

Post-Hearing Questions for the Record
Submitted to
The Honorable Peggy Gustafson, Inspector General, U.S. Small Business Administration
From Senator McCaskill
“WHISTLEBLOWER PROTECTIONS FOR CONTRACTOR WHISTLBLOWERS”
Tuesday, December 6, 2011, 10:00 A.M.
United States Senate, Subcommittee on Contracting Oversight,
Committee on Homeland Security and Governmental Affairs

- 1. In your capacity as SBA Inspector General, have you seen any disclosures from contractor whistleblowers that are not protected under the current law covering Recovery Act funds? What types of disclosures are these?**

As of January 23, 2012, the SBA OIG did not receive any disclosures from contractor whistleblowers relative to Recovery Act funds.

- 2. Please explain how retaliation claims are investigated across the CIGIE member agencies and how executive agencies are carrying out their review responsibilities.**

The CIGIE Legislation Committee does not have specific information on how CIGIE members and executive agencies are executing their responsibilities to review reprisal allegations from non-Federal employees. However, OIGs would conduct these investigations in the same manner that they conduct other criminal or administrative allegations: assess the allegations; identify, obtain and review relevant witnesses and documents; determine whether there is a basis to refer the matter for action; and prepare the correlating report.

- 3. How many whistleblowers are turning to judicial review of their claims after going through the administrative process?**

There is no central repository for this data, particularly as it pertains to federal versus non-federal whistleblowers.

- 4. Have agencies been effective in requiring that remedies for retaliation be implemented by contractors? How well are they monitoring compliance? What types of remedies are you seeing most often?**

CIGIE has not coordinated a review of agencies' effectiveness in requiring that remedies for retaliation be implemented by contractors.

- 5. Senator Portman asked you if you had taken a survey from the IG community regarding a statute of limitations on whistleblower complaints. You responded that you would look into the views of the community on this issue. Could you please provide us with the responses you get back from you fellow Inspectors General on regarding the statute of limitations?**

The Legislation Committee will provide the results of the survey requested by Senator Portman to the Committee on Homeland Security and Government Affairs' Subcommittee on Contracting Oversight.