

WHISTLEBLOWER INFORMATION *for* **NATIONAL SCIENCE FOUNDATION GRANTEES**

Whistleblowers perform an important service to the National Science Foundation (NSF) and the American public when they come forward with what they reasonably believe to be evidence of wrongdoing. They should never be subject to reprisal for doing so.

Federal law protects federal employees against reprisal for whistleblowing. It is also illegal for an employee of a Federal contractor, subcontractor, **grantee**, or subgrantee to be discharged, demoted, or otherwise discriminated against for making a protected whistleblower disclosure. And, an action affecting access to classified information cannot be taken in reprisal for protected disclosures. The NSF Office of the Inspector General (OIG) has jurisdiction to investigate allegations of whistleblower reprisal by employees of NSF contractors, subcontractors, grantees, and subgrantees.

What is a whistleblower?

A whistleblower is an employee of a Federal contractor, subcontractor, grantee, or subgrantee who discloses information that the individual reasonably believes is evidence of:

- Gross mismanagement of a Federal contract or grant;
- A gross waste of Federal funds;
- An abuse of authority relating to a Federal contract or grant;
- A substantial and specific danger to public health or safety; or
- A violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.

To whom must the disclosure be made to be protected?

To be protected, a disclosure regarding an NSF contract, subcontract, or grant must be made to one of the following:

- A Member of Congress, or a representative of a committee of Congress;
- The OIG;
- The Government Accountability Office (GAO);
- A Federal employee responsible for contract or grant oversight or management at DOJ;
- An otherwise authorized official at DOJ or other law enforcement agency;
- A court or grand jury; or
- A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

What can I do if I believe retaliation has occurred?

Employees of contractors, subcontractors, grantees, or subgrantees may file a complaint with the OIG, which will investigate the matter unless the OIG determines that the complaint is frivolous, fails to allege a violation of the prohibition against whistleblower reprisal, or has been addressed in another proceeding. The OIG will provide a report of its investigation to the NSF Director, who can order the contractor, subcontractor, grantee, or subgrantee to take remedial action, such as reinstatement or back pay.

If you are an employee of NSF or of an NSF contractor, subcontractor, or grantee and you suspect a personnel action or an action affecting access to classified information has been taken against you in reprisal for making a disclosure of wrongdoing, you may report it to the OIG.

Nothing in a non-disclosure agreement should be interpreted as limiting your ability to provide information to the OIG.

For further information about whistleblower rights and protections, please see the Whistleblower Protection page on the OIG's website at: <https://www.nsf.gov/oig/whistleblower.jsp>.

Note: The OIG does not have authority to investigate EEO complaints. For such matters, please refer to the NSF Office of Diversity and Inclusion website – <https://www.nsf.gov/od/odi/>. If you wish to make a whistleblower disclosure or report reprisal for doing so outside NSF, you may contact the U.S. Office of Special Counsel, website <https://osc.gov>.

How can I report wrongdoing to NSF OIG?

If you know about waste, fraud, abuse, misconduct, or whistleblower reprisal relating to an NSF employee, program, contract, or grant you may report it to the OIG through use of an internet form, email, telephone, anonymous hotline, fax, or mail. See <https://nsf.gov/oig/report-fraud>.