

November 8, 2021

Dear Republican Members of the Senate Whistleblower Caucus:

The undersigned organizations, watchdogs, and advocates for robust government oversight urge you to support modernizing government contractor whistleblower protections that would meet the challenge of unprecedented federal spending by cosponsoring [S. Amendment 3899 to S. Amendment 3867](#) in the National Defense Authorization Act (NDAA). Last year, the federal government [spent \\$660 billion on federal contracts](#). New legislation under consideration could add trillions of dollars to federal government spending in the next 10 years. While there has been much attention on the price tag of recently passed and newly proposed legislation, it is equally important to *prevent* additional strain on taxpayers through early detection of fraud, waste, and abuse of government dollars, so that taxpayers get their money's worth out of new and existing government programs. America has no better resource for that goal than whistleblowers.

Unfortunately, administrative and judicial loopholes have drastically weakened America's pioneer government contractor whistleblower legislation. Nonsensically, the law has been steadily weakened when the need for best practice whistleblower laws never has been greater. Whistleblower laws protect small business owners, veterans, and, indeed, all taxpayers who help fund government programs.

Senator Elizabeth Warren (D-MA) has introduced an amendment to the NDAA ([H.R. 4350](#)), which mirrors a bipartisan NDAA amendment offered in the House by Reps. Jackie Speier (D-CA) and Nancy Mace (R-SC), to close the aforementioned loopholes and expand coverage to protect corporations who blow the whistle on corruption or misspending, not just their employees. **We urge you to join this critical accountability amendment as a cosponsor.**

There can be no question about the threat of misspending. Federal [prosecutions](#) and [investigations](#) concerning COVID funding for the [purchase of Porsches and Lamborghinis](#), the [laundering of COVID funds for ISIS payments](#), and [taxpayer financing of unapproved testing kits](#) are only the tip of the iceberg.

Nor can there be serious debate about the value of whistleblowers. Economist Jack Meyer [conducted a study](#) that found the return on federal expenditures has been 20-1 for whistleblower challenges to contractor fraud under the False Claims Act. Whistleblower disclosures have led to accountability for \$4 billion of SEC violations. The proposed legislation would extend that type of impact against waste and mismanagement of federal contracting dollars, and aid in responding to public health hazards.

While our organizations span the ideological spectrum and may disagree on the ideal scale and scope of government spending, we are broadly in agreement that whistleblowers need more robust protections to safely call out government waste and fraudulent spending. In 2009, there was a bipartisan demand for creation of original whistleblower rights in response to the \$700 billion stimulus, and there is bipartisan agreement these rights had a significant impact. New spending could increase that challenge exponentially now. At the grassroots level, there is an overwhelming bipartisan, trans-ideological mandate for stronger whistleblower laws – 86% of likely voters, [according to a Marist poll](#) conducted last year. We hope Congress will reflect that support when considering this reform.

[S. Amendment 3899 to S. Amendment 3867](#) would upgrade America's contractor whistleblower law to meet unprecedented spending and public health challenges. But without bipartisan sponsorship, it has no realistic chance of passage. **America needs this accountability shield, and we urge you to cosponsor this crucial amendment before the Senate considers the NDAA.**

Sincerely,



Government
Accountability
Project



Project On
Government
Oversight



National Taxpayers
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ACORN 8



Protect Democracy



Public Citizen



Public Employees
for Environmental
Responsibility (PEER)



R Street Institute



Taxpayers for
Common Sense



Taxpayers Protection
Alliance



Whistleblowers of
America