Whistleblower Disclosures & Protections

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 reprised 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).