



# Whistleblower Disclosures & Protections

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## VA employees **may**:

Make whistleblower disclosures to:

- Their supervisory chain or management officials;
- VA's Office of Accountability and Whistleblower Protection (<https://www.va.gov/accountability>);
- The U.S. Office of Special Counsel (<https://www.osc.gov/>);
- VA's Office of Inspector General (<https://www.va.gov/oig/>); and/or
- Congress, in accordance with 5 U.S.C. § 7211.

**Contractors are protected** from reprisal for the disclosure of certain information under 41 U.S.C. §§ 4705 and 4712.

## VA employees **may not**:

Be prosecuted or reprimed against for disclosing information to:

- Congress,
- VA's Office of Inspector General, or
- another investigatory agency

as long as the disclosure is permitted by law, including under 38 U.S.C. §§ 5701, 5705, and 7732, 5 U.S.C. § 552a (the Privacy Act), under chapter 93 of Title 18, and pursuant to regulations promulgated under section 264(c) of HIPAA (Public Law 104-191).

**Non-disclosure agreements must include language** explaining that the agreement does not limit an employee's ability to make a whistleblower disclosure. The required language can be found in 5 U.S.C. § 2302(b)(13).

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