respondents (81%) as the one that would most encourage them to report an activity.
- "Knowing that I would be protected from any sort of reprisal" was the second most frequently cited condition (41%).
- Only a small percentage (2%) of employees felt that a cash reward would personally motivate them to report fraud, waste, or mismanagement. Some advised against such rewards.

Knowing that something would be done to correct wastefulness would give more encouragement to report it than an award.

* * * * *

The system should be stronger in protecting those that do "blow the whistle," the security would do more to encourage exposure than any "cash reward."

* * * * *

I personally feel that if I should report anything I would want something done about it, and that other people would not think me a trouble maker. I do not feel that we should receive money for reporting. I feel that if you are a government employee, reporting misuse of funds goes with the job.

* * * * *

From my own experience (20 years in Federal Government) the problem is less one of outright fraud and criminal activity--for which "whistleblowing" protections are essential to insure against reprisals--than it is one of "gray area" mismanagement or ethical improprieties where it is less easy to pinpoint "good guys" and "bad guys." There must be a way developed where program managers can be called to task for such failings **without** they or their programs

being destroyed or damaged. In other words, while reprisal is a real threat there are other, perhaps more significant, disincentives to reporting or correcting instances of mismanagement or ethical conflict, such as feared impact on programs, agencies, or even (ironically) on the perpetrators of the misconduct. To assume that only fear for oneself discourages an employee from reporting misconduct is thus to miss a large part of the problem. 1/

These four comments from survey respondents illustrate that the task of motivating individuals to report fraud, waste, and mismanagement is complex. Indeed, the circumstances under which any given specific employee would report a particular type of activity may be unique to that employee and activity. Nevertheless, many employees believe that the existence of certain conditions would encourage them to report an illegal or wasteful activity.

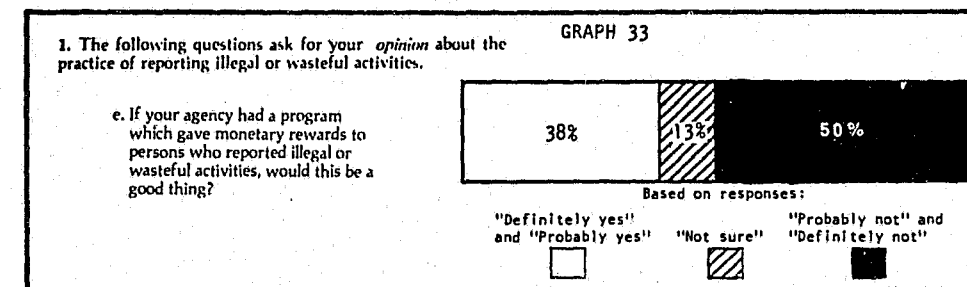
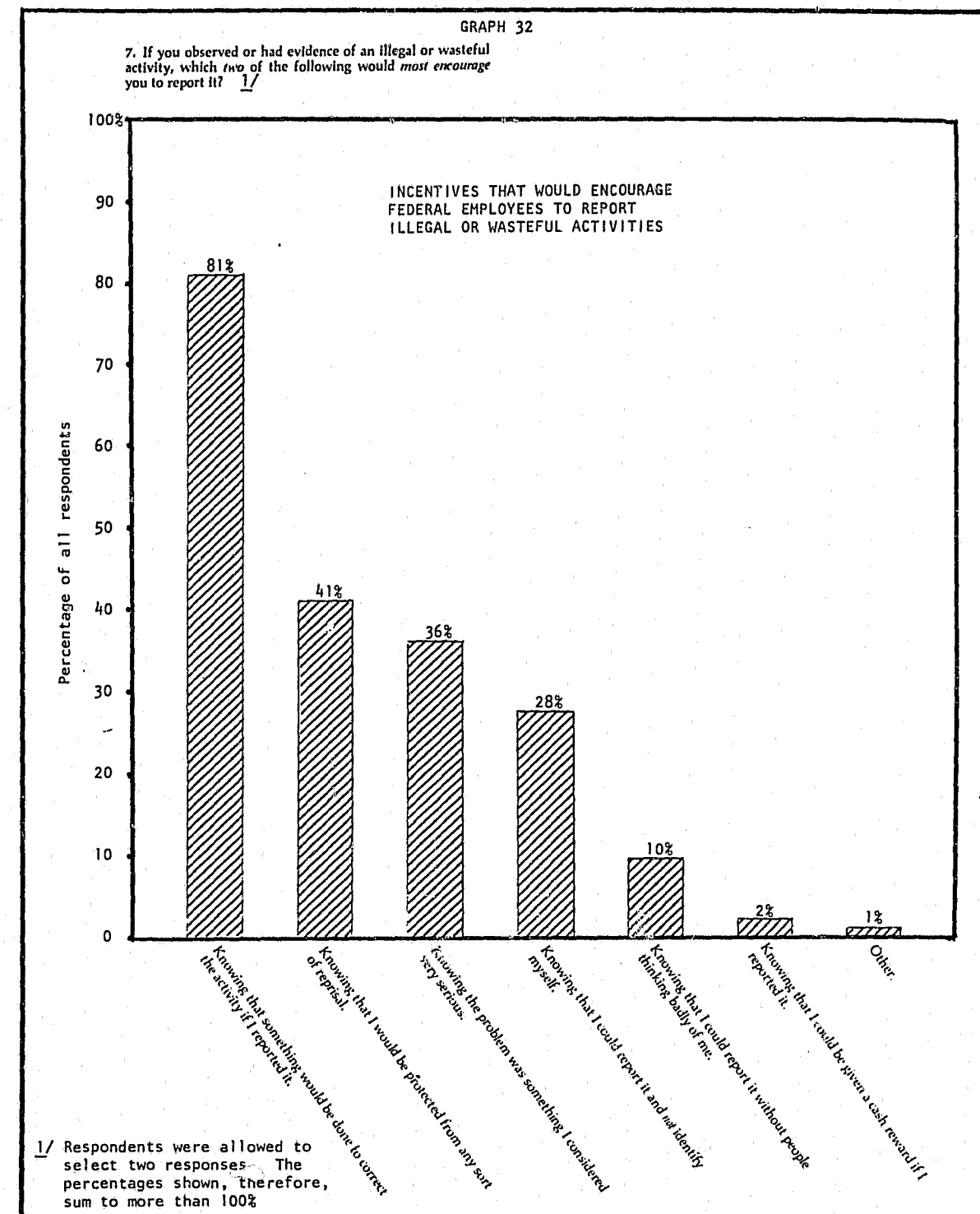
Effective Action on Employee Reports Would Spur Reporting. When the surveyed employees were asked which two of a series of conditions would most encourage them to report, their responses were surprisingly uniform. The results are shown in Graph 32. Most revealing is the fact that the most frequently cited condition (cited by 81%) was "knowing that something would be done to correct the activity if I reported it." By comparison, "knowing that I would be protected from any sort of reprisal," the second most frequently selected response, was cited by only about half (41%) as many employees. Twenty-eight percent of the respondents said that "knowing that I could report it and **not** identify myself" would encourage them to report an observed activity.

There was very little variance in these response rates between agencies or between employees at different grade levels, indicating that these are widely held attitudes.

The survey also explored the idea of providing financial incentives for employees who report wrongdoing. As seen in Graph 33, only a very small percentage of employees felt that they would be personally motivated by the possibility of a cash reward. Even when the idea was presented as a general policy possibility, approximately half of the employees felt it was **not** a good idea and 13% were not sure. In addition, several employees volunteered negative comments on the idea of Federal "bounty hunters."

Finally, each questionnaire respondent was asked to rate his or her own agency with regard to the amount of encouragement the agency gave to employees who were inclined to report illegal or wasteful activities within the agency.

1/ Written comments volunteered by four different respondents to the reprisal survey questionnaire elaborating on what would most encourage them to report illegal or wasteful activities.

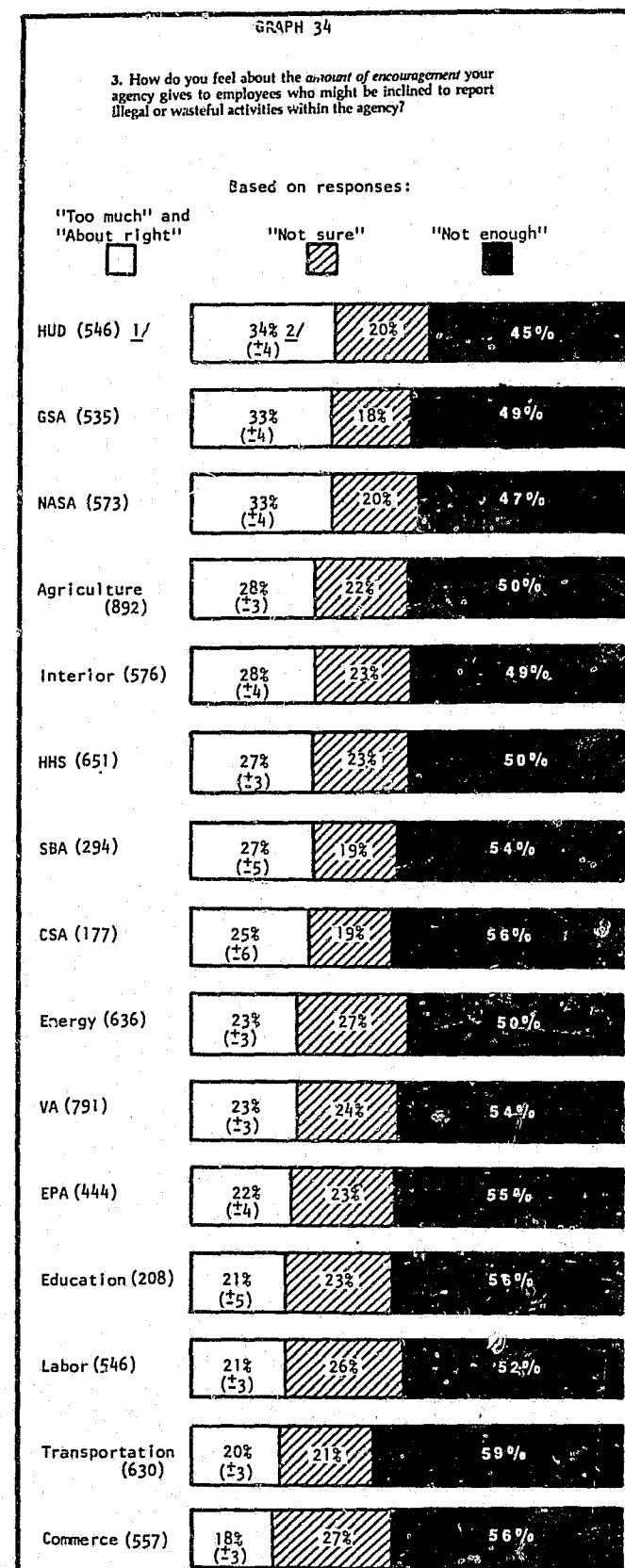


More than half (52%) felt there was "not enough" encouragement given. (Graph 34). Only about 1% of all employees thought that there was "too much" encouragement given to agency employees. No agency was viewed by more than about one-third (34%) of its employees as providing adequate or more than adequate encouragement to those inclined to report wrongdoing. Relatively speaking, however, some agencies seem to have established a slightly more open environment than others.

Conclusions. There is a clear consistency between what employees say would encourage them to report illegal or wasteful conduct and the reasons they give for not having reported any conduct they may have already observed. At the heart of the matter is skepticism that anything will be done to correct the problem.

Seen in that light, the ball clearly lies in the court of management. If Federal employees are to be successfully encouraged to take a more active part in reporting incidents of waste and mismanagement, they must be convinced that in good faith, effective action will be taken on their reports.

To say that this must be done is one thing--to do it, another. It is plain that there are no easy answers and no mechanical "fixes" to the problem. Instead, agency managers must build up credibility over the long term by acting firmly and thoroughly on employee reports. Systems to feed back to employees "success stories" concerning changes which were made as a result of employee reports should also be implemented.



1/ The number in parentheses indicates the total number of respondents in each agency who answered this question.

2/ The number in parentheses indicates the possible error range, at the 95% confidence level, for the associated figure. In other words, based on a sample of this size, one can say with 95% confidence that the error attributable to sampling and other random effects could be up to this many percentage points in either direction, but there is less than 5% chance that the "true" figure lies outside the indicated bracket. Due to the error ranges shown, differences between closely-ranked agencies may not be statistically significant.

APPENDIX A

WRITTEN COMMENTS FROM SURVEY RESPONDENTS

Over 2,500 of the approximately 8,600 employees who completed and returned the questionnaires upon which our survey is based volunteered additional written comments relative to the survey's subject matter. In some cases these comments were in response to instructions in the questionnaire which asked for elaboration if certain answers were selected. In other cases, respondents simply expressed their opinions about the issues involved. A sampling of the comments follows.

TYPES OF ILLEGAL OR WASTEFUL ACTIVITIES OBSERVED

Employee(s) stealing Federal funds.

The problem is cheating on travel vouchers--it is very prevalent in at least my part of our agency. This group of people brags about their exploits charging for taxi rides not taken; faking hotel bills; arriving back in town at noon and just taking the rest of the day off, etc. The supervisory personnel are aware of all this and do nothing.

* * * * *

I know of some employees who charge for overtime and receive pay for it but who in fact don't even do the prescribed amount of work during the regular eight hour day.

* * * * *

Employee(s) stealing Federal property.

At my agency I frequently observe employees ordering their children's school supplies from the agency's stockroom, as well as heavy duty aluminum foil for their outdoor grills.

* * * * *

I have seen employees stealing hams, eggs, bacon, sugar, flour, pepper and meats by the cases and have seen superiors order more . . . And nothing being done. I have [also] seen higher officials taking or stealing Federal property. Maybe in the near future something will be done to the people or persons involved in such action.

* * * * *

Employee(s) accepting bribes or kickbacks.

I told my immediate supervisor about what was going on as far as the supervisor above both of us. He was stealing Federal property, accepting bribes, abusing his position to give advantages to particular contractors, etc. all my immediate supervisor said is he will retire soon, which he did, and not to worry about it.

* * * * *

Employees accepting bribes to obtain Social Security cards for unauthorized individuals.

* * * * *

Waste of Federal funds caused by ineligible people (or organizations) receiving Federal funds, goods or services.

The problem exists or existed in the administering of this program by the [community agencies involved] . What has resulted, both in this area of the country, and nation-wide, is that loans have been made to individuals that either had no ability to repay, even at a rate of 3%, or had no intentions of repaying, yet these loans (ranging somewhere from \$1,000 to \$100,000 or more) were made.

* * * * *

A female employee who is not a supervisor was sent to a 10-week school for supervisors only; i.e., non-supervisory personnel are not eligible to attend. This was accomplished by her submitting an application in which she stated that she was a supervisor, and supervisors above her approved it knowing she was not a supervisor and was not eligible to attend the course.

* * * * *

I know personally three recipients of Federal benefits who have received checks of \$500-\$800 which they are not eligible for. In attempting to return the checks through the local [agency's] office, they were told to keep the money-- it was too hard to return.

* * * * *

I observe neighbors getting [Federal assistance] living in a \$90,000 home with three adults able to work. All three adults have late model cars. Son attended private school. Have been receiving [assistance] for at least five years.

* * * * *

By placing the administration of this program under [local governments] , fraud, waste and total mismanagement is the result. I have personally observed embezzlement of federal funds in excess of \$200,000.00."

* * * * *

In certain circumstances, political influence has been brought to bear at high levels within the agency in order to insure that certain individuals, businesses or firms receive agency financing. This has happened when the borrower (individual, business or firm) clearly did not have the financial assets and the financial ability to repay the loan.

* * * * *

Waste of Federal funds caused by buying unnecessary or deficient goods or services.

At this station, the Library has two or three rooms full of nicely framed, appropriate pictures for use any place needed. In spite of this, several thousands of dollars worth of pictures were ordered, it is felt primarily because the company representative was very attractive. The Director here at that time was "tuned in" to young and sexy females.

* * * * *

A very large complex . . . computer system is being installed by the agency. . . . The result will be a computer system that basically provides services no different from what is now being provided. . . Due to the complexity of the new network some services may even be less efficient. . . The agency already has more computer power than they know what to do with. Within a short time it will greatly increase that capacity.

* * * * *

Impossible to estimate total value of wasted money which was spent on staples that don't work, pens that have dried up or have running ink, rubber bands that break when hardly stretched, outdated forms that must be reprinted. Biggest waste is by not recycling paper.

* * * * *

The activity that disturbs me concerns our contracting activities. . . The problem is, a marginal contractor will low bid a project and win the award. Almost immediately they will start complaining about our quality standards. They get behind, then complain and ask for additional money because they say we have caused them much trouble and expense because of our insistence on quality. We seem to wind up, time after time, accepting poor quality work that we then repair ourselves. . .

* * * * *

A program manager told me of an unnecessary opening and use of a service in order to keep a congressman happy and therefore insure continued support for the rest of the program.

* * * * *

I have seen now and in the past where work that could have been performed by [agency] employees was given out to contractors. In the past contractors have done work, were paid, left and our agency employees had to do the same work over because it was not done right. We could have done the work on overtime, finished it the way it should be and still save the Government several hundred thousands of dollars.

* * * * *

The biggest waste in Government operations is in being forced to buy material, tools and etc., through General Services Administration.

* * * * *

From my observation the greatest problem with waste is the end of the year syndrome. Whether it is equipment purchased or travel, no manager wants to have money left at the end of September. Therefore a lot of money is spent unnecessarily so he (or she) will not get cut next year. There is no incentive to save money--only to spend it. For example: we conserved our travel money all year and then in September there was \$10,000+ left to spend and trips were encouraged to "use it up."

* * * * *

The waste of Federal funds was for unnecessary hospital laboratory equipment. This piece of equipment has been in the bacteriology laboratory for three years and never has been used. The equipment was purchased by the pathologist to make the laboratory look good for CAP inspections.

* * * * *

In ten years at my agency I have observed costly renovations of space, renovations of renovation and in one case an area modified and then re-modified back to its original dimensions. I consider this a result of poor long-range planning on the part of management . . .

* * * * *

In my opinion the use of available government funds by various departments for no other reason than because the funds are there is one of the biggest shortcomings of government finances.

* * * * *

The use of unnecessary paper work and unnecessary volumes of paper is one of the most costly uses of funds.

* * * * *

As a taxpayer and a Federal employee I resent the so called "rotation" policy for repairs and replacement . . . In 25 years of service I have seen one sidewalk torn up and replaced five times for no other reason then it was "scheduled"--while in fact supplies and equipment for direct patient care were denied for lack of funds.

* * * * *

Waste of Federal funds caused by a badly managed Federal program.

There is a waste of Federal funds because several departments are over-staffed. Employees do not give 8 hours work for 8 hours pay because there is not enough work to keep all the employees busy all the time.

* * * * *

I am in charge of a position classification program for one of the [agency] bureaus at a regional level. My "educational guess" is that about 20-25 percent of the 4,000 plus positions in the region are overgraded. I have pointed out to my boss's boss, and to my technical counterparts at the bureau's headquarters level, that we have a serious overgrading problem; my immediate boss, the regional personnel officer, knows it and supports my efforts to deal with the problem. My boss's boss, and the "high command" at the headquarters level have told me to "go with the tide" in continuing to accept the overgrading issue. This practice costs millions of dollars over a period of time. . .

* * * * *

Hearings before Administrative Law Judges in the [agency] include no representative of the Government--only the claimant and his lawyer. The ALJ's have neither the time nor the staff to adequately evaluate each case. They cannot be both objective and represent the interests of the taxpayers. . . I know personally that decisions based on inadequate or cursory perusal of the case file cost us probably \$250,000 per year in this region alone (with only 2% of the national workload).

* * * * *

The case(s) I am aware of involves bids being twice what they should have been because the project was marked for small business set-aside. Although the managers were obeying the rules, so there was nothing to report, public funds were still wasted. Ask any building contractor in the country and he will tell you he has to add 30% to 100% to his usual bid in order to afford to do business with the government. . .

* * * * *

I find it very, very discouraging to see my immediate supervisor spend countless hours and thousands of dollars to fire a clearly incompetent employee. I think waste within the ranks is by far the worst type.

* * * * *

The badly managed program was a [training for the disadvantaged] program that continued for over two years without any participants. It was in a bad location which was chosen (supposedly) as a purely "political" move.

* * * * *

Inexperience in design and field supervision due to favoritism in some cases have caused incomplete drawings and specifications and numerous errors. After the projects were under construction "change orders" had to be issued which amounted to over 60% of most of the projects original construction bid.

* * * * *

I think the biggest waste of money is in unproductive employees whose supervisors take no disciplinary action against them.

* * * * *

From 10 years experience in the Federal Government, my observation is that most marginal, cost ineffective programs, contracts, etc., are the result of Special Interest/Congressional Pressure. Rarely have I seen this come solely from the Executive (White House).

* * * * *

The problem referred to is one of massive waste by poor management of [agency] contracts. . . I have knowledge of consultants who padded bills for services . . . associated with [their] program. This is not a problem of criminal fraud by Federal employees rather it is a problem of incompetent agency project officers being hoodwinked by every contractor they deal with. The cost overruns on this project go into the millions of dollars.

* * * * *

The greatest fraud I witness is the waste involved in lack of managerial control over grants and contracts. . . I saw an extremely immaturely developed contract of more than \$100,000 be completed with no one apparently caring, or responsible, for the fact that the seminars that were developed [under the contract] were uniformly terrible.

* * * * *

The problem brought out in this section was not an agency or department problem, but more of a congressional "porkbarrel" legislation problem. Department management is all too well aware that failure to respond to congressional desires will result in economic and support reprisals by the legislature. Much Government waste is caused by the laws and appropriations forced on the various Federal agencies by Congress.

* * * * *

In order to spend or in most years over-spend (a management requirement) the agency's operating budget, I have often been given the task of finding new uses for and disposing of funds rather than finding ways to reduce the operating budget. I was instructed on several occasions to find contractors who would bill the agency for work that had not been started or even planned. This was done so large sums of excess budget monies could be spent rather than returned at the end of the fiscal year.

* * * * *

The badly managed program I refer to is the overuse of computers for duplicate programs and general lack of uniformity of programs. Each area has its own set of programs and programmers with overlapping duplicity. Whole teams of people are dreaming up new reports and new ways to fill out new reports, because it is possible to do so with the new computers. Nor does there seem to be any overall control or coordination.

* * * * *

I have been assigned to four different [agency] facilities during my ten years with the [agency]. Over the ten years management has overloaded their ranks, with unneeded supervisors and staff people.

* * * * *

A simple needed modification to some electronic equipment that would have required about \$20.00 of cost ended up being installed by an installation crew out of the region at a cost of over \$1000. The technician assigned to the site could have accomplished it in less than three hours. It was probably required to be done that way but it is a shame to waste so much just for the sake of "red tape" and paper work.

* * * * *

The entire building where I work will be rearranged to allow room for [an agency unit] to install a computer. This remodeling will consist of numerous walls to be moved or erected just so that the [unit] personnel can stay together, this is a very large waste of money because in 3 years the [unit] is supposed to have a new building built for them and then our building will have to be rearranged again.

* * * * *

It is frightening to consider the waste of Federal funds caused by what I consider to be a severely badly managed program. The . . . program does not fulfill the goals that it is set-up for. As I understand it, the program was established to assist and educate minority contractors through negotiated contracts on Federal projects. On a regional basis the intent of the program is abused. . .

* * * * *

Organizations become so big that they often have people duplicating work in several areas. This may not be intentional, but the results ripple throughout that organization, using hundreds of man-hours to perform unnecessary work.

* * * * *

I feel that the . . . program is poorly run. Not so much by the [agency], but the laws which we are confined to. There is a high degree of waste in this program which I see daily in thousands of dollars of overpayments. The program should be more cut and'dry without so many loopholes.

* * * * *

Nearly every major [specific type of] program undertaken by [agency] is handicapped by poor planning, scheduling, lack of decision, lack of timely action, etc., not because of incompetent people, but because of faulty organization.

* * * * *

To meet Federally imposed "quotas" the agency must enter into contracts for services with small businesses, minority or disadvantaged or woman owned businesses, when the services can be provided at a lesser cost in-house.

* * * * *

I work under [a legislatively mandated program]. In my opinion the intent of the law is not being realized. The program rewards a selected few; few jobs are created; economic positions of clients do not appear to improve. The program fosters government dependence and fear of graduation from the Federal support.

* * * * *

Most badly managed program that I know about concerns hospital care and costs. The particular hospital I work at is understaffed (i.e., nurses, physical therapists, lab techs, etc.) therefore quality of care is very poor.

* * * * *

In my years in working for the Government the biggest waste of money and loss of money is by the way things are run. The biggest area seems to be in building and remodeling. Things are not planned for the future so the area can be expanded, they are built for the present, and in a few years the facilities are outgrown.

* * * * *

Instructions to hire "warm bodies--so we don't lose ceiling"--even when there is no space or furniture available for the new employees.--and worse, no specific work for them to do.

* * * * *

The foolish use of . . . contractors doing jobs which could be better done in the appropriate offices and the general use of contractors to do program and policy planning (the actual function of the office for whom they work) is very inefficient and a waste of Federal revenues. However, other than by eliminating all such support contracts, I do not believe that such practices, if investigated, could be found to be in violation of any Federal [law] or proved to be beyond the[authority of the] contracting office.

* * * * *

I think it is rather ironic that I am completing this questionnaire on waste in government for a report to Congress when the Congress is the source of the vast majority of waste I am complaining about. Let's have clear, concise and equitable laws instead of administrative nightmares that are geared toward whatever special interest group catches the right Congressman's ear and I am sure you will be amazed with the savings.

* * * * *

The area I am most knowledgable about which concerns considerable waste is in computer data processing. While I believe strongly that we must strive to adopt this technology, we are doing so extremely badly.

* * * * *

Employee(s) abusing his/her official position to obtain substantial personal services or favors.

I was told that [an agency employee] had accepted an invitation to cruise from San Juan to the U.S. Virgin Islands on the yacht of the owner of [a private company] . . . for a weekend. At that time [the agency] was actively involved in an enforcement action against the company. . . Shortly after the trip it became evident that the enforcement case was no longer proceeding i.e., it was being squelched.

* * * * *

Employee obtained substantial research funds (\$500,000+) for a 3rd party research effort, through (in part) his wife's position in a research funding office in the same agency. Subject employee technically supervised research project, while legal control was placed with a person supervised by wife. Subject employee is alleged to have received a part-time teaching position through the assistance of a research sub-contractor.

* * * * *

Dep. Chief of [unit] had a baby with his secretary and moved her into a high position.

* * * * *

Employee(s) giving unfair advantage to a particular contractor, consultant or vendor.

The unfair advantage given to a contractor or vendor took the form of my supervisor writing contract or purchase specifications to suit one vendor. Other potential vendors were either narrowly or totally excluded based on the rigid specifications or through the quotation of a particular vendor's product features (using vendor language about traits exclusively their own.)

* * * * *

Specific project owners receive preference for available Federal funds. One owner received 90% of all available funds of \$1 1/2 million. When this was reported to someone above my supervisor (by myself), it turned out to have been arranged by the person I reported it to. He told me to mind my own business and to keep my nose out of the situation. It was his job to make the decision, not mine, he said.

* * * * *

Employee(s) tolerating a situation which poses a danger to public health or safety.

Violation by first line supervisor in allowing slaughter plant to operate with ammonia polluted water supply. And endangering the safety of employees within his office.

* * * * *

[Agency] has tolerated an unsafe situation which poses a danger to the flying public. Employees are forced to work with equipment that is inadequate and outdated.

* * * * *

[There is] asbestos in the ceiling throughout the building.

* * * * *

Supervisor didn't inform me of barrel containing acid. This resulted in a burnt hand . . . I asked, at a safety meeting, if he (supervisor) couldn't put a sign on the barrel; his reply was, look, I tell everyone in our group and if someone else has an accident thats tough.

* * * * *

The service purchased some small boats on advice of a person not well versed in the small boat field. As a result a boat that had a dangerous potential for causing injury to the occupants or other boats because of its handling characteristics was placed in service.

* * * * *

The most abusive behavior of the [agency] to its employees occurred when no regard was given to the health and safety of its employees who work in the . . building during lengthy renovation.

* * * * *

Employee(s) committing a serious violation of Federal law or regulation other than those described above.

I'm not sure where this falls into, but it has been my experience watching several Government employees that they do an average of two hours work for an eight hour day . . . and, in some cases, they are highly paid between grades 9-13. Their managers try to ignore their existence, and instead give more work to the diligent workers. To me, this is a case of wasting Federal funds.

* * * * *

Employee operates private business during office hours using government time, supplies, telephones and on flexi-time takes every other Friday off--also receives numerous collect phone calls requiring secretarial time to answer, refuse calls, take messages.

* * * * *

I have seen employees sell drugs to patients and also give drugs to patients to see them "act-out" and stand back and watch them laugh.

* * * * *

I do not feel that our agency uses the merit system in hiring and promotions. Rather I feel that they place friends, and many say you have to know someone to advance. This disturbs me when I see people less qualified than I pass me up for the better job.

* * * * *

My boss uses the government car to go back and forth from work to home (50 miles one way) about 5 times a month and charges gas on Government credit card.

* * * * *

Employee promotions/selections have frequently not been based solely on merit.

* * * * *

One of the biggest violations apparent everyday all over this building is selling products--dishes, jewelry, cosmetics, food items, etc.,--for individuals and group profits.

* * * * *

While you had no specific question that covered it I think one of the great frauds of all time is the "Merit Promotion Program" - time after time one sees the best qualified person overlooked (no--I was not just passed over for a promotion in fact I recently got one) and management chooses who they like.

* * * * *

Several individuals conduct personal business by selling goods, cars, etc., to the near total exclusion of work for which they all paid and derive major portion of income from those activities--including lending large sums of money--at interest.

* * * * *

REASONS GIVEN FOR NOT REPORTING AN OBSERVED ACTIVITY.

I would not report any illegal activities since I would be open to all sorts of reprisal and harassment. Evidence exists which shows that a whistle blower has no protection. . .

* * * * *

I have observed one of my supervisors incorrectly filling out his [time and attendance] statement . . . The general feeling in my office is that its my word against his and he has twenty years of service compared to my two, so I have little to gain and a lot to lose by pushing the matter.

* * * * *

At present, even if your supervisor or agency did not take official action against you for reporting illegal or wasteful activities, there are far too many other ways that your life can be made miserable in an effort to get you to resign.

* * * * *

On several occasions I have questioned the legality and principle involved in these fund wasting activities. I was told by my supervisor that I was protecting my own job and that all government agencies operate this way.

* * * * *

If I knew of any wrong doing I would not verify or report it. I know from past experience that the crooks are the ones that are protected.

* * * * *

Am not sure how much detailed information is needed to report this activity and have something done about it.

* * * * *

I was told that it was "not my job" to have such opinions and to make such recommendations (Recommended that two separate projects be "junked" since they were based on scientifically invalid premises.)

* * * * *

I have found that my supervisor tells me that I should make it a point not to pay attention to what people are doing wrong. He has even told me that he knows of a lot of activities to where funds are grossly wasted, but he keeps his mouth shut about it and makes it none of his business.

* * * * *

I am a GS-5 clerk and its not "cool" to go over your bosses' head.

* * * * *

What I observed and was told about is something that I feel is illegal and a fellow worker agrees. However, not knowing the particulars of the situation makes me very leary of reporting anything.

* * * * *

The incident was a well known one throughout the Agency and observed on a daily basis.

* * * * *

Generally speaking the amount of money involved was too slight to make reporting worthwhile. The person may have taken \$25.00 worth of materials but starting an investigation would cost hundreds or thousands of dollars.

* * * * *

Theft of government property observed was trivial-occasional use of xerox machine for recipes, maps to parties, etc., occasional theft of a pen or roll of scotch tape. To crackdown hard enough to eliminate this would necessitate a police-state atmosphere in the office. The resulting lower morale and lower employee productivity would cost the taxpayer more than the "thefts" in question.

* * * * *

DESCRIPTION OF REPRISAL ACTION TAKEN

The idea of having all workers as watchdogs of government operations is laudable. However, to the best of my knowledge the man who blew the whistle on the C-5A cost overruns was essentially forced out of the government as a reprisal. I have not heard that this apparent wrong was redressed in any meaningful way.

If my meager knowledge of the above case is correct (just what I have heard on the news) with the attendant publicity, how can the "little whistle blower" possibly be protected?

* * * * *

My personal experience and observation is nothing will be done except retaliation.

* * * * *

From what I understand about the situation, "whistleblowers" had better be prepared to spend money on legal fees, consult a lawyer first, and be prepared to look for a new job.

* * * * *

I don't believe that the average employee is afraid of reprisals or is looking for a reward as much as he is convinced no one cares. So much waste is prevalent in federal grant-in-aid programs that a pervasive feeling of "that's the way it is" exists at all levels.

* * * * *

As a result of my actions, I've had certain responsibilities taken from me, and have had promotions held up . . .

* * * * *

A former employee of the agency . . . had knowledge that a project officer in her office was making fraudulent claims on [her] expense vouchers. I suggested that she . . . talk over her concerns with the project officer, she did, and the result was that a false case of poor performance was built against her by her supervisor, who had travel voucher approval authority and had reason to know that the vouchers were not substantiated, and the employee was terminated in the eleventh month of her probationary appointment as reprisal for reporting (and/or trying to correct) the illegal activity. She is now unable to get a job of any kind because she is being "black balled" by her former employer.

* * * * *

My position is currently scheduled to be abolished and has been since last May. Efforts have been made to force me out of the agency by reduction-in-force or transfer. I have been threatened to be reduced to a non-personnel status in my area of responsibility and in my opinion, this has already been done.

* * * * *

For more than 12 months I have not been assigned any tasks or been permitted to work. Ninety-five percent of the time on the job I am completely idle. This is because I reported that employees were getting paid for overtime that they did not work.

* * * * *

I have personal knowledge of one specific instance in which an [agency] District Counsel was forced to accept a transfer or resign because he blew the whistle on illegal loan making activities. He chose to resign.

* * * * *

Reprisals are taken in the form of withholding of equipment and supplies necessary to do a satisfactory job, with the distribution of all the luxuries to those who play the game. It is also silently understood that when one would not approve of or participate in dishonest practices, reprisals are therefore taken in the form of denial of promotion to positions of further responsibility.

* * * * *

They gave me more work to do, and a hard time about everything. I get all of the bad details. They are trying to run me away.

* * * * *

I was originally reassigned, [as a reprisal], to a position that did not exist. Upon further disclosing of wrongdoing, bogus duties were assigned to me with the warning that these would be used to evaluate my performance. Since I have requested clarification and amplification and guidance in these duties, the attempt to harass me has somewhat abated.

* * * * *

On a bid for a supervisory position I was best qualified, but turned down. At the personal interview following, my Sector Chief informed me I had been labeled anti-management. I obtained that label for complaining about conditions that caused one employee's suicide, and I felt might cause another.

* * * * *

Harassment by foreman and degrading remarks made to employees to lower myself in their esteem. Not giving me the tools I need to work with. Discrimination as far as favors goes.

* * * * *

My fellow workers and I identified a conflicting and dangerous section of our job manual. We sought clarification and explanation of it through our supervisors. Turned back in our efforts to get someone above to do this, we performed our work "by the book" to prevent the situation we feared would happen. We were monitored by supervisors, moved to different positions and charged verbally with conducting a slowdown . . . Our immediate supervisor was transferred for not attempting to "squeeze" us with threats and harassment. Our work was reviewed by supervisors trying to trap us on a technicality to use against us in an effort to apply leverage on us to halt our actions.

* * * * *

I know of one employee's futile attempt to complain to the I.G. Nothing was done but superiors from the regional office came here and threatened her with job removal and a ruined career if she did not stop these activities and cooperating with the managers.

* * * * *

I have been constantly harassed at my job by the Administrative Officer and another supervisor who do not let up on me. It is a wonder that I am still able to get up every morning and go to work because the hostile environment is more than I can tolerate.

* * * * *

When I noticed "numbers" takers operating, I mentioned it and was threatened that my house could be set afire if I ever paid further attention.

* * * * *

I work with a girl who is one of the most competent and efficient employees I've run into during my almost 20 years with [the agency], but because she voiced her complaints or criticisms in the past she is still being held back from promotions she deserves. And in many cases its still who you know and not what you know when it comes to promotions.

* * * * *

EVENTS THAT WOULD ENCOURAGE EMPLOYEES TO REPORT ILLEGAL OR WASTEFUL ACTIVITIES

The system should be stronger in protecting those that do "blow the whistle".

* * * * *

Knowing that something would be done to correct wastefulness would give more encouragement to report it than an award.

* * * * *

I personally feel that if I should report anything, I would want something done about it. Anything reported by me would be serious as far as I was concerned, and that because I reported it that other people would not think of me as a trouble maker. I do not feel that we should receive money for reporting.

* * * * *

A system of "paid snitchery" would be abhorrent in that it would suborn perjury and destroy trust within the Civil Service.

* * * * *

The best way to enhance efficiency and honesty in government is to encourage employees to talk to the press, and to try to reduce the generally held view that people who do that, are finks and spies.

* * * * *

Having an independent, objective contact outside the agency to report concerns.

* * * * *

I believe that it is a responsibility of every employee to report fraud, waste or mismanagement, however there needs to be more information and guidance provided and more assurance that those reporting such occurrences shall be protected from reprisal.

* * * * *

Knowing that illegal activities must be reported.

* * * * *

If I thought it was bad for our country, I would report illegal or wasteful activity.

* * * * *

There must be a way developed where program managers can be called to task for such failings without them or their programs being destroyed/damaged. In other words, while reprisal is a real threat (I have cited one potential instance), there are others, perhaps more significant, disincentives to reporting or correcting instances of mismanagement or ethical conflict, such as feared impact on programs, agencies, or even ironically on the perpetrators of the misconduct. To assume that only fear for oneself discourages an employee from reporting misconduct is thus to miss a large part of the problem.



APPENDIX B

U.S. Merit Systems Protection Board
Washington, D.C.

Do Federal Employees Face Reprisal for Reporting Fraud, Waste or Mismanagement?

In this questionnaire, we will ask about your opinions—as well as any experiences you may have had—concerning the reporting of illegal or wasteful practices within Government operations. *You may not have to answer every question.* Instructions in each section below will tell you what questions to skip. Please use the last page to write any comments you may wish to make. The major things we will be asking about are:

- *reprisal*, that is, taking an *undesirable* action against an employee or *not* taking a *desirable* action *because* that employee disclosed information about a serious problem. Reprisal may involve such things as transfer or reassignment to a less desirable job or location, suspension or removal from a job, or denial of a promotion or training opportunities;
- *illegal or wasteful activities*. This covers a variety of situations, such as stealing Federal funds or property, serious violations of Federal laws or regulations, or waste caused by such things as buying unnecessary or defective goods;
- *your immediate work group*, that is, the people with whom you work most closely on a day-to-day basis;
- *your agency*, that is, the major Federal organization for which you work, such as the Department of Agriculture, Department of Commerce, the Veterans Administration, Environmental Protection Agency, etc.

SECTION I

1. The following questions ask for your *opinion* about the practice of reporting illegal or wasteful activities. (Please "X" ONE box for each question.)

Definitely Yes
Probably Yes
Probably Not
Definitely Not
Not Sure

- a. Do you personally approve of the practice of employees reporting illegal or wasteful activities within Government operations? ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5
- b. Is it possible for the Federal Government to effectively protect from reprisal an employee who discloses illegal or wasteful activities within his or her agency? ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5
- c. Is it in the best interests of a Federal agency when an employee reports illegal or wasteful activities? ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5
- d. Should Federal employees be encouraged to report illegal or wasteful activities within their agencies? ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5
- e. If your agency had a program which gave monetary rewards to persons who reported illegal or wasteful activities, would this be a good thing? ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5
- f. If you observed an illegal or wasteful activity involving your agency, would you know where to report it? ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5

2. How adequate is the protection the Federal Government now offers to employees who report illegal or wasteful activities within their agencies? (Please "X" ONE box.)

- ☐ 1 More than adequate
☐ 2 About right
☐ 3 As adequate as it can be
☐ 4 Could and should be more adequate
☐ 5 Not sure

3. How do you feel about the amount of encouragement your agency gives to employees who might be inclined to report illegal or wasteful activities within the agency? (Please "X" ONE box.)

- ☐ 1 Too much
☐ 2 About right
☐ 3 Not enough
☐ 4 Not sure

4. How confident are you that your supervisor would not take action against you, if you were to report—through official channels—some illegal or wasteful activity? (Please "X" ONE box.)

- ☐ 1 Very confident
☐ 2 Confident
☐ 3 Less than confident
☐ 4 Not at all confident
☐ 5 Not sure

5. How confident are you that someone above your supervisor would not take action against you, if you were to report—through official channels—some illegal or wasteful activity? (Please "X" ONE box.)

- ☐ 1 Very confident
☐ 2 Confident
☐ 3 Less than confident
☐ 4 Not at all confident
☐ 5 Not sure

6. Do you feel you have enough information about where to report illegal or wasteful activities, if such activities should come to your attention? (Please "X" ONE box.)

- ☐ 1 Yes, I have more than enough information.
☐ 2 Yes, I have about the right amount of information for now.
☐ 3 No, I would prefer to have more information.

7. If you observed or had evidence of an illegal or wasteful activity, which two of the following would most encourage you to report it? (Please "X" TWO boxes.)

- ☐ 1 Knowing that I could report it and not identify myself.
☐ 2 Knowing that something would be done to correct the activity if I reported it.
☐ 3 Knowing that I would be protected from any sort of reprisal.
☐ 4 Knowing that I could be given a cash reward if I reported it.
☐ 5 Knowing the problem was something I considered very serious.
☐ 6 Knowing that I could report it without people thinking badly of me.
☐ 7 Other. (Please specify on the last page of this questionnaire.) (19)

8. Have you heard of the following organizations, and how much do you know about what they are supposed to do if they receive information concerning illegal or wasteful activities? (Please "X" ONE box after each organization.)

I never heard of this organization
I heard of this organization but I know nothing about what they are supposed to do
I have a vague idea of what they are supposed to do
I have a pretty good idea of what they are supposed to do
I have a very good idea of what they are supposed to do

- a. The Office of Inspector General or IG "Hot Line" within your agency. ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5
- b. The Special Counsel of the Merit Systems Protection Board. ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5
- c. The General Accounting Office (GAO). ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5

NOTE: If you have never heard of the Office of Inspector General, please skip Questions 9, 10, and 11.

9. If you were to report an illegal or wasteful activity to the Office of Inspector General (OIG) within your agency and request that your identity be kept confidential, how confident are you that the OIG would protect your identity? (Please "X" ONE box.)

- ☐ 1 Very confident
☐ 2 Confident
☐ 3 Less than confident
☐ 4 Not at all confident
☐ 5 Not sure

10. If you were to report an illegal or wasteful activity to the Office of Inspector General within your agency, how confident are you that the OIG would give careful consideration to your allegations? (Please "X" ONE box.)

- ☐ 1 Very confident
☐ 2 Confident
☐ 3 Less than confident
☐ 4 Not at all confident
☐ 5 Not sure

11. If your agency had a policy that required you to bypass your supervisor and report any illegal or wasteful activities directly to your agency's Office of Inspector General, would this be a good thing for your agency? (Please "X" ONE box.)

- ☐ 1 Definitely yes
☐ 2 Probably yes
☐ 3 Probably not
☐ 4 Definitely not
☐ 5 Not sure

NOTE: If you have never heard of the Office of the Special Counsel of the Merit Systems Protection Board, please skip to Section II on this page.

12. If you were to report an illegal or wasteful activity to the Office of the Special Counsel (OSC) of the Merit Systems Protection Board, how confident are you that the OSC would give careful consideration to your allegations? (Please "X" ONE box.)

- ☐ 1 Very confident
☐ 2 Confident
☐ 3 Less than confident
☐ 4 Not at all confident
☐ 5 Not sure

13. If you were to need protection for having reported an illegal or wasteful activity, how confident are you that the Office of the Special Counsel of the Merit Systems Protection Board would protect you from reprisal? (Please "X" ONE box.)

- ☐ 1 Very confident
☐ 2 Confident
☐ 3 Less than confident
☐ 4 Not at all confident
☐ 5 Not sure

SECTION II

The questions in this section ask about actual situations that you personally observed, experienced or knew about "first hand." We are mainly interested in finding out what Federal employees do with information they may have regarding illegal or wasteful activities in their agencies. We also want to know if employees have experienced some type of reprisal for reporting such information.

14. Some employees are aware of illegal or wasteful activities because it is part of their job to know about such things.

a. Does your job require you to conduct or assist in audits, investigations, program evaluations, or inspections for your agency? (Please "X" ONE box.)

- ☐ 1 Yes
☐ 2 No

b. Do you work in an Office of Inspector General? (Please "X" ONE box.)

- ☐ 1 Yes
☐ 2 No

15. Regardless of whether or not it is part of your job, during the last 12 months, have you personally observed or obtained direct evidence of any of the following activities? (Please "X" ONE box after each activity.)

(Note: Do not answer yes if you only read about the activity in the newspaper or only heard about it as a rumor being passed around.)

(Did you observe this or have direct evidence of it during the last 12 months?)

(Activity)	NO	YES, and the total value involved appeared to be:				
		Less than \$100	\$100 to \$999	\$1,000 to \$100,000	More than \$100,000	
a. Employee(s) stealing Federal funds.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. Employee(s) stealing Federal property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. Employee(s) accepting bribes or kickbacks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. Waste of Federal funds caused by ineligible people (or organizations) receiving Federal funds, goods, or services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. Waste of Federal funds caused by buying unnecessary or deficient goods or services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. Waste of Federal funds caused by a badly managed Federal program. (If "yes," please use the last page of this questionnaire to give a brief description of the most badly managed program that you know about.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

(Activity)	NO	YES, and it appeared to occur:			
		Rarely	Occasionally	Frequently	
g. Employee(s) abusing his/her official position to obtain substantial personal services or favors.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h. Employee(s) giving unfair advantage to a particular contractor, consultant or vendor (for example, because of personal ties or family connections, or with the intent of being employed by that contractor later on).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
i. Employee(s) tolerating a situation which poses a danger to public health or safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
j. Employee(s) committing a serious violation of Federal law or regulation other than those described above. (If yes, please use the last page of this questionnaire to give a brief description of the most serious violation that you know about.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

NOTE: If you indicated "no" to all of the activities listed in question 15, please skip to Section III on page 7.

16. If you indicated "yes" to one or more of the activities listed in question 15, please select the one activity that represents the most serious problem you know about or the one that had the greatest impact on you personally and "X" the box of that activity below. (Please "X" ONE box.)

- ☐ 1 Stealing Federal funds.
- ☐ 2 Stealing Federal property.
- ☐ 3 Accepting bribes or kickbacks.
- ☐ 4 Waste caused by ineligible people receiving funds, goods, or services.
- ☐ 5 Waste caused by unnecessary or deficient goods or services.
- ☐ 6 Waste caused by a badly managed program.
- ☐ 7 Use of an official position for personal benefits.
- ☐ 8 Unfair advantage given to a contractor, consultant, or vendor.
- ☐ 9 Tolerating a situation or practice which poses a danger to public health or safety.
- ☐ 10 Serious violation of law or regulation.

(Note: Please answer the following questions in terms of the one activity you selected in question 16 above.)

17. Is the activity you selected the most serious problem you know about or the one that had the greatest effect on you? (Please "X" ALL the boxes that apply.)

- ☐ 1 This is the activity that I consider the most serious problem.
- ☐ 2 This is the activity that had the greatest effect on me.

18. How did you find out about this activity? (Please "X" ALL the boxes that apply.)

- ☐ 1 I personally observed it happening.
- ☐ 2 I came across direct evidence (such as vouchers or other documents.)
- ☐ 3 I was told by an employee involved in the activity.
- ☐ 4 I was told by an employee who was not involved in the activity.
- ☐ 5 I read about it in an internal agency report.
- ☐ 6 I found out through some other means not listed above.

19. Did the activity appear to be caused by any of the following? (Please "X" ALL the boxes that apply.)

- ☐ 1 Employee(s) of this agency.
- ☐ 2 Employee(s) of some other agency.
- ☐ 3 Individual(s) receiving Federal funds, goods or services.
- ☐ 4 Organization(s) receiving Federal funds, goods or services.

(52)

20. Which Federal department or agency did the activity involve? (Please "X" ONE box.)

- ☐ 1 Agriculture
- ☐ 2 Commerce
- ☐ 3 Energy
- ☐ 4 Health, Education and Welfare (prior to reorganization)
- ☐ 5 Health and Human Services
- ☐ 6 Education
- ☐ 7 Housing and Urban Development
- ☐ 8 Interior
- ☐ 9 Labor
- ☐ 10 Transportation
- ☐ 11 Community Services Administration
- ☐ 12 Environmental Protection Agency
- ☐ 13 General Services Administration
- ☐ 14 National Aeronautics and Space Administration
- ☐ 15 Small Business Administration
- ☐ 16 Veterans Administration
- ☐ 17 Other

21. Did you report this activity to any individual or group? (Please "X" ONE box.)

- ☐ 1 Yes —> Please skip to question 23.
- ☐ 2 No

22. If you did not report this activity to any individual or group, which of the following statements best describes your reason(s) for not reporting it? (Please "X" ALL the boxes that apply.)

- ☐ 1 The activity had already been reported by someone else.
- ☐ 2 I did not think the activity was important enough to report.
- ☐ 3 I did not have enough evidence to report.
- ☐ 4 I was not really sure to whom I should report the matter.
- ☐ 5 I decided that reporting this matter was too great a risk for me.
- ☐ 6 I did not want to get anyone in trouble.
- ☐ 7 I did not want to embarrass my organization or agency.
- ☐ 8 I did not think that anything would be done to correct the activity.
- ☐ 9 I did not think that anything could be done to correct the activity.
- ☐ 10 Some reason not listed above. (Please specify on the last page of this questionnaire.)

NOTE: If you did not report this activity to any individual or group, please skip to Section III on page 7.

23. Did you report this activity to any of the following? (Please "X" ALL the boxes that apply.)

- ☐ 1 Co-workers.
- ☐ 2 Immediate supervisor.
- ☐ 3 Someone above my immediate supervisor.
- ☐ 4 Personnel office.
- ☐ 5 The Office of the Inspector General or the IG "Hot Line" within this agency.
- ☐ 6 A union representative.
- ☐ 7 The Special Counsel within the Merit Systems Protection Board.
- ☐ 8 The General Accounting Office.
- ☐ 9 A Member of Congress.
- ☐ 10 A member of the news media.

24. Did you report the activity because it is a routine part of your job to report such activities (for example, as an auditor, investigator, quality control specialist, etc.)? (Please "X" ONE box.)

- ☐ 1 Yes
- ☐ 2 No

25. If you reported this activity to sources within your immediate work group (that is, the people with whom you work most closely on a day-to-day basis), what effect did it have? (Please "X" ONE box.)

- ☐ 1 I did not report this activity within my immediate work group.
- ☐ 2 The problem was resolved.
- ☐ 3 The problem was partially resolved.
- ☐ 4 The problem was not resolved at all.
- ☐ 5 The problem is still under review, but I expect it to be resolved.
- ☐ 6 The problem is still under review, but I do not expect it to be resolved.
- ☐ 7 I am not sure whether any action was taken.

26. If you reported this activity to sources outside your immediate work group, what effect did it have? (Please "X" ONE box.)

- ☐ 1 I did not report this activity outside my immediate work group.
- ☐ 2 The problem was resolved.
- ☐ 3 The problem was partially resolved.
- ☐ 4 The problem was not resolved at all.
- ☐ 5 The problem is still under review, but I expect it to be resolved.
- ☐ 6 The problem is still under review, but I do not expect it to be resolved.
- ☐ 7 I am not sure whether any action was taken.

(78)

End card 11

Page 5

27. If you were identified as the person who reported the activity, what was the effect on you personally? (Please "X" ALL the boxes that apply.)

- ☐ I was not identified as the source of the report.
☐ I was given credit by my management for having reported the problem.
☐ Nothing happened to me.
☐ I had the feeling that my co-workers were unhappy with me because I reported the problem.
☐ I had the feeling that my supervisor was unhappy with me because I reported the problem.
☐ I had the feeling that someone above my supervisor was unhappy with me because I reported the problem.
☐ I received some threats of reprisal for having reported the problem.
☐ I received an actual reprisal for having reported the problem.

28. Within the last 12 months, have you personally experienced some type of reprisal or threat of reprisal because of an activity you reported? (Please "X" ONE box.)

- ☐ Yes
☐ No —————> Then skip to Section III on page 7.

(Note: If you have experienced more than one incident of actual or threatened reprisal within the last 12 months, please select one experience which is either the most recent or which had the greatest impact on you. Please answer questions 29 through 37 in terms of that experience.)

29. Is the experience you are thinking about a case where: (Please "X" ONE box.)

- ☐ A threat of reprisal was made but not carried out.
☐ A threat of reprisal was made and actually carried out in some form.
☐ Some type of reprisal was actually taken without a threat or warning. —————> If this happened, please skip to question 31.

30. How was the threat made? (Please "X" ONE box.)

- ☐ Various words or actions implied there was the possibility of reprisal, but I was not explicitly threatened.
☐ I was explicitly threatened with some type of reprisal.

31. Where were you working when this experience occurred? (Please "X" ONE box.)

- ☐ Agriculture
☐ Commerce
☐ Energy
☐ Health, Education and Welfare (prior to reorganization)
☐ Health and Human Services
☐ Education
☐ Housing and Urban Development
☐ Interior
☐ Labor
☐ Transportation
☐ Community Services Administration
☐ Environmental Protection Agency
☐ General Services Administration
☐ National Aeronautics and Space Administration
☐ Small Business Administration
☐ Veterans Administration
☐ Other

32. Did you report the information that caused the reprisal or threat of reprisal to any of the following? (Please "X" all the boxes that apply.)

- ☐ Co-workers.
☐ Immediate supervisor.
☐ Someone above my immediate supervisor.
☐ Personnel office.
☐ The Office of the Inspector General or the IG "Hot Line" within this agency.
☐ A union representative.
☐ The Special Counsel within the Merit Systems Protection Board.
☐ The General Accounting Office.
☐ A Member of Congress.
☐ A member of the news media.

33. Who threatened or took the reprisal? (Please "X" ALL the boxes that apply.)

- ☐ Co-workers.
☐ My immediate supervisor.
☐ My second level supervisor.
☐ A level of management or supervision above my second level supervisor.
☐ Other. (Please specify on the last page of this questionnaire.)

(33)

34. Did the reprisal or threat of reprisal take any of the following forms? (Please "X" ALL the boxes that apply.)

(Reprisal Action)	(Was this threat-ened)		(Did this Occur)	
	Yes	No	Yes	No
a. Poor performance appraisal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Denial of promotion.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Denial of opportunity for training.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Assigned less desirable or less important duties in my current job.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Transfer or reassignment to a different job with less desirable duties.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Reassignment to a different geographic location.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Suspension from your job.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Grade level demotion.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Other. (Please specify on the last page of this questionnaire.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

35. How was the way you do your job affected by the reprisal or threat of reprisal? (Please "X" ALL the boxes that apply.)

- ☐ I now ignore instances of wrongful activities that I would not have ignored before.
☐ I do not do my job as well as I did before the actual or threatened reprisal.
☐ I do my job better than I did before the actual or threatened reprisal.
☐ Nothing has changed in the way I do my job.
☐ I applied for and accepted a different job.
☐ I was moved into a different job by my agency.

36. In response to the reprisal or threat of reprisal, did you take any of the following actions? (Please "X" ALL the boxes that apply.)

- ☐ Complained to a higher level of agency management.
☐ Complained to some other office within my agency (for example, the personnel office or the EEO office).
☐ Complained to the Office of Inspector General within my agency.
☐ Filed a complaint through my union representative.
☐ Filed a formal grievance within my agency.
☐ Filed an EEO (discrimination) complaint.
☐ Filed a complaint with the Office of Special Counsel of the Merit Systems Protection Board.
☐ Filed a formal appeal, or had an appeal filed on your behalf, with the Merit Systems Protection Board.
☐ Took an action not listed above.
☐ Took no action. —————> If this is the case please skip to Section III on this page.

37. What happened to you as a result? (Please "X" ALL the boxes that apply.)

- ☐ It got me into more trouble.
☐ It made no difference.
☐ The threat of reprisal was withdrawn.
☐ The reprisal action itself was withdrawn.
☐ Actions were taken to compensate me for the reprisal action.

SECTION III

This last section asks for information we need to help us with the statistical analyses of the survey data and to make sure we have responses from a representative sample of employees. Please answer the following questions regardless of whether you had any specific experience(s) to relate.

38. What is your pay category or classification? (Please "X" ONE box.)

- ☐ General Schedule and similar (GS, GG, GW).
☐ Wage System (WG, WS, WL, WD, WN, ETC.).
☐ Merit Pay (GM).
☐ Executive (ST, EX, ES, ETC.).

39. What is your pay grade? (Please "X" ONE box.)

- ☐ 1-4
☐ 5-8
☐ 9-12
☐ 13-15
☐ Over 15 (SES)
☐ Over 15 (not SES)
☐ Other

40. Do you now write performance appraisals for other employees? (Please "X" ONE box.)

- ☐ Yes
☐ No

41. Is your current and principal place of work at headquarters or in a field or regional location? (Please "X" ONE box.)

- 1 ☐ Headquarters
- 2 ☐ Field or regional location

42. Where is your current job located? (Please "X" ONE box.)

- 1 ☐ Washington, D.C. (Metropolitan Area)
- 2 ☐ Massachusetts, Vermont, New Hampshire, Maine, Connecticut, Rhode Island
- 3 ☐ New York, New Jersey, Puerto Rico, Virgin Islands
- 4 ☐ Pennsylvania, Delaware, Maryland, Virginia, West Virginia
- 5 ☐ Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida
- 6 ☐ Michigan, Ohio, Indiana, Wisconsin, Minnesota, Illinois
- 7 ☐ Missouri, Iowa, Nebraska, Kansas
- 8 ☐ Texas, Arkansas, Louisiana, Oklahoma, New Mexico
- 9 ☐ North Dakota, South Dakota, Montana, Wyoming, Colorado, Utah
- a ☐ California, Nevada, Arizona, Hawaii
- b ☐ Washington, Oregon, Idaho, Alaska
- c ☐ None of the above

43. In which department or agency do you currently work? (Please "X" ONE box.)

- 1 ☐ Agriculture
- 2 ☐ Commerce
- 3 ☐ Energy
- 4 ☐ Health and Human Services
- 5 ☐ Education
- 6 ☐ Housing and Urban Development
- 7 ☐ Interior
- 8 ☐ Labor
- 9 ☐ Transportation
- a ☐ Community Services Administration
- b ☐ Environmental Protection Agency
- c ☐ General Services Administration
- d ☐ National Aeronautics and Space Administration
- e ☐ Small Business Administration
- f ☐ Veterans Administration
- g ☐ Other

44. What is the highest level of education you have completed? (Please "X" ONE box.)

- 1 ☐ Less than high school diploma.
- 2 ☐ High school diploma or GED (Graduate Equivalency Degree).
- 3 ☐ High school diploma plus some college or technical training.
- 4 ☐ Graduated from college (B.A., B.S., or other Bachelor's Degree.)
- 5 ☐ Graduate or professional degree.

(70)

Please use the space below to write in specific comments, referring to questions in which you have checked "other" as a response.

QUESTION
NUMBER

YOUR COMMENTS

END