

**ANNUAL REPORT  
TO CONGRESS  
—for—  
FISCAL YEAR 2025**

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U.S. OFFICE OF SPECIAL COUNSEL  
1730 M Street, N.W.  
Washington, D.C. 20036-4505  
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## The Special Counsel

The Honorable JD Vance  
President of the Senate  
Washington, D.C. 20510

The Honorable Mike Johnson  
Speaker of the House of Representatives  
Washington, D.C. 20515

Dear President and Speaker:

I respectfully submit the Report to Congress for fiscal year 2025 from the U.S. Office of Special Counsel. A copy of this report will also be posted on our website.

Sincerely,

A handwritten signature in cursive script that reads "Charles N. Baldis".

Charles N. Baldis  
Senior Counsel and Designee for Acting  
Special Counsel, Jamieson Greer

cc: The Honorable John Thune, Majority Leader, U.S. Senate  
The Honorable Charles Schumer, Minority Leader, U.S. Senate

The Honorable Steve Scalise, Majority Leader, U.S. House of Representatives  
The Honorable Hakeem Jeffries, Minority Leader, U.S. House of Representatives

The Honorable Rand Paul, Chair, Senate Committee on Homeland Security  
and Governmental Affairs  
The Honorable Gary Peters, Ranking Member, Senate Committee on Homeland Security  
and Governmental Affairs

The Honorable James Comer, Chair, House Committee on Oversight and Accountability

The Honorable Robert Garcia, Ranking Member, House Committee on Oversight and Accountability

The Honorable Susan Collins, Chair, Senate Committee on Appropriations

The Honorable Patty Murray, Vice Chair, Senate Committee on Appropriations

The Honorable Tom Cole, Chair, House Committee on Appropriations

The Honorable Rosa DeLauro, Ranking Member, House Committee on Appropriations

# Table of Contents

<b>A MESSAGE FROM CHARLES N. BALDIS, SENIOR COUNSEL AND THE DESIGNEE FOR ACTING SPECIAL COUNSEL JAMIESON GREER .....</b>	<b>7</b>
<b>PART 1 – INTRODUCTION TO OSC .....</b>	<b>8</b>
Mission .....	8
Statutory Background .....	8
<b>PART 2 – OVERVIEW OF OPERATIONS .....</b>	<b>10</b>
Internal Organization .....	10
FY 2025 Budget and Staffing.....	12
FY 2025 Case Activity and Results.....	12
OSC’s Docket .....	13
<b>PART 3 – PROHIBITED PERSONNEL PRACTICES .....</b>	<b>14</b>
Summary of Workload, Activity, Costs, and Results .....	14
Receipts and Investigations .....	15
Subpoenas.....	16
Re-opened PPP Cases.....	16
PPP Cases Resolved by an Agreement.....	17
Prohibited Personnel Practice Successes.....	17
Notable FY 2025 Amicus Curiae Brief .....	18
Mediation Successes.....	19
<b>PART 4 – WHISTLEBLOWER DISCLOSURES .....</b>	<b>21</b>
Overview .....	21
Disclosure Successes.....	21
<b>PART 5 – HATCH ACT.....</b>	<b>23</b>
Overview .....	23
Advisory Opinions .....	23
Hatch Act Unit Successes .....	23
<b>PART 6 – USERRA ENFORCEMENT PROGRAM.....</b>	<b>26</b>
Overview .....	26
USERRA Successes.....	26
<b>PART 7 – OUTREACH, TRAINING, &amp; COMPLIANCE.....</b>	<b>27</b>
Overview .....	27
Annual Survey Program .....	28
<b>FURTHER INFORMATION .....</b>	<b>29</b>
Prohibited Personnel Practices .....	29
Whistleblower Disclosures.....	29
Hatch Act.....	30
USERRA.....	30
Outreach, Training, & Compliance Program.....	30
<b>APPENDIX 1 .....</b>	<b>32</b>
2025 OSC FEVS Core Survey Results .....	32

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## **THE SPECIAL COUNSEL**

Jamieson Greer was appointed Acting Special Counsel on March 21, 2025.

Charles N. Baldis, Senior Counsel, was appointed as designee for Acting Special Counsel Greer on April 7, 2025.

## **A MESSAGE FROM CHARLES N. BALDIS, SENIOR COUNSEL AND THE DESIGNEE FOR ACTING SPECIAL COUNSEL JAMIESON GREER**

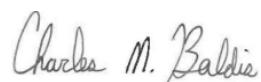
It is my pleasure to provide this overview of the work completed by the U.S. Office of Special Counsel (OSC) in fiscal year (FY) 2025, on behalf of Acting Special Counsel Jamieson Greer. I am grateful for the dedication of OSC's career staff, whose commitment to public service made the results in this report possible.

In FY 2025, OSC managed the largest caseload in its history. The agency received 9,820 new cases—a 57 percent increase over FY 2024 and a 120 percent increase over the prior five-year average. Despite these extraordinary demands, OSC continued to deliver meaningful results for federal employees, agencies, and taxpayers.

These accomplishments underscore the importance of OSC's work in promoting integrity, safeguarding the merit system, and ensuring that federal employees can report wrongdoing without fear of reprisal. They also reflect the agency's ongoing commitment to efficiency and responsiveness, even as demand for OSC's services continues to grow.

I look forward to continuing OSC's vital mission by working with Congress, stakeholders, and OSC's talented career staff to address waste, fraud, abuse, and prohibited personnel practices across the federal government. I also welcome ongoing collaboration with Congress to identify ways OSC can further strengthen its operations and service to the public. With continued support, OSC will remain one of the most effective tools for promoting accountability and protecting taxpayers.

Sincerely,

A handwritten signature in cursive script that reads "Charles M. Baldis".

Charles N. Baldis  
May 1, 2026

## **PART 1 – INTRODUCTION TO OSC**

### **Mission**

OSC’s mission is to safeguard employee rights and hold the government accountable for misconduct. To fulfill 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, former employees, and applicants from prohibited personnel practices; (2) curbing prohibited political activities in the workplace; (3) preserving the civilian job rights of federal employees who are veterans or members of the National Guard or Reserve; and (4) providing a safe channel for federal employees, applicants, and former employees to disclose wrongdoing at their agencies. In addition, through its Hatch Act advisory role, OSC helps secure public trust in government by providing advice, guidance, and training to uphold the nonpolitical nature of the civil service and federal programs. Collectively, these responsibilities function to ensure the integrity and fairness of the federal workplace while strengthening accountability across the federal government.

### **Statutory Background**

The Civil Service Reform Act of 1978 (CSRA) established OSC on January 1, 1979. Under the CSRA, OSC operated as an autonomous investigative and prosecutorial arm of the Merit Systems Protection Board (MSPB or Board). Pursuant to the CSRA, OSC: (1) receives and investigates complaints alleging prohibited personnel practices (PPPs); (2) receives and investigates complaints regarding prohibited political activities by federal employees and covered state and local employees and provides Hatch Act advisory opinions on the political activities of those employees; and (3) receives disclosures from federal whistleblowers about government wrongdoing. Additionally, when appropriate, OSC files petitions for corrective action, disciplinary action, or both, with the Board in PPP and Hatch Act cases.

When Congress enacted the Whistleblower Protection Act of 1989 (WPA), OSC became an independent agency within the executive branch, with continued responsibility for the functions described above. The WPA also enhanced protections for employees who allege reprisal for whistleblowing and strengthened OSC’s ability to enforce those protections.

Congress passed legislation in 1993 that significantly amended the Hatch Act provisions applicable to federal and District of Columbia government employees. The 1993 amendments to the Hatch Act did not affect covered state and local government employees.

The following year, Congress enacted the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). USERRA protects the civilian employment and reemployment rights of those who serve or have served in the Armed Forces, including the National Guard and Reserve, and other uniformed services. It prohibits employment discrimination based on past,

present, or future military service; requires prompt reinstatement in civilian employment upon return from military service; and prohibits retaliation for exercising USERRA rights. Under USERRA, OSC may seek corrective action for service members whose rights have been violated by federal agencies (*i.e.*, where a federal agency is the civilian employer).

OSC's 1994 Reauthorization Act expanded protections for federal employees and defined new responsibilities for OSC and other federal agencies. For example, the Reauthorization Act extended protections to approximately 60,000 employees at the U.S. Department of Veterans Affairs (VA) and extended whistleblower retaliation protections to employees of listed government corporations. Further, the Reauthorization Act broadened the scope of personnel actions covered under these provisions. Finally, the Reauthorization Act required that federal agencies inform employees of their rights and remedies under the WPA in consultation with OSC.

The Whistleblower Protection Enhancement Act of 2012 (WPEA) was signed into law in November 2012 and strengthened the WPA. This law overturned legal precedents that narrowed protections for government whistleblowers; provided whistleblower protections to employees who were not previously covered, including Transportation Security Administration (TSA) officers; removed financial constraints on OSC's ability to seek disciplinary actions where it has obtained evidence of a prohibited personnel practice; and held agencies accountable for retaliatory investigations.

That same year, Congress passed the Hatch Act Modernization Act of 2012 (HAMA). HAMA modified the penalty provision of the Hatch Act to provide a range of possible disciplinary actions for federal employees. It also permits state or local government employees to run for partisan political office unless the employee's salary is entirely funded by the federal government. Lastly, it changed the status of District of Columbia government employees by treating them as state and local employees rather than as federal employees.

In October 2017, the Dr. Chris Kirkpatrick Whistleblower Protection Act (Act) was signed into law. The Act created a new PPP: accessing an employee's medical records in furtherance of another PPP. The Act requires agencies to notify OSC if an agency employee commits suicide when there is credible evidence that, before the employee's death, a personnel action was taken against the employee after they made a protected disclosure. The Act also requires agencies to train supervisors on how to handle complaints of whistleblower retaliation and mandates disciplinary action for supervisors who violate specific sections of the WPEA. Finally, the Act requires agencies to prioritize the transfer requests of employees who have been granted stays of personnel actions by the MSPB.

In December 2017, OSC's reauthorization was signed into law as part of the National Defense Authorization Act for Fiscal Year 2018, reauthorizing OSC through 2023. The reauthorization (Section 1097) reaffirmed the original intent of 5 U.S.C § 1212 that federal agencies may not withhold information and documents from OSC by asserting common law privileges when complying with OSC's information requests. OSC's reauthorization also promotes greater

efficiency and accountability within OSC; improves protections against retaliatory investigations and other forms of reprisal for whistleblowing; and requires managers across the federal government to respond appropriately to disclosures of waste, fraud, and abuse.

## **PART 2 – OVERVIEW OF OPERATIONS**

### **Internal Organization**

OSC's principal place of business is Washington, D.C. The agency also has staff presence in Dallas, Detroit, and Oakland.

The agency includes several program and support units described below:

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

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

#### **Office of General Counsel (OGC)**

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 trains OSC employees on their ethical obligations. OGC also handles the defense of OSC interests in litigation filed against the agency.

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

The Case Review Division (CRD) serves as the initial intake point for all complaints of prohibited personnel practices (PPPs) and whistleblower disclosures of government wrongdoing. CRD screens all new allegations to ensure they are directed to the appropriate OSC component. CRD also closes allegations that are duplicative, already filed with MSPB, outside OSC's jurisdiction, or untimely. Additionally, CRD now encompasses the functions previously managed by the Clerk's Office, including responsibilities related to the Freedom of Information Act (FOIA), the Privacy Act, Controlled Unclassified Information, and records management.

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

IPD receives PPP cases from CRD and investigates the allegations to determine whether the evidence is sufficient to establish that a violation has occurred. If it is not, the matter is closed. If the evidence indicates a reasonable basis to believe a violation occurred, IPD may seek corrective action, disciplinary action, or both. IPD works closely with OSC's Alternative Dispute Resolution (ADR) 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 within 45 days of filing. This 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 on OSC's website.

### **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. Where appropriate, RDU attorneys investigate PPP complaints, obtain corrective or disciplinary actions, and refer disclosures for investigation. RDU attorneys also refer cases to ADR.

### **Hatch Act Unit (HAU)**

This unit enforces and investigates complaints of unlawful political activities by government employees under the Hatch Act and represents OSC in seeking disciplinary actions before the MSPB. In addition, HAU 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**

This unit enforces USERRA on behalf of veterans and service members who work (or apply to work) at federal civilian agencies by reviewing, resolving, and (if necessary) litigating USERRA complaints referred from the U.S. Department of Labor (DOL). The USERRA Unit also provides outreach and assistance to veterans, service members, and agencies about 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 claims brought to OSC and other claims, for example resolving PPP and Title VII discrimination claims stemming from the same personnel action.

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

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 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. To meet compliance requirements, this unit also helps develop and implement training programs for OSC's staff.

### **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 and travel functions fall under the Budget and Finance Office.

### **FY 2025 Budget and Staffing**

During FY 2025, OSC operated with a budget authority of \$31,585,000 in appropriated funding. The agency operated with a staff of approximately 123 full-time equivalent (FTE) employees.

### **FY 2025 Case Activity and Results**

OSC received 9,820 new cases in FY 2025. This is the highest in agency history, marking a 57 percent increase over FY 2024 and a 120 percent increase over the prior five-year average.

OSC continued to bring accountability, integrity, and fairness to the federal workplace in FY 2025. Specifically, OSC achieved a substantial number of favorable outcomes across OSC's program units. OSC achieved 397 favorable outcomes in PPP cases—the fifth highest in agency history. OSC also resolved 710 Hatch Act cases—a 117 percent increase over the prior five-year average—and improved processing efficiency to reduce the unit's active caseload by 45 percent since the end of FY 2020. In addition, OSC issued 94 warning letters and successfully obtained disciplinary actions in 13 cases against federal employees who committed Hatch Act violations. OSC's USERRA Unit also assisted 19 service members in asserting their employment and reemployment rights.

At the same time, OSC has prioritized the timely review of whistleblower disclosures to ensure that waste, fraud, abuse, and illegality are identified and addressed quickly. OSC recently implemented a new policy encouraging agencies to pay monetary rewards to whistleblowers in appropriate cases.<sup>1</sup>

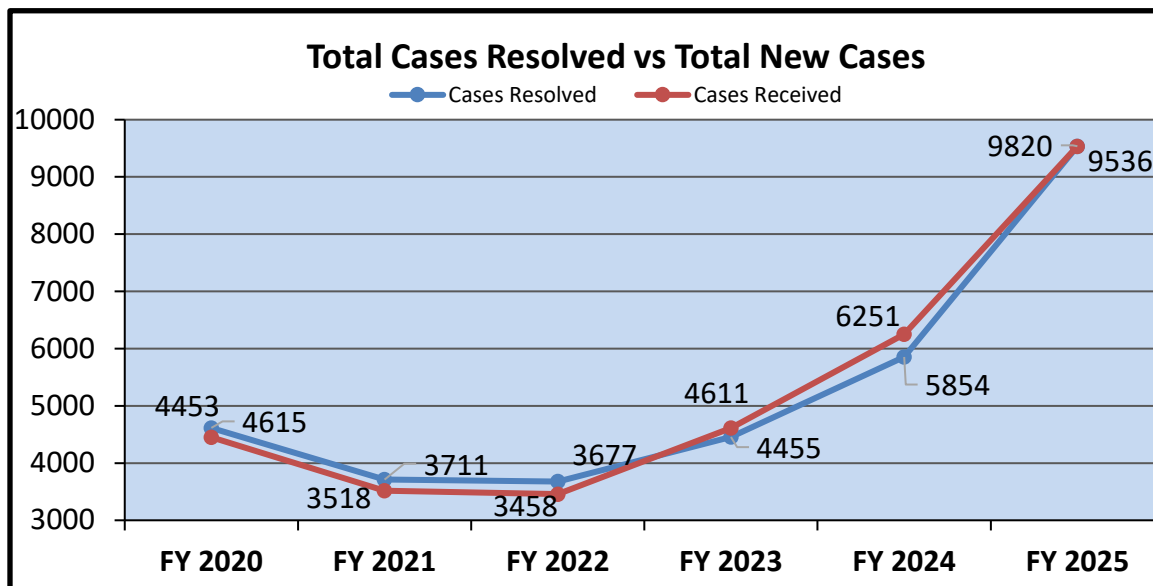
In FY 2025, OSC's review of whistleblower disclosures resulted in 30 substantiated findings of wrongdoing in federal agencies. For example, in one case OSC found that the Mine Safety and Health Administration (MSHA) repeatedly failed to inspect active underground and surface

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<sup>1</sup> U.S. Office of Special Counsel. *OSC Monetary Policy Regarding Whistleblowers*. May 2025. <https://osc.gov/~assets/docs/osc-monetary-policy-re-whistleblowers-52025.pdf>.

mines and falsely identified and reported them to Congress as “abandoned.” OSC’s investigation led to the U.S. Department of Labor Office of Inspector General (OIG) issuing an Alert Memorandum to the mining community and led MSHA to identify actions to address the issue.

**Table 1**, below, summarizes OSC’s new cases received and cases resolved or closed in FY 2025, with comparative data from the last five fiscal years. More detailed data can be found in **Tables 2-8**, on the four specific components of OSC’s mission—PPP cases, Hatch Act matters, whistleblower disclosures, and USERRA cases.



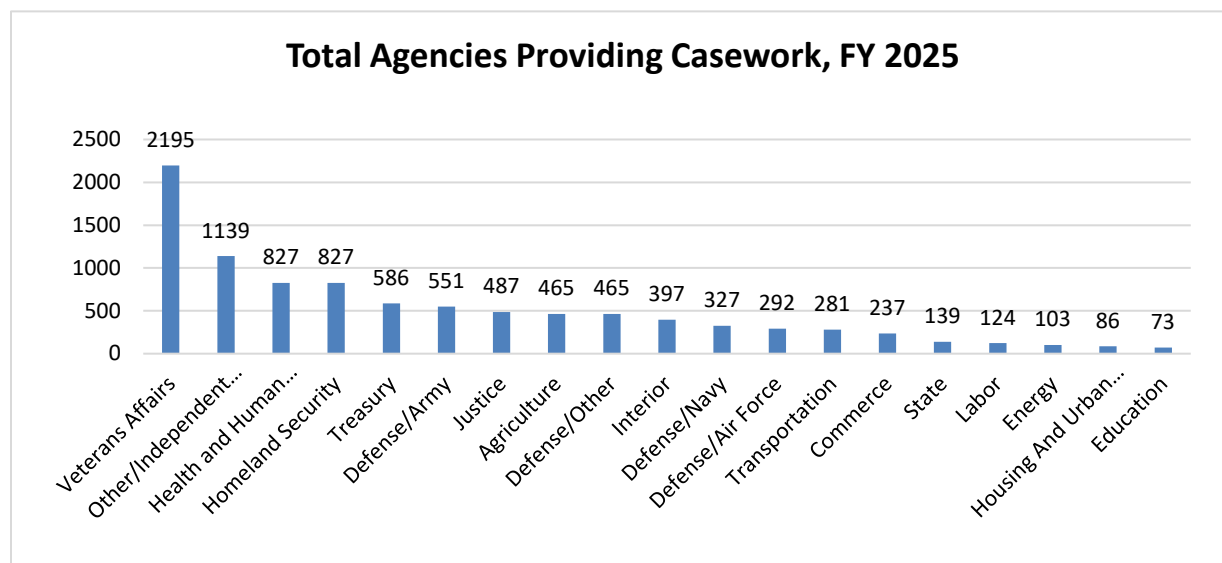
In FY 2025, OSC resolved a total of 9,536 cases, as shown in Table 1 below. Further, OSC issued 777 Hatch Act advisory opinions.

	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Cases active at start of fiscal year</b>	1,888	1,736	1,526	1,292	1,440	1,792
<b>New cases received</b>	4,453	3,518	3,458	4,611	6,251	9,820
<b>Cases closed</b>	4,615	3,711	3,677	4,455	5,854	9,536
<b>Cases active at end of fiscal year</b>	1,732	1,551	1,303	1,444	1,836	2,075
<b>Hatch Act advisory opinions issued</b>	1,461	1,043	757	614	967	777

### OSC’s Docket

In addition to Hatch Act and USERRA cases, OSC is responsible for addressing whistleblower complaints and PPPs from nearly every sector of the federal government. The chart below

depicts the agencies with the highest number case filings to OSC. As in prior years, filings from employees of the VA account for the largest share.



### PART 3 – PROHIBITED PERSONNEL PRACTICES

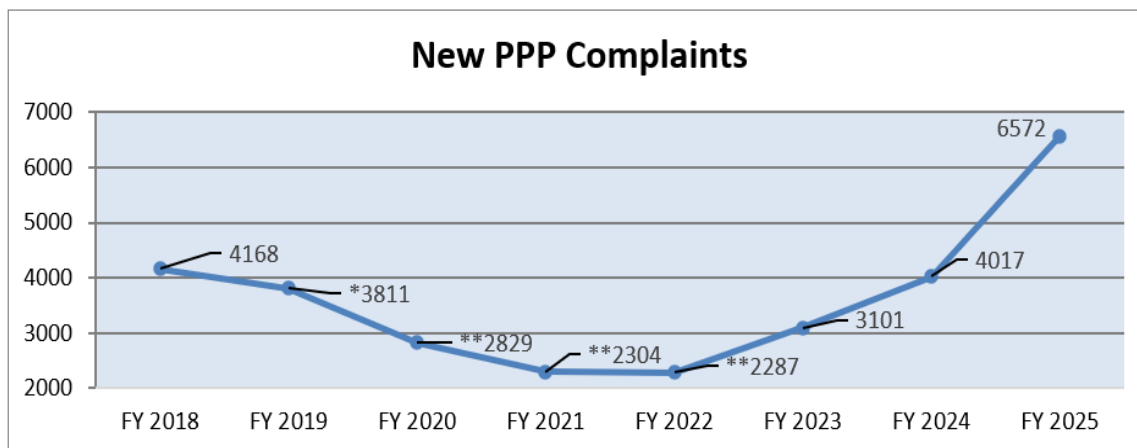
#### Summary of Workload, Activity, Costs, and Results

OSC received 6,572 new PPP cases in FY 2025, representing a 126 percent increase over the prior five-year average. This surge reflects a continuing trend, and OSC anticipates similar numbers of new PPP complaints in FY 2026 and FY 2027.

Additionally, OSC resolved 6,210 PPP cases in FY 2025, approximately 114 percent higher than the prior five-year average. The average cost to the agency to resolve a PPP case in FY 2025 was \$3,078. This information is reported in accordance with OSC’s reauthorization requirements.

Cost of Resolving a PPP matter:	<b>\$3,078</b>
Note: This was the average cost for resolving a PPP case in FY 2025, including direct costs and a proportionate share of overhead costs.	

Based on current filing trends, OSC expects the number of new PPP complaints to remain high in future fiscal years. PPP cases are the most time- and resource-intensive matters handled by the agency.



\*OSC experienced a partial government shutdown in FY 2019, which likely affected the number of PPP complaints the agency received.

\*\*OSC received fewer PPP complaints during the pandemic years.

## Receipts and Investigations

**Table 2** below contains FY 2025 summary data—with comparative data for the last four fiscal years—on OSC’s receipt and processing of all PPP complaints.

TABLE 2 – Summary of All Prohibited Personnel Practice Complaints Activity – Receipts and Processing						
		FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Active complaints carried over from prior fiscal year</b>		1,147	1,046	940	1,155	1,372
<b>New complaints received</b>		2,304	2,287	3,101	4,017	6,572
<b>Total complaints</b>		3,451	3,333	4,041	5,172	7,944
<b>Total complaints processed and closed</b>		2,390	2,382	2,879	3,768	6,210
<b>Complaint processing times</b>	<b>Within 240 days</b>	1,883	1,870	2,446	3,281	5,543
	<b>Over 240 days</b>	499	522	433	487	655
<b>Percentage processed within 240 days</b>		79%	79%	85%	87%	89%

**Table 3** contains summary data for FY 2025 (with comparative data for the last four fiscal years) on all favorable outcomes attained from OSC processing whistleblower reprisal and other prohibited personnel practice complaints.

<b>TABLE 3 – Summary of All Favorable Outcomes – Prohibited Personnel Practice Complaints</b>						
		<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Total favorable outcomes negotiated with agencies (all PPPs)</b>	<b>No. of actions</b>	393	424	418	450	397
	<b>No. of cases</b>	295	310	289	318	295
<b>Total favorable outcomes negotiated with agencies (reprisal for whistleblowing)</b>	<b>No. of actions</b>	304	324	312	332	282
	<b>No. of cases</b>	223	261	234	257	219
<b>Disciplinary actions negotiated with agencies</b>		33	37	35	32	46
<b>Stays negotiated with agencies</b>		38	44	45	46	44
<b>Stays obtained from MSPB</b>		0	2	1	0	8
<b>Stay extensions obtained from MSPB</b>		0	2	9	1	1
<b>Corrective action petitions filed with the MSPB</b>		0	0	0	0	1
<b>Disciplinary action complaints filed with the MSPB</b>		0	0	0	0	0

As shown in **Table 3**, OSC continues to deliver positive results for complainants, having attained 397 favorable outcomes from PPP complaints in FY 2025—the fifth-highest total in the agency’s history. Of these FY 2025 favorable outcomes, 282 involved instances of whistleblower retaliation. OSC negotiated 44 stays with agencies to protect employees from potentially improper personnel actions while OSC investigated. OSC also achieved 46 disciplinary actions, upholding merit system principles and sending a strong message that retaliation and other reported misconduct will be investigated and violators held accountable.

### Subpoenas

OSC’s most recent reauthorization requires the agency to report the number of subpoenas issued during the fiscal year.

Subpoenas issued - FY 2025	<b>4</b>
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### Re-opened PPP Cases

OSC’s most recent reauthorization also requires the agency to report the number of instances in which OSC reopened a PPP case after an initial determination had been made, and the actions resulting from the reopened investigation.

<b>Total PPP cases that were requested to be reopened in FY 2025<sup>2</sup></b>	<b>33</b>
• Status – Request to Reopen Denied (Previous determination was upheld)	<b>21</b>
• Status – Cases Reopened	<b>34</b>
○ Status – Reopened Cases Closed	<b>24</b>
○ Status - No determination yet/case status still open	<b>10</b>

### PPP Cases Resolved by an Agreement

Another requirement of OSC’s most recent reauthorization is to provide a list of PPP complaints that were resolved by an agreement between the complainant and their employing agency, organized by agency and agency components.<sup>3</sup>

<b>TOTAL PPP Cases Resolved by an Agreement in FY 2025 (90)</b>	
<b>Department/Agency</b>	<b>Number of Cases</b>
<b>Veterans Affairs</b>	21
<b>Other/Independent Agency</b>	13
<b>Commerce</b>	8
<b>Justice</b>	7
<b>Defense/Army</b>	6
<b>Defense/Other</b>	6
<b>Interior</b>	6
<b>Homeland Security</b>	5
<b>Defense/Navy</b>	4
<b>Labor</b>	4
<b>Treasury</b>	3
<b>Defense/Air Force</b>	2
<b>State</b>	2
<b>Health and Human Services</b>	2
<b>Transportation</b>	1

### Prohibited Personnel Practice Successes

OSC investigates complaints of PPPs from federal employees and applicants for federal employment. The examples below highlight recent successes in resolving PPP complaints filed with OSC.

<sup>2</sup> These numbers may not match because some cases are still in “reopen” status following a request for reopening in the prior fiscal year. Further, some cases are reopened without a request for reopening.

<sup>3</sup> With the continued development of OSC’s electronic case management system, this data will continue to be reported at the department/agency level.

- The complainant, who served as the agency’s Chief Financial Officer, alleged that after filing complaints with leadership, the Office of Inspector General, and Congress, agency leadership retaliated by suspending their security clearance, placing them on administrative leave, and ultimately terminating their employment. The matter was resolved through a settlement agreement that included a \$600,000 lump-sum payment, among other terms.
- A complainant, who served as Deputy Associate Director at the agency, alleged that after reporting nepotism and raising concerns about the mishandling of their harassment complaint, leadership retaliated by terminating them during their probationary period. The case was resolved through a global settlement including a \$322,000 lump-sum payment, among other terms.
- An employee at a Department of Defense component in Washington, D.C., filed a complaint with OSC after the agency refused to rescind their resignation. Following the complaint, the agency placed the employee on administrative leave, partly because of the OSC filing. OSC investigated and issued a PPP report finding that the agency’s actions violated 5 U.S.C. § 2302(b)(9) and (b)(12). After extensive negotiations, the parties reached a settlement including over \$160,000 in damages and attorney fees, as well as a fully funded two-year non-reimbursable detail to another federal agency. On OSC’s recommendation, the agency also suspended the official responsible for the improper personnel actions.

## Notable FY 2025 Amicus Curiae Brief

OSC has authority to appear as an amicus curiae in federal court when legal questions related to whistleblower retaliation are at issue. Specifically, the Whistleblower Protection Act (WPA), as amended by the Whistleblower Protection Enhancement Act of 2012 (WPEA), authorizes OSC “to appear as amicus curiae in any action brought in a court of the United States related to section 2302(b)(8) or (9), or as otherwise authorized by law.” 5 U.S.C. § 1212(h)(1). OSC also may appear as amicus curiae to present its views in Merit Systems Protection Board (MSPB) proceedings. See 5 C.F.R. § 1201.34(e).

In 2015, OSC established the Amicus Working Group (AWG) to make more effective use of its amicus authority. Members of the AWG serve a one-year collateral duty rotation under the leadership of an Associate Special Counsel and two senior attorneys. Since its inception, the AWG has identified several priority areas and issues where OSC’s views and expertise help develop or clarify the law. The AWG also has established mechanisms to identify and track cases for potential participation as amicus curiae. In FY 2024, OSC launched a new AWG webpage putting all OSC amicus materials in one place on the website so that it is easier to find and ask for our help. To date, the AWG has filed over 20 amicus curiae briefs in federal court appeals and MSPB proceedings.

In FY 2025, OSC filed an amicus [brief](#) in *Interested Terminated Probationary Employee—Commerce v. OPM* and related cases which are now before the MSPB. OSC opposes the

probationary employees' petition to have the MSPB review the "mass termination" of probationary employees.

The probationary employees argue that the firings violated OPM regulations, thereby resulting in a prohibited personnel practice (PPP). OSC had already evaluated the basis for the "mass" firings and determined that they do not constitute PPPs.

OSC's brief explained that probationary employees are "at-will" employees that Federal agencies may summarily terminate for any reason not otherwise prohibited by law.

## Mediation Successes

Mediation reduces the amount of time and financial resources required to investigate, litigate, and resolve a case. Parties value mediation because it gives them a direct role in discussing the dispute and creating resolutions with provisions beyond what a court may provide. From FY22-25, OSC's ADR Unit achieved an average mediation settlement success rate of nearly 78 percent.

The following are examples of recent OSC cases resolved through mediation:

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

- The complainant alleged retaliation for making patient health and safety disclosures, including being detailed, reassigned, and given a lowered performance rating. Through mediation, the complainant conveyed the personal and professional impact of these actions and shared career goals with the agency. In response, the agency offered the complainant a new position that aligned with those goals. The new position also qualified for a retention incentive. Additionally, the agency agreed to provide a monetary payment and restore annual and sick leave.
- The complainant alleged retaliation for disclosing violations of the Federal Acquisition Regulation, gross mismanagement, gross waste of funds, and abuse of authority. During mediation, the complainant outlined their concerns, including systemic issues tied to the chain of command structure at their former duty station. Agency representatives requested detailed information to address those concerns and implement necessary changes, which the complainant welcomed. To resolve the matter, the agency agreed to provide a monetary payment and restore the complainant's leave.
- The complainant, a member of medical staff, alleged retaliation for whistleblowing, including a suspension and the creation of a hostile work environment. During OSC's mediation process, the parties addressed concerns regarding patient care and mediation objectives. The settlement resulted in a commitment to conduct a full

investigation into physician oversight of patient care, rescind the suspension, provide OSC-led whistleblower law training, and issue a monetary payment to cover the complainant’s attorney fees.

- The complainant alleged retaliation for whistleblowing and engaging in protected activity, including retaliatory investigations, removal from an overseas assignment, and a negative suitability determination that prevented him from competing for a position within the agency. He was also encouraged to withdraw from competition for an internal role. During mediation, the complainant expressed concerns about the impact on his career trajectory and future opportunities. To resolve the matter, the agency agreed to amend his personnel record to address assignment gaps caused by the negative determination, seal the determination and related records, and grant an agency award recognizing his contributions for improving efficiency. Additionally, the agency provided monetary compensation to the complainant.

<b>Table 4 – ADR Unit Activity – 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>FY 2025</b>
<b>Cases Reviewed for Mediation</b>	60	39	65	73	83	67
<b>Mediations Offered</b>	57	39	45	60	68	47
<b>Mediations Conducted</b>	40	31	38	34	43	38
<b>Cases Withdrawn Before Mediation Completed</b>	10	3	6	8	10	11
<b>Completed Mediations</b>	30	28	32	26	33	27
<b>Completed Mediations Resulting in Settlement</b>	23	16	27	21	25	19
<b>Percentage of Completed Mediations Resulting in Settlement</b>	77%	57%	84%	81%	76%	70%
<b>Cases Resolved Without Need for Mediation</b>	2	1	0	1	0	0
<b>Carryover to Next FY – Mediations in Process</b>	22	17	13	15	19	15
<b>Carryover to Next FY – Cases in Review</b>	1	2	3	0	4	5

**Table 5 – ADR Unit Activity – Corrective Actions Obtained through Mediation of Prohibited Personnel Practice Complaints**

	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<b>Total Corrective Actions</b>	<b>17</b>	<b>28</b>	<b>26</b>	<b>34</b>	<b>21</b>
<i>Mediated Settlement Agreements</i>	16	27	21	25	19
<i>Initial Informal Stays</i>	0	0	1	1	0
<i>Other Individual Corrective Actions</i>	0	0	1	0	0
<i>Systemic Corrective Actions</i>	1	1	3	8	2

## **PART 4 – WHISTLEBLOWER DISCLOSURES**

### Overview

OSC provides a safe and secure channel for whistleblowers. Whistleblowers are well positioned to detect wrongdoing within government agencies and to disclose waste, fraud, abuse, illegality, and dangers to public health and safety. Through this process, OSC helps improve the efficiency and accountability of government.

OSC received a record number 2,535 disclosures in FY 2025, nearly 30 percent greater than the previous record in FY 2015. Additionally, OSC sent 49 whistleblower disclosure reports to the President and Congress, with federal agencies having substantiated wrongdoing in 30 of those cases.

Many substantiated disclosures result in significant and direct financial returns to the government. OSC’s real financial impact, however, lies in prevention. By providing a safe channel for whistleblower disclosures, OSC helps address threats to public health and safety that carry risk of serious harm and lead to substantial remedial and liability costs to the government.

### Disclosure Successes

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 2025, OSC secured several notable successes involving whistleblower disclosures, including the following:

- In one [case](#), OSC received disclosures from Mine Safety and Health Administration (MSHA) employees who revealed that active mines in U.S. Pacific Territories were falsely designated as “abandoned,” allowing MSHA to avoid mandatory inspections required under federal law. The agency investigation substantiated the allegations, uncovering serious oversight failures and misleading reporting to Congress about inspection rates. Thanks to the whistleblowers' courage and OSC's referral, the DOL Office of Inspector General released an alert in 2024 during the investigation citing “urgent concerns” for miner safety and health.

In recognition of the significance of the disclosures and their contribution to miner safety, OSC recommended the agency authorize monetary awards to the whistleblowers. OSC also recently [honored](#) the whistleblowers with the 2025 Outstanding Public Servant Award.

- In another [case](#), whistleblowers at the USDA's Beltsville Agricultural Research Center (BARC) disclosed widespread safety hazards and infrastructure failures across the campus, including broken elevators, lack of running water, and nonfunctional fire suppression systems. OSC's referral led to a comprehensive investigation that substantiated the allegations and revealed gross mismanagement, violations of federal safety regulations, and damage to scientific equipment and research. OSC recommended that USDA formally acknowledge the whistleblowers’ efforts in enhancing government efficiency and improving the safety of BARC workers. OSC also recommended the agency grant a monetary award in recognition of the whistleblowers’ contributions.
- In yet another [case](#), a whistleblower at the Bureau of Prisons (BOP) exposed serious lapses in management of inmate financial obligations, revealing that court-ordered payments were not being properly recorded or collected. A targeted audit confirmed that over \$2.5 million in obligations were mishandled, including nearly \$70,000 that became uncollectible. OSC's referral prompted BOP to initiate new oversight measures, including monthly reminders, staff training, and regional check-ins to ensure compliance.

**Table 6**, below, contains FY 2025 summary data with comparative data for the last three fiscal years—on the receipt and disposition of whistleblower disclosure cases. Notably, the number of total disclosures increased by 44 percent over FY 2024, and the number processed within the statutorily mandated 45 days rose by roughly 50 percent.

<b>TABLE 6 – Summary of Whistleblower Disclosure Activity – Receipts and Dispositions</b>				
	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Active disclosures carried over from prior fiscal year</b>	241	199	150	218
<b>New disclosures received</b>	928	1,237	1,757	2,535
<b>Total disclosures</b>	1,169	1,436	1,907	2,753

<b>Disclosures referred to agency heads for investigation and report</b>		27	19	28	23
<b>Referrals to agency IGs</b>		0	0	0	0
<b>Agency head reports sent to President and Congress</b>		74	70	43	49
<b>Results of agency investigations and reports</b>	<b>Disclosures substantiated in whole or in part</b>	45	44	34	30
	<b>Disclosures unsubstantiated</b>	29	26	8	17
<b>Disclosure processing times</b>	<b>Within 45 days</b>	911	1,216	1,666	2,495
	<b>Over 45 days</b>	6	3	19	78
<b>Substantial likelihood determinations<sup>4</sup> made within 45 days</b>		99.3%	99.8%	98.9%	97.0%
<b>Disclosures processed and closed</b>		967	1,285	1,678	2,609

## PART 5 – HATCH ACT

### Overview

OSC aims to reduce prohibited political activities by: (1) educating and warning employees about unlawful partisan political activity; and (2) bringing disciplinary actions against federal employees who violate the Hatch Act. This year, OSC issued 777 advisory opinions and 94 warning letters, and obtained 24 corrective actions and 13 disciplinary actions, either through negotiation or MSPB orders.

### Advisory Opinions

The Hatch Act Unit (HAU) is responsible for 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 their coverage under the Hatch Act and whether their political activities are permissible. In FY 2025, OSC responded to 777 advisory opinion requests.

### Hatch Act Unit Successes

OSC helps protect federal employees from political coercion in the workplace, safeguarding against improper political activity by agency officials, and ensuring federal programs are

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<sup>4</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.

administered in a nonpartisan fashion. Examples of recent OSC Hatch Act enforcement successes include the following:

- In FY 2025, OSC investigated a case that resulted in recent [complaints](#) filed with MSPB against a sitting sheriff and undersheriff in Chesapeake, Virginia, alleging several serious Hatch Act violations related to their primary and general election campaigns. The violations involved soliciting political contributions from subordinates, coercive fundraising practices, misuse of staff and official events for campaign purposes, and applying undue political pressure on office staff. Employees also reported fear of retaliation for not supporting the sheriff's campaign.
- Also in FY 2025, MSPB held a hearing in a case where OSC charged a Pentagon Force Protection Agency employee with violating the Hatch Act by running as a candidate for partisan political office, and knowingly soliciting, accepting, or receiving political contributions, among other prohibited activities. Despite OSC repeatedly warning the employee, they continued to run as a candidate for sheriff while remaining a federal employee. OSC is awaiting a decision on the case as of May 2026.
- In yet another case in FY 2025, OSC entered into a settlement agreement with a VA psychology technician who, while administering a mental health diagnostic test to a patient on Election Day, repeatedly expressed their support for a presidential candidate and opposition to a political party, questioned the patient's opposing views, and told the patient they hoped they had changed the patient's mind by the end of the test. The employee agreed to a 21-day unpaid suspension as disciplinary action for violating the Hatch Act prohibitions against using their official authority or influence to affect an election and engaging in political activity while on duty and in a federal building.
- In September 2025, OSC filed a complaint for disciplinary action against a VA employee who, while on duty, used their personal Facebook account and official VA email and Teams accounts to send and post numerous messages in support of and opposition to candidates in the 2024 presidential election. The case is ongoing.
- In May 2025, OSC transmitted a report to the President finding former Commissioner of the Social Security Administration Martin O'Malley violated the Hatch Act prior to the 2024 presidential election when he engaged in political activity while giving an interview in his official capacity.
- In February 2025, OSC filed a MSPB complaint against a former Federal Emergency Management Agency employee, who in October 2024 instructed subordinates to avoid visiting homes with Donald Trump campaign signs. OSC charged the individual with violating the Hatch Act prohibitions against engaging in political activity while on duty and using their official authority or influence to interfere with or affect the results of an election. While the

case is ongoing OSC, received a favorable ruling from the MSBP confirming its jurisdiction over former federal employees.

- In November 2024, OSC obtained a favorable decision in a case against a VA 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, an administrative law judge (ALJ) ordered the employee removed from their employment and was debarred from returning to federal employment for two years as disciplinary action for her violations. The employee appealed the decision, and in November 2024, the MSPB affirmed the ALJ’s decision.

### Corrective Action Obtained through Negotiation

In FY 2025, the Hatch Act Unit successfully resolved 24 cases through negotiated corrective action, which required employees to cease the prohibited activity and complete Hatch Act training to prevent future violations.

### Outreach and Training

OSC’s Hatch Act Unit actively engages in training and outreach initiatives. Hatch Act attorneys regularly conduct Hatch Act training for employees at federal agencies, federal employee unions, and other organizations to ensure they understand their rights and responsibilities under the Hatch Act. While these efforts are traditionally emphasized during presidential election years when Hatch Act inquiries typically increase, FY 2025 saw an even greater demand for guidance. In response, the unit delivered 32 training sessions during FY 2025.

**Table 7**, below, contains FY 2025 summary data—with comparative data for the last five fiscal years—on OSC Hatch Act enforcement activities.

<b>TABLE 7 – Summary of Hatch Act Complaint and Advisory Opinion Activity</b>						
	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Formal written advisory opinion requests received</b>	60	23	21	21	18	13
<b>Formal written advisory opinions issued</b>	56	28	22	17	23	14
<b>Total advisory opinions issued</b>	1,461	1,043	757	614	967	777
<b>New complaints received <sup>5</sup></b>	440	289	224	263	458	694
<b>Complaints processed and closed</b>	280	375	313	277	391	710
<b>Warning letters issued</b>	34	62	73	41	81	94

<sup>5</sup> Includes cases that were reopened.

<b>Corrective actions taken by cure letter recipients</b>	<b>Withdrawal from partisan races</b>	2	4	7	3	9	5
	<b>Resignation from covered employment</b>	0	0	7	4	5	4
	<b>Other</b>	10	0	8	12	35	15
	<b>Total</b>	12	4	22	19	49	24
<b>Disciplinary action complaints filed with MSPB</b>		4	3	5	1	1	4
<b>Disciplinary actions obtained (by negotiation or ordered by MSPB)</b>		8	7	8	3	7	13
<b>Complaints active at end of fiscal year</b>		323	236	145	131	197	178

**PART 6 – USERRA ENFORCEMENT PROGRAM**

Overview

OSC continues to assist reservists and National Guard members who face obstacles in their federal civilian jobs due to their military service. OSC receives USERRA cases from the U.S. Department of Labor (DOL), which first investigates and attempts to resolve the cases. OSC received 19 new cases from DOL in FY 2025 and closed or resolved 19 cases by the end of the fiscal year. OSC obtained corrective actions in three of the cases closed during FY 2025.

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.

- Upon returning to his civilian Army job after two long-term deployments, a National Guard member discovered that he had not received the same bonuses and pay raises as his peers while he was gone. (Under USERRA, service members are entitled to the same employment benefits they would have received, with “reasonable certainty”, had they not been absent for military duty). At OSC’s request, the Army agreed to retroactively award him bonuses and pay raises consistent with his outstanding performance history, resulting in over \$20,000 in compensation and a higher salary.
- A Foreign Affairs Officer with the State Department alleged that two of his performance ratings were downgraded and contained negative comments due to his absences for active duty in the U.S. Navy Reserve. OSC contacted the agency, which agreed to upgrade his ratings and remove the objectionable comments regarding the time periods in question.
- 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.

**Table 8**, below, contains FY 2025 summary data with comparative data and disposition of USERRA referral cases.

<b>TABLE 8 – Summary of USERRA Referral and Litigation Activity</b>					
	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Pending referrals carried over from prior fiscal year</b>	3	5	9	5	7
<b>New referrals received from VETS during fiscal year</b>	19	19	10	19	19
<b>Referrals closed</b>	17	15	14	17	19
<b>Referrals closed with corrective action</b>	0	3	1	1	3
<b>Referrals closed with no corrective action</b>	17	12	13	16	16
<b>Referrals pending at end of fiscal year</b>	5	9	5	7	7
<b>Litigation cases carried over from prior fiscal year</b>	1	1	1	1	0
<b>Litigation cases closed</b>	0	0	0	1	0
<b>Litigation closed with corrective action</b>	0	0	0	1	0
<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	0	0

## **PART 7 – OUTREACH, TRAINING, & COMPLIANCE**

### Overview

A key objective of OSC is to provide federal agencies high-quality training to help them understand and prevent actions that may result in violations. In FY 2025, OSC successfully delivered 273 training sessions, surpassing its annual training goals.

Training sessions addressed topics including retaliation against whistleblowers and PPP provisions of the Civil Service Reform Act, and training for supervisors to prevent violations of the statutes. OSC provided training to a wide range of federal agencies, including those responsible for safeguarding public transportation, securing national borders, and providing care to veterans – underscoring OSC’s broad reach and relevance across the government.

OSC also expanded its support for supervisors by offering targeted training on responding constructively to employee disclosures of government wrongdoing. These sessions highlighted the importance of fostering a workplace culture where employees feel comfortable reporting, without fear of retaliation.

Finally, OSC enhanced its Section 2302(c) Certification Program. In FY 2025, OSC certified 31 agencies and registered seven more for certification. The program helps agencies to take concrete steps to inform their workforces, in consultation with OSC about PPPs and whistleblower protections, reinforcing OSC’s commitment to compliance and accountability across the federal workforce. To support participating agencies, OSC launched a dedicated listserv to share resources and updates, including [new fact sheets](#) that provide legal overviews of the 14 PPPs, with illustrative examples and practical recommendations for preventing violations.

### Annual Survey Program

OSC’s authorization requires the agency to survey complainants who have contacted the agency for assistance during the previous fiscal year. However, OSC was unable to conduct the annual survey in FY 2025, due to the expiration of OMB’s approval for the survey. OSC is currently working to reinstate that approval.

## FURTHER INFORMATION

### Prohibited Personnel Practices

Individuals with questions about prohibited personnel practices not answered on the agency website can contact OSC at:

Telephone: (800) 872-9855  
(202) 804-7000

Email: [info@osc.gov](mailto:info@osc.gov)

There are two ways to file a prohibited personnel complaint with OSC:

1. A complaint can be filed electronically through OSC's online filing portal (<https://oscportal.powerappsportals.us>).
2. Alternatively, a complaint may be filed using OSC Form 14, which is available online (<https://osc.gov/~assets/docs/osc-form-14-prohibited-personnel-practice-form.pdf>), and then emailed to the email address above.

### Whistleblower Disclosures

Information about reporting a whistleblower disclosure to OSC in confidence is available on the agency website, or at:

Telephone: (800) 572-2249  
(202) 804-7000

Fax: (202) 254-3711

Email: [info@osc.gov](mailto:info@osc.gov)

There are two ways to file a prohibited personnel complaint with OSC:

1. A complaint can be filed electronically through OSC's online filing portal (<https://oscportal.powerappsportals.us>).
2. Alternatively, a complaint may be filed using OSC Form 14, which is available online (<https://osc.gov/~assets/docs/osc-form-14-disclosure-form.pdf>), and then emailed to the email address above.

## Hatch Act

Our website has additional information about the Hatch Act, including frequently asked questions by Federal, state and local Government employees, and selected OSC advisory opinions on common factual situations. Requests for other advice about the Hatch Act can be made by contacting:

Telephone: (800) 85-HATCH  
(800) 854-2824  
(202) 804-7002

Fax: (202) 254-3700

Email: [hatchact@osc.gov](mailto:hatchact@osc.gov)

There are two ways to file a prohibited personnel complaint with OSC:

1. A complaint can be filed electronically through OSC's online filing portal (<https://oscportal.powerappsportals.us>).
2. Alternatively, a complaint alleging a violation of the Hatch Act can be made using OSC Form 14, which is available online (<https://osc.gov/~assets/docs/osc-form-14-state-hatch-act-complaint-form.pdf>), and then emailed to the email address above.

## USERRA

USERRA complaints must be filed with the U.S. Department of Labor, Veterans' Employment & Training Service (<https://www.dol.gov/agencies/vets>), not OSC. The OSC website has additional information about USERRA, including a link to the DOL-VETS USERRA complaint form (<https://osc.gov/file-complaint/>). Questions not answered on the website about OSC's role in enforcing USERRA may be directed to:

Telephone: (202) 804-7022  
Email: [userra@osc.gov](mailto:userra@osc.gov)

## Outreach, Training, & Compliance Program

Many OSC forms and publications are available in the "Resources" section of the agency website. Questions not answered on the agency website about the 2302(c) Certification Program and OSC outreach, training, and compliance activities should be directed to:

Telephone: (202) 804-7093

Email: [certification@osc.gov](mailto:certification@osc.gov)

*For callers with hearing and/or speech disabilities, all OSC telephone numbers listed in this section may be accessed using TTY by dialing the Federal Relay Service at: 1 (800) 877-8339.*

## **Appendix 1**

### **2025 OSC FEVS Core Survey Results**

OSC's reauthorization in the 2018 National Defense Authorization Act required the agency to publish the results of its Federal Employee Viewpoint Survey (FEVS) in the Annual Report.

The FEVS was not conducted for 2025, but OSC employees consistently reported very high job satisfaction on the FEVS in prior years. Notably, in the 2024 survey, OSC ranked as the fifth best small federal agency to work overall and ranked first for small agencies in the mission match and professional development categories.