

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



PRELIMINARY REPORT

A Report of MSPB

The Office of Merit Systems Review and Studies

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THE MSPB SPECIAL STUDY OF REPRISAL

EXECUTIVE SUMMARY

Background. One of the cornerstones 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 authors of the whistleblower provisions suggested that 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 has responsibility for conducting the studies. This report is the preliminary product of one such study which seeks to shed some light on "whistleblowing" and the reprisals that are sometimes taken against whistleblowers. A full and final report is scheduled to be issued approximately June 1981.

Purpose. The purpose of this survey was to assess the extent of employees' awareness of illegal or wasteful activities during the past year, then trace what those employees did (or failed to do) with that information, and what, if anything, resulted. The survey was also intended to explore the views of Federal employees on important issues related to whistleblowing. The survey 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 clearcut nature of the trends, the consistency of the findings, and a careful reading of hundreds of 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 is 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 CSRA's whistleblower provisions.

Critical Questions and Issues. Some of the critical questions and issues addressed in this survey are: How much wasteful and illegal activity have employees observed during the past year, and how much of it are they not reporting? What are the reasons for their not reporting it? What would it take to get them to report more? What is the range of outcomes in those instances which **were** reported? What percent of those who do report wrongdoings claim that they suffered some form of reprisal for it? What are employee attitudes toward the practice of whistleblowing? How do employees feel about the adequacy of present whistleblower protections? Do employees believe it is **possible** for the Federal government to protect them from reprisal? How do

employees feel about the amount of encouragement they get for reporting illegal or wasteful activities within their agencies? What is their level of awareness of whistleblower channels such as the Office of Inspector General within their agencies, the Office of Special Counsel within the MSPB, and the GAO? How many employees would know where to report an illegal or wasteful activity if one came to their attention? How confident are employees that their supervisors--or persons above their supervisors--would not take action against them if they were to report illegal or wasteful activities?

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, and 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 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.)

The total returns reflect a slightly higher response rate among mid-level and senior-level employees. Therefore, the aggregate results reported below (represented as "total respondents" or "total workforce"), actually reflect a slightly disproportionate representation of higher-level employees.

FINDINGS

Federal employees, by their own report, have substantial knowledge of waste, fraud, and abuse affecting government operations. Nearly half (45%) of the 8,600 survey respondents claimed to have personally observed or obtained direct evidence of a wasteful or illegal activity within the past year.

The majority of these instances appear consequential and--where quantifiable--involve sums of money in excess of \$100. Nearly one employee in ten claimed knowledge of an activity involving more than \$100,000.

Much of the wasteful or illegal activities observed by Federal employees is apparently going unreported. Of those employees who claim to have specific knowledge of some wasteful or illegal activity, less than one third (30%) reported the activity to any other person or group. Excluding those persons who reported the activity because it is a regular part of their job, and excluding those persons who reported the activity only to their co-worker(s), 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%).

The belief that "nothing would be done" is the major reason for non-reporting; fear of reprisal is an important, although secondary, consideration. Among those who observed a wasteful or illegal activity and did not report it, the most frequently cited reason (53%) was "I did not think that anything **would** be done to correct the activity." The second most frequently cited reason (20%) was "I did not think that anything **could** be done to correct the activity." The third most frequently cited reason (19%) was "I decided that reporting this matter was too great a risk for me."

Of those employees who observe an illegal or wasteful activity and choose to report it, 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 immediate supervisor. On the other hand, only 8% of all employees reporting an activity reported it to their agency's Office of Inspector General, a little over 1% reported it to the General Accounting Office, and less than 1% reported it to the Special Counsel of MSPB. (The above figures reflect the fact that some employees report to more than one source.)

Employees view existing channels of reporting (both within and outside of their immediate work group) as generally unresponsive. Among employees who reported a wasteful or illegal activity to sources **within** their immediate work group, the most frequently reported result (43%) was "the problem was not resolved at all," and the second most frequently reported result (16%) was that the employee was not sure whether any action was taken. The distribution of results for employees who reported an activity **outside** their immediate work group was not substantially different.

More credible follow-up of employee reports would improve the situation more than any other solution. When employees were asked what would most encourage them to report an illegal or wasteful activity, the most frequently checked response (given by 81% of all respondents) was "knowing that something would be done to correct the activity if I reported it".

More credible protection against reprisal would go a long way too.

When employees were asked what would most encourage them to report illegal or wasteful activities, the second most frequently checked response (41%) was "knowing that I would be protected from any sort of reprisal". In a similar vein, the fourth most frequently checked response (28%) was "knowing that I could report it and not identify myself".

A substantial percentage of employees who do report illegal or wasteful activities claim to have suffered reprisal. Among all employees who reported fraud, waste, or mismanagement, approximately 14% claim to have been the victim of some form of reprisal within the last year. Excluding those employees who reported a problem anonymously, the overall incidence of reprisal appears to be closer to 20%. However, it should be noted that the latter figure is a general average, and the actual incidence of reprisal varies substantially by agency.

The most frequently reported forms of reprisal are those which are either beyond the reach of MSPB's regular appeal system or were exceedingly difficult for an investigatory unit (such as Special Counsel) to prove. For example, the most frequently cited forms of reprisal are poor performance appraisal, the assignment of less desirable or less important duties, and denial of promotion. On the other hand, the least frequently cited forms of reprisal were grade level demotion, suspension from one's job, and reassignment to a different geographic area.

There is general uncertainty about the adequacy of whistleblower protections, but most of those who venture an opinion believe they are inadequate. When asked about the adequacy of protection the federal government now offers to whistleblowers, nearly half (48%) of all employees indicated "not sure". Among those who ventured an opinion, -however, 66% responded "could and should be better", 22% responded "as adequate as they can be", 9% responded "about right", and 3% responded "more than adequate".

Employees express general skepticism about the very possibility of their being effectively protected against reprisals. When asked if it is possible for the Federal Government to effectively protect a whistleblower who discloses illegal or wasteful activities within his or her agency, 44% of all respondents answered negatively, 44% answered positively, and 12% indicated that they were not sure.

There is a surprising level of skepticism--even outright mistrust--in employees' attitudes toward their supervisors and particularly toward persons above their supervisor. 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. Further, only about a quarter (24%) of the employees expressed confidence that persons above their supervisor would refrain from reprisal if they were to report illegal or wasteful activities through official channels.

There is widespread lack of knowledge concerning the very existence of various channels established to receive whistleblower complaints.

Over 71% of all employees surveyed had either never heard of the Special Counsel of the Merit Systems Protection Board or knew nothing about what the Special Counsel was supposed to do with whistleblower reports. Approximately 43% of the respondents had either never heard of their agency's Office of Inspector General or knew nothing about what that office was supposed to do. And 32% of all respondents had either never heard of the General Accounting Office or knew nothing about what GAO was supposed to do with information from whistleblowers. Summing up this situation is the fact that less than half (47%) of all employees claimed that they would know where to report an illegal or wasteful activity if one came to their attention. And nearly 60% of all employees explicitly indicated that they would prefer to have more information about where to report illegal or wasteful activities.

Employees feel that encouragement for whistleblowing is lacking within their agencies.

When asked how they felt about the amount of encouragement their agency gave to employees who might be inclined to report illegal or wasteful activities, more than half (52%) answered "not enough", nearly a quarter (24%) answered "about right," nearly a quarter (23%) answered "not sure," and only 1.1% answered "too much."

There is general lack of confidence in the channels established to receive whistleblower complaints and protect whistleblowers as necessary.

For example, when asked if they were confident that their identity would be protected if they were to report an activity to their agency's Office of Inspector General, 26% of those employees who knew about their agency's OIG were "not sure." Among those who ventured an opinion, however, less than half (46%) were confident that their identity would be protected. When these same employees 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.

Likewise, among those employees who knew about the Office of Special Counsel of the MSPB, 36% were "not sure" that OSC would give careful consideration to their allegations, while only 51% of those venturing an opinion were confident that their allegations would receive careful consideration. Most

disturbing of all, although 35% of these same employees were "not sure" that the OSC would protect them from reprisal; only about one-third (34%) of those who expressed an opinion were confident that they would receive protection.

CONCLUSIONS

The present survey indicates that Federal employees, by their own report, have abundant knowledge of illegal and wasteful activities in the programs which they administer and support. The present survey also indicates that the Federal Government has hardly scratched the surface in tapping the collective observations which employees could bring to bear in eliminating fraud, waste, and mismanagement in Government operations.

One of the major surprises of the survey is the fact that the major deterrent to employee's willingness to report fraud and waste is not fear of reprisal but the belief that nothing will be done. This may prove to be one of the most intractable problems to solve, since policy statements, hotlines, and whistleblower protections in themselves will not solve it.

What is needed is a far reaching change in attitudes and beliefs within the Federal workforce. By actions as well as by words--and more importantly by the attitudes evidenced by officials and supervisors at all levels--employees must become convinced that their observations are welcomed by their own management, will be given serious consideration, and will be acted upon where the facts warrant. The Federal workforce, as well as the general public, needs to be convinced that the Government is serious about eliminating fraud, waste, and mismanagement.

In addition to the problem of employee unwillingness to report fraud and waste, the present survey suggests that the various channels established to receive such reports are greatly hampered by lack of knowledge concerning their existence. While many of these channels have been in existence only one to three years, common observation suggests that there has been a lack of systematic communication to all employees and a general reliance on the grapevine, specialized news media, and an apparent operating philosophy that "those who have something to report will somehow find the place to report it."

The present survey results also suggest that reporting channels which wait for employees to come to them are inherently limited in the percentage of employee observations they can net. One very practical recommendation which comes out of the survey is the idea that the Offices of Inspector General might survey the employees within their own agencies on a periodic basis to make their existence known, explain their purposes, and invite pertinent

observations. The present survey indicates that employees are willing--even eager--to contribute their observations if someone only asks them to do it.

Finally, the survey suggests that the whistleblower protections established under the Civil Service Reform Act of 1978 have fallen far short of their intended goal of reassuring Federal employees that whistleblowing is worth the risk. As of this writing, the General Accounting Office has issued two reports detailing some of the shortcomings in the operations of the Office of Special Counsel.^{2/} But the present survey contributes the additional insight that the most frequently used forms of reprisal are relatively subtle and often involve actions **not** taken or actions which are easily justified on the basis of managerial discretion. In some cases, therefore, the very form of reprisal will limit the ability of the Office of Special Counsel to prove or protect against it. At the very least, the Office of Special Counsel will need exceptional leadership, as well as adequate resources, to persuade employees that it can go to bat for them should they need protection.

More fundamentally, the survey indicates that the Federal Government needs a workforce which sees its management as genuinely committed to the elimination of fraud, waste, and mismanagement, and top officials who render the very idea of reprisal unthinkable to their subordinates. Laws alone cannot accomplish this. It must be an act of will, demonstrated by the leadership and consistent actions of the current Administration and gradually accepted by employees in all agencies, at all levels.

SECTION I

HOW MANY FEDERAL EMPLOYEES CLAIM PERSONAL KNOWLEDGE OF FRAUD, WASTE, AND MISMANAGEMENT?

The questionnaire is unique in that it attempts to define the type or category of illegal or wasteful activity that some claim to have observed and then it provides for some measure of its estimated dollar value or frequency. To know whether a respondent had at least the **potential** to be a "whistleblower," therefore, each was asked: "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?" The respondents were then provided a list of ten illegal or wasteful activities and cautioned not to answer "yes" to anything they only read about or only heard about as a rumor. This step was intended to exclude those with only hearsay information.

For each of the ten activities, the magnitude of the problem was assessed by the respondent in terms of a dollar amount involved, where applicable, or by

the frequency of its occurrence. The ten activities, as listed in the questionnaire are:

- Employee(s) stealing Federal funds.
- Employee(s) stealing Federal property.
- Employee(s) 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.
- Employee(s) abusing his/her official position to obtain substantial personal services or favors.
- 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).
- Employee(s) tolerating a situation which poses a danger to public health or safety.
- Employee(s) committing a serious violation of Federal law or regulation other than those described above.

Findings

Approximately 45% of all respondents indicated that they had personally observed or obtained direct evidence of one or more of the ten illegal or wasteful activities listed. Graph 1 illustrates the incidence of each type of illegal or wasteful activity. For example, one-fourth of all employees claim to have personally observed (or had direct evidence of) some degree of "waste of Federal funds caused by buying unnecessary or deficient goods or services."

GRAPH 1

Q 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)

EMPLOYEES CLAIMING TO HAVE OBSERVED THESE FORMS OF FRAUD, WASTE OR MISMANAGEMENT DURING A 12-MONTH PERIOD

25% of our respondents claimed to have observed	Waste caused by unnecessary or deficient goods or services
18% of our respondents claimed to have observed	Waste caused by a badly managed program

17% of our respondents claimed to have observed	Stealing Federal property
15% of our respondents claimed to have observed	Use of an official position for personal benefits
15% of our respondents claimed to have observed	Tolerating a situation or practice which poses a danger to public health or safety
11% of our respondents claimed to have observed	Waste caused by ineligible people receiving funds, goods, or services
8% of our respondents claimed to have observed	Unfair advantage given to a contractor, consultant, or vendor
5% of our respondents claimed to have observed	Serious violation of law or regulation
2% of our respondents claimed to have observed	Stealing Federal funds
2% of our respondents claimed to have observed	Accepting bribes or kickbacks

- Even if those respondents who only had knowledge of activities of less than \$100 in value or only rarely occurring are set aside, there are still 38% of all employees claiming direct knowledge of one or more of the listed activities. This would indicate that most employee observations are not simply of the "taking a Government pen home" variety.
- If restricted to only those activities which can be assigned a dollar value, substantial numbers of employees still fall within the following categories:
 - Almost one-third (31%) of all employees claim direct knowledge of fraudulent or wasteful activities involving **more than \$100 in** Federal funds or property.
 - Almost one-fourth (23%) of all employees claim personal knowledge of fraudulent or wasteful activities involving **more than \$1,000** in Federal funds or property.
 - Close to one out of ten (9%) of all employees claim to have observed Government related waste in **excess of \$100,000**.
- Those employees who claimed knowledge of any illegal or wasteful activity were also asked to select the most serious or personally damaging problem they knew about in order to provide more specific information relative to that event. Graph No. 2 indicates the results of that question. Over half (51%) selected one of two categories, i.e., "waste of Federal funds caused by a badly managed program," and "waste of Federal funds caused by buying unnecessary or deficient goods or services."

GRAPH 2

Q 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. (Please "X" ONE box)

ACTIVITY SELECTED BY OBSERVER AS BEING MOST SERIOUS OR HAVING GREATEST PERSONAL IMPACT

27% of our respondents claimed to have knowledge of	Waste caused by badly managed program
24% of our respondents claimed to have knowledge of	Waste caused by unnecessary or deficient goods or services
12% of our respondents claimed to have knowledge of	Stealing Federal property
11% of our respondents claimed to have knowledge of	Tolerating a situation or practice which poses a danger to public health or safety
8% of our respondents claimed to have knowledge of	Use of an official position for personal benefits
7% of our respondents claimed to have knowledge of	Waste caused by ineligible people receiving funds, goods, or services
4% of our respondents claimed to have knowledge of	Serious violation of law or regulation
3% of our respondents claimed to have knowledge of	Unfair advantage given to a contractor, consultant, or vendor
2% of our respondents claimed to have knowledge of	Stealing Federal funds
0.5% of our respondents claimed to have knowledge of	Accepting bribes or kickbacks

Conclusion

- It would appear that Federal employees are an extremely knowledgeable and perhaps the **most** knowledgeable source of information regarding specific instances of fraud, waste, and mismanagement affecting their agencies. Section II of this report explores the degree to which the Government has been able to tap this potential source of useful information.

SECTION II

DO EMPLOYEES "BLOW THE WHISTLE" AND TO WHOM?

One of the key questions in the survey was whether or not employees with direct knowledge of illegal or wasteful activities would report it. As previously mentioned, it has been the goal of Congress to encourage employees to come forward with relevant information. We also asked all survey respondents if they knew where to report illegal or wasteful activities in the first place, and how much did they know about those organizations established as alternative channels for those reports.

Findings

- Approximately 70% of all employees who know of specific instances of fraud, waste, and mismanagement never report that activity to anyone. In addition, many of those reporting do so because it is a routine part of their job (for example, as an auditor or investigator). Excluding those employees who reported an activity as a routine part of their job, we find that only 22% of all employees report an illegal or wasteful activity on their own initiative.
- Over 78% of all employees who did report an activity reported it to their supervisor and 39% reported it to someone above their supervisor. In some cases, they reported it to both sources. Graph 3 shows the percentage of employees who reported an activity to one or more sources.

GRAPH 3

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

PERSON OR PLACE TO WHOM THE EMPLOYEE REPORTED

79% of our respondents claimed to have observed and reported the activity to	Immediate supervisor
51% of our respondents claimed to have observed and reported the activity to	Co-workers
39% of our respondents claimed to have observed and reported the activity to	Someone above my immediate supervisor
10% of our respondents claimed to have observed and reported the activity to	A union representative
9% of our respondents claimed to have observed and reported the activity to	Personnel office
8% of our respondents claimed to have observed and reported the activity to	The Office of the Inspector General of the IG "Hot Line" within this agency

6% of our respondents claimed to have observed and reported the activity to	A Member of Congress
2% of our respondents claimed to have observed and reported the activity to	A member of the news media
1% of our respondents claimed to have observed and reported the activity to	The General Accounting Office
0.8% of our respondents claimed to have observed and reported the activity to	The Special Counsel of the Merit Systems Protection Board

- As also shown in Graph 3, only about 8% of all employees reporting a problem reported it to the Office of Inspector General within their agency. 1.4% reported to the General Accounting Office and slightly less than 1% reported to the Special Counsel within the MSPB. These results should not be taken as an indictment of the effectiveness of these organizations, however, since there are a variety of reasons that might explain these responses. Most employees, for example, are encouraged to report suspected problems through the supervisory chain of command. These employees have no need to go beyond the chain of command if the problems are resolved.
- Another clue as to why organizations outside the chain of command are infrequently used by employees reporting illegal or wasteful activities may be contained in the responses illustrated in Graph 4. As shown, the level of knowledge that employees have about these organizations is generally very low. More than half (51%) of all respondents have never even heard of the Special Counsel of the MSPB and another 20% had heard of it but had no specific knowledge of its mission. Once again there are several reasons that may account for this relatively low level of awareness. For example, the Office of Special Counsel and most of the Offices of Inspector General are relatively new having been officially established within the last one to three years. In addition the OSC's relatively small size (less than 200 employees nation-wide) has contributed to its low profile.

GRAPH 4

Q 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)

EMPLOYEE AWARENESS AND UNDERSTANDING OF FEDERAL WHISTLEBLOWER CHANNELS

General Accounting Office

(GAO)	<p>12% of our respondents have never heard of the GAO</p> <p>24% of our respondents have a vague idea of what the GAO is supposed to do.</p> <p>20% of our respondents have heard of this organization but know nothing about what the GAO is supposed to do.</p> <p>28% of our respondents have a pretty good idea of what the GAO is supposed to do.</p> <p>17% of our respondents have a very good idea of what the GAO is supposed to do.</p>
Office of Inspector General or IG "Hot Line" (IG)	<p>23% of our respondents have never heard of the IG</p> <p>22% of our respondents have a vague idea of what the IG is supposed to do.</p> <p>20% of our respondents have heard of this organization but know nothing about what the IG is supposed to do.</p> <p>22% of our respondents have a pretty good idea of what the IG is supposed to do.</p> <p>13% of our respondents have a very good idea of what the IG is supposed to do.</p>
Special Counsel of the Merit Systems Protection Board (OSC)	<p>51% of our respondents have never heard of the OSC</p> <p>16% of our respondents have a vague idea of what the OSC is supposed to do.</p> <p>20% of our respondents have heard of this organization but know nothing about what the OSC is supposed to do.</p> <p>9% of our respondents have a pretty good idea of what the OSC is supposed to do.</p> <p>4% of our respondents have a very good idea of what the OSC is supposed to do.</p>

- Even among employees who knew about the Office of Special Counsel of the MSPB, however, 36% were "not sure" that the OSC would give

careful consideration to their allegation of illegal or wasteful activities. Of those who ventured an opinion, only half (51%) had confidence they would receive careful consideration. More disturbing, of those employees who knew about the Special Counsel, 35% were "not sure" that the OSC would protect them from reprisal and only 34% of those who expressed an opinion were confident that they would receive protection. Even if unfounded, these beliefs contribute to the reluctance of employees to report fraud, waste and mismanagement outside the chain of command. 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. Among those who ventured an opinion, however, less than half (46%) 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.

- In a related question, all employees (including those who had not observed any illegal or wasteful activities) were asked if they would know where to report it if they were to observe such activities. As shown in Graph 5, less than half (47%) of all employees claim that they would know where to report an illegal or wasteful activity.

GRAPH 5

Q If. If you observed an illegal or wasteful activity involving your agency, would you know where to report it? (Please "X" one box)

WOULD YOU KNOW WHERE TO REPORT IT IF YOU SAW IT?

- 27% of our respondents reported "Definitely Yes"
- 20% of our respondents reported "Probably Yes"
- 19% of our respondents reported "Not Sure "
- 20% of our respondents reported "Probably Not "
- 14% of our respondents reported "Definitely Not "

Conclusion

- A large majority of employees who observe or obtain direct evidence of fraud, waste, and mismanagement do **not** report it. One reason for this finding appears to be the lack of knowledge about where to report such activities. The level of awareness is especially low regarding those alternative organizations which are outside the supervisory chain of command. Furthermore, among those employees who were aware of

two of the major alternative reporting channels (the Office of Special Counsel and Office of Inspector General), there is a relatively high degree of uncertainty or lack of confidence regarding these organizations. Other reasons why employees do not report illegal or wasteful activities are explored in Section III.

SECTION III

WHY DO EMPLOYEES CHOOSE NOT TO REPORT FRAUD, WASTE, AND MISMANAGEMENT?

A certain number of employees choose not to report fraud, waste, or mismanagement which they observe. The questionnaire contained a number of questions designed to discover the primary reasons for their decision. The responses to those questions are discussed in this section.

Findings

- As shown in Graph 6, employees who had observed an illegal or wasteful activity and consequently decided not to report it were asked to indicate the reason(s) for their decision. The predominant reason for not reporting, selected by 53% of the respondents, is simply their belief that nothing **would** be done to correct the activity if reported. A smaller number (20%) felt that nothing **could** be done to correct the activity.

GRAPH 6

Q 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)

REASONS GIVEN BY NON-REPORTERS FOR THEIR NON-REPORTING

53% of our respondents	did not think that anything would be done to correct the activity
20% of our respondents	did not think that anything could be done to correct the activity
19% of our respondents	decided that reporting this matter was too great a risk for them.

18% of our respondents	reported that the activity had already been reported by someone else
18% of our respondents	did not have enough evidence to report
18% of our respondents	were not really sure to whom they should report the matter
12% of our respondents	did not think the activity was important enough to report
10% of our respondents	reported some "other" reason
8% of our respondents	did not want to get anyone in trouble
7% of our respondents	did not want to embarrass their organization or agency

- The belief that nothing would be done to correct a reported activity is supported by the actual experiences of those who did report wrongful activities. As shown in Graph 7, regardless of whether an activity was reported within or outside of one's immediate work group, only about one-fourth of the respondents could claim that the problem was even partially resolved.

GRAPH 7

Q 25 & 26: If you reported this activity to sources within (or outside) 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)

THE OUTCOME OF REPORTING, AS SEEN BY THE REPORTER

43% of our respondents who reported within their workgroup said	The problem was not resolved at all
39% of our respondents who report outside their workgroup said	The problem was not resolved at all
16% of our respondents who reported within their workgroup said	were not sure whether any action was taken
18% of our respondents who report outside their workgroup said	were not sure whether any action was taken
13% of our respondents who reported within their workgroup said	the problem is still under review, but I do not expect it to be resolved
16% of our respondents who report outside their workgroup said	the problem is still under review, but I do not expect it to be resolved

12% of our respondents who reported within their workgroup said	the problem was partially resolved
11% of our respondents who report outside their workgroup said	the problem was partially resolved
8% of our respondents who reported within their workgroup said	the problem is still under review, but I expect it to be resolved
10% of our respondents who report outside their workgroup said	the problem is still under review, but I expect it to be resolved
7% of our respondents who reported within their workgroup said	the problem was resolved
6% of our respondents who report outside their workgroup said	the problem was resolved

Conclusion

- There are a variety of factors that appear to influence an employee's decision not to report an illegal or wasteful activity. Belief that such a report would be fruitless in terms of correcting the problem is the reason most often cited. Another major reason shown in Graph 6 is the belief that reporting would be too great a risk for the employee. A more detailed look at this latter belief is the focus of Section IV to this report.

SECTION IV

HOW EXTENSIVE IS REPRISAL OR FEAR OF REPRISAL?

The survey asked all employees several questions to be answered based on their general attitudes and beliefs. A second set of questions was directed at only those employees who had actual experiences to report.

Findings

- As illustrated in Graph 8, less than half (45%) of all employees are confident that they could report an illegal or wasteful activity--through official channels--without having their supervisor take some type of reprisal against them. As shown in Graph 9, less than one-fourth (24%) are confident that someone **above their supervisor** would not take some action against them.

GRAPH 8

Q 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)

CONFIDENCE THAT SUPERVISOR WOULD NOT TAKE REPRISAL ACTION.

17% of our respondents reported "Very Confident "

28% of our respondents reported "Confident"

13% of our respondents reported "Not Sure "

18% of our respondents reported "Less than Confident "

25% of our respondents reported "Not at all Confident "

GRAPH 9

Q 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)

CONFIDENCE THAT HIGHER LEVEL SUPERVISOR(S) WOULD NOT TAKE REPRISAL ACTION

6% of our respondents reported "Very Confident "

18% of our respondents reported "Confident"

18% of our respondents reported "Not Sure "

26% of our respondents reported "Less than Confident "

33% of our respondents reported "Not at all Confident "

- As seen in Graph 10, 34% of all employees believe that the protections the Federal Government offers to whistleblowers are inadequate, while almost half (48%) are not sure of their adequacy.

GRAPH 10

Q 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)

EMPLOYEE VIEW OF FEDERAL WHISTLEBLOWER PROTECTIONS

- 1% of our respondents reported "More than Adequate"
- 5% of our respondents reported "About Right"
- 48% of our respondents reported "Not Sure"
- 12% of our respondents reported "As Adequate as it can be"
- 34% of our respondents reported "Could and Should be more Adequate"

- Graph 11 shows that 44% of all the employees surveyed do not believe that it is even **possible** for the Federal Government to protect whistleblowers from reprisal, and 13% are **not sure** if it is possible.

GRAPH 11

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

Q 1b. 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? (Please "X" ONE box)

IS IT POSSIBLE TO PROTECT WHISTLEBLOWERS?

- 14% of our respondents reported "Definitely Yes"
- 30% of our respondents reported "Probably Yes"
- 13% of our respondents reported "Not Sure "
- 36% of our respondents reported "Probably Not "
- 8% of our respondents reported "Definitely Not "

- Approximately 14% of all employees who reported some illegal or wasteful activity also claim to have suffered some type of reprisal or threat of reprisal. Some of these employees reported the activity anonymously, however, and thus would not have had the potential to suffer reprisal. The true rate of reprisal, therefore, for those who are identified by their agency as having reported fraud, waste, and mismanagement is approximately 20% on the average. The survey also found, as shown in Graph 12, that the rate of reprisal varies according to agency. According to employee reports, therefore, the incidence of reprisal for "whistleblowing" may be as high as one in four in some agencies.

GRAPH 12

Q 28: Within the last 12 months, have you personally experienced some type

of reprisal because of an activity you reported? Please "X" ONE box)

**INCIDENCE OF REPRISAL BY AGENCY (employees who claim
reprisal action as a % of all employees who reported an activity)**

EPA	24% of those employees reported an activity
TRANSPORTATION	22% of those employees reported an activity
INTERIOR	20% of those employees reported an activity
COMMERCE	19% of those employees reported an activity
SBA	19% of those employees reported an activity
AGRICULTURE	18% of those employees reported an activity
ENERGY	17% of those employees reported an activity
CSA	16% of those employees reported an activity
GSA	15% of those employees reported an activity
LABOR	14% of those employees reported an activity
EDUCATION	12% of those employees reported an activity
HUD	11% of those employees reported an activity
HHS	10% of those employees reported an activity
VA	8% of those employees reported an activity

Conclusion

- The Federal employees surveyed tend to be somewhat pessimistic about their ability to report fraud, waste, and mismanagement without reprisal. Based on the experiences of those who have "blown the whistle", this pessimism appears to have some basis in fact.

SECTION V

HOW IS REPRISAL TAKEN AND WHAT IS ITS IMPACT ON GOVERNMENT OPERATIONS?

Those employees who experienced reprisal or threats of reprisal were asked to describe the form the reprisal took and the effect it had on them. Their responses provide some revealing insights.

Results

- Among all employees who reported a threat of reprisal or an actual reprisal:
 - 20% report that a threat of reprisal was made but **not** carried out.
 - 36% report that a threat of reprisal was made and actually carried out, and

-- slightly less than half (45%) report that a reprisal occurred without threat or warning.

- Graph 13 depicts the percentage of reprisal victims who claim they were threatened with one or more specific forms of reprisal. The three types of reprisal most often threatened are a poor performance appraisal, denial of a promotion, and a general "watering down" of job responsibilities.

GRAPH 13

Q1, 34: Did the reprisal or threat of reprisal take any of the following forms?
(Please "X" ALL the boxes that apply)

FORM OF REPRISAL THREATENED

24% of those employees who claim they experienced an actual or threatened reprisal	felt threatened with a "Poor performance appraisal."
24% of those employees who claim they experienced an actual or threatened reprisal	felt threatened with a "Denial of promotion."
17% of those employees who claim they experienced an actual or threatened reprisal	felt threatened with "Assigned less desirable or less important duties in their current job."
10% of those employees who claim they experienced an actual or threatened reprisal	felt threatened with "Some other form."
9% of those employees who claim they experienced an actual or threatened reprisal	felt threatened with a "Denial or opportunity for training."
8% of those employees who claim they experienced an actual or threatened reprisal	felt threatened with a "Transfer or a reassignment to a different job with less desirable duties."
8% of those employees who claim they experienced an actual or threatened reprisal	felt threatened with a "Reassignment to a different geographic location."
7% of those employees who claim they experienced an actual or threatened reprisal	felt threatened with a "Suspension from their job."
4.4% of those employees who claim they experienced an actual or threatened reprisal	felt threatened with a "Grade level demotion."

- Graph 14 shows the percentage of reprisal victims by alleged form of reprisal. The three forms of reprisal most often threatened are also the three forms most often carried out.

GRAPH 14

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

FORM OF REPRISAL ACTUALLY CARRIED OUT

40% of those employees who claim they experienced an actual or threatened reprisal	received a "Poor performance appraisal."
36% of those employees who claim they experienced an actual or threatened reprisal	were "Assigned less desirable or less important duties in their current job."
33% of those employees who claim they experienced an actual or threatened reprisal	received a "Denial of promotion."
24% of those employees who claim they experienced an actual or threatened reprisal	received a "Denial or opportunity for training."
19% of those employees who claim they experienced an actual or threatened reprisal	received a "Transfer or a reassignment to a different job with less desirable duties."
15% of those employees who claim they experienced an actual or threatened reprisal	received "Some other form."
5% of those employees who claim they experienced an actual or threatened reprisal	received a "Reassignment to a different geographic location."
4% of those employees who claim they experienced an actual or threatened reprisal	received a "Suspension from their job."
3% of those employees who claim they experienced an actual or threatened reprisal	received a "Grade level demotion."

- The effect of a reprisal or threat of reprisal on a victim's job performance is shown in Graph 15. Of interest here is the fact that 30% of the employees who experienced some type of reprisal claim that they do not perform their job as well as they previously did. In addition, 27% claim they now ignore instances of wrongful activities that they would previously not have ignored.

GRAPH 15

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

EFFECT ON VICTIMS

49% of those employees who claim they experienced an actual or threatened reprisal	reported that "Nothing has changed in the way I do my job."
30% of those employees who claim they experienced an actual or threatened reprisal	reported that "I do not do my job as well as I did before the actual or threatened reprisal."
27% of those employees who claim they experienced an actual or threatened reprisal	reported that "I now ignore instances of wrongful activities that would not have ignored before."
10% of those employees who claim they experienced an actual or threatened reprisal	reported that "I was moved into a different job by my agency."
8% of those employees who claim they experienced an actual or threatened reprisal	reported that "I applied for and accepted a different job."
8% of those employees who claim they experienced an actual or threatened reprisal	reported that "I do my job better than I did before the actual or threatened reprisal."

- Almost 60% of the reprisal victims made some response to the reprisal action (such as filing an appeal or grievance), but only 17% of all employees who took some action were successful in gaining some type of redress.

Conclusion

- Almost half (45%) of all employees who experience reprisal are not explicitly forewarned. Even for those employees who receive a warning in the form of a threat of reprisal, 64% end up seeing the threat actually carried out in some form.
- Actual or threatened reprisal takes many forms, but the most frequently occurring are those which are not easily documented. For example, a denial of promotion or training as opposed to a geographic reassignment or a demotion.
- Beside the obvious negative impact to the victim of reprisal, as shown in Graph 15 the Government is also likely to suffer from a decline in employee productivity and a decline in the number of employees willing to report instances of fraud, waste, and mismanagement to responsible

officials. Section VI describes employee attitudes about the desirability of whistleblowing.

SECTION VI

HOW DO FEDERAL EMPLOYEES FEEL ABOUT WHISTLEBLOWING?

In order to place the responses of the survey participants into a general frame of reference, a short series of attitudinal questions was placed at the beginning of the questionnaire. It should be noted that in the developmental stage of the survey, MSRS staff discovered that the term "whistleblower" has many connotations. Some people associated it with disloyalty, using words like "fink," "stool pigeon," or "trouble maker," while others regarded it as exactly the opposite, using words like "patriotic citizen" or "conscientious employee." To avoid introducing unintentional bias, the questionnaire used the less value-laden terminology "employees who report illegal or wasteful activities" as a synonym for whistleblower.

To gauge employee attitudes to the general notion of reporting illegal or wasteful activities within one's own agency, three separate but related questions were asked. The responses are depicted in Graphs 16, 17, and 18.

Findings

- As shown in Graph 16, when employees were asked whether they personally approved of employees who report illegal or wasteful activities within Government operations, 80% of the employees were emphatic in answering "definitely yes" and, combined with the 16% who responded with a "probably yes", the responses evidence an unusually high agreement rate.

GRAPH 16

Q 1a. Do you personally approve of the practice of employees reporting illegal or wasteful activities within Government operations? (Please "X" ONE box)

DO YOU APPROVE OF WHISTLEBLOWING?

80% of our respondents reported "Definitely Yes"

16% of our respondents reported "Probably Yes"

2% of our respondents reported "Not Sure "

1% of our respondents reported "Probably Not "

1% of our respondents reported "Definitely Not "

- Employees were asked to assess the ultimate effect on the agency when one of its employees reports an illegal or wasteful activity. Once again, as shown in Graph 17, there is extremely high agreement (approximately 94%) that such a report is ultimately in the best interests of the agency.

GRAPH 17

Q 1c. is it in the best interests of a Federal Agency when an employee reports illegal or wasteful activities? (Please "X" ONE box)

IS WHISTLEBLOWING GOOD FOR THE AGENCY?

68% of our respondents reported "Definitely Yes"
 26% of our respondents reported "Probably Yes"
 3% of our respondents reported "Not Sure "
 2% of our respondents reported "Probably Not "
 .5% of our respondents reported "Definitely Not "

- Finally, the survey participants were asked to go one step further and judge whether Federal employees should actually be **encouraged** to report illegal or wasteful activities within their agencies. The responses shown in Graph 18 remain consistent with the previous two questions, with approximately 94% of the participants responding affirmatively.

GRAPH 18

Q 1d. Should Federal employees be encouraged to report illegal or wasteful activities within their agencies? (Please "X" ONE box)

SHOULD WHISTLEBLOWING BE ENCOURAGED?

72% of our respondents reported "Definitely Yes"
 22% of our respondents reported "Probably Yes"
 3% of our respondents reported "Not Sure "
 2% of our respondents reported "Probably Not "
 .9% of our respondents reported "Definitely Not "

Conclusions

- Federal employees overwhelmingly agree, in principle, 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. However, as earlier noted, many of these same employees who have observed illegal and wasteful activities do not report for various reasons. It would appear, therefore, that encouraging more employees to report illegal and wasteful activities does not require a major shift in their basic attitudes about the desirability of whistleblowing. Section VII, on the other hand, outlines some actions which are necessary.

SECTION VII

HOW CAN MORE FEDERAL EMPLOYEES BE ENLISTED IN EFFORTS TO ELIMINATE FRAUD, WASTE, AND MISMANAGEMENT?

Employees can only be effective in helping to eliminate fraud, waste, and mismanagement by first being willing to disclose the existence of such activities. The survey, therefore, also included questions designed to determine the conditions which would, most encourage employees to report such activities.

Findings

- Graph 19 illustrates the response to a question asking employees to assess the amount of encouragement they feel their agency provides to employees who might be inclined to report illegal or wasteful activities. Although there is some variation by agency, over half (52%) of all employees believe there is not enough encouragement.

GRAPH 19

Q 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)

AMOUNT OF ENCOURAGEMENT FROM THE AGENCY

52% of our respondents reported "Not enough "

24% of our respondents reported "About right "

23% of our respondents reported "Not sure"

1% of our respondents reported "Too much"

- Graph 20 on the following page shows the responses to a question asking employees to identify two conditions that would **most** encourage them to report an illegal or wasteful activity. "Knowing that something would be done to correct the activity if I reported it" was the most

frequently selected response (81%). "Knowing that I would be protected from any sort of reprisal" was the second most frequently selected response (41%). The fourth most frequently selected response would achieve the same effect as protection from reprisal, i.e., "knowing that I could report it and not identify myself" (28%).

GRAPH 20

Q 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)

INCENTIVES THAT WOULD ENCOURAGE FEDERAL EMPLOYEES TO REPORT FRAUD, WASTE OR MISMANAGEMENT

81% of all respondents reported	Knowing that something would be done to correct the activity if I reported it.
41% of all respondents reported	Knowing that I would be protected from any sort of reprisal.
36% of all respondents reported	Knowing the problem was something I considered very serious.
28% of all respondents reported	Knowing that I could report it and not identify myself.
10% of all respondents reported	Knowing that I could report it without people thinking badly of me.
2% of all respondents reported	Knowing that I could be given a cash reward if I reported it.
1% of all respondents reported	Other

Conclusion

- The major reason employees cite for not reporting fraud, waste, or mismanagement is their belief that nothing would be done to correct the problem even if reported. Fear of reprisal, although a secondary consideration, is still significant. What is needed to encourage greater numbers of employees to join in the effort to eliminate fraud, waste, and mismanagement is a far reaching change in attitudes and beliefs within the Federal workforce.
- Federal employees must be convinced, by actions as well as by words, that their agency management welcomes observations concerning illegal and wasteful activities. They must also be convinced that their agency management will give serious consideration to their observations and will take action where the facts warrant. Finally, employees must be

able to responsibly report fraud, waste, and mismanagement secure in the knowledge that reprisal will not be taken.

APPENDIX A

SELECTED EXAMPLES OF FRAUD, WASTE, OR MISMANAGEMENT PROVIDED BY RESPONDENTS

"The . . . Program is still a problem. [One] contractor is a prime example. The company misused federal funds, has repaid very little, yet it is still receiving funds due to political pull."

"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."

"(1) Controls in respect to payments to landlords are almost non-existent. This program has the potential as being one of the most wasteful of all housing programs. It has been noted on many occasions that if a landlord is a personal friend of the authority or an employee of the authority, a more lax attitude is taken in the inspection of the unit to ascertain compliance and occasionally more money is paid than standards dictate. In addition, it has been noted that tenants pay more to the landlord that computed income would require."

(2) 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."

"The most badly managed program that I knew about in [agency] is the . . . program under which the local agencies are reimbursed at flat fee for each [unit]. The fee is excessive and as a result the agencies build up huge surpluses that can be spent at their discretion for whatever purpose they desire As a result those [local agencies] which are Federally supported are able to pay their top management excessive salaries along with travel junkets all in the name of providing [a certain type of] assistance to 'needy families.'"

"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."

"I believe there is a lot of waste of taxpayers funds in federal agencies. The largest in my opinion are useless studies and other services which are awarded to outside contractors."

"Having been a management consultant in private industry; I feel that at least 10% if not 20% could be saved by selectively cutting certain items. This must be done without imposing ridiculous controls on such items as paper, pencils and necessary supplies. Most federal employees are honest, hardworking people. At least in my brief (5 years) encounter with them."

"The . . . hospital spends thousands of dollars each year for new and replaced carpeting. The carpets are ripped up and replaced as often as six months. I would think that .90 cents of each . . . dollar goes for non-patient care. This same attitude is reflected in buying furniture. I have taken desks and tables to employees in the different hospital services and they didn't want new furniture but were forced to take it. There seems to be an endless supply of money for hospital maintenance while money for patient care is scarce."

"Cost of services or goods from GSA far exceed prices quoted for the same goods from private sector. The requirement to use GSA [makes it appear] that competitive competition is not [favored] to save government funds and our own form of price fixing is established."

The . . . Act appears to have been developed primarily for the enrichment of sponsors, builders, and mortgage bankers. Units are continually built in over-saturated areas. . . . The builder drastically overprices the dwelling and the buyer does not have any concern as his payments are based on income more than sale price and pressure is put on appraisers to justify this high sales price."

"By hiring contractors for technical services, expertise, etc. the Federal Government is offering the fiction and perpetrating the lie that it is saving money by reducing the Federal payroll. "

" [.This] program . . . [operates] basically on [the] 'honor system' with very little cross check to insure a beneficiary is entitled."

"Professional employees in my agency find it necessary to spend great amounts of time performing purely clerical chores because upper management fails to provide sufficient and competent clerical support."

"The most common waste I have seen in many past years is the propensity for the [agency] to spend unused funds at the end of a fiscal year so as to not show the need for a reduction in funding for the next fiscal year."

"Every organization I have worked for has spent \$1,000's of dollars at the end of the fiscal year rather than turn in their excess. It's not just one organization, they all do it."

"I have served on competitive panels with at least three other career professionals who objectively selected contractors. Procurement refused to award contracts because the selections did not satisfy the [Presidential appointee] in charge of procurement."

"Thru ineptitude, mismanagement, and plain stupidity in the selection of a replacement for an obsolete and over taxed computer system, (several agencies] have rendered thousands of man years of software development obsolete. Hundreds more man years and many millions of dollars have been and will be spent converting these applications to the replacement system because it is totally incompatible with its predecessors."

"I believe it to be very poor Federal management to reduce the number of employees and then contract with private industry for those same services. This is always done under the pretense of saving money. We all know this does not save but usually costs more but is coming from funds which are not as accountable to the public."

"Last minute end of year contracts being awarded to unfit consultants. Instructions to hire 'warm bodies--so we don't lose ceiling' even when there is no space or furniture available for the new employee--and worse, no specific work for them to do."

"In my opinion, much of the outside contracting for information that I have observed is highly wasteful in that the products are frequently less than helpful and almost as much internal time is required to oversee the effort and attempt to make the report acceptable as to do it in the first place. Directors have appeared to approve too many loose, ill conceived, mismanaged grants and contracts."

"Rather than being a watchdog of federal funds the subunit within the agency has become an advocate for each state agency with which it deals."

"I know of several instances where employees add on overtime after the supervisor has initialed timecards."

"I regard the expenditures on small computers and word processors as profligate. My agency has bought dozens--possibly more than one hundred (it's a small agency)--in the past year of these expensive machines. Many of them stand idle for much of the day."

As an employee (auditor) of the agency , I have observed the futility of regulations designed to control a specific industry as it relates to pricing, etc. I have observed a set of regulations that are so ambiguous as to defy application and a resulting morale problem that renders the agency useless."

"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.

APPENDIX B

A SAMPLING OF REASONS GIVEN BY RESPONDENTS FOR NOT REPORTING FRAUD, WASTE, AND MISMANAGEMENT

"I don't think that there is any question about knowing where to report irregularities. The question you should have asked is **would** you report any violations. The answer would have been **no**. The only one who could, would be someone who has nothing to lose. With the threat of rotational assignment of [certain people] and SES and [Merit Pay] hanging over one's head I doubt if there would be any rush to report anything."

"First of all, try as you may, there is no way to keep the identity of 'the "reportee" a secret as anyone who has worked in a large office can testify, secrets are the first thing that hit the grapevine. Even if specific names are not disclosed, a little careful analysis of what ever information was reported (for example, someone stealing office supplies) usually will narrow down the number of possible informers and enable a fairly accurate guess."

"Secondly, the very nature of our civil service system discourages making waves. If the elimination of a certain program, which is not cost effective or in fact wasteful, might cost me my job, would I report it?"

"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 monetary awards [to encourage employees to report waste, etc.] are proper, if adequate protection could be provided to employees I believe that more of these situations would be reported. The media reports about reprisals taken against federal employees have probably scared many into not revealing what they know."

"Reprisals can come about in many disguised situations."

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

"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." '

"It is pretty much an accepted fact that "troublemakers" (anyone who reports the types of things in this questionnaire) face reprisals, direct or indirect. People are discouraged from making waves in organizations, whether it involves reporting fraud, mismanagement, or involves grievances, EEO, or other complaints."

"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."

"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."

"Lack of a local, internal program to combat waste and inefficiency. Staff has been made aware of. Inspector General's office in Washington but there is no encouragement to report serious offenses or deficiencies locally. During recent (Oct. 1980) Inspector General visit, no opportunities made available to staff to talk with team."

"Federal employees know well the experience of cost analyst Ernest Fitzgerald who in testifying about cost overruns later found his career diverted to a sparse back room working on trivia."

APPENDIX C



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

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

[Editor's note: The following is a fully text version of the actual questionnaire used in the survey]

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.)

a. Do you personally approve of the practice of employees reporting illegal or wasteful activities within Government operations?	Box choices are Definitely Yes; Probably Yes; Probably Not; Definitely Not; and Not Sure.
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?	Box choices are Definitely Yes; Probably Yes; Probably Not; Definitely Not; and Not Sure.
c. Is it in the best interests of a Federal agency when an employee reports illegal or wasteful activities?	Box choices are Definitely Yes; Probably Yes; Probably Not; Definitely Not; and Not Sure.
d. Should Federal employees <i>be encouraged</i> to report illegal or wasteful activities within their agencies?	Box choices are Definitely Yes; Probably Yes; Probably Not; Definitely Not; and Not Sure.
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?	Box choices are Definitely Yes; Probably Yes; Probably Not; Definitely Not; and Not Sure.
f. If you observed an illegal or wasteful activity involving your agency, would you know where to report it?	Box choices are Definitely Yes; Probably Yes; Probably Not; Definitely Not; and Not Sure.

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.)

Box choices are: More than adequate; About right; As adequate as it can be; Could and should be more adequate; and 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.)

Box choices are: Too much; About right; Not enough; and 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.)

Box choices are: Very confident; Confident; Less than confident; Not at all confident; and 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.)

Box choices are: Very confident; Confident; Less than confident; Not at all confident; and 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.)

Box choices are: Yes, I have more than enough information; Yes, I have about the right amount of information for now; and 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.)

Box choices are: Knowing that I could report it and not identify myself; Knowing that something would be done to correct the activity if I reported it; Knowing that I would be protected from any sort of reprisal; Knowing that I could be given a cash reward if I reported it; Knowing the problem was something I considered very serious; Knowing that I could report it without people thinking badly of me; and Other. (Please specify on the last page of this questionnaire.)

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 ONE box after each organization.)

a. The Office of Inspector General or IG "Hot Line" within your agency.

Box choices include: 1. I never heard of this organization; 2. I heard of this organization but I know nothing about what they are supposed to do; 3. I have a vague idea of what they are supposed to do; 4. I have a pretty good idea of what they are supposed to do; and 5. I have a very good idea of what they are supposed to do.

b. The Special Counsel of the Merit Systems Protection Board.

Box choices include: 1. I never heard of this organization; 2. I heard of this organization but I know nothing about what they are supposed to do; 3. I have a vague idea of what they

are supposed to do; 4. I have a pretty good idea of what they are supposed to do; and 5. I have a very good idea of what they are supposed to do.

c. The General Accounting Office (GAO).

Box choices include: 1. I never heard of this organization; 2. I heard of this organization but I know nothing about what they are supposed to do; 3. I have a vague idea of what they are supposed to do; 4. I have a pretty good idea of what they are supposed to do; and 5. I have a very good idea of what they are supposed to do.

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.)

Box choices are: Very confident; Confident; Less than confident; Not at all confident; and 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.)

Box choices are: Very confident; Confident; Less than confident; Not at all confident; and 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.)

Box choices are Definitely Yes; Probably Yes; Probably Not; Definitely Not; and 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.)

Box choices are: Very confident; Confident; Less than confident; Not at all confident; and 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.)

Box choices are: Very confident; Confident; Less than confident; Not at all confident; and 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.)

Box choices are Yes or No

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

Box choices are Yes or No.

15. Regardless of whether or not it is part of your job, during dw 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?)

a. Employee(s) stealing Federal funds.

Choices are 1, No; or 2, Yes and the total value involved appeared to be Less than \$100; 3, Yes and the total value involved appeared to be \$100 to \$999; 4, Yes and the total value involved appeared to be \$1,000 to \$100,000; or 5, Yes and the total value involved appeared to be More than \$100,000

b. Employee(s) stealing Federal property.

Choices are 1, No; or 2, Yes and the total value involved appeared to be Less than \$100; 3, Yes and the total value involved appeared to be \$100 to \$999; 4, Yes and the total value involved appeared to be \$1,000 to \$100,000; or 5, Yes and the total value involved appeared to be More than \$100,000

c. Employee(s) accepting bribes or kickbacks.

Choices are 1, No; or 2, Yes and the total value involved appeared to be Less than \$100; 3, Yes and the total value involved appeared to be \$100 to \$999; 4, Yes and the total value involved appeared to be \$1,000 to \$100,000; or 5, Yes and the total value involved appeared to be More than \$100,000

<p>d. Waste of Federal funds caused by ineligible people (or organizations) receiving Federal funds, goods, or services.</p>	<p>Choices are 1, No; or 2, Yes and the total value involved appeared to be Less than \$100; 3, Yes and the total value involved appeared to be \$100 to \$999; 4, Yes and the total value involved appeared to be \$1,000 to \$100,000; or 5, Yes and the total value involved appeared to be More than \$100,000</p>
<p>e. Waste, of Federal funds caused by buying unnecessary or deficient goods or services.</p>	<p>Choices are 1, No; or 2, Yes and the total value involved appeared to be Less than \$100; 3, Yes and the total value involved appeared to be \$100 to \$999; 4, Yes and the total value involved appeared to be \$1,000 to \$100,000; or 5, Yes and the total value involved appeared to be More than \$100,000</p>
<p>f. Waste of Federal funds caused by a badly managed Federal program. <i>(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.)</i></p>	<p>Choices are 1, No; or 2, Yes and the total value involved appeared to be Less than \$100; 3, Yes and the total value involved appeared to be \$100 to \$999; 4, Yes and the total value involved appeared to be \$1,000 to \$100,000; or 5, Yes and the total value involved appeared to be More than \$100,000</p>
<p>g. Employee(s) abusing his/her official position to obtain substantial personal services or favors.</p>	<p>Choice are 1, NO; 2, YES, and it appeared to occur Rarely; 3, YES, and it appeared to occur Occasionally; 4, YES, and it appeared to occur Frequently.</p>
<p>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)</p>	<p>Choice are 1, NO; 2, YES, and it appeared to occur Rarely; 3, YES, and it appeared to occur Occasionally; 4, YES, and it appeared to occur Frequently.</p>
<p>i. Employee(s) tolerating a situation which poses a danger to public health or safety.</p>	<p>Choice are 1, NO; 2, YES, and it appeared to occur Rarely; 3, YES, and it appeared to occur Occasionally; 4, YES, and it appeared to occur Frequently.</p>
<p>j. Employee(s) committing a serious violation of Federal law or regulation other than those described above. <i>(If yes, please use the last page of this questionnaire to give a brief description of the most serious violation that you know about.)</i></p>	<p>Choice are 1, NO; 2, YES, and it appeared to occur Rarely; 3, YES, and it appeared to occur Occasionally; 4, YES, and it appeared to occur Frequently.</p>
<p>NOTE: If you indicated "no" to all of the activities listed in question 15, please skip to Section III on page 7.</p>	
<p>16. If you indicated "yes" to one or more of the activities listed in question 15, please select the <i>one</i> activity that represents the most serious problem you know</p>	

about *or the* one that had the greatest impact on you personally and "X" the box of that activity below. (Please "X" ONE box.)

Box choices are 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, and 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.)

Choices are 1, This is the activity that I consider the most serious problem or 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.)

Choices are 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; and 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.)

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

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

Choices are 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, or Other.

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

Choices are Yes - Please skip to question 23. or 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)

Box choices are 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; or 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.)

Box choices are 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 "Not 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; or 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.)

Choices are Yes or 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.)

Choices are: 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; or 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.)

Choices are: 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; or 7, I am not sure whether any action was taken.

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)

Choices are: 1, I was not identified as the source of the report; 2, I was given credit by my management for having reported the problem; 3, Nothing happened to me; 4, I had the feeling that my *co-workers* were unhappy with me because I reported the problem; 5, I had the feeling that my *supervisor* was unhappy with me because I reported the problem; 6, I had the feeling that *someone above my supervisor* was unhappy with me because I reported the problem; 7, I received some threats of reprisal for having reported the

problem; and 8, 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.)

Choices are: 1, Yes or 2, No, If 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; 2, A threat of reprisal was made and actually carried out in some form; or 3, 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.)

Choices are: 1, Various words or actions *implied* there was the possibility of reprisal, but I was not explicitly threatened or 2, I was *explicitly* threatened with some type of reprisal.

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

Choices are 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, or 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.)

Box choices are 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 "Not 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; or 10, A member of the news media.

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

Box choices are 1, Co-workers; 2, My immediate supervisor; 3, My second level supervisor; 4, A level of management or supervision above my second level supervisor; or 5, Other.
(Please specify on the last page of this questionnaire.)

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

Select the Yes or No box for each of the following reprisal actions that were **threatened** --
a. Poor performance appraisal. b. Denial of promotion. c. Denial of opportunity for training.

d. Assigned less desirable or less important duties in my current job. e. Transfer or reassignment to a different job with less desirable duties. f. Reassignment to a different geographic location. g. Suspension from your job. h. Grade level demotion. i. Other. *(Please specify on the last page of this questionnaire.)*

Select the Yes or No box for each of the following reprisal actions that **occurred** -- a. Poor performance appraisal. b. Denial of promotion. c. Denial of opportunity for training. d. Assigned less desirable or less important duties in my current job. e. Transfer or reassignment to a different job with less desirable duties. f. Reassignment to a different geographic location. g. Suspension from your job. h. Grade level demotion. i. Other. *(Please specify on the last page of this questionnaire.)*

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

Box choices include 1, I now ignore instances of wrongful activities that I would not have ignored before; 2, I do not do my job as well as I did before the actual or threatened reprisal; 3, I do my job better than I did before the actual or threatened reprisal; 4, Nothing has changed in the way I do my job; 5, I applied for and accepted a different job; and 6, 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.)*

Box choices include 1, Complained to a higher level of agency management; 2, Complained to some other office within my agency (for example, the personnel office or the EEO office); 3, Complained to the Office of Inspector General within my agency; 4, Filed a complaint through my union representative; 5, Filed a formal grievance within my agency; 6, Filed an EEO (discrimination) complaint; 7, Filed a complaint with the Office of Special Counsel of the Merit Systems Protection Board; 8, Filed a formal appeal, or had an appeal filed on your behalf, with the Merit Systems Protection Board, 9, Took an action not listed above; and 10, 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.)*

Box choices include 1, It got me into more trouble; 2, It made no difference; 3, The threat of reprisal was withdrawn; 4, The reprisal action itself was withdrawn; and 5, 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.)*

Box choices include 1, General Schedule and similar (GS, GG, GW); 2, Wage System MG, WS, WL, WD, WN, ETC.); 3, Merit Pay (GM); or 4, Executive (ST, EX, ES, ETC.)

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

Box choices include 1, 1-4; 2, 5-8; 3, 9-12; 4, 13-15; 5, Over 15 (SES); 6, Over 15 (not SES); or 7, Other.

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

Box choices are either Yes or No.

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

Box choices are either 1, Headquarters or 2, Field or regional location.

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

Box choices are either 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; 10, California, Nevada, Arizona, Hawaii; 11, Washington, Oregon, Idaho, Alaska; or 12, None of the above.

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

Choices are 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, or Other.

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

Box choices are either 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.); or 5, Graduate or professional degree.

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

This completes the questionnaire. If you have any other comments,

please note them here. We appreciate your help in taking the time to answer these questions. Please use the enclosed envelope to return your completed questionnaire.

Endnotes

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.

2 "The Office of the Special Counsel Can Improve its Management of Whistleblower Cases," GAO Report FPCD-81-10, December 30, 1980 (17 pages) and "First-Year Activities of the Merit Systems Protection Board and the Office of the Special Counsel," GAO Report FPCD-80-46, June 9, 1980 (61 pages).