

DHS Should Ensure Timely Resolution of Retaliation Complaints

GAO-26-108106

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A report to congressional requesters

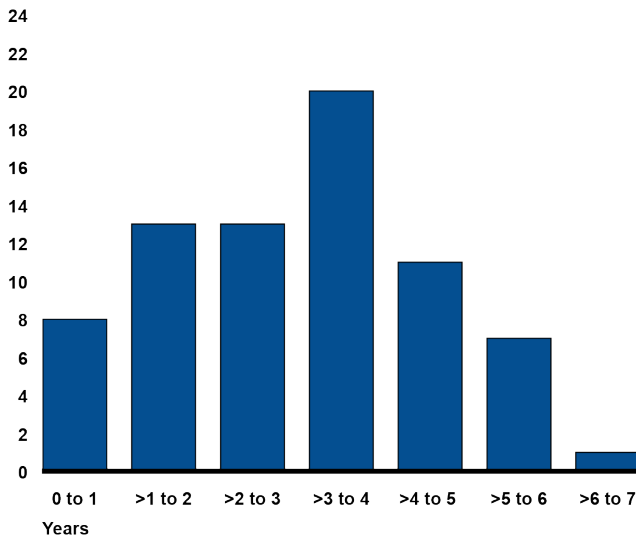
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What GAO Found

The Department of Homeland Security (DHS) Office of Inspector General (OIG) has not ensured timely investigations of whistleblower retaliation complaints. OIG took over 3 years to investigate the majority (39 of 73) of the cases it opened and closed in fiscal years 2018 through 2025. OIG officials told GAO that case complexity and limited staff affected some case time frames, and that they have focused more on investigation quality and thoroughness than timeliness. While OIG policy requires timely review of whistleblower retaliation complaints, OIG has not defined this objective in specific, measurable terms; evaluated timeliness; or implemented other mechanisms to help enhance accountability and ensure more timely investigations. Improving timeliness could lessen the personal, financial, and professional hardships on complainants and help convey that protecting whistleblowers is a priority.

DHS OIG Time Frames for Closing Whistleblower Retaliation Investigations, Cases Opened and Closed, Fiscal Years 2018–2025

Number of cases



Source: GAO analysis of Department of Homeland Security (DHS) Office of Inspector General (OIG) data. | GAO-26-108106

From fiscal years 2018 through 2025, OIG substantiated 11 of the 73 whistleblower retaliation cases noted above. The Secretary of Homeland Security did not decide whether to take corrective action for any of these cases within 30 days of receiving OIG's report, as required by law. As of May 2026, the Secretary decided to take corrective action for five cases and had not decided whether to take corrective action for the remaining six. These 11 cases had awaited the Secretary's decision for 4 months to over 2 years. DHS officials told GAO there is no process or designated official responsible for ensuring cases are reviewed in a timely manner. Until the Secretary decides on corrective action for the six pending cases and takes steps to ensure timely decisions on future substantiated cases, whistleblowers with substantiated cases will not receive timely restorative personnel actions. This could decrease confidence in DHS whistleblower protections and discourage other whistleblowers from coming forward.

Why GAO Did This Study

Federal employees who report wrongdoing play a crucial role in improving government operations but risk retaliation, such as removal from their duties. Whistleblower retaliation can damage careers and have a chilling effect on others' willingness to report wrongdoing. Federal statutes protect whistleblowers, including DHS employees, from such retaliation. Within DHS, OIG is responsible for receiving and investigating retaliation complaints and the Secretary of Homeland Security is responsible for deciding whether to take corrective action on substantiated complaints.

GAO was asked to review OIG's processes for receiving and investigating whistleblower retaliation complaints. This report addresses the extent to which OIG has ensured timely investigations of retaliation complaints and DHS has made timely corrective action decisions in response to substantiated retaliation allegations, among other objectives.

To conduct this review, GAO analyzed OIG policies, procedures, reports to Congress, and retaliation complaint and investigations data from fiscal years 2018 through 2025. GAO also interviewed officials from DHS and OIG. To obtain whistleblower perspectives, GAO interviewed nongeneralizable samples of three whistleblower advocacy groups, selected based on their work in this area, and current and former DHS personnel with closed whistleblower retaliation complaints.

What GAO Recommends

GAO is making one recommendation to DHS OIG and two to DHS to improve the timeliness of whistleblower retaliation investigations and decisions about corrective actions. DHS OIG and DHS agreed with the recommendations.