

**FISCAL YEAR 2026  
CONGRESSIONAL BUDGET JUSTIFICATION  
—and—  
PERFORMANCE BUDGET GOALS**



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## **PART 1 – EXECUTIVE SUMMARY**

The Office of Special Counsel (OSC) stands at the forefront of ensuring the federal government is effective and efficient in carrying out its work on behalf of the American people. Working with whistleblowers to identify wasteful spending and other serious wrongdoing, OSC acts as a critical oversight body to ensure that the federal government is a responsible steward of taxpayer resources. Resources allocated to the agency provide tangible returns for the taxpayer—strengthening Americans’ confidence that their government is fair, impartial, and accountable. When whistleblowers disclose to OSC waste, fraud, abuse, or other wrongdoing at their agencies, they shine a spotlight on the inefficient use of taxpayer dollars and drive real change in how agencies conduct business.

Whistleblowers often take great risks when they report wrongdoing, depending on OSC to protect them from retaliation and other prohibited personnel practices (PPPs). When a federal employee whistleblower files a complaint with OSC, experienced attorneys and investigators swiftly evaluate the complaint to determine whether a PPP has been committed, and if so, what relief is available to the employee. OSC may negotiate relief with the employing agency informally or through our Alternative Dispute Resolution program, or file a complaint with the Merit Systems Protection Board (MSPB). OSC’s outcomes in PPP cases show compounding success for federal employees who file with the agency. In 2024, OSC processed and closed 3,768 PPP complaints, with 87 percent processed within the statutory 240-day period. In meritorious cases, OSC continued to achieve historically high rates of favorable outcomes to correct wrongdoing and discipline federal managers who violate federal employment laws. OSC achieved 450 favorable outcomes in FY 2024, which is the highest in agency history and 15 percent above the prior five-year average. OSC’s disciplinary action rate for FY 2024 is approximately 10 percent higher than the prior five-year average. With OSC’s emphasis on accountability, the disciplinary action rate is expected to remain similarly high in future fiscal years.

OSC’s enforcement of the Hatch Act ensures that government operates free from partisan political influence, safeguarding a merit system of government where employees are advanced based on merit and not political affiliation. Robust enforcement of the Hatch act ensures that federal employees’ administration of federal programs is non-partisan and protects federal employees from political coercion. OSC’s enforcement successes have raised awareness and confidence in our work, building public trust in the government-wide work performed by our agency. In addition, the law authorizes OSC to issue advisory opinions on Hatch Act questions, and in FY 2024, the Hatch Act Unit issued 967 advisory opinions.

OSC also enforces the Uniformed Services Employment and Reemployment Rights Act (USERRA), which protects military service members and veterans from employment discrimination on the basis of their service and allows them to regain their civilian jobs following a period of uniformed service. In a notable example in 2024, OSC obtained relief for a Maine Air National Guardsman who was wrongfully denied reinstatement in his Postal Service job following his post-9/11 military duty. In a successful prosecution before the MSPB, the veteran was reinstated with full back pay.

These and other successes have been a major driver of increased case filings in recent years. As such, OSC has allocated its resources more efficiently to successfully provide services to all whistleblowers and stakeholders. Between FY 2016 and FY 2018, OSC’s pending caseload averaged nearly 2,500 cases. By introducing new strategies to process cases more efficiently, OSC has reduced its pending caseload by nearly 30 percent from all-

time highs experienced at the end of FY 2018.

In FY 2019, OSC combined two units with overlapping responsibilities into one, the Investigation and Prosecution Division (IPD). As a result, a single IPD attorney now generally handles each prohibited personnel practice (PPP) case from the start of the investigation through closure of the case. This process has eliminated duplicative review and allowed OSC to process PPP complaints more efficiently.

The revamp of OSC's complaint processing also led to the creation of a new unit to screen all new PPP and disclosure filings. This unit, the Case Review Division (CRD), filters out cases that can be closed quickly in CRD if, for example, OSC lacks jurisdiction, swiftly refers complaints meriting further review to the appropriate unit, and ensures that OSC's scarce resources are focused on cases where OSC can best assist the complainant.

A fully resourced OSC is essential to ensuring that whistleblowers continue to feel secure in coming forward to identify waste, fraud, abuse, and wrongdoing, and, in turn, creating an effective and efficient federal government that serves as a good steward of taxpayer resources.

With increased intake, including an already record setting number of cases received in FY 2025 as of April, OSC continues to work efficiently to make the best use of resources in serving approximately 2 million federal employee stakeholders and ensuring public health and safety. OSC's future success will require the full support of OSC's FY 2026 Budget Request. The 114 full-time equivalents (FTEs) supported by our FY 2026 Budget Request represent the minimum number of staff required to continue providing outsized results for the American public.

OSC is deeply committed to its mission of protecting whistleblowers and the merit system, promoting confidence in the government, and resolving cases effectively and efficiently, consistent with statutory requirements. Every dollar invested in OSC represents another opportunity to identify the waste, fraud, and abuse associated with taxpayer dollars, thereby ensuring a better, safer, and more efficient federal government.

Therefore, pursuant to the Office of Management and Budget's Passback authorization, OSC is requesting funding of **\$30.010M** for FY 2026. This level will allow OSC to address current caseload levels, continue to invest in vital operational areas, such as IT security, and further enhance its electronic case management system. (eCMS).

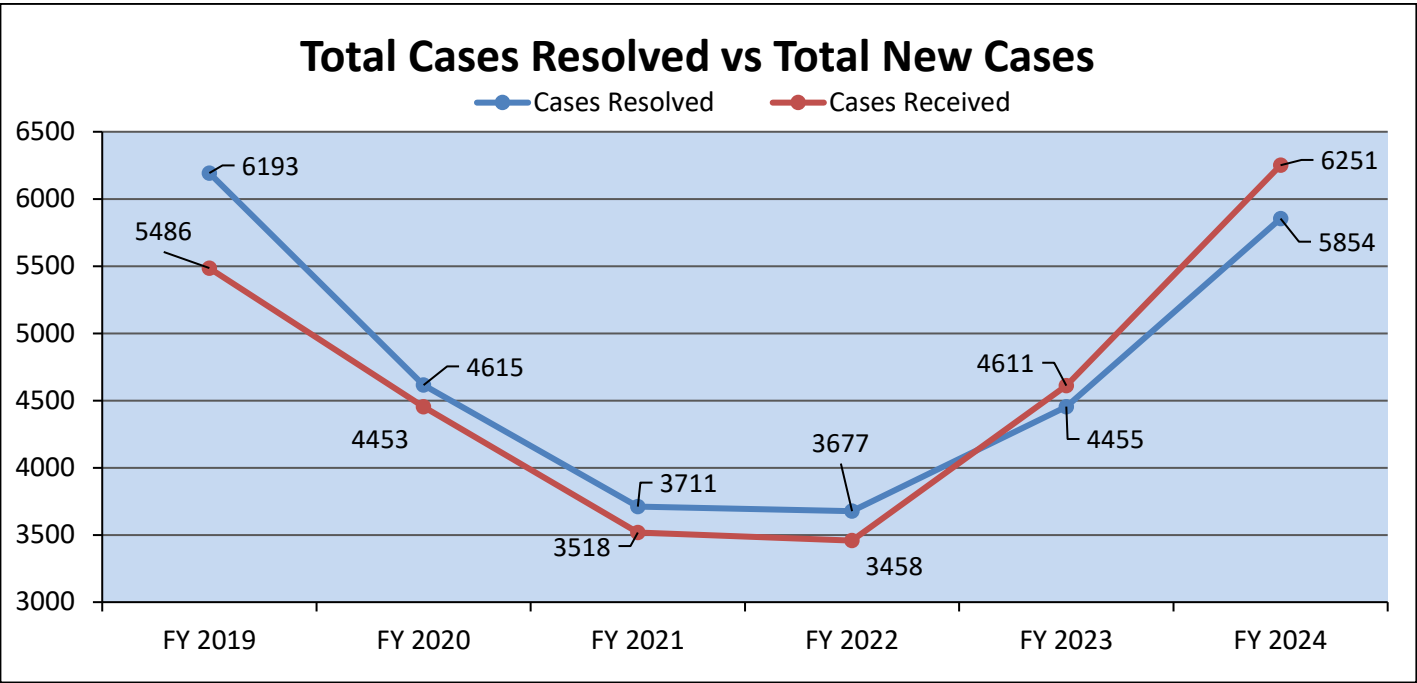
## Summary of Request

**For FY 2026, OSC's authorized request is \$30,010,000.** This amount represents a 5 percent decrease below the level provided by the FY 2025 full-year Continuing Resolution and supports approximately 114 FTEs. The 114 FTE level represents a decrease of 9 FTE from OSC's FY 2025 projected staffing level. This assumed reduction in staff will require OSC to continue operating at maximum efficiency to meet statutory deadlines and allow the agency to continue delivering successful results for the American public.

In the five years preceding the pandemic, OSC received an average of over 5,900 new cases annually. Despite receiving decreased cases during the pandemic (FY20-FY22), the number of new cases received began trending

back upward in FY 2023, and reached an agency record of over 6,200 new cases received in FY 2024. OSC expects the number of cases received to continue increasing and has already exceeded the annual agency record for cases received in FY 2025 as of late April. As a result, OSC must employ the appropriate staffing levels to adequately address this caseload increase and continue to reduce the number of pending cases. If OSC is not able to resolve incoming cases expeditiously, cases then carry over to the next fiscal year. Additionally, because of anticipated increased workloads impacting the time cases are completed, OSC may achieve fewer favorable outcomes in cases resolved. As a result, OSC’s ability to perform its fundamental mission, and address whistleblower and PPP claims in a timely manner, may be impacted.

OSC is already fully utilizing available resources by working harder, smarter, and more effectively. The agency has expanded upon its already efficient case processing protocols and reached record levels in terms of favorable outcomes achieved. This correlation demonstrates how OSC is marshaling its resources in an efficient manner and utilizing them to achieve greater results for whistleblowers and complainants.

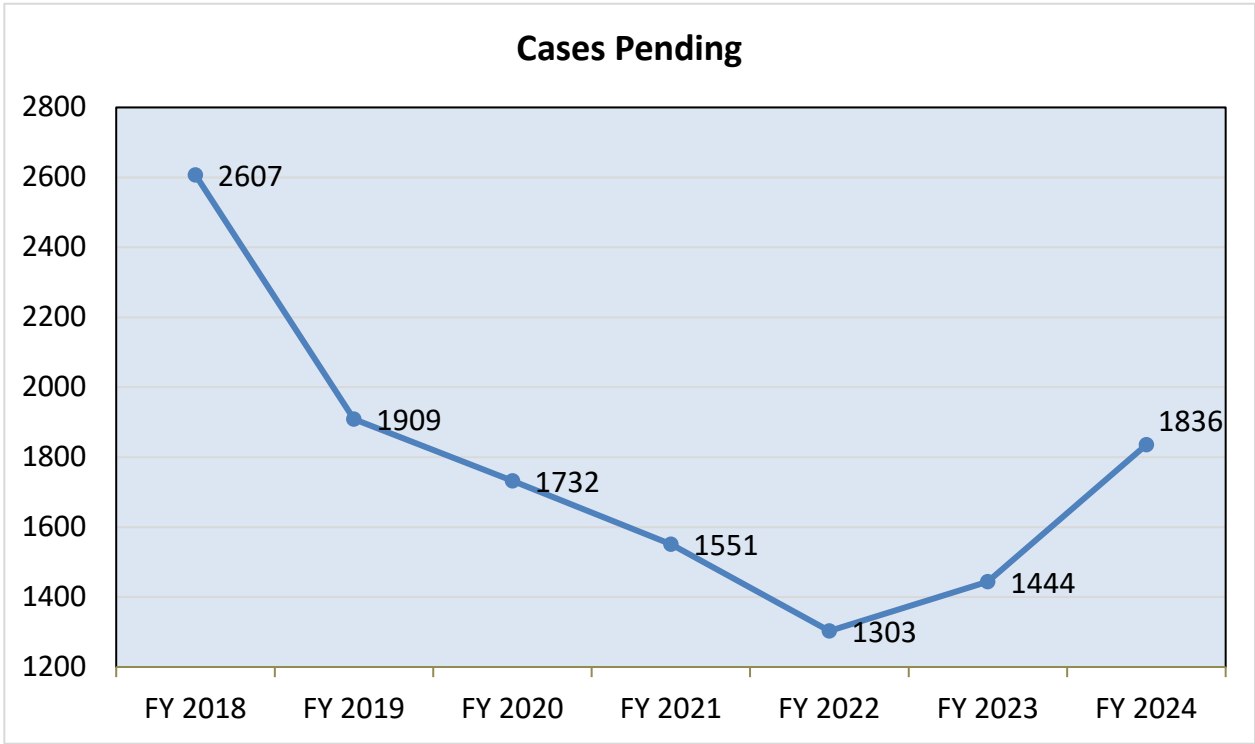


OSC’s work is represented by the number of cases closed timely as well as the number of individual corrective, systemic, and disciplinary actions obtained. In FY 2024, OSC obtained 450 favorable outcomes in meritorious PPP cases, the highest in agency history, and an increase of nearly 15 percent above the average for the previous five fiscal years. The favorable outcomes represent an investment of OSC’s expertise and resources and the application of law to the filed claims, and in many cases, validation of an agency’s appropriate actions.

The federal workforce’s growing confidence in OSC’s ability to obtain timely and accurate results, as well as corrective action, drives demand for OSC’s services. Although OSC has received increased resources in previous appropriations packages, significant increases in personnel costs have constrained its budget.

OSC employees are proud of, and enthusiastic about, their work, and they have processed exceedingly high caseloads in recent years. Due to the complex nature of many of OSC’s cases, extremely high caseloads are

becoming untenable for the long-term success of the agency and may result in frustration for whistleblowers and other stakeholders alike. This gap between resources and demand, which has resulted in the number of pending cases (as shown in the chart below), should be closed further.



Funding OSC at the proposed authorized level is paramount to ensure the agency can fulfill its statutory mission to root out waste, mismanagement, and fraud; protect veterans and federal employees; ensure accountability, integrity, and fairness in the federal workplace; and restore and maintain public confidence in the federal merit system.

**Appropriations Language**

**OFFICE OF SPECIAL COUNSEL**  
*FEDERAL FUNDS*  
**SALARIES AND EXPENSES**

*For necessary expenses to carry out functions of the Office of Special Counsel, including services as authorized by 5 U.S.C. § 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles, \$30,010,000.*

*Note.--This account is operating under the Full-Year Continuing Appropriations and Extensions Act, 2025 (Division A of Public Law 119-4).*

## About the Office of Special Counsel

OSC is a critical resource for whistleblowers to report evidence of waste, fraud, abuse, law-breaking, or threats to public health or safety. When a whistleblower identifies wrongdoing at a federal agency, OSC makes sure the whistleblower's concerns are heard and, when warranted, fully investigated and addressed. OSC also protects federal employees from prohibited personnel practices, such as retaliation for making disclosures of wrongdoing. In addition, OSC promotes a fair and unbiased federal government through its enforcement of the Hatch Act of 1939, which prohibits certain federal employees from engaging in partisan political activity while on duty. OSC also defends returning service members and reservists against employment discrimination by enforcing their rights under the Uniformed Services Employment and Reemployment Rights Act of 1994.

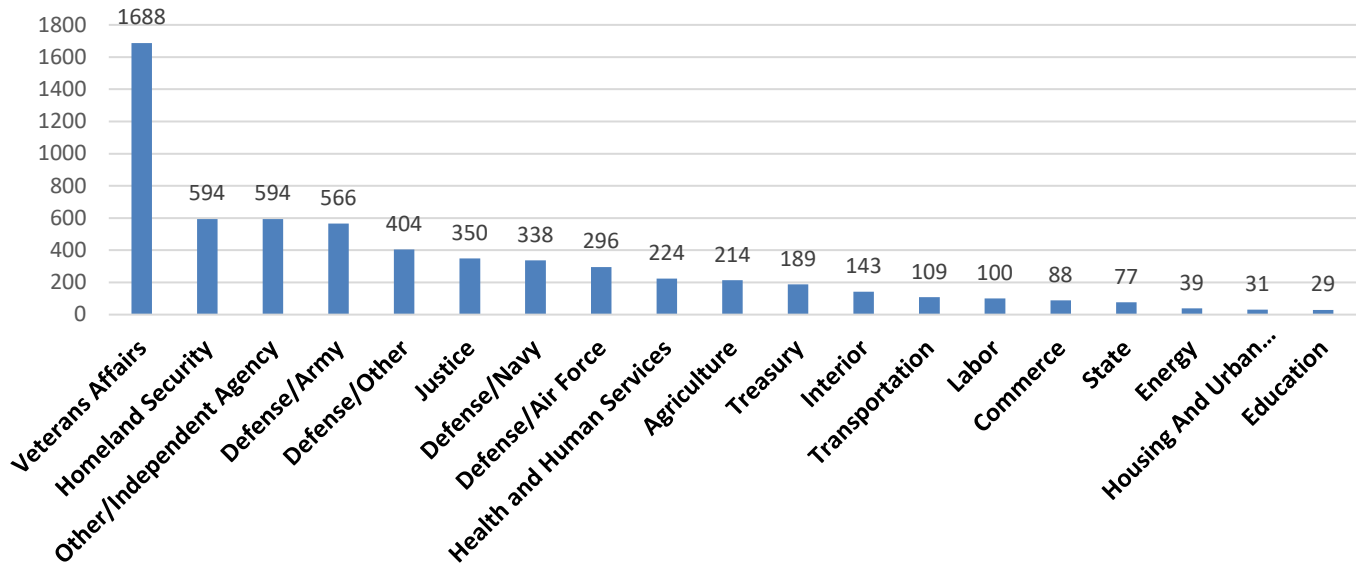
OSC is a critical pillar in the federal government's efforts to ensure that taxpayer dollars are well-managed and government functions are executed in a safe, effective, and efficient manner. By providing a safe channel for whistleblowers and their disclosures, OSC not only remedies situations where wrongdoing occurs, but also helps to prevent wasteful practices and disasters from occurring. Investing funds and resources in OSC and its mission not only makes sense from a good government perspective but also provides taxpayers a return on their investment.

## OSC's Docket

OSC is responsible for addressing whistleblower concerns and PPPs from nearly every sector of the federal government. The chart below depicts the organizations with employees that file the most cases with OSC. We continue to receive more cases from Department of Veterans Affairs (VA) employees than from any other agency.



## Total Agencies Providing Casework, FY 2024 (includes all types of OSC cases)



### Prohibited Personnel Practices

In FY 2024, OSC received 4,017 new PPP complaints. This is a 40 percent increase compared to the prior five-year average. Addressing PPP cases is a key component of OSC's mission and remains critical to promoting confidence and security among whistleblowers and federal employees.

### Whistleblower Disclosures

OSC is an important pathway for whistleblowers to report instances of waste, fraud, abuse, dangers, or other wrongdoing at federal agencies. Whistleblower disclosures are a significant portion of OSC's caseload, now comprising approximately 28 percent of the agency's new cases. OSC received 1,757 new disclosures in FY 2024. This figure is approximately 42 percent higher than just FY 2023, and approximately 48 percent higher than the average from FY 2018 through FY 2022.

### Retaliation and Disclosure Unit (RDU)

This unit reviews related PPP complaints and disclosures submitted by the same complainant. The assigned RDU attorney serves as the single OSC point of contact for both filings, performing a similar function to the Investigation and Prosecution Division and Disclosure Unit attorneys, and having a single point of contact assisting the complainant with their entire case provides clarity and consistency. Where appropriate, the same attorney investigates PPP complaints, obtains corrective or disciplinary actions, and refers disclosures for investigation. RDU attorneys also refer cases to the Alternative Dispute Resolution Unit to help facilitate mutually agreed-upon settlements.

### Hatch Act Unit

The Hatch Act Unit ensures that government service is not tainted by partisan political influences. Hatch Act complaints typically increase around election cycles. In FY 2024, the Hatch Act Unit received 458 new complaints, which represents a 4 percent increase compared to the prior presidential election cycle. Further, in



FY 2024, OSC resolved 391 Hatch Act cases, which is a 40 percent increase compared to the same timeframe.

OSC issued 967 advisory opinions in FY 2024, both formal and informal. The agency also issued 81 warning letters and took 49 corrective actions. OSC obtained 7 disciplinary actions in Hatch Act cases (by negotiation or ordered by MSPB) in FY 2024.

**USERRA**

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) establishes rights and responsibilities for uniformed service members and their employers. A claimant employed by a federal executive agency within OSC’s purview may allege a violation of USERRA by filing a complaint with the Department of Labor (DOL). DOL investigates and attempts to resolve the complaint, but if that is not successful, the claimant may ask DOL to refer the matter to OSC for possible representation before the MSPB. If OSC concludes the claimant is entitled to relief, it may act as the claimant’s attorney and initiate an action at the MSPB.

OSC received 19 USERRA referrals in FY 2024 and closed 17 cases. Of the 17 USERRA cases closed in FY 2024, OSC obtained corrective action in one of those.

**Strategic Goals**

The Office of Special Counsel has three strategic goals, enumerated below, each of which is supported by a series of operational objectives. These operational objectives are described in the Strategic Plan (*Appendix A*) and are further detailed in the Goal Table section for each budget program.

**OSC’s FY 2026 Strategic Goals and Costs per Goal\***

- 1. Protect and promote the integrity and fairness of the federal workplace. \$21,301
- 2. Ensure government accountability. \$4,666
- 3. Achieve organizational excellence. \$4,044

\*Numbers in thousands; derived from percentage costs based on projected budget totals.

**Office of Special Counsel’s Internal Organization**

OSC is headquartered in Washington, D.C. We also have significant staffing presence near Dallas, Detroit, and Oakland, all former Field Offices prior to FY 2021.

The agency includes several program and support units described below:

### **Immediate Office of Special Counsel (IOSC)**

The Special Counsel and immediate staff are responsible for policymaking and the overall management of OSC, including supervision of each of OSC's programmatic areas. This office encompasses management of the agency's congressional liaison and public affairs activities.

### **Office of General Counsel**

This office provides legal advice and support on a variety of issues, including management and administrative matters, ethics, appropriations, fiscal law, privacy, disclosure of information, employment, equal opportunity, proposed legislation, and other matters. OGC provides legal review of agency policy statements and directives, Interagency Memoranda of Understanding, and revisions to regulations. OGC also handles the defense of OSC interests in litigation filed against the agency.

### **Case Review Division (CRD)/Clerk's Office**

This division serves as the initial intake point for all PPP and disclosure cases. CRD screens all new allegations to ensure that PPPs and disclosures are directed to the appropriate OSC component. CRD also closes allegations that are duplicative, filed with MSPB, outside of OSC's jurisdiction, or untimely. Additionally, the prior Clerk's Office functional areas are now within CRD, including Freedom of Information Act (FOIA), Privacy Act, Controlled Unclassified Information, and records management.

### **Investigation and Prosecution Division (IPD)**

The Investigation and Prosecution Division is comprised of attorneys and investigators at OSC's headquarters and three field offices. IPD receives PPP allegations from the Case Review Division and investigates to determine whether the evidence is sufficient to establish that a violation has occurred. If the evidence is insufficient, the matter is closed. If the evidence is sufficient, IPD decides whether the matter warrants corrective action, disciplinary action, or both. IPD works closely with OSC's Alternative Dispute Resolution Unit in appropriate cases. If a meritorious case cannot be resolved through negotiation with the agency involved, IPD may bring an enforcement action before the MSPB.

### **Disclosure Unit (DU)**

This unit receives and reviews disclosures from federal whistleblowers. DU recommends the appropriate disposition of disclosures, which may include referral to the head of the relevant agency to conduct an investigation and report its findings to the Special Counsel, informal referral to the Office of Inspector General (OIG) or General Counsel of the agency involved, or closure without further action. Unit attorneys review each agency report of investigation to determine its sufficiency and reasonableness. The Special Counsel then sends the report, along with any comments by the whistleblower, to the President and appropriate congressional oversight committees. OSC also posts the report and whistleblower comments in its public file.

### **Retaliation and Disclosure Unit (RDU)**

This unit reviews related PPP complaints and disclosures submitted by the same complainant. The assigned RDU attorney serves as the single OSC point of contact for both filings, performing a similar function to the IPD and DU attorneys. Attorneys investigate PPP complaints and, where appropriate, obtain corrective or disciplinary actions, and refer disclosures for investigation. RDU attorneys also refer cases to the Alternative Dispute Resolution Unit (ADR).

**Hatch Act Unit (HAU)**

This unit investigates complaints of unlawful political activity by government employees under the Hatch Act of 1939 and represents OSC in seeking disciplinary actions before the MSPB. In addition, the Hatch Act Unit is responsible for providing advisory opinions on the Hatch Act to federal, state, and local employees, as well as to the public at large.

**USERRA Unit**

OSC enforces the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) for civilian federal employees. OSC may seek corrective action for violations of USERRA and provides outreach and education to veterans and agencies on their rights and responsibilities under USERRA.

**Alternative Dispute Resolution Unit (ADR)**

This unit supports OSC's operational program units, mediating appropriate matters where both the affected employee and agency consent to ADR. ADR is equipped to negotiate global settlements of OSC and other claims, for example resolving PPP and Title VII discrimination claims stemming from the same personnel action.

**Outreach, Training, and Compliance**

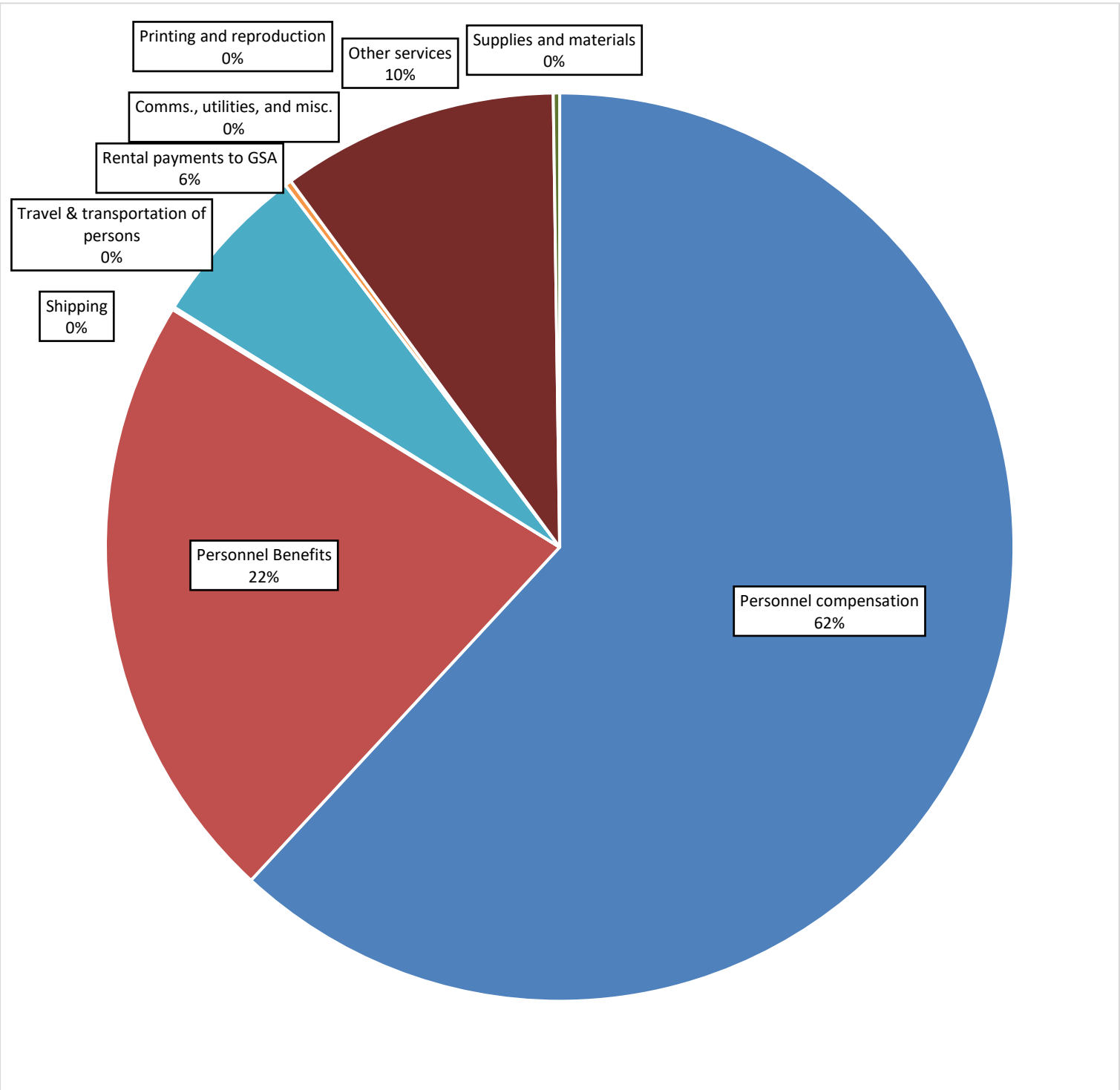
This unit facilitates coordination with and assistance to agencies in meeting the statutory mandate of 5 U.S.C. § 2302(c). This provision requires that federal agencies inform their workforces, in consultation with OSC, about the rights and remedies available to them under the whistleblower protection and PPP provisions of the Whistleblower Protection Act. OSC designed and implemented a five-step voluntary educational program, the Section 2302(c) Certification Program. Unit staff also provide related training government-wide. OSC provides formal and informal outreach, including making materials available on the agency website. This unit also helps develop and implement training programs for OSC's staff, to meet compliance requirements.

**Operations Division**

The Operations Division manages OSC's budget and financial operations and oversees the agency's technical, analytical, and administrative needs. Component units are the Budget and Finance Office, Human Capital Office, Administrative and Security Office, and Information Technology Office. Procurement operations as well as travel are included under the Budget and Finance Office.

# Components of OSC’s Budget Request

The following chart estimates how the FY 2026 request will be distributed on a percentage basis.



## Budget by Program

The following table provides an estimate of the FTE and budgetary resources for each program of the agency, during fiscal years 2025 and 2026.

Budget by Program – Agency Request						
	FY 2025 Estimate <sup>1</sup>		FY 2026 Estimate		Increase/Decrease	
Program	Amount (in actual dollars)	FTE	Amount (in actual dollars)	FTE	Amount (in actual dollars)	FTE
Case Review Division/Offi ce of the Clerk <sup>2</sup>	\$3,015,257	12	\$2,900,791	11	(\$114,466)	(1)
Investigation and Prosecution of Prohibited Personnel Practices	\$15,615,031	61	\$14,741,292	56	(\$873,739)	(5)
Retaliation Disclosure Unit	\$1,622,448	6	\$1,687,733	6	\$65,284	0
Hatch Act Unit	\$2,061,578	8	\$1,951,441	7	(\$110,137)	(1)
Whistleblow er Disclosure Unit	\$2,366,021	9	\$2,188,779	8	(\$177,243)	(1)
USERRA Unit	\$256,404	1	\$263,708	1	\$7,304	0
Alternative Dispute Resolution	\$984,876	4	\$896,608	3	(\$88,268)	(0)
Immediate Office of the Special Counsel	\$614,978	2	\$527,417	2	(\$87,561)	(0)

<sup>1</sup> OSC also has \$88,263 in reimbursable agreements in FY 2025 with other federal agencies to perform different types of work on their behalf. Those figures are not reflected here.

<sup>2</sup> The Office of the Clerk transitioned from the Operations Division to the Case Review Division in FY 2023, following a successful pilot initiative.

Office of the General Counsel	\$605,509	2	\$527,417	2	(\$78,092)	(0)
Outreach, Training, and Compliance	\$596,831	2	\$632,900	2	\$36,069	0
Operations Division	\$3,846,067	15	\$3,691,916	14	(\$154,151)	(1)
<b>Totals</b>	<b>\$31,585,000</b>	<b>123</b>	<b>\$30,010,000</b>	<b>114</b>	<b>(\$1,575,000)</b>	<b>(9)</b>

## **PART 2 – FY 2026 BUDGET REQUEST – ADDITIONAL INFORMATION**

OSC's approved request is **\$30,010,000** to fund approximately 114 FTEs and related non-personnel costs for FY 2026. This number is nine FTEs below the estimated FY 2025 FTE level.

As a result, OSC believes that providing funding to support approximately 114 FTEs is the minimal level necessary to keep pace with the current caseload levels and allow the agency to effectively execute critical IT projects in FY 2026.

### **FY 2026 Budget Request by Budget Object Class**

Below is a detailed projection of the expenditures that will be required in each Budget Object Class (BOC) during FY 2026, along with the actuals for FY 2024 and the projection for the current year, FY 2025.

<b>Budget Table 1 – Budget Object Classification of Obligations: FY 2024–2026 (in thousands of dollars)</b>			
<b>Budget Object Classification of Obligations</b>	<b><i>FY 2024 (Actuals)</i></b>	<b><i>FY 2025 (Projected)</i></b>	<b><i>FY 2026 (Projected)</i></b>
<b>11.0 Personnel compensation</b>	19,591	19,429	18,550
<b>12.0 Civilian Personnel Benefits</b>	6,864	6,765	6,556
<b>13.0 Benefits for Former Personnel</b>	5	0	0
<b>21.0 Travel and transportation of persons</b>	118	48	30
<b>22.0 Transportation of things</b>	0	1	1
<b>23.1 Rental payments to GSA</b>	1,700	1,721	1,742
<b>23.3 Communications, utilities, and misc. charges</b>	62	72	72
<b>24.0 Printing and reproduction</b>	0	4	0

<b>25.0 Other services</b>	2,943	3,415	2,953
<b>26.0 Supplies and materials</b>	80	70	68
<b>31.0 Equipment</b>	191	60	37
<b>32.0 Leasehold improvements</b>	0	0	0
<b>Total</b>	<b>31,554<sup>3</sup></b>	<b>31,585</b>	<b>30,010</b>

## Notes Concerning the Above BOC Line Items:

### ***Object Class 11.0 Personnel Compensation Costs:***

Overall personnel compensation will decrease in FY 2026, as compared to FY 2025, primarily because of the decrease of approximately 9 FTEs.

### ***Object Class 12.0 Civilian Personnel Benefits Costs:***

These costs are for employee benefits, including Medicare, Federal Employees' Group Life Insurance (FGLI), health benefit contributions, old age survivors and disability insurance, and retirement plan contributions. Total benefits costs in FY 2026 are expected to decrease as a result of the FTE reduction during the fiscal year.

### ***Object Class 13.0 Benefits for Former Personnel***

These costs include pensions, annuities, and other benefits (i.e., voluntary separation payments or severance pay) for former employees, or their survivors, based on (at least in part) the length of service to the government. OSC had minimal costs for this in FY 2024.

### ***Object Class 21.0 Travel and Transportation of People:***

During FY 2024, these costs supported critical casework and mission-related efforts. In FY 2025 and FY 2026, these costs will be minimized to ensure OSC can support the necessary projected FTE level.

### ***Object Class 23.1 Rental Payments to GSA:***

This category reflects the lease costs of the agency's headquarters facility, along with rent and tax escalations. OSC estimates that total agency rent will be just over \$1.74 million for FY 2026, as compared to \$1.72 million for FY 2025.

### ***Object Class 23.3 Communications and Utilities:***

This category reflects the cost to sustain the agency's telephone and high-speed internet connections in FY 2026 for the headquarters facility.

### ***Object Class 25.0 Other Services:***

OSC outsources its accounting services, financial and procurement systems, payroll services, travel services, and procurement services, which all fit under the Services BOC.

<sup>3</sup> Includes spending associated with OSC's Congressionally-approved carry-forward request of \$139,556.



This also encompasses IT-related efforts, including, but not limited to, continued improvements to OSC’s electronic case management system (eCMS), and the utilization of an eDiscovery tool that will allow OSC program staff to identify, collect, and produce data from emails, documents, and other digital products for use in their investigations or litigation.

**Object Class 31.0 Equipment:**

In FY 2024, OSC purchased new network switches that had reached end of life. FY 2025 and FY 2026 costs mainly support IT software such as Adobe licenses and IT security training licenses.

**Analysis of Resources – Fiscal Years 2024-2026**

For a high-level summary of resources during fiscal years 2024-2026, see Budget Table 2 below.

Budget Table 2 – Analysis of Resources				
FY 2024-2026				
(in thousands of dollars)				
Description		FY 2024 (Actual)	FY 2025 (Projected)	FY 2026 (Projected)
Budget authority	Direct	31,585	31,585	30,010
	Reimbursable	0	88	0
Total		31,585	31,673	30,010
Outlays		29,015	28,272	26,788
Employment	Direct-full time equivalent	129	123	114
	Reimbursable-full time equivalent	0	0	0
Total		129	123	114

**PART 3 – BUDGET PROGRAMS AND PERFORMANCE PLAN**

**FY 2024 Case Activity and Results – All Programs**

Word of OSC’s effectiveness in achieving positive results for whistleblowers and others has spread over the years. In FY 2024, for example, while receiving 6,251 cases and resolving 5,854 cases, OSC achieved 450 favorable outcomes, the highest level in agency history, and approximately 15 percent above the prior five-year average.

During FY 2024, OSC received 6,251 new cases across its program areas. **Table 1** below summarizes overall OSC case intake and dispositions in FY 2024, with comparative data for the previous five fiscal years. More detailed data can be found in **Tables 2-8** in the sections below relating to the four specific components of OSC’s mission—PPP cases, Hatch Act cases, whistleblower disclosures, and USERRA cases.

In FY 2024, cases involving the Department of Veterans Affairs (VA) comprised approximately 27 percent of OSC's cases – roughly the same percentage as both FY 2023 and FY 2022. Through casework involving the VA, OSC has played a critical role in re-establishing trust in the VA and encouraging employees to identify threats to patient care, as well as waste, fraud or abuse

Agencies' participation in OSC's Section 2302(c) Certification Program provides a great opportunity to conduct training for a growing number of federal employees, especially supervisors, and promote adherence to whistleblower protection laws. At the end of FY 2024, 109 agencies and agency components were either certified or registered for certification.

Additionally, OSC conducted **335** trainings in FY 2023, and **487** trainings in FY 2024.<sup>4</sup> **387** of the FY 2024 trainings focused on prohibited personnel practices and whistleblower disclosures. These trainings also inform the federal workforce about OSC's authority to provide a secure channel for employees to disclose government wrongdoing.

As a result of OSC's successes and outreach efforts, OSC's profile among federal employees has increased significantly, resulting in increased awareness of OSC as an avenue for disclosing wrongdoing and seeking redress from PPP actions. OSC experienced a 36 percent increase in cases received in FY 2024 compared to just FY 2023 alone. OSC expects this trend of increased caseload to continue through FY 2025 and 2026, which may impact OSC's ability to keep up with new case filings and continue its recent success in reducing the pending cases.

<b>TABLE 1 - Summary of All OSC Case Activity</b>						
	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Cases pending at start of fiscal year</b>	2,616	1,888	1,736	1,526	1,292	1,440
<b>New cases received</b>	5,486	4,453	3,518	3,458	4,611	6,251
<b>Cases closed</b>	6,193	4,615	3,711	3,677	4,455	5,854
<b>Cases pending at end of fiscal year</b>	1,909	1,732	1,551	1,303	1,444	1,836
<b>Hatch Act advisory opinions issued</b>	1,111	1,461	1,043	757	614	967

<sup>4</sup> Please note that separate outreach presentations may include more than one training, such as, PPP training, Whistleblower Disclosure training and/or Annual Supervisory training.

# Investigation and Prosecution of Prohibited Personnel Practices

- OSC experienced approximately a 30 percent increase in new PPP cases received when comparing FY 2024 to FY 2023. When compared to the pre-pandemic years, the amount of PPP cases received in FY 2024 is roughly 1 percent above the five-year (FY 2015 – FY 2019) average of cases received. Therefore, OSC expects this high level of new PPP cases to continue in FY 2025 and future fiscal years.
- As shown in the table below, new PPP complaints in FY 2024 returned to pre-pandemic levels. PPP cases are the most time- and resource-intensive cases for OSC. PPP cases also represent a critical route through which OSC builds whistleblower confidence by ensuring whistleblowers are protected from retaliation for making protected disclosures of government wrongdoing.

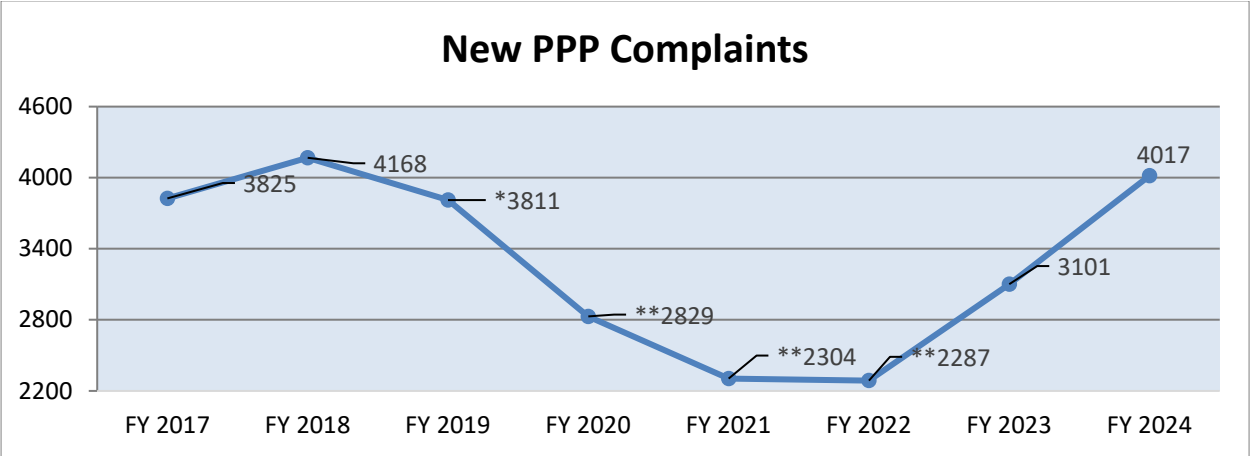


Figure 1:  
\*OSC experienced a partial government shutdown in FY 2019, which impacted the total number of PPP complaints the agency would have likely received during a standard fiscal year.  
\*\*OSC experienced a significant reduction in PPP complaints during the COVID-19 pandemic.

- Significant, increased demand for OSC’s services in FY 2026 may impact the agency’s ability to meet statutory deadlines in resolving cases. OSC processed 87 percent of PPP complaints within 240 days in FY 2024. This figure is approximately 8 percent higher than the previous five-year average.

## Resource Estimates

During FY 2026, OSC’s Case Review Division/Office of the Clerk will use approximately 11 FTE at a cost of \$2,900,791. During FY 2025, we estimate the program will require 12 FTE at a cost of \$3,015,257.

During FY 2026, OSC’s Investigation and Prosecution Division will use approximately 56 FTE at a cost of \$14,741,292. During FY 2025, we estimate the program will require 61 FTE at a cost of \$15,615,031.

During FY 2026, OSC’s Retaliation and Disclosure Unit will use approximately 6 FTE at a cost of \$1,687,733. During FY 2025, we estimate the program will require 6 FTE at a cost of \$1,622,448.

**TABLE 2 – Summary of All Prohibited Personnel Practice Complaints Activity – Receipts and Processing<sup>5</sup>**

		<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Pending complaints carried over from prior fiscal year</b>		1,409	1,147	1,046	940	1,155
<b>New complaints received<sup>6</sup></b>		2,829	2,304	2,287	3,101	4,017
<b>Total complaints</b>		4,238	3,451	3,333	4,041	5,172
<b>Total complaints processed and closed</b>		3,096	2,390	2,382	2,879	3,768
<b>Complaint processing times</b>	<b>Within 240 days</b>	2,476	1,883	1,870	2,446	3,281
	<b>Over 240 days</b>	621	499	522	433	487
<b>Percentage processed within 240 days</b>		80%	79%	79%	85%	87%

Table 3 below provides information regarding the numbers of corrective actions obtained in prohibited personnel practice cases.

**TABLE 3 – Summary of All Favorable Outcomes – Prohibited Personnel Practice Complaints**

		<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Total favorable outcomes negotiated with agencies (all PPPs)</b>	<b>No. of actions<sup>7</sup></b>	405	393	424	418	450
	<b>No. of cases</b>	323	295	310	289	318
<b>Total favorable outcomes negotiated with agencies (reprisal for whistleblowing)</b>	<b>No. of actions</b>	317	304	324	312	332
	<b>No. of cases</b>	265	223	261	234	257
<b>Disciplinary actions negotiated with agencies</b>		13	33	37	35	32
<b>Stays negotiated with agencies</b>		54	38	44	45	46
<b>Stays obtained from MSPB</b>		0	0	2	1	0
<b>Stay extensions obtained from MSPB</b>		0	0	2	9	1
<b>Corrective action petitions filed with the MSPB</b>		0	0	0	0	0
<b>Disciplinary action complaints filed with the MSPB</b>		0	0	0	0	0

<sup>5</sup> Complaints frequently contain more than one type of allegation. This table, however, records all allegations received in a complaint as a single matter.

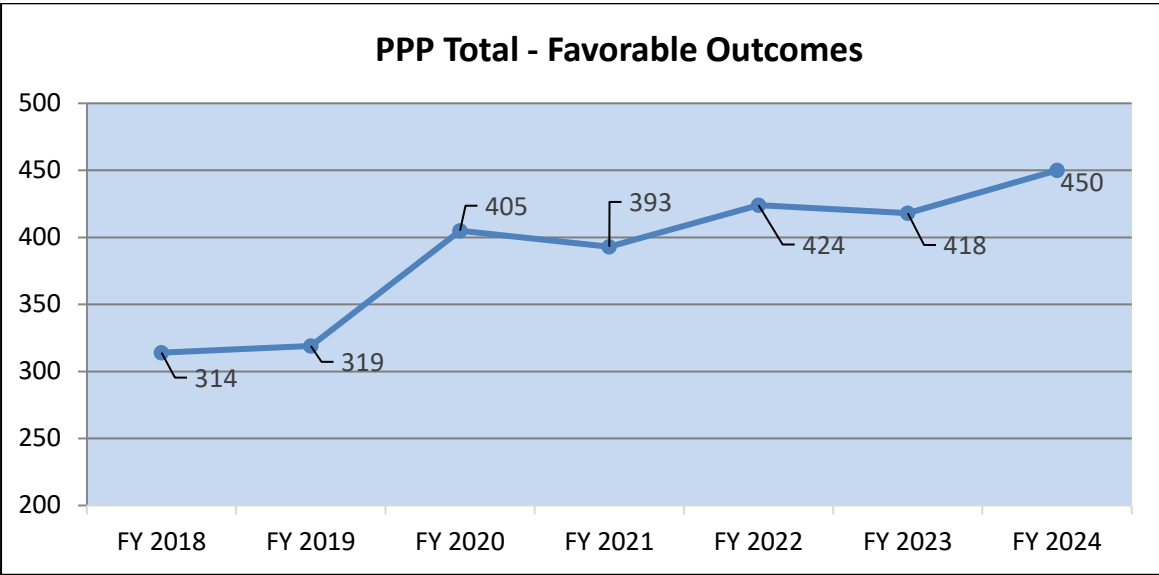
<sup>6</sup> “New complaints received” includes a few re-opened cases each year, as well as prohibited personnel practice cases referred by the MSPB for possible disciplinary action.

<sup>7</sup> The “number of actions” refers to the total number of favorable actions that were obtained; the “number of cases” refers to the total number of cases from which the favorable actions were derived (e.g., one case may have multiple favorable actions).

Goals and Results – Prohibited Personnel Practices

OSC received 4,017 new PPP complaints in FY 2024. This is a 40 percent increase compared to the prior five-year average. OSC expects to continue receiving increased numbers of PPP cases in future years.

OSC achieved 450 favorable outcomes in FY 2024, the highest in agency history, and 15 percent above the prior five-year average.



OSC’s Strategic Goal 1 in the agency’s current Strategic Plan is to protect and promote the integrity and fairness of the federal workforce through investigation and prosecution of prohibited personnel practice cases. Goal tables were developed to track agency performance and can be found in Appendix B of this document.

Notable FY 2024 Case Summaries

- Complainant, an Assistant Inspector General of the agency, alleged that, in retaliation for questioning problematic human resources practices, multiple members of OIG leadership removed the Complainant’s oversight duties of a department. During OSC’s investigation, the Complainant, who also had a pending EEOC complaint, entered into a global settlement agreement with the agency that included, among other terms, a \$250,000 lump sum payment, credit of sick leave hours, a reassignment, funding for a leadership development course, and closure of all pending investigations.
- Complainant, a Criminal Investigator for the DoD Defense Criminal Investigative Service, alleged that the agency proposed a 21-day suspension in retaliation for disclosing to the FBI information regarding a public corruption investigation case. The agency agreed to stay the suspension, which had been mitigated to 7 days. Following OSC’s investigation, the agency cancelled the disciplinary action.

- Complainant, a Clinical Laboratory Scientist, alleged she was reassigned after she made protected disclosures regarding lab safety issues, objected to the COVID vaccine, participated in an OIG investigation, and filed an EEO complaint. After OSC's review, the agency settled the matter and agreed to pay the complainant \$47,000 and raise her Performance Evaluation in two categories.
- Complainant, a former medical director of an Army biosafety laboratory, alleged she was retaliated against after raising concerns about substandard inspections of biosafety laboratories. Through litigation, OSC obtained a default judgment against the Army, who eventually reached a settlement with the complainant. The Complainant received significant compensatory damages and other relief.

### ***Notable FY 2024 Amicus Curiae Briefs***

- OSC filed an amicus brief in *Milton v. Veterans Affairs*, a whistleblower retaliation appeal at the Merit Systems Protection Board. Milton alleged that he faced retaliation after he cooperated with an Administrative Investigation Board (AIB) that was tasked to review various workplace concerns. In an initial decision, the MSPB administrative judge found that Milton's AIB testimony was not protected activity under 5 U.S.C. § 2302(b)(9)(C) because it concerned discrimination. In its amicus brief in support of Milton's petition for review, OSC argued that it was legal error to focus on the content of Milton's testimony because section 2302(b)(9)(C) protects cooperation with investigative components regardless of content. The initial decision contradicts the plain text of the statute, conflicts with Board precedent, and raises serious policy concerns. This misinterpretation would require the MSPB to conduct unnecessarily complicated and fact-specific jurisdictional inquiries, inhibit OSC's and other investigators' ability to obtain witness testimony, and lead to inconsistent protection for witnesses. In February 2025, the MSPB issued a decision consistent with OSC's position in this case, noting that an AIB is "undoubtedly" an investigative component covered by section 2302(b)(9)(C).
- OSC filed an amicus brief in *McCarthy v. Social Security Administration*, a whistleblower retaliation appeal in the Federal Circuit Court of Appeals. McCarthy, a Disability Processing Specialist, alleged in part that the agency terminated her in retaliation for disclosing a potentially fraudulent benefits claim. The MSPB declined to consider her disclosure protected under the Whistleblower Protection Act (WPA) because there was no evidence that the government was complicit in the fraud. In its amicus brief, OSC argued the plain language and legislative history of the WPA, and its subsequent amendments, protect disclosures of wrongdoing by any entity—governmental or private—equally. OSC further stated that, even if the court excludes disclosures of purely private wrongdoing from the WPA, the MSPB unduly limited whistleblower protections by requiring evidence of government complicity in the disclosed misconduct. Instead, OSC advocated for a more protective standard that encompasses disclosures of third-party wrongdoing that implicate "the government's interests and good name," consistent with MSPB precedent.
- OSC filed an amicus brief *Remolona v. Veterans Affairs*, a retaliation appeal at the Merit Systems Protection Board. Among other claims, Remolona alleged that she faced retaliation for her cooperation with a VA Administrative Investigation Board (AIB). The MSPB administrative judge (AJ) concluded that

this claim was not protected under 5 U.S.C. 2302(b)(9), relying on a 2016 decision (*Graves v. Veterans Affairs*) that analyzed such cooperation under section 2302(b)(9)(B). The AJ failed to consider whether the activity was protected under section 2302(b)(9)(C), even though Congress amended that provision to include cooperation with internal investigative components after the *Graves* decision. In its amicus brief, OSC argued that Remolona’s cooperation with the AIB was protected under the amended section 2302(b)(9)(C) and that it was error for the AJ to overlook that provision.

## **USERRA Unit**

OSC protects the civilian employment rights of federal workers who are veterans or serve in the National Guard and Reserves by enforcing USERRA. USERRA provides for prompt reemployment of service members in their civilian jobs after they return from military duty. Approximately 170,000 (20 percent) Guard and Reserve members are federal civilian employees, and Congress intends for the federal government to be a “model employer” under USERRA.

Under USERRA, a claimant alleging a violation by a federal executive agency may either file an appeal with the MSPB or file a complaint with the Department of Labor, Veterans’ Employment and Training Service (VETS). If the claimant chooses to file a complaint with VETS, VETS must investigate and attempt to resolve the complaint. If it cannot resolve the matter, the claimant may direct VETS to refer the complaint to OSC for possible representation before the MSPB. If, after reviewing the complaint and investigative file and conducting any necessary follow-up investigation, OSC is reasonably satisfied that the claimant is entitled to relief under USERRA, it may act as the claimant’s attorney and initiate an action before the MSPB. OSC may also provide representation, when warranted, before the U.S. Court of Appeals for the Federal Circuit.

In addition to resolving individual USERRA cases, OSC also provides outreach and technical assistance to help federal agencies better comply with USERRA, often in conjunction with the U.S. Department of Labor (DOL). Most recently, OSC has provided USERRA training to the Army Intelligence & Security Command, Office of Personnel Management, and Occupational Safety & Health Administration. OSC also maintains telephonic and email hotlines to answer USERRA questions from service members and employers nationwide. Lastly, OSC reports its compliance with timeliness requirements for processing USERRA cases to Congress, and the Departments of Labor, Defense, and Justice on a quarterly basis.

## **Resource Estimates**

During FY 2026, the USERRA program will have 1 FTE at a cost of approximately \$263,708. During FY 2025, we expect the USERRA program will have 1 FTE at a cost of \$256,404.



<b>TABLE 4 - Summary of USERRA Referral and Litigation Activity<sup>8</sup></b>					
	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Pending referrals carried over from prior fiscal year</b>	5	3	5	9	5
<b>New referrals received from VETS<sup>9</sup> during fiscal year</b>	24	19	19	10	19
<b>Referrals closed</b>	26	17	15	14	17
<b>Referrals closed with corrective action</b>	3	0	3	1	1
<b>Referrals closed with no corrective action</b>	23	17	12	13	16
<b>Referrals pending at end of fiscal year</b>	3	5	9	5	7
<b>Litigation cases carried over from prior fiscal year</b>	1	1	1	1	1
<b>Litigation cases closed</b>	0	0	0	0	1
<b>Litigation closed with corrective action</b>	0	0	0	0	1
<b>Litigation closed with no corrective action</b>	0	0	0	0	0
<b>Litigation pending at end of fiscal year</b>	1	1	1	1	0

## Goals and Results – USERRA Unit

USERRA requires that OSC receives and reviews cases referred from the Department of Labor (DOL), at the claimant's request, following DOL's investigation and attempted resolution. After reviewing the investigative file and applicable law, OSC must make its determination whether to offer legal representation before the MSPB within 60 days, unless the claimant grants an extension. OSC may also seek to informally resolve the case via settlement or mediation; obtain further evidence from the agency, claimant, or witnesses; and/or conduct additional legal research and analysis to make its determination.

OSC's Strategic Goal 1 under its Strategic Plan is to protect and promote the integrity and fairness of the federal workforce, including through resolution and prosecution of USERRA cases (See Appendix A for the Strategic Plan (FY 2022 – FY 2026)).

Goal tables were developed to track agency performance and can be found in Appendix B of this document.

## USERRA Successes

OSC protects the civilian employment rights of federal workers who are veterans or serve in the National Guard and Reserves by enforcing USERRA, as illustrated in the case examples below.

- A Letter Carrier for the U.S. Postal Service (USPS) in Auburn, Maine, was called to active duty with the Maine Air National Guard following the September 11, 2001, terrorist attacks. Until his

<sup>8</sup> This table has been reorganized with some categories and figures changed from prior reports to correct discrepancies and more clearly present relevant information.

<sup>9</sup> This refers to the U.S. Department of Labor Veterans' Employment & Training Service.

honorably discharged in December 2015, he served almost continuously in direct support of the Global War on Terrorism. During that time, he regularly provided copies of his orders to USPS, maintained his employment benefits (including making retirement contributions and paying his union dues), and repeatedly expressed his desire to return to his postal job once his service ended. USPS gave him no indication that it would not reemploy him and even sent him letters thanking him for his service and a debit card to purchase his postal uniform. However, when he notified USPS that he wished to return to his Letter Carrier position, USPS told him it would not reinstate him because he had “abandoned” his civilian employment, despite his USERRA reemployment rights. OSC represented him before the MSPB, and after a five-year legal battle, won him reinstatement at USPS, with full back pay and benefits, retroactive to January 2016.

- After returning from long-term active duty with the U.S. Navy, a USPS worker alleged that the USPS failed to properly credit his seniority upon his return, preventing him from successfully bidding on regular full-time routes and being promoted to a higher pay rate. At OSC’s request, USPS agreed to a retroactive conversion to a regular full-time carrier position two years earlier along with back pay (plus interest) and additional paid leave.
- A Registered Nurse at the Department of Veterans Affairs (VA) failed to receive a performance bonus due to her absence for service in the U.S. Army Reserve. OSC intervened on her behalf and the VA agreed to retroactively award her the bonus.
- A Foreign Affairs Officer with the State Department alleged that his performance rating was downgraded following his absence for active duty in the U.S. Navy Reserve. OSC contacted the agency, and it agreed to upgrade his rating for the period in question.

## **Alternative Dispute Resolution**

Effective relations in the workplace are critical to Federal government success. OSC plays a unique role in fostering a healthy federal workplace by investigating and prosecuting alleged PPPs, such as retaliation for whistleblowing or other protected activity, unauthorized preferences in employment, nepotism, and other violations of merit systems principles. OSC offers a high-performing ADR program to provide additional options for resolving such complaints.

Among the factors that determine mediation-appropriate cases are the complexity of the issues, the nature of the personnel action, and the relief sought by the complainant. Once a case has been identified as appropriate for mediation, an OSC ADR specialist contacts the parties to discuss the voluntary program and process. Pre-mediation discussions are designed to help the parties form realistic expectations and well-defined objectives regarding the mediation process.

Altogether, OSC’s ADR program has averaged a 75 percent rate of successful settlement during the last 5 years. This translates to significant savings of time and money to the government, as the government avoids the more costly investigation and prosecution process.

## Goals and Results

During FY 2024, 68 cases were offered for mediation by OSC after referral to the ADR Unit. OSC completed 33 mediations, of which 25 settled. OSC mediation provides a streamlined resolution option that gives both sides the opportunity to create a resolution tailored to their needs. Mediation can end paralyzing stalemates between employees and managers in the Federal workplace. Federal government agencies, as well as OSC, achieve greater efficiencies by reducing the time necessary to reach a resolution (*See Table 5*).

<b>Table 5 - ADR Program Activity – Mediation of Prohibited Personnel Practice Complaints</b>						
	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Cases Reviewed for Mediation</b>	70	60	39	65	73	83
<b>Mediations Offered</b>	58	57	39	45	60	68
<b>Mediations Conducted</b>	39	40	31	38	34	43
<b>Cases Withdrawn Before Mediation Completed</b>	2	10	3	6	8	10
<b>Completed Mediations</b>	37	30	28	32	26	33
<b>Completed Mediations Resulting in Settlement</b>	24	23	16	27	21	25
<b>Percentage of Completed Mediations Resulting in Settlement</b>	65%	77%	57%	84%	81%	76%
<b>Cases Resolved Without Need for Mediation</b>	0	2	1	0	1	0
<b>Carryover to Next FY – Mediations in Process</b>	18	22	17	13	15	19
<b>Carryover to Next FY – Cases in Review</b>	4	1	2	3	0	4

<b>Table 6 - ADR Program Activity – Corrective Actions Obtained through Mediation of Prohibited Personnel Practice Complaints</b>					
	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
<b>Total Corrective Actions</b>	<b>23</b>	<b>17</b>	<b>28</b>	<b>26</b>	<b>34</b>
<i>Mediated Settlement Agreements</i>	23	16	27	21	25
<i>Initial Informal Stays</i>	0	0	0	1	1
<i>Other Individual Corrective Actions</i>	0	0	0	1	0
<i>Systemic Corrective Actions</i>	0	1	1	3	8

## Resource Estimates

During FY 2026, the ADR program will have 3 FTEs at a cost of approximately \$896,608. For FY 2025, the ADR program has 4 FTEs at a cost of \$984,876.

OSC's Strategic Goal 1 under its Strategic Plan is to protect and promote the integrity and fairness of the federal workforce, including by obtaining timely and effective relief in ADR cases (See Appendix A for the Strategic Plan (FY 2022 – FY 2026)).

Goal tables were developed to track agency performance and can be found in Appendix B of this document.

## Notable FY 2024 Case Summaries

*Note: Mediations at OSC are conducted pursuant to the ADR Act of 1996 and we therefore cannot provide identifying information about any cases.*

- Complainant alleged that in retaliation for making disclosures, she received a performance appraisal with negative commentary, did not receive a performance award, was detailed, and then reassigned to a new position in a different organization. During the mediation process, Complainant shared concerns about her ability to successfully carry out some of the duties of the new position. After discussion, the agency agreed to give her different duties and special projects in lieu of those duties about which she had concerns. Additionally, the agency agreed to revise Complainant's performance appraisal and provide commensurate performance and time off awards; pay for Complainant's attendance at a conference; and provide a monetary sum for pain, suffering, and attorney's fees. Finally, to meet their shared interest in improving the work environment, the agency agreed to coordinate with agency subject matter experts to provide workplace environment-related trainings to Complainant's past and current organizations, as well as to any other organizations that the subject matter experts believed would benefit from such trainings.
- Complainant, a scientist, alleged to several officials that his agency did not adequately oversee an industry it regulated. Complainant alleged that as a result, management retaliated by lowering his performance appraisals, removing subordinates, and interfering with his research. Through OSC's mediation program, the parties discussed their respective goals, explored several options and decided on agreement in which the agency provided Complainant with a new position at a higher level, and made monetary payments to both complainant and his attorneys.
- Complainant alleged that he was removed from employment in retaliation for whistleblowing. During the mediation process, the parties shared their perspectives and interests with each other, including Complainant's interest in ending his decades-long career with retirement instead of removal and recognition of his federal service. The parties entered into a settlement agreement that addressed complainant's interests by changing complainant's separation status to retirement and providing him with a retirement certificate acknowledging his time in service. The agency also agreed to provide a monetary payment.

## Whistleblower Disclosure Program

Not all federal agencies and departments have the resources or expertise to identify and address wrongdoing or wasteful spending. Whistleblowers, and by extension OSC, therefore represent a vital resource for agencies to ensure that they act as good stewards of their resources provided to them. Over the past last year, OSC has worked with many whistleblowers to help agencies identify waste and achieve significant cost savings.

Under 5 U.S.C. § 1213(a), federal employees, former federal employees, or applicants for federal employment may disclose information they reasonably believe evidence a violation of law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to public health or safety. OSC reviews the information submitted by whistleblowers and advises the Special Counsel whether there is a substantial likelihood that the type of wrongdoing described in § 1213(a) has occurred or is occurring. When the Special Counsel makes a substantial likelihood determination, OSC transmits the disclosure to the head of the relevant agency for action. The agency is required to conduct an investigation and submit a report to OSC describing the results of the investigation and the steps taken in response to the investigative findings. Under § 1213(e), the whistleblower is also provided with a copy of the report for comment. The Special Counsel is required to review the report to determine whether it meets the requirements of the statute, and its findings appear reasonable. OSC forwards the report to the President and appropriate congressional oversight committees. (An alternative process is available by statute for OSC to refer matters to agencies for investigation without the Special Counsel making a substantial likelihood determination.)

One important aspect of OSC's work with whistleblowers is to identify significant mismanagement, wasteful spending, or public health and safety risks at agencies. For instance, one FY 2024 case found that officials at a VA healthcare clinic jeopardized patient health by incentivizing the overprescription of opioids, and OSC's referral led the healthcare clinic to take steps to prevent the overprescription of opioids.

Although OSC provides a direct avenue for achieving cost savings throughout the government, the true value of OSC's work is in providing a process to identify problems before they become too costly. By providing a safe channel for whistleblower disclosures, OSC regularly reins in waste, fraud, abuse, and threats to public health and safety that pose the very real risk of catastrophic harm to the public and potentially huge remedial and liability costs for the government.

OSC is working diligently to meet statutory deadlines for making a substantial likelihood determination in its whistleblower disclosure cases, or, in other words, whether OSC will close a matter or refer the matter for investigation. Congress acted during the first quarter of FY 2018 to extend from 15 days to 45 days the statutory timeframe within which OSC is required to decide whether to refer disclosures to the appropriate agencies or close them without further action. While OSC closed 37 percent of cases in the 15-day statutory time frame in FY 2017—an all-time low during the past decade—extending the time frame to 45 days has resulted in the requirement being met in 98.9 percent of the cases in FY 2024, a near perfect result.

### Resource Estimates

During FY 2026, OSC's whistleblower disclosure program will use approximately 8 FTEs at a cost of \$2,188,779. During FY 2025, we estimate the program will require 9 FTEs at a cost of \$2,366,021.

## Goals and Results – Whistleblower Disclosures

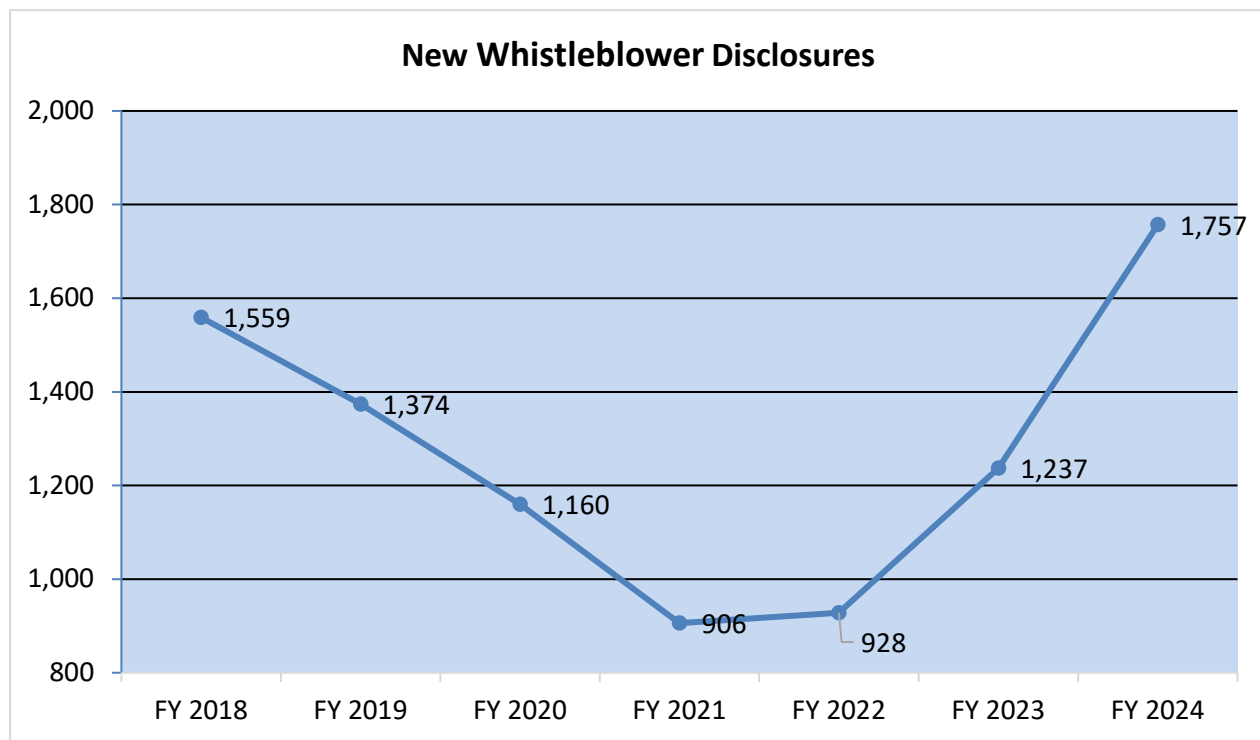
OSC’s Strategic Goal 2 is to ensure government accountability by providing an effective and efficient channel for whistleblowers in the federal workforce to disclose information. The following table describes the two operational objectives supporting this strategic goal. Disclosure cases appear to be increasing back to pre-pandemic levels. For instance, from FY 2015 to FY 2018 the unit received an average of 1,756 disclosures per year, which is almost identical to the new disclosures received in FY 2024 (1,757).

TABLE 7 - Summary of Whistleblower Disclosure Activity – Receipts and Dispositions <sup>10</sup>					
		FY 2021	FY 2022	FY 2023	FY 2024
Pending disclosures carried over from prior fiscal year		264	241	199	150
New disclosures received		906	928	1,237	1,757
<b>Total disclosures</b>		1,170	1,169	1,436	1,907
Disclosures referred to agency heads for investigation and report		65	27	19	28
Referrals to agency IGs		0	0	0	0
Agency head reports sent to President and Congress		76	74	70	43
Results of agency investigations and reports	Disclosures substantiated in whole or in part	53	45	44	34
	Disclosures unsubstantiated	23	29	26	8
Disclosure processing times	Within 45 days <sup>11</sup>	897	911	1,216	1,666
	Over 45 days	22	6	3	19
Substantial likelihood <sup>12</sup> determinations made		97.6%	99.3%	99.8%	98.9%
Disclosures processed and closed		929	967	1,285	1,678

<sup>10</sup> Many disclosures contain more than one type of allegation. This table, however, records each whistleblower disclosure as a single matter, even if multiple allegations were included.

<sup>11</sup> The FY 2018 National Defense Authorization Act altered disclosure processing time standards from 15 to 45 days. OSC began using 45 days as a metric in FY 2018.

<sup>12</sup> A Substantial Likelihood Determination is the point at which OSC determines whether to close a disclosure file or to refer a disclosure to an agency for investigation. Pursuant to statute, 5 USC § 1213(b), OSC must make a Substantial Likelihood Determination within 45 days.



### Notable FY 2024 Case Summaries

OSC is authorized to refer to the head of an agency for investigation whistleblower disclosures of wrongdoing in six areas: (1) violations of a law, rule, or regulation; (2) gross mismanagement; (3) gross waste of funds; (4) abuse of authority; (5) substantial and specific danger to public health or safety; and (6) censorship related to research, analysis, or technical information. In FY 2024, examples of OSC successes involving whistleblower disclosures include the following:

- **Violation of law, rule, or regulation**

***Improper Storage of Veterans' Personally Identifiable Information.*** OSC referred to the Secretary of Veterans Affairs allegations of a violation of law, rule, or regulation. The whistleblowers alleged that VA officials violated federal law and VA directives by improperly storing whistleblowers', veterans', and employees' personally identifiable information (PII) in the agency's Veterans Affairs Integrated Enterprise Workflow Solution Case and Correspondence Management (VIEWS CCM) system. The investigation substantiated the allegation and recommended several corrective actions that have been implemented. During the investigation, the whistleblowers also alleged that records in VIEWS CCM were routinely excluded from VA responses to requests under the Freedom of Information Act and the Privacy Act of 1974 and that VA Police improperly used VIEWS CCM when investigating individuals suspected of criminal activity. The VA did not substantiate these additional allegations.

The investigation substantiated that searching in VIEWS CCM using certain terms returned numerous cases containing PII that any VIEWS CCM user could view. The investigation also discovered that VIEWS CCM has a Veterans Contacts Database that contains veterans' PII such as DOBs, SSNs, personal addresses, and phone



numbers. The investigation further discovered that when cases in VIEWS CCM related to veterans with records in the Veterans Contacts Database, any VIEWS CCM user could access the database via a hyperlink. Given these findings, the VA implemented 13 following corrective actions, including mass converting certain designated case types in VIEWS CCM to “Sensitive” which applied to all open and closed cases with the designated case types; changing all archived cases from VAIQ to a “Sensitive” status; and restricting access to the Veteran Contacts Database to only those VIEWS CCM users with a validated business need for the information and reconfiguring this system’s business rules. The VA also chartered the VIEWS CCM Change Control Board (CCB), which is responsible for reviewing, approving, and implementing functional changes to VIEWS CCM, its business processes, and governance strategies. The CCB meets to review changes requested for each standard product release. The Special Counsel determined the findings appeared reasonable.

- **Violation of law, rule or regulation, gross mismanagement, abuse of authority and substantial and specific danger to public health and safety**

***Improper Management of Pain Management Clinic.*** OSC referred to the U.S. Secretary of Veterans Affairs allegations of wrongdoing at the Central Texas VA Healthcare System (CTVAHCS), Temple, Texas. The whistleblowers, a pain management physician and former chief of the Pain Management Clinic, alleged that CTVAHCS officials abused their authority and grossly mismanaged the facility’s Pain Management clinic following a realignment of the program in 2020, creating a substantial and specific danger to public health.

The whistleblowers disclosed that at the outset of the reorganization, the Chief, Whole Health, and the Chief of Staff rescinded the facility’s Standard operating procedures (SOP) for prescribing Buprenorphine, an opioid used to treat opioid use disorder (OUD), acute pain, and chronic pain. The whistleblowers further alleged that the Chief, Whole Health, pressured providers to prescribe Buprenorphine regardless of patient diagnosis and promoted incorrect guidance regarding the drug’s use and efficacy. The whistleblowers also alleged that both officials violated the MISSION Act of 2018 (MISSION Act) and jeopardized patient health and safety by initiating changes to the pain management referral process that placed unnecessary barriers to veterans’ access to care, and that the Chief improperly documented “self-consults” with pain management patients prior to their initial appointments, leading to potential billing irregularities and inequitable care.

The agency partially substantiated the allegation, concluding that the Chief, Whole Health, pressured providers to prescribe Buprenorphine, and took measures to financially incentivize treating patients with Buprenorphine. The agency further concluded that the policy changes indicated an effort to incentivize Buprenorphine prescription and appeared to incentivize making specific diagnoses, thus, potentially jeopardizing patient health and safety. Finally, the agency substantiated that the Chief of Staff abused his authority by manipulating clinical scheduling. The agency did not substantiate that he placed undue barriers on providers related to referrals for pain management consults.

In a supplemental report, the agency confirmed that following the referral of this matter, CTVAHCS rescinded its SOP related to Buprenorphine therapy for OUD and removed the requirement that physicians complete DEA Mental Health Services training and hold DEA waivers, each of which aligned with national standards for OUD and pain management. The agency also confirmed that all pain management physicians must complete training on “Pain Management and Opioid Safety.” Finally, the agency investigated the practices of the Chief of Staff and took appropriate action. The Special Counsel determined that the findings appear reasonable.

- **Violation of law, rule, or regulation; gross mismanagement; an abuse of authority and a substantial and specific danger to public health and safety**

***Inadequate Communication Technology for Forest Service Law Enforcement Officers.*** OSC referred to the Secretary of Agriculture allegations of wrongdoing at the U.S. Forest Service, Chattahoochee-Oconee National Forest, Blairsville, Georgia, and Francis Marion National Forest, Huger, South Carolina. The whistleblowers, Law Enforcement Officers (LEOs), alleged that radios provided to LEOs working in the Chattahoochee-Oconee National Forest and Francis Marion National Forest did not include the frequencies necessary to contact local Sheriff's Departments while performing their duties, which violated FS Manual Chapter 5385.4 and placed LEOs at risk of being unable to communicate during emergencies.

The agency substantiated the allegations. LEOs in both the Chattahoochee-Oconee National Forest and the Francis Marion National Forest experienced significant deficiencies in the agency-issued radio communications systems. The investigation found that not only did LEOs not have radio equipment capable of using frequencies on state and local conventional radio systems, the Forest Service had not obtained the authorization for use of relevant frequencies to make them useable by this equipment.

The agency addressed the deficiencies. In the short term, the Forest Service provided satellite telephones for emergency communications, began installing the requisite radio equipment capable of using frequencies on state and local conventional radio systems in all law enforcement vehicles, and began executing the necessary forms for LEOs to have access to all relevant state or county radio frequencies on its system. As of June 2024, LEOs in Georgia have communications capabilities in all the state's high-priority counties in the Chattahoochee-Oconee National Forest and in over 90% of Georgia overall. LEOs assigned to the Francis Marion National Forest have radio communications and dispatch services in the high-priority counties in their areas of responsibility. The Special Counsel determined that the findings appear reasonable.

- **Violation of law, rule or regulation, abuse of authority, gross mismanagement, gross waste of funds**

***Allegations of Improper Handling of Native American Funerary Items.*** OSC referred to the U.S. Secretary of the Interior allegations of wrongdoing at the National Park Service (NPS), Southeast Archaeological Center (SEAC), Tallahassee, Florida. The whistleblower alleged that SEAC officials repeatedly violated the Archaeological Resources Protection Act (APRA) and the Native American Graves Protection and Repatriation Act (NAGPRA) by facilitating the transfer of looted Native American funerary items and human remains from a third party to NPS. The agency investigation partially substantiated the allegations. The agency did not find that agency employees violated either APRA or NAGPRA. However, the agency substantiated that the employees violated multiple federal ethics laws, regulations, and policies related to the establishment of a "partner organization," which occurred prior to consultation with NPS ethics officials. The agency also substantiated that the employees illegally comingled the partner organization's funds with those of NPS for travel, in violation of 18 U.S.C. § 209 and that they engaged in other unethical activities including, using a debit card obtained through the partner organization to pay for travel expenses to attend a conference in an official capacity as an NPS employee; using their public positions with NPS in a manner that the public might construe as governmental endorsement of public activities; and paying for services on behalf of the partner organization using an NPS-issued government

purchase card. The agency referred these findings to the U.S. Attorney’s Office, which ultimately declined to prosecute. The report represented that the agency would take corrective and disciplinary action as appropriate. The Special Counsel determined that the findings appear reasonable.

## **Hatch Act Unit**

The Hatch Act of 1939 aims to insulate the merit system from improper partisan political influence. In FY 2023, OSC received 263 complaints, and in FY 2024, OSC received 458 complaints, comparable to the previous Presidential election cycle.

OSC enforces compliance with the Hatch Act by investigating allegations to determine whether the evidence supports a determination that a violation has occurred. If so, OSC will issue a warning letter to the subject, attempt to informally resolve the violation, negotiate a settlement, or prosecute the case before the MSPB.

OSC also provides federal, state, and local (including Washington, D.C.) government employees, as well as the public at large, with advisory opinions and advice on the Hatch Act, enabling individuals to determine whether they are covered by the Act and whether their contemplated activities are permitted under the Act. In this role, OSC regularly advises the White House, cabinet members, and other senior management officials throughout the federal government, as well as state and local government officials and the media.

## **Investigations**

OSC investigates allegations to determine whether the evidence of a Hatch Act violation supports corrective and disciplinary action. If a determination is made that a violation has occurred, OSC can issue a warning letter to the subject, attempt to informally resolve the violation, negotiate a settlement, or prosecute the case before the MSPB. OSC resolved 391 Hatch Act complaints in FY 2024 (*See Table 8*).

## **Advisory Opinions**

The Hatch Act Unit (HAU) has the unique responsibility of providing Hatch Act information and advice to the White House; Congressional offices; federal employees; some state and local government employees; the public at large; and the news media. HAU advises individuals on whether they are covered by the Hatch Act and whether their political activities are permitted. In FY 2024, OSC responded to 967 requests for advisory opinions, including 23 formal written advisory opinions.

## **Resource Estimates**

During FY 2026, the Hatch Act program will use approximately 7 FTEs at a cost of approximately \$1,951,441. During FY 2025, we estimate the cost of this program to be \$2,061,578 with 8 FTEs.

## **Outreach and Training**

To further its advisory role, OSC’s HAU is very active in training and outreach efforts.

In October 2023, OSC launched a new webinar series for federal executive branch ethics officials. OSC offers two types of webinars. One is a semiannual webinar intended to teach new ethics officials what they need to know in order to advise employees at their agencies about the Hatch Act. The other is a quarterly series that offers experienced ethics officials a “deep dive” on discrete Hatch Act topics.

In addition to its webinars, OSC Hatch Act Unit attorneys have conducted numerous Hatch Act trainings to employees at federal agencies, federal employee unions, and other groups, to help them understand their rights and responsibilities under the Hatch Act in a presidential election year.

## Goals and Results – Hatch Act Unit

OSC processed and closed complaints at a near-record rate in FY 2024. In recent years, OSC has been efficient at resolving cases with the current number of Hatch Act Unit staff.

TABLE 8 - Summary of Hatch Act Complaint and Advisory Opinion Activity							
		FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Formal written advisory opinion requests received		46	60	23	21	21	18
Formal written advisory opinions issued		52	56	28	22	17	23
Total advisory opinions issued <sup>13</sup>		1,111	1,461	1,043	757	614	967
New complaints received <sup>14</sup>		281	440	289	224	263	458
Complaints processed and closed		245	280	375	313	277	391
Warning letters issued		49	34	62	73	41	81
Corrective actions taken by cure letter recipients	Withdrawal from partisan races	4	2	4	7	3	9
	Resignation from covered employment	2	0	0	7	4	5
	Other	5	10	0	8	12	35
	Total	11	12	4	22	19	49
Disciplinary action complaints filed with MSPB		0	4	3	5	1	1
Disciplinary actions obtained (by negotiation or ordered by MSPB)		5	8	7	8	3	7
Complaints pending at end of fiscal year		168	323	236	145	131	197

OSC’s Strategic Goal 1 under its Strategic Plan is to protect and promote the integrity and fairness of the Federal workforce, including by providing timely and quality Hatch Act advisory opinions and guidance. The Strategic Plan, and the goal tables that were developed to track agency performance, can be found on OSC’s website (<https://osc.gov/Reports>).

<sup>13</sup> All oral, e-mail, and written advisory opinions issued by OSC.

<sup>14</sup> Includes cases that were reopened.

## **Notable FY 2024 Case Summaries**

### **MSPB Litigation**

- OSC obtained a favorable decision in a case that had been pending before the Merit Systems Protection Board (MSPB) since 2020. The case involved a U.S. Department of Veterans Affairs doctor who was found to have violated the Hatch Act by being a candidate for the U.S. Senate, promoting his candidacy while on duty and in his official capacity, and soliciting campaign contributions. In April 2020, because the doctor was no longer a federal employee, an administrative law judge (ALJ) imposed a \$1,000 fine and ordered a five-year debarment from federal service as a penalty for his Hatch Act violations. The doctor appealed, and in May 2024, the MSPB affirmed the ALJ's decision.
- OSC prevailed in a case against a U.S. Department of Veterans Affairs employee who ran for governor, violating the Hatch Act's prohibitions against being a candidate for partisan political office and soliciting political contributions. In December 2023, the administrative law judge ordered the employee removed from her employment and debarred from returning to federal employment for two years, as disciplinary action for her violations. The employee appealed, and her petition for review is pending with the Merit Systems Protection Board.
- In August 2023, a hearing was held in a case where OSC charged an Environmental Protection Agency employee with violating the Hatch Act prohibitions against being a candidate for partisan political office and soliciting political contributions. OSC's investigation found evidence that the employee knew about the Hatch Act prior to his candidacy and willfully ran in violation of the law. A decision is pending.

### **Disciplinary Action Obtained through Settlement Negotiations**

- OSC settled a case against a U.S. Department of Veterans Affairs (VA) employee who ran in the partisan election for New Hampshire State Representative and on two occasions knowingly accepted political contributions. In response to OSC's enforcement efforts, the VA employee, who had won the race, stepped down from the elected office and agreed to a 15-day suspension without pay as a penalty for his violations.
- As a result of a settlement agreement with OSC, an attorney with the Federal Deposit Insurance Corporation served a 130-day suspension without pay for violating the Hatch Act's prohibitions against soliciting political contributions and engaging in political activity while on duty. OSC's investigation found that the employee hosted a fundraising event at his home for a candidate for partisan political office, personally solicited donations from other individuals for a different candidate, and, while on duty, sent emails for the purpose of organizing a campaign event he hosted for a third candidate.

### **Disciplinary Action Report to the President**

- OSC transmitted to the President a finding that Secretary of the Navy Carlos Del Toro violated the Hatch Act's prohibition against using his official authority or influence to affect the results of an election. Secretary Del Toro made statements in his official capacity advocating for and against the election of presidential candidates.

## **Corrective Action Obtained through Negotiation**

In FY 2024, the Hatch Act Unit successfully resolved 49 cases by negotiating a corrective action, which included employees ceasing the activity that violated the Hatch Act and/or receiving Hatch Act training to prevent future violations of the law.

## **Outreach, Training, and Compliance (OTC) Program**

The Outreach, Training, and Compliance (OTC) Program plays a pivotal role in advancing awareness and ensuring compliance with federal personnel law through its comprehensive outreach and training initiatives. OSC offers advanced training and expert guidance to federal agencies on the statutes under its jurisdiction, including specialized sessions for supervisors on their relevant legal obligations. To help prevent the occurrence of PPPs in the federal workplace, OSC provides training as part of the resolution of settled cases. Additionally, OSC delivers high-level presentations to foreign delegations, fostering global awareness of whistleblower protections and the steps taken to foster accountability with the federal government.

OSC conducted 335 trainings in FY 2023, and 487 trainings in FY 2024, nearly 45 percent over FY 2023 alone. 387 of the FY 2024 trainings focused on prohibited personnel practices and whistleblower disclosures. While most of the trainings conducted have been virtual, federal agencies are shifting to hosting more in-person sessions.

OSC also administers the vital 2302(c) Certification Program (Certification Program), assisting agencies with meeting the statutory mandate of 5 U.S.C. § 2302(c). The five-step voluntary Certification Program offers guidance to agencies and provides easy-to-use methods and training resources to assist agencies with fulfilling their statutory obligations. OSC also provides supervisory training to meet the annual training requirement mandated under the Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017.

Two of the primary goals of the Certification Program are to ensure that federal agencies inform their workforces, in consultation with OSC, about the rights and remedies available to them under the whistleblower protection and PPP provisions of the Civil Service Reform Act, and to train supervisors to prevent violations of the statutes. Agencies that complete the program receive a certificate of compliance from OSC. At the end of FY 2024, 109 agencies and agency components were either certified or registered for certification.

Finally, OSC has continued its policy of issuing press releases when OSC files a significant litigation petition, achieves significant corrective or disciplinary action through settlement, or publicly issues a PPP report. Many of these cases generate considerable press coverage, which contributes to federal employees' and managers' awareness of the prohibitions under, for instance, the Hatch Act or whistleblower protection laws. In addition, both training and press coverage serve to educate federal employees about their ability to make disclosures, which can save lives and billions of taxpayer dollars as well as hold managers accountable for wrongdoing.

OSC's Strategic Goal 1 under its Strategic Plan is to protect and promote the integrity and fairness of the Federal workforce, including by expanding training efforts nationwide and effectively communicating with stakeholders and the public. The Strategic Plan, and the goal tables that were developed to track agency performance, can be found on OSC's website (<https://osc.gov/Reports>).

## Resource Estimates

During FY 2026, we estimate the Outreach, Training, and Compliance program will use approximately 2 FTE at a cost of \$632,900. During FY 2025, we estimate the program will use 2 FTE at a cost of \$596,831.

## **PART 4 – ENHANCEMENT OF OPERATIONS**

### **Strategic Management of Human Capital**

OSC's human capital strategy is aligned with its mission, goals, and organizational objectives. It is integrated into the budget and strategic plans and is consistent with human capital guidance from the Office of Personnel Management (OPM) and the Office of Management and Budget (OMB).

### ***Workforce Management and Optimization***

OSC is committed to attracting, developing, and retaining top talent to drive our strategic goals and the completion of our statutorily mandated programs. To further our efficiency and effectiveness, OSC actions included the following in recent years:

- Realignment of the Clerk's Office/FOIA under the Case Review Division.
- Greater collaboration between IPD DC and staff in the Field.
- Streamlining of ADR and greater incorporation of collateral duty mediators;
- Streamlining of OTC to reduce the need for collateral duty trainers;
- Continuously monitoring group and individual employee case docket levels using eCMS to determine work needs;
- Executing the OPM USA Staffing hiring platform internally to eliminate the costs associated with recruitment services; and
- Developing the use of a Talent Team consisting of members from the Human Capital Office (HCO), hiring managers, and subject matter experts for the assigned program areas, to ensure recruitment is strategic and supports an efficient, cost-effective organizational structure.

As a result of these restructuring efforts, efficiency gains, and continuous monitoring of group and individual metrics and performance, the OSC HCO can ensure that hiring is strategic, supports statutory and mission critical needs, and is compliant with the Administration's directives and initiatives.

### **Improved Financial Performance**

OSC received unqualified opinions for all audits from the inception of a formal financial statement audit requirement by the Accountability for Tax Dollars Act (ATDA) of 2002 through FY 2017. After receiving a qualified audit opinion in FY 2018 caused by a one-time technical issue in financial reporting, OSC took immediate steps to resolve the issue, and made various process and control improvements. As a result of these changes, OSC received an unqualified opinion once again on its audits each year from FY 2019 through FY 2024. An



independent accounting firm evaluated OSC's financial statements. Prior to the pandemic, the auditor spent time at OSC headquarters, and in Denver with personnel from the Department of Interior's Interior Business Center (IBC), which has performed the accounting, payments, travel system operations, and financial system operations and maintenance functions for OSC. The FY 2025 audit began in early April 2025.

As mentioned above, OSC contracts out certain finance-related work under an interagency agreement with IBC, which allows OSC to obtain specialized expertise at a lower cost than it could internally. OSC was involved in the effort to design the processes used for its accounting system and to design specific customized reports that reflect exactly the information most helpful to OSC funds management. IBC routinely provides financial reports to OSC and a detailed financial review every quarter. IBC also provides current financial information on day-to-day operations for payroll, procurement, and travel as needed.

As a small agency, OSC relies on audits and other reviews of IBC operations by IBC's OIG and the Office of the Chief Financial Officer, as well as information we receive directly from IBC, for any updates about any significant issues relating to the services provided to OSC. IBC has a formal management and control and compliance program, including OMB Circular A-123 audits, A-123 Accounting Transactions testing, SAS70 Type II audits, and financial statements audits. Furthermore, it conducts IT audits, including Federal Information Security Management Act (FISMA) and internal controls reviews.

During FY 2017, OSC implemented within its financial system the capabilities and reporting required by the Digital Accountability and Transparency Act of 2014. OSC met the requirements of the DATA Act, working in cooperation with IBC and other participants. OSC has continued to perform quarterly DATA Act reporting on a timely basis. In FY 2021, OSC and IBC replaced the reporting module of OSC's Oracle Federal Financials system with a more modernized solution.

## **Competitive Sourcing**

OSC is a small agency with a highly specialized, inherently government-focused mission.

Approximately 91 percent of its FTEs perform inherently governmental work. Approximately 9 percent of its FTEs are considered commercial in nature, spread across multiple activities. According to OMB Circular A-76 and supplemental guidance issued by OMB, government performance of commercial functions is permitted when, as is the case at OSC, it totals 10 FTEs or fewer positions in one activity.

## **Maximizing Efficiencies through Use of Shared Service Providers**

As a smaller federal agency with limited resources, OSC is strategic about maximizing its operational efficiency while limiting the size and cost of its administrative personnel. A key piece of OSC's strategy is the use of third-party shared service providers to perform highly technical operational procedures in areas such as accounting and contracting, which would require the hiring of significant staff at higher GS levels if OSC were to perform them internally. This strategy is in line with recent government trends in which the Administration has encouraged agencies to maximize their use of shared service providers to achieve operational efficiency while limiting costs.

OSC currently has interagency agreements with the U.S. Department of Agriculture's National Finance Center to conduct payroll and personnel processing and with the IBC to perform budget execution, accounting, travel management, procurement, procurement system hosting, and personnel security services for OSC. Additionally, OSC also currently utilizes GSA for procurement services and the Program Support Center at the Department of Health and Human Services for transit services. OSC will continue to look for areas in which the value equation makes sense to move functions to Shared Services.

To promote best in-class purchasing for micro purchases, OSC pursued a three-pronged strategy of 1) limiting the number of authorized purchase cardholders within the agency 2) providing regular training for purchase cardholders stressing the need for proper documentation, and 3) periodic auditing of purchase cardholders' transactions, and purchase logs, to ensure compliance with agency policy. To promote best in-class purchasing for other purchases, OSC uses GSA schedules, quotes from vendors, and Requests for Information to successfully complete market research and get an accurate cost for the good(s) or service(s) required. Part of the market research process includes exploring all procurement sources, both governmental and non-governmental, for obtaining the good(s) or service(s) required. If the good(s) or service(s) can be obtained from another federal agency at a reduced cost, OSC enters into an interagency agreement with the government supplier. On the other hand, if the private sector can provide more competitive pricing, OSC works with its contracting team to create a Request for Proposal (RFP) and encourage multiple vendors to bid, thereby ensuring the agency receives the most competitive price. OSC achieves significant cost savings through this approach.

OSC will continue to evaluate where shared service providers may be able to save additional costs. The analysis will include all areas of administrative support and human resources operations, as well as other operations that may be appropriate. OSC also entered an interagency agreement again with the Department of Interior to perform our FISMA audit. In addition, OSC will continue to consult with its contracting shared service providers to discuss planning and procurement methods that will best leverage existing government vehicles and contracts to achieve greater savings and efficiencies.

## **IT Modernization Initiatives**

OSC is committed to leveraging technology to streamline operations and increase the effectiveness of its IT programs and the service that we provide to the public. The agency has made significant progress in the past several years in modernizing and securing its technological systems, and it will continue to fund those efforts and make new investments to optimize processes for case management, electronic filing, records management, cybersecurity, end-user support and internal processes and procedures.

### ***Modernizing Public-Facing Websites, Digital Services, and Records Management.***

- In support of M-24-15, Modernizing the Federal Risk and Authorization Management Program (FedRAMP), OSC will allocate funds to a shared service providing Governance, Risk and Compliance tools that can ingest machine readable authorization artifacts to increase the speed of implementing cloud solutions and minimize burden in leveraging security capabilities related to leveraged systems. OSC's size and budget are prohibitive to establishing a stand-alone solution.

- *Electronic Case Management System (eCMS).* OSC continues to enhance eCMS, which was built utilizing FedRAMP-approved cloud technology. To meet the requirements of OMB Memorandum M-19-21, OSC implemented a document management tab within eCMS to store case records with the case data in electronic format. This capability streamlines work products for attorneys and helps manage electronic records in a consistent manner. As files continue to be stored in electronic format, the need for additional storage continues to grow. The eCMS system moved OSC into the future with an online, cloud-based system that allowed the agency to go paperless, updating and improving the way government employees file complaints, the way our employees process those complaints, and our compliance with records management responsibilities once a case is complete.
- *eCMS Online Portal.* OSC identified an opportunity to streamline the public's ability to understand the type of complaint they must file based on the situation in question. By implementing an AI-driven chatbot that will respond to questions utilizing information provided on OSC's public website, calls to the support desk will be reduced significantly.

***Prioritizing IT Modernization, Cybersecurity, and IT Workforce.***

- **Cybersecurity.** OSC has implemented many features to enhance the monitoring and detecting of cybersecurity incidents. In FY 2025, OSC conducted multiple phishing campaigns, and the agency performed well and follow up training was provided as needed. OSC is currently assessing the resources required to meet the security operations center needs to continue to protect confidential sensitive information provided by whistleblowers and others.
- **Continuous Diagnostics and Migration (CDM):** OSC deployed CDM's Mobile Threat Defense (MTD) solution within Microsoft Defender for Endpoint to expand coverage and present mobile vulnerability data into OSC's agency dashboard. As DHS continues to add capabilities to the Defend program in FY 2026, OSC plans to leverage the platform to improve security for Identity and Access Management in the cloud, Data Protection, and enhance Network Security Management.
- **Modernized our six remaining on-premises network devices** to maintain the security of our physical network and compliance with OMB Memorandum M-22-09.
- **Secured funding and established an interagency agreement (IAA) with the Federal Aviation Administration (FAA)** to conduct penetration testing to evaluate the security of OSC systems and our public facing website, [www.osc.gov](http://www.osc.gov). The penetration testing revealed sound security practices for protection of information systems from external attack and identified improvements that have been implemented to internal configuration management practices.
- **eDiscovery solution.** OSC executed an acquisition to implement an eDiscovery solution. This solution enhances OSC's ability to quickly search for and identify critical information received from outside agencies and complainants in electronic format and store the results in eCMS. Additionally, this solution allows accredited OSC users to process, review, analyze and produce Electronically Stored Information (ESI) in compliance with legal obligations in an efficient and streamlined manner. OSC continues to see increased utilization of this platform.

- Ensured 100% compliance with annual cybersecurity awareness training for OSC users.
- Deployed the Secure Cloud Business Applications (SCuBA) assessment tool to ensure Microsoft 365 baseline configurations are in line with best practices and Binding Operational Directive (BOD) 25-01.

## IT Goals for FY 2026 – 2027:

Provide consistent, high-quality IT services that leverage the innovative technology of OSC. New and enhanced IT initiatives and operational strategies will advance OSC's ability to deliver better services by leveraging industry standards and commercial-off-the-shelf products and cloud-based services. The entire range of services forms a basis for sound enterprise technology architecture that connects OSC to its customers and improves the agency's response to customer needs and experience.

OSC's goal is to continue to provide consistent, high-quality IT services that leverage innovative, cost-effective technology to help improve efficiencies and protect critical sensitive information. New and enhanced IT initiatives and operational strategies will advance OSC's ability to deliver better services by leveraging industry standards and commercial-off-the-shelf products and cloud-based services. The entire range of services forms a basis for sound enterprise technology architecture that connects OSC to its customers and improves the agency's response to customer needs and ITO's customer experience.

1. Deploy a new state of the art Freedom of Information Act (FOIA) system for OSC to address FOIA requests in a more timely manner. Ensure data from legacy FOIA system is migrated and retained per NARA requirements.
2. Modernize OSC's public-facing website by moving to a shared service and contemporary web content management systems. Current solution will no longer be vendor supported by mid-FY26.
3. Complete the migration of all remaining on-premises directory and systems management services to FedRAMP *approved cloud services*, reducing operating costs, simplifying IT, and improving performance and availability of OSC services.
4. Continue to enhance protection against Ransomware attacks that deny a user or organization access to their electronic files or engage in extortion.
6. Reduce the impact of cybersecurity risks by safeguarding IT systems, conducting penetration testing, protecting sensitive data and networks by implementing cutting edge cybersecurity capabilities and implementing Security Operations Center as a Service.
7. Deploy IPV6 across OSC IT systems. In accordance with OMB Memorandum 21-07, OSC is working to fully transition to IPv6 by the end of FY 2026.
8. Continue working with DHS to implement additional features of the Defend program to include Identity and Access Management, Data Protection, and Network Security Management.

9. Engage in an agencywide data labeling and governance campaign to meet the requirements of M-22-09 and the Federal Data Strategy.
10. Continue developing the IT workforce of the 21<sup>st</sup> century. Train and retain IT workforce that can effectively carry out ITO's mission. Leverage AI training programs and resources, to strengthen the technical skills of staff in AI and AI-enabling roles. Identify and create new IT positions as needed to fulfill OSC's mission.

OSC is committed to leveraging technology to streamline operations and increase the effectiveness of its IT programs and the service that we provide to the public. The agency has made significant progress in the past several years in modernizing and securing its technological systems, and we will continue to fund those efforts and to make new investments to optimize processes for case management, electronic filing, records management, cybersecurity, end-user support, and internal processes and procedures.

## **Continuity of Operations**

Continuity of Operations (COOP) planning, mandated by Presidential Decision Directive 67, requires each federal agency to be capable of performing essential functions within 12 hours of a threat or the occurrence of a debilitating event. OSC must safeguard vital records and data, and validate capability through tests, training, and exercises. OSC will continue to evaluate alternate methodologies to connect OSC's headquarters and OSC personnel in the field. Following the government-wide direction, OSC moved to a cloud-computing approach. For example, in FY 2019, OSC's case management system moved to the cloud, along with our SharePoint environment. OSC's cloud approach will provide additional safety and faster recovery time in the event of a debilitating event; agency functions and vital records will be further safeguarded. The new enterprise architecture provides redundancy, along with automatic failover and enhancements in performance.

## **Management – Risk Management and Program Evaluation**

Like many agencies, OSC struggles to undertake large, complex initiatives to provide new programs and services and to adapt and improve ongoing programs in a rapidly changing environment.

As we implement the Program Management Improvement and Accountability Act of 2015, OSC is working to increase efficiency, reduce costs, and address high-risk areas via Enterprise Risk Management (ERM) efforts. More specifically, OSC implemented a structured program review process that will enable us to achieve mission goals, save taxpayer dollars, and enhance service delivery more consistently and efficiently. OSC is focused on dedicating more time to gaining program efficiencies and effectively handling complex change initiatives. Efforts in program evaluation and review will be on a continuum, beginning with smaller functions and moving to programs and functions of increasing size and complexity. OSC also implemented an ERM Charter and commenced work on the ERM Profile via the ERM Working Group. The ERM Working Group meets quarterly to address agency risks.

The overarching goal is to highlight any underlying weaknesses, provide feasible mitigation strategies, and spur organizational improvement. This senior leadership group that makes up the ERM council will continue to identify and mitigate risk in the years ahead.

## **APPENDIX A – STRATEGIC PLAN, FY 2022-2026**

### **STRATEGIC PLAN (FY 2022-2026)**



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## **Message from the Special Counsel**



It is my pleasure to present the U.S. Office of Special Counsel's (OSC) Strategic Plan for Fiscal Years 2022-2026. This plan builds on our proven strategies for carrying out OSC's statutory mandate while being responsible stewards of our appropriated funds. The recently implemented streamlining of our internal processes and reorganization of our programmatic units have benefitted OSC, our stakeholders, and American taxpayers over the last several years. This strategic plan lays out a carefully considered roadmap for continued success.

Guided by our mission to safeguard the merit system and hold the government

accountable, OSC is an independent federal agency that protects the rights of roughly 2.1 million federal employees, including service members' employment rights under the Uniformed Services Employment and Reemployment Rights Act (USERRA). OSC provides a safe channel for federal employees to make disclosures of agency wrongdoing and, importantly, protects them from retaliation once they speak up. Through enforcement of the Hatch Act, OSC is also charged with preventing partisan politics from compromising the integrity of the merit civil service system.

As a small federal investigative and civil prosecutorial agency with government-wide jurisdiction, OSC consistently provides outsized returns for the federal government and achieves exceptional results for complainants. We do this with an emphasis on old-style customer service and an intentional and determined focus on the strategies, goals, and metrics identified in our strategic plan. In short, we are clear about our purpose and our vision for achieving excellence in fulfilling it. Our results reflect that dedication to mission. In turn, we strengthen the federal merit system.

This new strategic plan continues OSC's efforts to achieve organizational excellence and to efficiently allocate our precious resources. Since the release of the previous plan, OSC has combined two units with overlapping responsibilities into one, so that a single attorney generally handles each prohibited personnel practice (PPP) case from the start of the investigation through closure of the case, allowing OSC to process PPP complaints more efficiently. In the new strategic plan, our goals are clear: to build on the efficiencies we have recently achieved, while maintaining an agile, well-functioning organization.

The COVID-19 pandemic has introduced historic challenges for all Americans. The federal workforce, including at OSC, is no different. Nonetheless, OSC has achieved unparalleled success in obtaining favorable outcomes for whistleblowers and other complainants. Our core values – Commitment; Excellence; Independence; Integrity; Vigilance – guide us in meeting these challenges. As we move forward, this new

strategic plan sets our course. We are committed to fostering a model workplace with respect for employees and stakeholders and acting fairly, without bias, to honor and uphold the merit system.

With this new strategic plan, OSC is prepared to build on past successes and meet future challenges. Our dedicated staff is located nationwide and, because of the continued COVID-19 pandemic, currently comprises an almost completely remote workforce. This plan equips our staff with a long-term template for success in a challenging and dynamic environment. Together, we look forward to continuing to achieve excellent results for our stakeholders, whistleblowers, and the American people.

### **Introduction**

The U.S. Office of Special Counsel vigorously enforces its mandates to protect federal employees, applicants, and former employees from various unlawful employment practices, including retaliation for whistleblowing, and to hold the government accountable by providing a safe and secure channel for whistleblower disclosures.

As an agency with a relatively modest budget and a critical mission, OSC has been strategic in effectively and efficiently addressing our workload. OSC has met these challenges, achieving a record number of positive results in recent years. In FY 2020, for example, OSC achieved 405 favorable outcomes for federal employees subjected to retaliation and other prohibited personnel practices (PPPs)—an agency record and roughly 32% higher than its average success rate in the previous five years. During the same time period, OSC's work resulted in 61 substantiated instances of wrongdoing disclosed by whistleblowers, and the identification of millions of dollars of uncollected debts owed to the federal government. OSC also issued more than 1,400 Hatch Act advisory opinions and obtained favorable outcomes for several service members who brought claims under USERRA.

In addition, OSC has provided education and outreach to the federal community with the goal of preventing and deterring violations of civil-service laws. OSC has also published reports of its investigative findings (in redacted format) when doing so may serve an educational purpose and has filed *amicus curiae* briefs aimed at clarifying whistleblower protections. Equally important, OSC has improved communication with its federal stakeholders—both through its revamped website and enhanced use of social media.

Finally, OSC has worked with partners in Congress to modernize the laws it enforces, allowing OSC to be more effective in its role as a watchdog and guardian of employee rights. For example, in 2017, Congress passed the Dr. Chris Kirkpatrick Whistleblower Protection Act, which created a new PPP for the improper accessing of medical records and required agencies to notify OSC if an employee committed suicide after potentially being subjected to whistleblower retaliation. This law also required agencies to train their supervisors on how to handle complaints of whistleblower retaliation and mandated disciplinary action for supervisors who have violated certain provisions. That same year, Congress passed the OSC Reauthorization Act, which significantly clarified that agencies may not withhold information during OSC investigations by asserting common law privileges. The legislation also promoted greater efficiency and accountability within OSC, improved protections against retaliatory investigations and other forms of whistleblower retaliation and required managers across the federal government to respond appropriately to disclosures of fraud, waste, and abuse.

While OSC's recent achievements are significant, broad challenges remain and new ones continue to develop. By building on the successes already attained over the last five years, OSC stands ready to meet these challenges.

## **About OSC**

### ***Background***

OSC is an independent federal investigative and prosecutorial agency. Its basic enforcement authorities come from several federal statutes: the Civil Service Reform Act (CSRA), as amended by the Whistleblower Protection Act (WPA), the Whistleblower Protection Enhancement Act (WPEA); the Hatch Act; and USERRA.

OSC's roots lie in the reform efforts of Gilded Age America. In 1883, Congress enacted the Pendleton Act, establishing the Civil Service Commission, which was intended to help ensure a stable, qualified federal workforce free from partisan political pressure. Nearly a century later, amidst well-publicized allegations of retaliation by agencies against employees who had blown the whistle on wasteful defense spending, and revelations of partisan political coercion in the federal government, Congress enacted sweeping reforms to the civil-service system in 1978. As a result, the CSRA replaced the Civil Service Commission with the Office of Personnel Management (OPM), the Federal Labor Relations Authority, and the Merit Systems Protection Board (MSPB), with OSC serving as the investigative and prosecutorial arm of the MSPB for the next decade.

In 1989, Congress passed the WPA, making OSC an independent agency within the federal executive branch. The WPA also strengthened protections against retaliation for employees who disclose government wrongdoing and enhanced OSC's ability to enforce those protections. Ensuing legislation, such as the WPEA and the OSC Reauthorization Act, significantly strengthened the agency's enforcement responsibilities by, for example, clarifying OSC's access to privileged agency materials during its investigations and permitting OSC to file *amicus curiae* briefs in whistleblower retaliation cases in the federal courts of appeals.

### ***Mission and Responsibilities***

OSC's mission is to safeguard employee rights and hold the government accountable. To achieve this mission and promote good government in the federal executive branch, OSC's obligations are, broadly speaking: (1) to uphold the merit system by protecting federal employees, applicants, and former employees from prohibited personnel practices, curbing prohibited political activities in the workplace and preserving the employment rights of federal employees who are service members; and (2) to provide a safe channel for federal employees, applicants, and former employees to disclose wrongdoing at their agencies. These two responsibilities work in tandem to maintain the integrity and fairness of the federal workplace and to make the government more accountable.

#### **CSRA – Prohibited Personnel Practices**

The "federal merit system" refers to laws and regulations that are designed to ensure that personnel decisions are made based on merit. PPPs are banned employment-related actions that violate the merit system through employment discrimination, retaliation, improper hiring practices or failure to adhere to the laws,

rules, or regulations directly concerning merit system principles. OSC has the authority to investigate and prosecute violations of the 14 PPPs in the CSRA, as amended.

### CSRA – Whistleblower Disclosures

In addition to protecting whistleblowers from retaliation, the CSRA created OSC as a safe channel for most federal workers to disclose information about violations of laws, gross mismanagement or waste of funds, abuse of authority, substantial and specific dangers to public health and safety, and censorship related to scientific research. Through its oversight of government investigations of whistleblower disclosures, OSC regularly reins in waste, fraud, abuse, illegality, and threats to public health and safety that pose the risk of both catastrophic harm to the public, and large liability costs to the government.

### Hatch Act

The Hatch Act, passed in 1939, restricts certain political activities of federal employees, as well as some District of Columbia, state, and local government employees who work in connection with federally funded programs. The law was intended to protect federal employees from political coercion, ensure federal employees are advanced based on merit rather than political affiliation, and make certain federal programs are administered in a nonpartisan fashion. OSC has the authority to investigate and prosecute violations and issue advisory opinions under the Hatch Act.

### Uniformed Services Employment and Reemployment Rights Act (USERRA)

USERRA, passed in 1994, protects military service members and veterans from employment discrimination because of their service, and allows them to regain their civilian jobs following a period of uniformed service. OSC has the authority to litigate and otherwise resolve USERRA claims by federal employees referred by the Department of Labor.

## **Organizational Structure**

OSC is headquartered in Washington, D.C. It continues to have a significant staffing presence in: Dallas, Texas; Detroit, Michigan; and Oakland, California. The agency includes the following components:

- Immediate Office of Special Counsel (IOSC). The Special Counsel and IOSC are responsible for policymaking and overall management of OSC. This responsibility encompasses supervision of the agency's congressional liaison and public affairs activities.
- Case Review Division (CRD). This division serves as the initial intake point for all PPP and disclosure allegations. CRD screens all new allegations to ensure that PPPs and disclosures are directed to the appropriate OSC component. CRD also closes allegations that are duplicative, filed with MSPB, outside of OSC's jurisdiction, or untimely.
- Investigation and Prosecution Division (IPD). This division is comprised of the headquarters office and three virtual field offices, and is primarily responsible for investigating, prosecuting, and otherwise resolving PPPs. IPD determines whether the evidence is sufficient to establish that a violation has

occurred and, if so, whether the matter warrants corrective action, disciplinary action, or both. If a meritorious case cannot be resolved informally between the agency and complainant, IPD may bring an enforcement action before the MSPB.

- *Disclosure Unit (DU)*. This unit reviews whistleblower disclosures of government wrongdoing. DU may refer a whistleblower disclosure to the agency to investigate and report its findings to OSC. For referred whistleblower disclosures, DU reviews each agency report for sufficiency and reasonableness and then OSC sends the determination, the agency report, and any comments by the whistleblower to the President and the responsible congressional oversight committees.
- *Retaliation and Disclosure Unit (RDU)*. This unit handles hybrid cases where a complainant alleges both whistleblower disclosures and retaliation. RDU performs the full range of action in these cases, including the referral of whistleblower disclosures to agencies and the investigation and prosecution of related retaliation claims, where appropriate.
- *Hatch Act Unit (HAU)*. This unit investigates and resolves complaints of unlawful political activity under the Hatch Act and may seek corrective and disciplinary action informally as well as before the MSPB. HAU also provides advisory opinions under the Hatch Act.
- *USERRA Unit*. This unit reviews and resolves USERRA complaints by federal employees referred by the Department of Labor. The unit also may represent service members in USERRA appeals before the MSPB.
- *Alternative Dispute Resolution (ADR) Unit*. This unit supports OSC's other units by providing mediation and other forms of ADR services to resolve appropriate cases. Where the parties agree to mediation, the unit conducts mediation sessions seeking creative and effective resolutions.
- *Outreach, Training, and Compliance Program*. This unit manages OSC's 2302(c) certification program, including assisting agencies in meeting the statutory mandate of 5 U.S.C. § 2302(c). The unit also provides external education and outreach sessions regarding the laws that OSC enforces. Additionally, the Chief of this unit serves as the Equal Employment Opportunity (EEO) Director, who reports directly to the Special Counsel on the health and effectiveness of OSC's EEO program. The unit answers questions, handles complaints, and ensures access to Equal Employment Opportunity and Anti-Harassment policies and materials.
- *Office of General Counsel*. This office provides legal advice regarding management, policy, and administrative matters, including ethics programs. This office also defends OSC's interests in litigation filed against the agency.
- *Operations Division*. This division manages OSC's budget and financial operations and meets the technical, analytical, records, and administrative needs of the agency. Component units include the Budget and Finance Office, the Human Capital Office, the Administrative Services Office, the Information Technology Office (ITO), and the Office of the Clerk. Functional areas under the Office of the Clerk include the Freedom of Information Act (FOIA), Privacy Act, Controlled Unclassified



Information, and records management. Procurement operations as well as travel are included under the Budget and Finance Office. The Information Technology Office maintains the electronic case management system (eCMS) used to process OSC cases, store case-related documents, and generate reporting metrics. In addition, ITO is responsible for the maintenance and compliance of all modern technology platforms used by the agency.

An organizational chart for OSC may be found in Appendix C of this document.

### **Strategic Planning Process**

Congress requires Executive Branch agencies to develop and post updated four-year strategic plans on their public websites on an overall timeline that aligns to presidential terms. The strategic planning process offers an opportunity for agencies to reflect on their statutory mission and mandates, reassess prior goals and objectives, and identify new goals and objectives that will enable agencies to fulfill their mission and vision. This process—and the resulting strategic plans—also serves to notify Congress and stakeholders of major factors that may affect agencies’ abilities to meet their statutory obligations.

In 2016 OSC undertook a comprehensive process to develop the agency’s FY 2017- FY 2022 Strategic plan. With input from employees, congressional oversight and appropriations committee parties, the Office of Management and Budget (OMB), and other stakeholders, the plan was completed. OSC feels the outcomes and results of the plan were successful by all measures - record results were achieved in all program areas during the intervening years, and metrics in the plan were met with an overall average of 82% success rate, with an increased success rate nearly every successive year. Thus, the plan successfully guided agency efforts and resources.

In 2021, OSC reviewed its programs and services and reassessed its strategic goals, objectives, strategies, and metrics. After making appropriate revisions and adjustments, OSC presented an updated strategic plan to OMB, staff from the agency’s congressional oversight and appropriations committees, and stakeholders. We believe this plan--more of a refinement than an overhaul--will build on the success of the previous plan. On March 28, 2022, the Special Counsel approved OSC’s final strategic plan.

### **Mission, Vision, Strategic Goals, and Core Values**

**Mission:**        *Safeguarding employee rights, holding the government accountable.*

**Vision:**        *Fair and effective government inspiring public confidence.*

**Strategic Goals:**

- 1.**        *Protect and promote the integrity and fairness of the federal workplace.*
- 2.**        *Ensure government accountability.*

### 3. **Achieve organizational excellence.**

OSC's Mission states: "Safeguarding Employee Rights, Holding the Government Accountable." Strategic Goals 1 and 2, which focus on the agency's substantive program areas, work closely together to achieve a more responsible and merit-based federal government. Strategic Goal 3, which focuses on OSC's efforts to achieve organizational excellence, encompasses the building blocks to make the agency a more agile, better-functioning organization. Collectively, all three Strategic Goals will help OSC to realize its Vision, which is "Fair and Effective Government Inspiring Public Confidence."

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#### **Core Values:**

**Commitment:** We are dedicated to seeking justice through the enforcement of laws that OSC is charged with prosecuting and to being a safe channel for whistleblowers.

**Excellence:** We foster a model workplace with respect for employees and stakeholders, and provide a clear, high-quality, and timely work product in our programs and services.

**Independence:** We conduct our work free from outside influence. We act fairly and without bias to honor the merit system.

**Integrity:** We adhere to the highest legal, professional, and ethical standards to earn and maintain the public's trust.

**Vigilance:** We aim for proactive and constant improvement of both our own processes and the merit system. We strive to identify innovative and effective ways to address and prevent government wrongdoing.

## Strategic Goals, Objectives, Strategies, and Metrics

### **Strategic Goal #1 – Protect and promote the integrity and fairness of the federal workplace.**

Objective #1: Fairly and promptly investigate and prosecute cases.

Objective #2: Obtain timely and effective relief in cases.

*Each year, OSC receives thousands of complaints, particularly from federal employees alleging whistleblower retaliation. To effectively remedy wrongs and hold agencies accountable, OSC applies consistent standards of review and investigative procedure to each matter. Some cases will demand more time and resources than others and will require a variety of investigative strategies and techniques to resolve. Applying broadly uniform procedures, but handling each matter as the facts demand, will allow OSC to remain efficient, fair, and effective. OSC will continue to use ADR and other dispute resolution methods to increase case-processing efficiency and to better serve its stakeholders.*

#### Strategies:

- Handle cases in a fair and unbiased manner.
- Maximize effective use of ADR and other resolution methods in cases.

#### Metrics:

##### PPP Enforcement

- Percent of complaints closed within 240 days.
- Number of complaints mediated.
- Number of complaints mediated resulting in settlement.
- Number of formal stays obtained.
- Number of informal stays obtained.
- Number of individual corrective actions obtained.
- Number of systemic corrective actions obtained.
- Number of disciplinary actions obtained.
- Number of cases filed with MSPB
- Number of total favorable actions obtained (i.e., formal stay, informal stay, individual corrective action, systemic corrective action, and disciplinary action).

##### Hatch Act Enforcement

- Percent of cases closed within 240 days.
- Number of cases filed with MSPB.
- Percent of successful prosecutions before MSPB
- Number of warning letters issued.
- Number of corrective actions obtained.
- Number of disciplinary actions obtained.
- Number of total favorable actions obtained (i.e., corrective action and disciplinary action).



#### USERRA Enforcement

- Percent of referrals closed within 60 days.
- Number of corrective actions obtained (formally and informally).

#### Objective #3: Enhance strategic use of enforcement authority.

*As a small agency responsible for safeguarding the merit system in a broad sector of the federal community, OSC strives to maximize the impact of its enforcement actions and deter future violations. In addition to seeking corrective and disciplinary action for PPPs, Hatch Act violations, and USERRA complaints, OSC may issue PPP reports and provide technical assistance for policy and legislative changes affecting the laws it enforces. The WPEA also authorized OSC to file amicus curiae briefs in cases involving whistleblower rights and to intervene in cases before the MSPB. OSC will use these authorities to advance its mission of safeguarding employee rights by educating the federal community, working for systemic changes, and helping shape and clarify the law.*

##### Strategies:

- Publish PPP reports that serve educational purposes, as appropriate.
- Furnish expert technical assistance to aid governmental bodies with formulating policy and precedent.

##### Metrics:

- Number of PPP reports published on website.
- Number of *amicus curiae* briefs and interventions filed.

#### Objective #4: Provide timely and quality Hatch Act advisory opinions and guidance.

*OSC is in a unique position to provide Hatch Act advice to federal, District of Columbia, state, and local employees and officials, as well as the general public. It is important for OSC to provide consistent, well-reasoned opinions in a timely fashion so that individuals can make appropriate decisions about their political activities. OSC recognizes the importance of revising and updating Hatch Act regulations and will continue to pursue its efforts to partner with OPM, the agency responsible for promulgating the regulations, to achieve this goal.*

##### Strategies:

- Provide timely and appropriate Hatch Act advice and information.

##### Metrics:

- Percent of informal telephonic advisory opinions issued within 3 days of inquiry.
- Percent of informal email advisory opinions issued within 5 days of inquiry.
- Percent of formal written advisory opinions issued within 60 days of inquiry.

#### Objective #5: Expand training and outreach efforts nationwide.

*OSC is well-suited to safeguard employee rights by educating the federal community and others about PPPs, whistleblower disclosures, the Hatch Act, USERRA, and ADR through its training and outreach programs. Since 2002, OSC has had a voluntary program to ensure compliance with 5 U.S.C. § 2302(c), which requires federal agencies to inform employees about their rights and remedies under whistleblower protection and related laws and prevent violations of PPPs. OSC also has longstanding training programs on the Hatch Act and USERRA, as well as resources available through its website. While many agencies in the Washington, D.C. area have received OSC training and certification, OSC will continue to expand its efforts nationwide to better reach agencies and components that may have less familiarity with the whistleblower protections and other laws that OSC enforces.*

Strategies:

- Increase awareness of and provide expert technical assistance to agencies/components on, the 2302(c) Certification Program and other OSC-related training needs.
- Develop procedures to facilitate registration, certification, and recertification rates of agencies/components under the 2302(c) Certification Program.
- Continue to certify and recertify more agencies/components through the 2302(c) Certification Program.

Metrics:

- Number of agencies/components certified and recertified for the 2302(c) Certification Program.
- Number of trainings conducted.

Objective #6: Effectively and innovatively communicate with stakeholders and the public.

*OSC understands the necessity of effectively communicating with stakeholders and the general public about its efforts to safeguard employee rights and hold the government accountable. By appropriately publicizing enforcement outcomes through traditional and non-traditional media, OSC can help to educate the federal workforce about their rights and responsibilities and deter future wrongdoing, including retaliation. OSC will use a wide variety of communication methods to disseminate timely, accurate information and will provide regular opportunities for input, feedback, and collaboration from stakeholders.*

Strategies:

- Issue press releases on major activities and key developments.
- Increase use of digital platforms as appropriate (e.g., website, social media).
- Use available analytics to assess effectiveness of communications.

Metrics:

- Number of press releases issued.
- Types and frequency of digital platforms used to share information.
- Types and frequency of website views and activity on digital platforms.

## Strategic Goal #2 – Ensure government accountability.

### Objective #1: Provide employees with an effective, efficient, and safe channel to report government wrongdoing.

*OSC promotes government accountability, integrity, and efficiency by providing a safe channel for federal employees to come forward with evidence of waste, fraud, abuse, law-breaking, threats to public health or safety, or censorship related to research, analysis, or technical information. To ensure that this safe channel remains effective in promoting change and accountability, OSC developed a dynamic, combined form for reporting government wrongdoing, whistleblower retaliation and other PPPs, and Hatch Act violations. The form is designed to be confidential, secure, and convenient for the user, and may be downloaded and completed privately. It may be submitted electronically and immediately routed and processed. The user need not establish an account. OSC will work vigorously to review and assess the whistleblower reporting experience to ensure that OSC can better ensure government accountability by providing a safe channel for whistleblowers and their disclosures.*

#### Strategies:

- Continue to use improved, dynamic form to better receive and process whistleblower disclosures and other allegations, such as whistleblower retaliation.
- Ensure timely and appropriate referrals of whistleblower disclosures to agencies for investigation.

#### Metrics:

- Number of referrals of whistleblower disclosures to agencies for investigation.
- Percent of referrals of whistleblower disclosures to agencies for investigation made within 45 days.

### Objective #2: Ensure agencies provide timely and appropriate outcomes for referred whistleblower disclosures.

*OSC returns substantial sums to the federal government by pressing for appropriate action to remedy waste and fraud disclosed by whistleblowers. Through its oversight of agency reports on referred whistleblower disclosures, and in coordination with whistleblowers, OSC uncovers individual and systemic violations of federal law and evaluates the reasonableness of agency responses, encourages cost savings occasioned by the identification and cessation of government waste, resolves serious health and safety threats, and evaluates claims of censorship related to scientific research. A key objective is to improve the timeliness and outcomes of agency reports. OSC will continue to coordinate with whistleblowers toward this objective. OSC will also continue to improve communication with other agencies concerning their statutorily mandated reports, including their content and timeliness.*

#### Strategies:

- Ensure effective agency investigations by engaging agencies when OSC refers the whistleblower disclosures.
- Maintain communications with agencies before, during, and after agencies' investigations of referred whistleblower disclosures, as appropriate.

- Monitor whistleblower disclosures and referrals to agencies to identify trends or systemic challenges.

Metrics:

- Number of favorable outcomes—both corrective and disciplinary actions—achieved through referrals of whistleblower disclosures.
- Number of days between date of receiving whistleblower’s comments on agency investigation report (or any update to report) and date of communication to President and Congress.

**Strategic Goal #3 – Achieve organizational excellence.**

Objective #1: Recruit, develop, and retain a highly talented, engaged, and diverse workforce.<sup>15</sup>

*To accomplish its mission with excellence, OSC must use targeted recruitment methods that attract talented employees who believe in the work of the agency. A diverse workforce from various backgrounds will help OSC tackle problems from different perspectives and find optimal solutions. OSC is committed to retaining this skilled and diverse workforce through work-life balance strategies, career and skills development, recognition of strong performance, and other initiatives that will keep employees engaged and equip them to achieve the mission.*

Strategies:

- Maintain a current Human Capital Plan that includes effective recruitment, staffing, and retention strategies for attracting, developing, and keeping talent from diverse sources.
- Facilitate training and professional development opportunities to ensure that the agency remains agile and responsive to changing organizational needs.
- Support and evaluate various employee engagement efforts based on Federal Employee Viewpoint Survey results and other methods to capture employee feedback, including consistent communication, constructive mentorship, and effective recognition of staff performance.
- Evaluate a number of internal programs, including the EEO program.
- Continue to emphasize work/life balance and other related benefits.

Metrics:

- Develop and maintain up-to-date Human Capital Plan and reassess regularly.
- Develop Individual Development Plans in support of professional development across the workforce consistent with annual training budget allocation.
- Investigate different approaches to measure employee feedback on the effectiveness of OSC’s internal programs such as IT, HR, facilities, training, and EEO.

Objective #2: Improve the use of existing technology and deploy new Information Technology (IT) systems to enhance organizational operations.

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<sup>15</sup> Given the disfavored treatment of the diversity rationale by the Supreme Court in *Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181 (2023), OSC no longer considers the diversity language from this section of the 2022 Strategic Plan to be consistent with the law and therefore treats it as inoperative, and we do not intend to include it in the new plan we are currently drafting.

*OSC will be a good steward of taxpayer dollars through the strategic use of IT systems to help the agency accomplish its mission. OSC will regularly assess the needs of its stakeholders and employees, and in response will employ cutting-edge IT solutions to improve efficiency and the stakeholder experience. OSC will deploy mobile access to network programs in compliance with directives that move the government toward a virtual work environment, while ensuring continuity of operations in times of work interruption and providing greater flexibility to employees. OSC will also employ IT security solutions to safeguard its information systems with the purpose of protecting the privacy of employees and those seeking assistance from OSC.*

Strategies:

- Engage with agency staff and Federal partners to assess and implement the technology requirements to support the agency mission and strategic goals.
- Implement data governance and management of OSC data.
- Recruit and retain highly skilled IT staff.
- Meet the Federal strategic goals as outlined in Cybersecurity Executive Order 14028 – Improving the Nation’s Cybersecurity.
- Continue modernizing OSC’s legacy enterprise architecture with a focus on full cloud enterprise architecture.
- Maintain IT hardware using industry lifecycles to include endpoints (computer), network edge appliances, and core network infrastructure.

Metrics:

- Periodic assessment and reassessment of agency technology requirements.
- Deploy enhancements and reporting capabilities of the current electronic case management system, annually.
- Develop and deploy phased approach for adopting zero-trust network security framework.
- Develop and implement plan to reduce uncategorized data and labeling.
- Ensure that IT staffing remains at 5% of the agency’s workforce.

Objective #3: Monitor, evaluate, and improve the efficiency and effectiveness of programs and processes.

*While OSC is a small agency, it receives complaints from throughout the federal government, handles cases from all over the country, and derives its authority from several different federal statutes. OSC will regularly conduct informal evaluations of its programs and processes to ensure that it is using effective and efficient approaches for safeguarding employee rights and holding the government accountable. Evaluations will seek to identify best practices and areas of improvement. This vigilant effort of continual introspection and review will help OSC achieve greater efficiencies and customer service in the agency’s programs and processes. In addition, OSC will give federal employees a meaningful opportunity to provide input into shaping its work through its annual customer satisfaction survey.*

Strategies:

- Identify and implement best practices and address areas of improvement identified in informal evaluations of programs and processes.

- Continue to improve methods for determining customer satisfaction with programs and processes and evaluate data to improve efficiency and effectiveness.

Metrics:

- Hold monthly or regular meetings to evaluate programs and processes and implement any learned best practices.
- Continue to issue and review results of annual survey regarding customer satisfaction with programs and processes and assess potential changes to programs and processes based on customer feedback.

### **Factors Affecting Achievement of Strategic Plan**

While OSC is committed to achieving its mission and vision, there are several internal and external factors that will likely affect the agency's ability to achieve the goals set forth in this Strategic Plan. The primary issues of concern revolve around budget uncertainty and significant technological challenges—amplified by the recent pandemic. For a small-sized agency with a substantial mandate to safeguard employee rights and hold myriad government entities accountable, these factors can present serious challenges to fulfilling OSC's important statutory obligations.

The agency has made difficult choices to ensure balance among its investigative and prosecutorial responsibilities with training and outreach efforts critical to preventing whistleblower retaliation and other unlawful practices. While caseloads fluctuated in FY 2020—largely due to pandemic-related operational changes at federal agencies—OSC expects a return to higher, pre-pandemic caseloads in future years. That being said, the pandemic did not affect OSC's Hatch Act work, which usually increases significantly during presidential-election years and did so in FY 2020.

Additionally, OSC has experienced an increased need for long-term improvements in technology, while grappling with limited funding. The remote working arrangements for OSC's employees required by the pandemic highlighted these challenges. OSC will be called upon to ensure that the technological environment in which it conducts its work is modern and secure. By proactively assessing the information security needs and the technological requirements of employees and stakeholders, OSC plans to improve efficiency, security, and the customer experience. Continuous assessment of information technology requisites against available resources will help ensure that OSC achieves organizational excellence despite these challenges.

In response to these challenges, OSC must carefully prioritize and allocate resources to remain efficient, fair, and effective in maintaining the high levels of success achieved in recent years. Accordingly, the agency implemented a reorganization to improve the timeliness and customer service experience in our case processing procedures. OSC is also being proactive in seeking early resolution of meritorious cases, as well as implementing innovative approaches to achieve efficiencies in cases involving both whistleblower disclosures and related retaliation claims. A better funded and more efficient OSC will result in greater stewardship of taxpayer dollars and more effective accountability throughout government.

As an independent agency, OSC must remain agile and focused on upholding the merit system fairly and without bias. In doing so, OSC will continue to emphasize education and outreach and highlight cases with significant educational value or that promote accountability. Through these efforts, OSC can improve federal

government culture and remain a steady accountable and transparent presence capable of withstanding administration and leadership changes.

OSC's Strategic Plan contemplates confronting these challenges directly over the next few years to ensure its success. When OSC succeeds, good government and the general public are the ones who truly benefit.

## **APPENDIX B: FY 2026 Agency Performance Plan**

### **Strategic Goal 1, Tables 1-5 – Protect and promote the integrity and fairness of the federal workplace.**

Strategic Goal 1 has six objectives:

- Objective 1: Fairly and promptly investigate and prosecute cases.
- Objective 2: Obtain timely and effective relief in cases.
- Objective 3: Enhance strategic use of enforcement authority.
- Objective 4: Provide timely and high-quality Hatch Act advisory opinions and guidance.
- Objective 5: Expand training and outreach efforts nationwide.
- Objective 6: Effectively and innovatively communicate with stakeholders and the public.

**Goal Tables 1A, 1B, and 1C** relate to the first two objectives regarding OSC’s investigations of alleged PPPs, Hatch Act violations, and USERRA complaints, respectively.

- **Goal Table 1A** details the data points and performance metrics for OSC’s work investigating, litigating, and resolving PPP complaints.

<b>Goal Table 1A: Goals 1-10</b>							
<i>Goal 1 - Protect and promote the integrity and fairness of the federal workplace</i>							
<i>Objective 1: Fairly and promptly investigate and prosecute cases</i>							
<i>Objective 2: Obtain timely and effective relief in cases</i>							
<b>Target #</b>	<b>Description</b>	<b>FY 2024 Target</b>	<b>FY 2024 Result</b>	<b>FY 2025 Target</b>	<b>FY 2025 Result</b>	<b>FY 2026 Target</b>	<b>FY 2026 Result</b>
1	Percent of complaints closed within 240 days.	Baseline/ datapoint	87%	Baseline/ datapoint		Baseline/ datapoint	
2	Number of complaints mediated.	30	33	30		30	
3	Number of complaints mediated resulting in settlement.	20	25	20		20	
4	Number of formal stays obtained.	5	1	5		5	
5	Number of informal stays obtained.	30	45	30		30	



6	Number of individual corrective actions obtained.	225	247	225		225	
7	Number of systemic corrective actions obtained.	55	124	60		60	
8	Number of disciplinary actions obtained.	20	32	20		20	
9	Number of cases filed with MSPB	1	0	1		1	
10	Number of total favorable actions obtained (i.e., formal stay, informal stay, individual corrective action, systemic corrective action, and disciplinary action).	300	450	305		305	

- **Goal Table 1B** details the data points and performance metrics for OSC’s work investigating, litigating, and resolving Hatch Act complaints.

Goal Table 1B: Goals 11-17							
<i>Goal 1: Protect and promote the integrity and fairness of the federal workplace</i>							
<i>Objective 1: Fairly and promptly investigate and prosecute cases</i>							
<i>Objective 2: Obtain timely and effective relief in cases</i>							
Target #	Description	FY 2024 Target	FY 2024 Result	FY 2025 Target	FY 2025 Result	FY 2026 Target	FY 2026 Result
11	Percent of cases closed within 240 days.	65%	86%	70%		70%	
12	Number of cases filed with MSPB.	3	1 <sup>12</sup>	3		3	

13	Percent of successful prosecutions before MSPB	100%	100%	100%		100%	
14	Number of warning letters issued.	50	81	50		60	
15	Number of corrective actions obtained.	15	49	20		25	
16	Number of disciplinary actions obtained.	5	7	5		5	
17	Number of total favorable actions obtained (i.e., corrective action and disciplinary action).	20	56	25		30	

**GOAL Table 1B explanatory notes:**

<sup>12</sup> The Hatch Act Unit sent two reports to the President concerning Hatch Act violations by presidential appointees with Senate (PAS) confirmation in FY 2023, and one such report in FY 2024. For PAS, pursuant to 5 U.S.C. 1215(b), the Hatch Act Unit's only mechanism for pursuing disciplinary action against PAS is to send such a report. The MSPB does not have jurisdiction over them, thus explaining why this result fell slightly short of the target.

- **Goal Table 1C** details the data points and performance metrics for OSC's work investigating, litigating, and resolving USERRA complaints.

Goal Table 1C: Goals 18-19							
<i>Goal 1: Protect and promote the integrity and fairness of the federal workplace</i>							
<i>Objective 1: Fairly and promptly investigate and prosecute cases</i>							
<i>Objective 2: Obtain timely and effective relief in cases</i>							
Target #	Description	FY 2024 Target	FY 2024 Result	FY 2025 Target	FY 2025 Result	FY 2026 Target	FY 2026 Result
18	Percent of referrals closed within 60 days.	80%	82%	80%		80%	
19	Number of corrective actions obtained (formally and informally).	3	2	3		2	

- **Goal Table 2** details OSC's efforts to enhance its strategic enforcement authority, as it relates to the third objective under Strategic Goal 1.

Goal Table 2: Goals 20-21							
Goal 1: Protect and promote the integrity and fairness of the federal workplace							
Objective 3: Enhance strategic use of enforcement authority							
Target #	Description	FY 2024 Target	FY 2024 Result	FY 2025 Target	FY 2025 Result	FY 2026 Target	FY 2026 Result
20	Number of PPP reports published on website.	2	1	2		2	
21	Number of amicus curiae briefs and interventions filed.	2	4	2		2	

- **Goal Table 3** details the Hatch Act advisory opinions provided by OSC, pursuant to OSC's fourth objective under Strategic Goal 1.

Goal Table 3: Goals 22-24							
Goal 1: Protect and promote the integrity and fairness of the federal workplace							
Objective 4: Provide timely and quality Hatch Act advisory opinions and guidance							
Target #	Description	FY 2024 Target	FY 2024 Result	FY 2025 Target	FY 2025 Result	FY 2026 Target	FY 2026 Result
22	Percent of informal telephonic advisory opinions issued within 3 days of inquiry.	98%	99%	98%		98%	
23	Percent of informal email advisory opinions issued within 5 days of inquiry.	95%	99%	95%		98%	
24	Percent of formal written advisory opinions issued within 60 days of inquiry.	75%	70%	75%		75%	

- **Goal Table 4** details OSC's training and outreach efforts pursuant to OSC's fifth objective under Strategic Goal 1.

## Goal Table 4: Goals 25-26

*Goal 1: Protect and promote the integrity and fairness of the federal workplace*

*Objective 5: Expand training and outreach efforts nationwide*

Target #	Description	FY 2024 Target	FY 2024 Result	FY 2025 Target	FY 2025 Result	FY 2026 Target	FY 2026 Result
25	Number of agencies/components certified and recertified for the 2302(c) Certification Program.	12	28	15		18	
26	Number of trainings conducted. <sup>26</sup>	125	487	200		250	

### **Goal Table 4 explanatory notes:**

<sup>26</sup>: Number of trainings will increase and decrease in each fiscal year based on a number of factors, including, for instance, (1) the increase in Hatch Act trainings we have observed during election years; and (2) the increase and/or decrease in Section 2302(c) trainings depending upon when agencies are due for recertification at the end of the three-year training cycle, creating a “lumpy forecast.” In addition, certain presentations include more than one training, such as, PPP training and Annual Supervisory training.

- **Goal Table 5** details OSC’s communications with stakeholders and the public, consistent with the sixth objective under Strategic Goal 1.

## Goal Table 5: Goals 27-29

*Goal 1: Protect and promote the integrity and fairness of the federal workplace*

*Objective 6: Effectively and innovatively communicate with stakeholders and the public*

Target #	Description	FY 2024 Target	FY 2024 Result	FY 2025 Target	FY 2025 Result	FY 2026 Target	FY 2026 Result
27	Number of press releases issued.	25	34	20		25	
28	Types and frequency of digital platforms used to share information.	275	1061	275		500	
29	Types and frequency of website views and activity on digital platforms.	Baseline	1,381,676 (X engagements: 1,596, and Unique website	Baseline		Baseline	

			views: 1,380,080) <sup>29</sup>				
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29: OSC launched an online version of its complaint filing form in April 2023, which significantly increased the number of unique website views.

**Strategic Goal 2, Goal Tables 6-7 – Ensure government accountability.**

Strategic Goal 2 has two objectives, which relate to OSC’s investigations of whistleblower disclosures:

Objective 1: Provide employees with an effective, efficient, and safe channel to report government wrongdoing.

Objective 2: Ensure agencies provide timely and appropriate outcomes for referred whistleblower disclosures.

- **Goal Table 6** relates to the first objective under Strategic Goal 2 and details OSC’s efforts to ensure government accountability by providing a safe, confidential and secure reporting channel for stakeholders and the public.

Goal Table 6: Goals 30-31							
Goal 2: Ensure government accountability							
Objective 1: Provide employees with an effective and efficient safe channel to report government wrongdoing							
Target #	Description	FY 2024 Target	FY 2024 Result	FY 2025 Target	FY 2025 Result	FY 2026 Target	FY 2026 Result
30	Number of referrals of whistleblower disclosures to agencies for investigation.	60	28	25		20	
31	Percent of referrals of whistleblower disclosures to agencies for investigation made within 45 days.	90%	99%	90%		90%	

- **Goal Table 7** relates to the second objective under Strategic Goal 2 and details OSC’s efforts to ensure government accountability by providing timely and appropriate outcomes for referred whistleblower disclosures.

## Goal Table 7: Goals 32-33

*Goal 2: Ensure government accountability*

*Objective 2: Ensure agencies provide timely and appropriate outcomes for referred whistleblower disclosures*

Target #	Description	FY 2024 Target	FY 2024 Result	FY 2025 Target	FY 2025 Result	FY 2026 Target	FY 2026 Result
32	Number of favorable outcomes—both corrective and disciplinary actions—achieved through referrals of whistleblower disclosures.	50 corrective actions and 5 disciplinary actions	84 corrective actions and 8 disciplinary actions	50 corrective actions and 5 disciplinary actions		50 corrective actions and 5 disciplinary actions	
33	Number of days between the date a case can be closed, and the date of transmission to the President and Congress. <sup>33</sup>	120 days	85 days	120 days		120 days	

<sup>33</sup>: The description of this goal has been updated. Data points used to determine when a case can be closed include receipt of whistleblower comments; whistleblower consent or declination to include comments on the agency report and or any supplemental report in OSC's public file; receipt of redacted agency reports; and receipt of agency updates.

### **Strategic Goal 3, Goal Tables 8-10 – Achieve organizational excellence.**

Strategic Goal 3 has three objectives, which relate to the OSC's continual goal of achieving organizational excellence:

Objective 1: Recruit, develop, and retain a highly talented, and engaged workforce.

Objective 2: Improve the use of existing technology and deploy new Information Technology (IT) systems to enhance organizational operations.

Objective 3: Monitor, evaluate, and improve the efficiency and effectiveness of programs and processes.

- **Goal Table 8** covers the first objective under Strategic Goal 3 and details OSC's efforts to achieve organizational excellence by recruiting, developing, and retaining a highly talented and engaged workforce.

## Goal Table 8: Goal 34

*Goal 3: Achieve Organizational Excellence*

*Objective 1: Recruit, develop, and retain a highly talented and engaged workforce.*

Target #	Description	FY 2024 Target	FY 2024 Result	FY 2025 Target	FY 2025 Result	FY 2026 Target	FY 2026 Result
34	Ensure Human Capital Plan aligns with Administration priorities <i>(previous description of Develop and maintain up-to-date Human Capital Plan and reassess regularly)</i>	Met	Met	Met		Met	

- **Goal Table 9** relates to the second objective under Strategic Goal 3 and details OSC's efforts to improve the use of existing technology and deploy new IT systems to enhance organizational operations.

Goal Table 9: Goal 35							
<i>Goal 3: Achieve organizational excellence</i>							
<i>Objective 2: Improve the use of existing technology and deploy new Information Technology (IT) systems to enhance organizational operations.</i>							
Target #	Description	FY 2024 Target	FY 2024 Result	FY 2025 Target	FY 2025 Result	FY 2026 Target	FY 2026 Result
35	Deploy enhancements and reporting capabilities of the current electronic case management system, annually.	Met	Met	Met		Met	

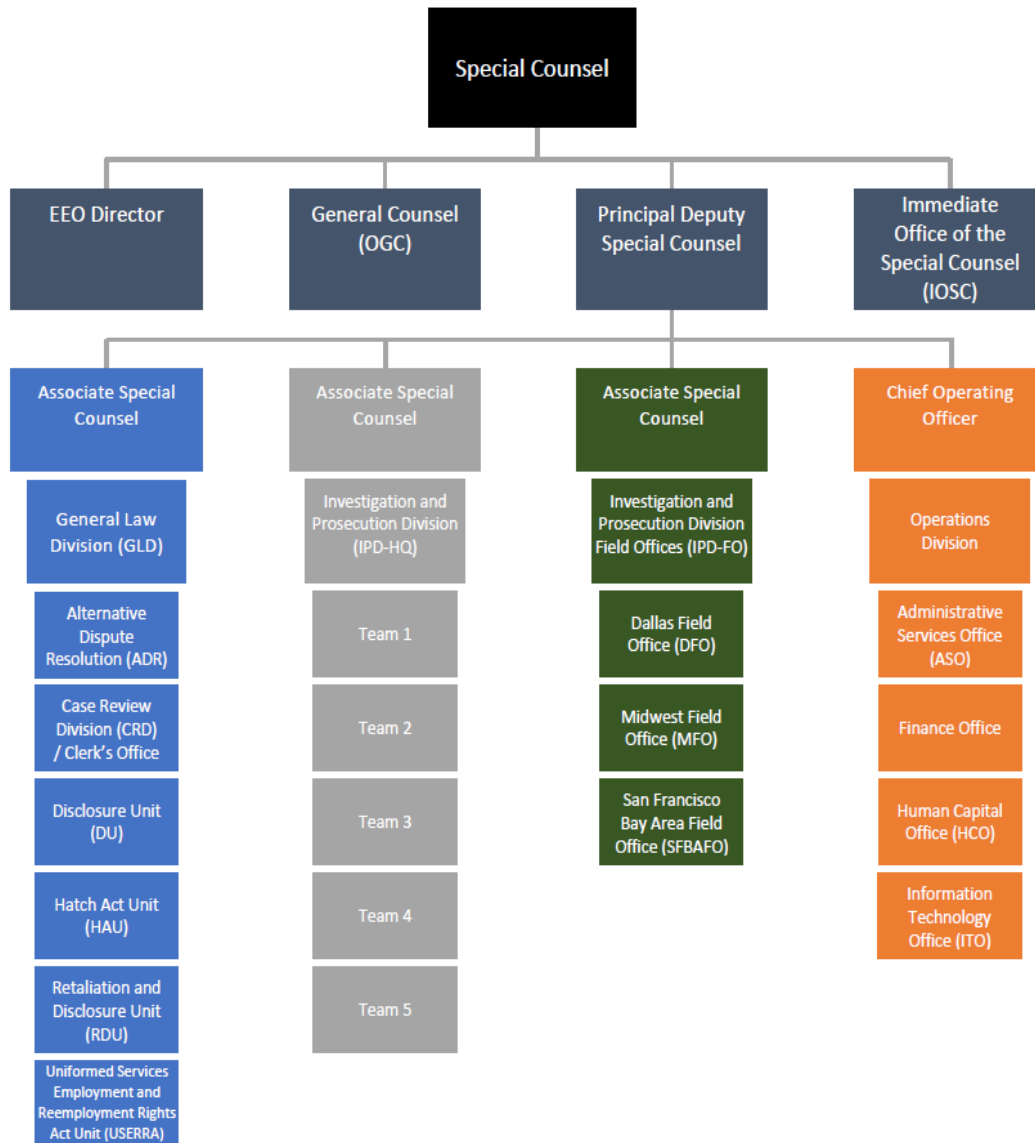
- **Goal Table 10**, consistent with the third objective under Strategic Goal 3, details OSC's efforts to monitor, evaluate, and improve efficiency and effectiveness of programs and processes.

Goal Table 10: Goals 36-37							
<i>Goal 3: Achieve organizational excellence</i>							
<i>Objective 3: Monitor, evaluate, and improve the efficiency and effectiveness of programs and processes.</i>							
Target #	Description	FY 2024 Target	FY 2024 Result	FY 2025 Target	FY 2025 Result	FY 2026 Target	FY 2026 Result
36	Hold monthly or regular meetings to evaluate programs and processes and implement any learned best practices.	Met	Met	Met		Met	

37	Continue to issue and review results of annual survey regarding customer satisfaction with programs and processes and assess potential changes to programs and processes based on customer feedback.	Met	Met	Met		Met	
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## APPENDIX C: OSC Organizational Chart



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The U.S. Office of Special Counsel (OSC) is an independent investigative and prosecutorial agency and operates as a secure channel for disclosures of whistleblower complaints and abuse of authority. Its primary mission is to safeguard the merit system by protecting Federal employees and applicants from prohibited personnel practices, especially retaliation for whistleblowing. OSC also enforces the Hatch Act and the Uniformed Services Employment and Reemployment Rights Act.

**Agency Web Site:**

**[www.osc.gov](http://www.osc.gov)**