



December 16, 2024

The Honorable Charles E. Grassley  
Ranking Member  
United States Senate Committee on the Budget  
624 Dirksen Senate Office Building  
Washington, DC 20510

Dear Ranking Member Grassley,

I am writing in follow-up to your March 11, 2024, letter asking that my office initiate a review of the U.S. Department of Housing and Urban Development (HUD) to determine whether the nondisclosure policies, forms, agreements, and related documents specific to HUD include the anti-gag provision required by law. Whistleblowers play a critical role in exposing fraud, waste, and abuse, and my office shares your commitment to ensuring whistleblowers are educated on their rights and remedies.

As described in my July 10, 2024 letter, in response to your request my office initiated an evaluation to assess HUD's incorporation of the required anti-gag provision specified in the Whistleblower Protection Enhancement Act of 2012 (WPEA) and successive appropriations acts.<sup>1</sup> Please find enclosed the final evaluation report, "The U.S. Department of Housing and Urban Development Nondisclosure Agreements' Incorporation of Whistleblower Protections."

Our evaluation found that HUD did not include the anti-gag provisions required by the WPEA in two nondisclosure policies, two nondisclosure forms, and 13 nondisclosure agreements. We found that HUD had not posted the WPEA anti-gag provision on its website. Also, we determined HUD had not communicated to its staff the WPEA requirement to include anti-gag provisions in nondisclosure policies, forms, agreements. This occurred because HUD's Office of General Counsel and its program office did not use a centralized, consistent approach to implementing the WPEA requirements to include anti-gag provisions in their policies, forms and agreements.

We made 6 recommendations for specific HUD program offices to update their policies, forms, and agreements as well as to communicate them to staff and the public; HUD agreed with all of the recommendations. Additionally, HUD communicated the WPEA anti-gag requirements to its staff and updated them on its public website in response to our report.

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<sup>1</sup> 5 U.S.C. § 2302(b)(13); e.g., Section 743 of Pub. L. No. 118-47 (March 23, 2024).



My team and I are always available to discuss our oversight work or provide additional information. If you or your staff have other questions about this matter, please do not hesitate to contact Chris Fontanesi, Acting Chief of Staff, at [cfontanesi@hudoig.gov](mailto:cfontanesi@hudoig.gov).

Sincerely,

Rae Oliver Davis  
Inspector General

Enclosure