

# GUIDING PHRASES FOR WORKING WITH WHISTLEBLOWERS

This document provides guiding phrases for whistleblower intake and follow-up. It can be paired with the **Case Management Intake Workflow Infographic**. For comprehensive guidance, see the **Manual: Best Practices for Working with Whistleblowers**. Language may need to be tailored for your office's practices. Note that red text may be situationally applicable or intended for staffer background information.

## ADVANCE DISCLAIMERS TO PROVIDE

- Thank you, I realize this may be difficult and that it takes courage to reach out. Before we proceed, I'd like to go over some disclaimers
- I'm sensitive to the reality that whistleblowers commonly experience retaliation. There are broad protections for communicating with Congress, and you may be covered by them
- Our office can't provide legal advice, but we recommend you consult experienced counsel
- It's generally advisable to blow the whistle on your own time and with your own resources
- We're committed to protecting your confidentiality, and the House generally prohibits publicly identifying a whistleblower without their advance written consent

## KEY FACTS AND AREAS FOR DISCUSSION

- Do you have legal counsel advising you on your decision to speak with Congress? **[knowledgeable counsel can help you determine the best course of action]**
- To start, please summarize your concerns/goals
- We will seek your consent before sharing your information outside our office. Are there any initial restrictions around its use?
- Are you seeking to remain confidential?
- **[If confidential]** Our office will do its utmost to protect your desired confidentiality, but it cannot be guaranteed
- Some factors are beyond our control and will require that you take additional precautions **[e.g., camouflaging your digital footprint or unique facts]**
- Please don't provide any documentary evidence at this stage—if it becomes necessary, I'll follow up **[there are risks inherent with sharing documents and it is best to proceed cautiously]**

## MANAGING EXPECTATIONS

- I realize this is difficult, and I am committed to providing guiding resources, such as survival tips to keep in mind. I also may be able to identify relevant referrals and laws **[see Ombuds' Whistleblower Audience page]**
- Due to **[limited bandwidth/jurisdiction]**, we don't have capacity to look into all cases
- I'm going to evaluate within my office how to proceed and gather your guiding resources. I'll contact you within **[office determined timeframe]**
- **[If an interaction becomes confrontational and you feel unsafe, contact the [U.S. Capitol Police](https://www.uscp.gov/contact-us) at [www.uscp.gov/contact-us](https://www.uscp.gov/contact-us)]**

## INVESTIGATE FURTHER

- Let's plan for how my office can safely look into these concerns. I'll need your guidance and follow-up support throughout this process
- To start, can you provide a written summary and timeline of key events?
- To mitigate potential risks of document sharing, can you provide written summaries of key evidence? Then we can identify if there are alternative ways for my office to obtain what we need while masking you as the source
- Do you have trusted colleagues who share your concerns and may speak with our office? Additional witnesses will strengthen potential oversight and make it more difficult for the employer to discredit the whistleblowers **[remind them to test waters cautiously]**
- Have you made your disclosures within your workplace or to other entities? If so, please provide me with a summary of the status of those disclosures and any related findings. This information will help to inform potential support throughout our follow up work
- Is it ok for my office to contact the offices you have already engaged or other relevant third parties **[raise Privacy Act waiver as applicable]**? Will you help me to screen my office's inquiries in advance for any information that could identify you? **[if confidential]**
- Thank you, this guidance will help me look into your concerns and evaluate next steps. While the exact timing is out of my control, I will do my best to keep you apprised of developments and reach out if I need further information. Please keep me apprised of relevant developments **[determine best methods for communication]**

## IF YOUR OFFICE DECIDES NOT TO PROCEED

- Our office takes these allegations seriously and we have carefully considered what you shared. However, we will not be proceeding with an investigation at this time **[given jurisdiction/capacity/other]**
- There may be other governmental offices and whistleblower support groups to consider. I will/have share(d) these resources. Consider consulting knowledgeable counsel before acting on governmental referrals
- Thank you for your time and candor. Please reach back out if other issues arise within our jurisdiction

## CLASSIFIED DISCLOSURES

If the matter/evidence may be classified, pause and consult the Office of the Whistleblower Ombuds and the House Security Office for guidance.