THE SECRETARY OF TRANSPORTATION

WASHINGTON, DC 20590

October 20, 2026

Policy Statement: Whistleblowing

The U.S. Department of Transportation (DOT) is committed to protecting current and former Federal employees and applicants for employment from interference and retaliation when making protected disclosures, or "whistleblowing," which includes gross mismanagement, gross waste of funds, abuse of authority, substantial and specific danger to public health or safety, or disclosing information related to a violation of law, rule, or regulation. The Whistleblower Protection Act of 1989, the expanded protections provided by the Whistleblower Protection Enhancement Act of 2012 (WPEA), and the Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017, protect individuals who report Federal agency misconduct from retaliation.

These provisions strengthen protections for Federal employees who disclose evidence of waste, fraud, or abuse, and modify rules on the use of nondisclosure policies or agreements by government agencies. They also clarify that these agreements do not override employee rights and obligations created by existing statute or Executive Order relating to classified information, communications with Congress, reporting violations or misconduct to an Inspector General, or any other whistleblower protection. In addition, Presidential Policy Directive 19 extends whistleblower protections to Federal employees who are eligible for access to classified data, and the Kirkpatrick Act of 2017 makes it unlawful to access a Federal employee's or an applicant's medical records for certain unauthorized purposes.

The Department will initiate appropriate actions against responsible persons who take, threaten to take, or fail to take a personnel action with respect to any employee, former employee, or applicant for employment due to any protected disclosure of information. Adverse employment actions include, but are not limited to, disciplinary action, non-promotion, and significant change in duties, responsibilities, or working conditions. The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 was enacted to make Federal agencies accountable for violations of antidiscrimination and whistleblower protection laws, and the Kirkpatrick Act of 2017 enhances disciplinary penalties for supervisors who engage in whistleblowing retaliation.

Whistleblowers serve a critical role when they report wrongdoing. Legitimate disclosure of information by employees is an invaluable resource for the oversight of Government operations. I expect employees to report these matters confidentially to the Department's Office of Inspector General (OIG), the U.S. Office of Special Counsel, or appropriate management officials. In accordance with the WPEA, a Whistleblower Protection Coordinator has been designated in OIG to educate DOT personnel about whistleblower rights.

Employees have the right to be free from prohibited personnel practices, including retaliation for whistleblowing. The Department will not tolerate whistleblower retaliation. I am committed to maintaining the Department's role and reputation as a Federal agency that respects the rights of current and former Federal employees and applicants for employment to raise legitimate concerns without fear of retaliation. I ask you to join me in implementing and communicating this important policy.

Sean P. Duffy