Suspend the Rules and Pass the Bill, S. 4631, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

119TH CONGRESS
2D SESSION

S. 4631

To ensure that whistleblowers, including contractors, are protected from retaliation when a Federal employee orders a reprisal, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2026

Mr. PETERS (for himself and Mr. GRASSLEY) introduced the following bill; which was read twice, considered, read the third time, and passed

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A BILL

To ensure that whistleblowers, including contractors, are protected from retaliation when a Federal employee orders a reprisal, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Expanding Whistleblower Protections for Contractors Act of 2026''.

SEC. 2. DEFENSE CONTRACTOR EMPLOYEES: PROTECTION FROM REPRISAL FOR DISCLOSURE OF CERTAIN INFORMATION.

Section 4701 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''An employee'' and all that follows through ''services contractor'' and inserting ''A protected individual''; and

(II) by striking ''disclosing'' and all that follows through ''evidence of''; and

(ii) by striking subparagraphs (A), (B), and (C) and inserting the following subparagraphs:

''(A) Refusing to obey an order that would require the protected individual to violate a law, rule, or regulation related to any contract, subcontract, grant, or subgrant.

''(B) Disclosing to a person or body described in paragraph (2) information that the protected indi-

vidual reasonably believes is evidence of the following:

''(i) Gross mismanagement of any Department of Defense contract or grant, any gross waste of Department funds, any abuse of authority relating to any Department contract, subcontract, grant, or subgrant, or any violation of law, rule, or regulation related to any Department contract or subcontract (including the competition for or negotiation of a contract or subcontract) or grant or subgrant.

''(ii) Gross mismanagement of any National Aeronautics and Space Administration contract or grant, any gross waste of Administration funds, any abuse of authority relating to an Administration contract, subcontract, grant, or subgrant, or any violation of law, rule, or regulation related to any Administration contract or subcontract (including the competition for or negotiation of a contract or subcontract) or grant or subgrant.

''(iii) A substantial and specific danger to public health or safety.''; and

(B) in paragraph (3)—

(i) in subparagraph (A), by striking ''an employee'' and inserting ''a protected individual''; and

(ii) by striking subparagraph (B) and inserting the following subparagraph:

''(B) it shall not be within the authority of an executive branch official to request that a contractor, subcontractor, grantee, or subgrantee engage in a reprisal prohibited by paragraph (1).'';

(2) in subsection (c)—

(A) in paragraph (1), by adding at the end the following subparagraph:

''(E) Propose appropriate disciplinary action against any executive branch official for any request made of a contractor, subcontractor, grantee, or subgrantee that subjected the complainant to a reprisal prohibited by subsection (a).''; and

(B) by striking paragraph (8) and inserting the following paragraph:

''(8) CLARIFICATION FOR SCOPE OF WAIVER RESTRICTIONS.—The rights, forum, and remedies provided for in this section may not be waived by any public or private agreement, policy, form, or condition of employment, including by any predispute arbitration agreement.'';

(3) in subsection (f)—

(A) by striking ''an employee'' and inserting ''a protected individual''; and

(B) by striking ''the employee'' and inserting ''the protected individual''; and

(4) in subsection (g), by adding at the end the following new paragraph:

''(8) The term 'protected individual' means—

''(A) a contractor, subcontractor, grantee, or subgrantee of the Department of Defense or the National Aeronautics and Space Administration, including—

''(i) the government of each of the several States, the District of Columbia, an Indian tribe or authorized tribal organization, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States; and

''(ii) the government of any political subdivision of, agency of, or instrumentality of, a government listed in clause (i);

''(B) an employee of a contractor, subcontractor, grantee, or subgrantee of the Depart-

ment of Defense or the National Aeronautics and Space Administration, or a former employee of such contractor, subcontractor, grantee, or subgrantee whose protected disclosure or engagement in any activity protected against reprisal under this section occurred prior to termination, including an employee of—

''(i) the government of each of the several States, the District of Columbia, an Indian tribe or authorized tribal organization, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States; and

''(ii) the government of any political subdivision of, agency of, or instrumentality of, a government listed in clause (i); or

''(C) a person performing personal services for the Department of Defense or the National Aeronautics and Space Administration pursuant to a contractual agreement for the performance of personal services, including a personal services contract or personal services agreement,

and who engages in an activity for which any reprisal is prohibited under subsection (a), including a person performing personal services pursuant such a contractual agreement for—

''(i) the government of each of the several States, the District of Columbia, an Indian tribe or authorized tribal organization, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States; and

''(ii) the government of any political subdivision of, agency of, or instrumentality of, a government listed in clause (i).''.

SEC. 3. ENHANCEMENT OF NON-DEFENSE CONTRACTOR PROTECTION FROM REPRISAL FOR DISCLOSURE OF CERTAIN INFORMATION.

Section 4712 of title 41, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following paragraph:

''(1) IN GENERAL.—A protected individual may not be discharged, demoted, or otherwise discriminated against as a reprisal for the following:

''(A) Refusing to obey an order that would require the protected individual to violate a law, rule, or regulation related to any contract, subcontract, grant, or subgrant.

''(B) Disclosing to a person or body described in paragraph (2) information that the protected individual reasonably believes is evidence of the following:

''(i) Gross mismanagement of any Federal contract or grant, any gross waste of Federal funds, any abuse of authority relating to any Federal contract, subcontract, grant, or subgrant, or any violation of law, rule, or regulation related to any Federal contract or subcontract (including the competition for or negotiation of a contract or subcontract) or grant or subgrant.

''(ii) A substantial and specific danger to public health or safety.''; and

(B) in paragraph (3)—

(i) in subparagraph (A), by striking ''an employee'' and inserting ''a protected individual''; and

(ii) by striking subparagraph (B) and inserting the following subparagraph:

''(B) it shall not be within the authority of an executive branch official to request that a contractor, subcontractor, grantee, or subgrantee engage in a reprisal prohibited by paragraph (1).'';

(2) in subsection (c)—

(A) in paragraph (1), by adding at the end the following new subparagraph:

''(E) Propose appropriate disciplinary action against any executive branch official for any request made of a contractor, subcontractor, grantee, or subgrantee that subjected the complainant to a reprisal prohibited by subsection (a).''; and

(B) by striking paragraph (7) and inserting the following paragraph:

''(7) RIGHTS, FORUM, AND REMEDIES NOT WAIVABLE.—The rights, forum, and remedies provided for in this section may not be waived by any public or private agreement, policy, form, or condi-

tion of employment, including by any predispute arbitration agreement.'';

(3) in subsection (e)—

(A) by striking ''an employee'' and inserting ''a protected individual''; and

(B) by striking ''the employee'' and inserting ''the protected individual'';

(4) in subsection (g), by inserting after paragraph (2) the following new paragraph:

''(3) The term 'protected individual' means—

''(A) a contractor, subcontractor, grantee, or subgrantee of the Federal Government, including—

''(i) the government of each of the several States, the District of Columbia, an Indian tribe or authorized tribal organization, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States; and

''(ii) the government of any political subdivision of, agency of, or instrumentality of, a government listed in clause (i);

''(B) an employee of a contractor, subcontractor, grantee, or subgrantee of the Federal Government or a former employee of such contractor, subcontractor, grantee, or subgrantee whose protected disclosure or engagement in any activity protected against reprisal under this section occurred prior to termination, including an employee of—

''(i) the government of each of the several States, the District of Columbia, an Indian tribe or authorized tribal organization, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States; and

''(ii) the government of any political subdivision of, agency of, or instrumentality of, a government listed in clause (i); or

''(C) a person performing personal services for the Federal Government pursuant to a contractual agreement for the performance of personal services, including a personal services contract or personal services agreement, including

a person performing personal services pursuant to such a contractual agreement for—

''(i) the government of each of the several States, the District of Columbia, an Indian tribe or authorized tribal organization, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States; and

''(ii) the government of any political subdivision of, agency of, or instrumentality of, a government listed in clause (i).''.