



GOVERNMENT
ACCOUNTABILITY
PROJECT

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The Honorable Charles E. Schumer
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Jack Reed
Chairman of the Armed Services Committee
728 Hart Senate Office Building
Washington, DC 20510

The Honorable James Inhofe
Ranking Member of the Armed Services
Committee
205 Russell Senate Office Building
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

November 10, 2021

Re: Amendments to modernize government contractor whistleblower rights in the FY 2022 National Defense Authorization Act

Dear Members of Congress:

The undersigned organizations write to express our strong support for Senator Warren's proposed amendment to the National Defense Authorization Act for Fiscal Year 2022 (S.Amdt.3899 to S.Amdt.3867 amending H.R.4350), to modernize America's outdated whistleblower laws for government contractor and grantee employees. The amendments would apply to all new multi-trillion dollar spending and all federal coronavirus relief programs.

New government spending to address the devastating effects of COVID-19 and domestic priorities such as infrastructure spending could exceed trillions of dollars. The lion's share will go to contractors and grantees for activities by over seven million contractor employees paid with federal funds, compared to less than two million civil service workers. With this unprecedented surge in spending, best practice whistleblower rights are essential to minimize fraud, waste, and abuse. When President Obama proposed what was enacted as a \$700 billion stimulus spending increase, a bi-partisan congressional coalition created the whistleblower protections that Inspectors General credited with minimizing fraud and waste. Unfortunately, those safeguards have become badly dated, substantially weakening America's ability to fight corruption. This whistleblower amendment would upgrade outdated laws to current best practices by:

- protecting government contractors and grantees from retaliation for blowing the whistle, not just their employees;

- protecting public health workers excluded from coverage under the Affordable Care Act;
- ending the international loophole for U.S. contractor whistleblowers working in foreign locations;
- ending the technical sovereign immunity loophole that has canceled protection for all state and local employees who blow the whistle;
- adding protection against blocklisting;
- strengthening confidentiality protections for whistleblowers.

These added protections will provide essential updates to important but outdated rights. While inspired by the surge in spending for COVID-19, the amendment would modernize the full scope of government contractor whistleblower laws and provide protections that match global best practices.

America has never needed these rights more than right now. Protection for whistleblowers is protection for American taxpayers.

Sincerely,

Accountability Lab

ACORN8

Advocating Opportunity

Affiliation of Christian Engineers

Alaska Community Action on Toxics

Alliance for Human Research Protection

Agape Healing Hearts

Alliance to Counter Crime Online

American-Arab Anti-Discrimination Committee (ADC)

American Environmental Watch

Animals Are Sentient Beings, Inc.

Arab American Institute (AAI)

Asian Pacific American Labor Alliance, AFL-CIO

Association of Flight Attendants-CWA

Atlantic States Legal Foundation

Bend the Arc: Jewish Action

Better Government Association

Beyond Pesticides

Blacks in Law Enforcement of America
Blue Wave Postcard Movement
Center for Auto Safety
Center for Gender & Refugee Studies
Center for Justice & Democracy
Center for Media and Democracy
Center for Policing Equity
Center for Science in the Public Interest
Center for Victims of Torture
Center on Illicit Networks & Transnational Organized Crime
CEO Pipe Organs/Golden Ponds Farm
Citizens Awareness Network
Clean Elections Texas
Coalition for Integrity
CODEPINK
Community Research
Community Science Institute, Inc.
Constitutional Alliance
Concerned Citizens for Nuclear Safety
Consumer Action
Corruption Kills
Council on American-Islamic Relations (CAIR)
Citizens Awareness Network
Climate Science Legal Defense Fund
Defending Rights and Dissent
Demand Progress
DemCast USA
Dialysis Advocates & Associates Inc
EarthRights International
Electronic Frontier Foundation

Equal Rights Advocates
Equality Labs
Faiths for Safe Water
Federally Employed Women
Fight for the Future
Fix Democracy First
Food & Water Watch
Forest Service Employees for Environmental Ethics
Freedom of the Press Foundation
Freedom Network USA
Greenpeace USA
Good Jobs First
Government Accountability Project
Government Information Watch
Hanford Challenge
Human Rights First
Immigration Action Alliance
In the Public Interest
Jacobs Institute of Women's Health
Jobs to Move America
Justice in Motion
Kentucky Environmental Foundation
Kentucky Resources Council
Kohn, Kohn and Colapinto
Mehri & Skalet PLLC
Muslim American Law Enforcement Association
National Center for Health Research
National Center for Law and Economic Justice
National Coalition Against Censorship
National Council for Occupational Safety and Health

National Education Association
National Employment Law Project
National Federation of Federal Employees
National Freedom of Information Coalition
National Immigration Law Center
National Lawyers Guild International Committee
National LGBTQ Task Force Action Fund
National Network for Immigrant and Refugee Rights
National Organization for Women
National Security Counselors
National Taxpayers Union
National Whistleblower Center
National Whistleblower Legal Defense & Education Fund
Network for Responsible Public Policy
No More Guantanamos
Northwest Environmental Advocates
Nuclear Watch New Mexico
NY, NJ, TN Environmental Watch
Open The Government
Oregon Wildlife Federation
Our Bodies Ourselves
Our Maryland
Pax Christi USA
PRESS4WORD
Privacy Times
Professional Managers Association
Project Censored and the Media Freedom Foundation
Project on Government Oversight (POGO)
Project Lifeline
Protect Democracy

Public Citizen
Public Employees for Environmental Responsibility (PEER)
Public Justice Center
RepresentUs New Mexico
Revolving Door Project
Safe Harbor Law, LLC
Shriver Center on Poverty Law
Southern Anti-Racism Network
Stand Up America
Taxpayers Protection Alliance
Temp Worker Justice
The Advocates for Human Rights
The Ectopian Society
The Employment Law Group, P.C.
The James Madison Project
The Law Office of Jan T. Aune
The Rutherford Institute
The Shalom Center
The Signals Network
The Workers Circle
Transparency International — U.S. Office
Tully Center for Free Speech
Union of Concerned Scientists
UNISHKA Research Service
Washington Coalition for Open Government
Washington Lawyers' Committee for Civil Rights and Urban Affairs
Washington Office on Latin America (WOLA)
WESPAC Foundation, Inc.
Whistleblower Aid
Whistleblowers of America

Whistleblower Network News

WhistleblowersUK

Wisconsin Faith Voices for Justice

Women's International League for Peace and Freedom US

Woodhull Freedom Foundation

Workplace Fairness

X-Lab