

NGA closed one substantiated whistleblower reprisal case in March 2008. The original complaint dealt with the complainant being transferred from a facility in Bethesda to the NGA College on Ft. Belvoir following a protected disclosure. The investigation actually did not find this to be reprisal, as the plans to move him occurred prior to his disclosure being made. However, the IG independently determined that the complainant suffered a downgrade in his performance rating based on the disclosure, and noted this as an act of reprisal in the report. The end result was NGA senior management ordered the rating to be elevated, and the responsible manager received a written reprimand.

With regard to reprisal claims, in 2007 NGA's Office of the Inspector General transitioned to a new electronic database. For a comprehensive listing of claims prior to 2007, it would take us additional time to manually research and compile your request. The following information is compiled from 2007 - Present. Since 2007, the IG received 21 total complaints of reprisal. Of the 21 total complaints, the OIG opened formal investigations on five. Of the five formal investigations, the OIG had one substantiated case in 2008 of reprisal based on a protected communication. The other four cases were unsubstantiated because the OIG found either that the employee had never made a protected communication, or found no evidence of a causal link between a protected disclosure and the reported adverse action, e.g., the management official had no knowledge the employee's past complaint. One of these cases also developed that the claimed reprisal actually involved the office of Equal Employment Opportunity activity, which generally falls outside of the IG's investigative responsibility. Complainants raising EEO issues are advised to raise their concerns to the NGA Office of Diversity and Equal Employment Opportunity, which employs a staff specially trained in EEO matters. The IG elected not to open a formal investigation on 16 of the complaints upon a determination that the complaints either did not state a claim falling within the OIG's purview, e.g., the complainant alleged reprisal for past EEO activity, or the complaint did not allege an adverse action in reprisal for a protected communication.

Complaint received, case opened:

2007 - 2

2009 - 1

2010 - 1

2012 - 1

2014 - 3

Complaint received, no case opened:

2007 - 3

2008 - 2

2009 - 1

2010 - 2

2011 - 2

2012 - 1

2013 - 2

2014 - 2

It's important to note NGA enforced whistleblower rights long before the publication of PPD-19, and has aggressively communicated to supervisors across the agency that any type of reprisal against an employee who reports a matter to agency management or the NGA Office of the Inspector General will not be tolerated. We also have robust Ombudsman and Equal Employment Opportunity programs that provide employees an avenue for resolving a matter of concern informally, before it rises to a level requiring Inspector General, General Counsel, or senior NGA management action.

Prior to enactment of PPD-19, NGA employees embraced whistleblower protections found in 5 U.S.C. § 2301, which were incorporated into 10 U.S.C. § 1612;

this accounts for the 2008 finding five years before the publication of Presidential Policy Directive 19. However, emphasis on whistleblower protections in the Intelligence Community were clearly emphasized with the enactment of PPD-19. In June 2013, NGA published NGA Policy Directive 7410.1, Protecting Whistleblowers with Access to Classified Material, replaced in July 2014 by NGA Instruction 1100.1, of the same title. This instruction is available to all NGA personnel via NGA's internal web homepage. In addition to protecting individuals against reprisal for making a protected disclosure, PPD-19 also provides an individual who believes his/her security clearance suspension or revocation was an act of reprisal the right to file a complaint with the Inspector General, which is then required to conduct a fact finding. To date, the NGA Inspector General has not received any whistleblowing allegations concerning the suspension or revocation of a security clearance.