

ANNUAL RESULTS: STRATEGIC GOAL 3

To fulfill congressional intent that OSC promote the public interest in the disclosure of violations of law, rule or regulation, gross waste of funds, gross mismanagement, abuse of authority, or substantial and specific dangers to the public health and safety, by serving as a secure channel for federal employees, former employees and applicants (“whistleblowers”) to blow the whistle in accordance with 5 U.S.C. § 1213.

<i>FY 2002 Performance Goals</i>	<i>FY 2002 Results</i>	<i>FY 2001 Results</i>	<i>FY 2000 Results</i>
1. <u>-Disclosure priority system.</u> Develop clearly identified, written standards and procedures for disclosure handling, by priority (according to particular topics of disclosure, and complexity level), devise measurement system within OSC 2000, and include compliance with priority system in employees’ performance plans.	<ul style="list-style-type: none"> • Draft Disclosure Manual includes written standards and procedures for disclosure handling by priority, formalizing and improving procedures used and priorities applied by unit personnel. • Implemented and continued to test effectiveness of priority case tracking system. 	<i>[Goal 1 not in FY 2001 plan.]</i>	<i>[Goal 1 not in FY 2000 plan.]</i>
2. <u>Disclosure manual.</u> Create disclosure manual to describe policies and procedures of Disclosure Unit, including criteria for referral of matters from CEU to Disclosure. Make available internally to all OSC employees.	<ul style="list-style-type: none"> • Completed initial draft of Disclosure Manual, updating and adding new policies and procedures including case priority system and including criteria for referral of matters from CEU to disclosure. 	<i>[Goal 2 not in FY 2001 plan.]</i>	<i>[Goal 2 not in FY 2000 plan.]</i>
3. <u>Quality standards.</u> Develop clearly identified, written quality standards for: 1) conducting legal analyses of disclosure allegations and agency reports; and 2) communication between OSC and those making disclosures, including correspondence. Devise measurement system, and incorporate in employees’ performance plans.	<ul style="list-style-type: none"> • Drafting begun on quality standards. 	<i>[Goal 3 not in FY 2001 plan.]</i>	<i>[Goal 3 not in FY 2000 plan.]</i>

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<i>FY 2002 Performance Goals</i>	<i>FY 2002 Results</i>	<i>FY 2001 Results</i>	<i>FY 2000 Results</i>
4. Devise plan for educating federal agencies (including agencies’ Inspectors General) of obligations for investigation and report once matter is transmitted. Consider disseminating information through President’s Council on Integrity and Efficiency, and Executive Council on Integrity and Efficiency.	<ul style="list-style-type: none"> Information on agency investigation and reporting obligations under §1213 disseminated in training sessions/meetings with 20 (approx.) Offices of Inspector General on President’s Council on Integrity and Efficiency. 	<i>[Goal 4 not in FY 2001 plan.]</i>	<i>[Goal 4 not in FY 2000 plan.]</i>
5. <u>Agency deadlines.</u> Devise improvements to system for tracking OSC’s action in matters in which agencies fail to conduct an investigation and report back to OSC within statutory time limits.	<ul style="list-style-type: none"> Tested automatic system for tracking OSC actions when agencies fail to conduct investigation and report back to OSC within statutory time limits (modifications to increase systems effectiveness to be made based on test results). 	<i>[Goal 5 not in FY 2001 plan.]</i>	<i>[Goal 5 not in FY 2000 plan.]</i>
6. <u>Publicize agency findings.</u> Continue to adhere to policy of issuing press releases on a case-by-case basis when agency findings are transmitted to Congress and the President, and consider establishing criteria for other appropriate circumstances under which to issue press releases. Compile list of interested groups and associations to whom releases should be directed. Devise system for tracking frequency of media reporting of agency findings.	<ul style="list-style-type: none"> Continued policy of issuing press releases on a case-by-case basis when agency findings are transmitted to the President and Congress. Basic list of interested groups and associations for receipt of press releases in use and expanded as needed based on press release topic. System to track frequency of media reporting of agency findings not completed due to lack of staff resources. 	<i>[Goal 6 not in FY 2001 plan.]</i>	<i>[Goal 6 not in FY 2000 plan.]</i>

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<i>FY 2002 Performance Goals</i>	<i>FY 2002 Results</i>	<i>FY 2001 Results</i>	<i>FY 2000 Results</i>
7. <u>Case-tracking capability</u> . ISB to ensure that OSC 2000 has capability to monitor and track data relevant to measure baselines, and progress towards meeting objectives.	<ul style="list-style-type: none"> • ISB made case tracking data system enhancements (e.g., inclusion of inactive pending matters, and data element for productivity in each disclosure category; enhanced monthly statistical report; and new monthly intake report). 	<i>[Goal 7 not in FY 2001 plan.]</i>	<i>[Goal 7 not in FY 2000 plan.]</i>

Other FY 2002 Results

OSC met the majority of its annual performance goals for FY 2002. Accomplishment of all goals was affected by the fact that OSC’s Disclosure Unit received a record 555 disclosures – many involving matters of public safety and national security – for possible referral to the agency concerned during FY 2002, compared to 380 in FY 2001. As public awareness of the Disclosure Unit has grown in recent years, disclosures filed, and referrals to agencies pursuant to § 1213, have steadily increased. As a result of the terrorist attacks on September 11, 2001, OSC has received many complex national security disclosures, some involving involved complex and sensitive classified material that have required the work of more than one attorney. The Disclosure Unit has played an increasingly important role in triggering investigations of dangers to public health and safety.

The addition of two employees to the Disclosure Unit during FY 2001 helped OSC process more referrals to agencies in FY 2002 than in prior years:

	FY 2000	FY 2001	FY 2002
Disclosures referred for investigation and report under § 1213(c)	8	15	19
Disclosure allegations referred to agency Inspectors General	106	119	125

Nevertheless, as of September 30, 2002, 534 cases were pending in the Disclosure Unit (up from 245 one year earlier). Approximately 25% of the cases were over one year old; and approximately 13% had been designated after initial review as involving the highest priority of disclosure case (a substantial and specific danger to public health and safety) and likely referral to the agency head.