Samantha Feinstein, Senior Legal and International Analyst Government Accountability Project Testimony Before the House of Representatives Legislative Branch Appropriations Subcommittee March 29, 2019

Chairman Ryan, Ranking Member Beutler, and members of the Legislative Branch Appropriations subcommittee, thank you for the opportunity to speak with you today about the office of the whistleblower ombudsman.

Last year, I testified before this committee about the need to establish an office to support House staff who work with whistleblowers. We appreciate the tremendous work you have done since then to raise the profile of the need to assist Congress in hearing from whistleblowers.

Since we last met, your committee directed the Government Accountability Office to conduct a study on communications between whistleblowers and Congress, which will soon be publicly available. We are excited to see that, as part of the rules package for the 116th Congress, the House established the Office of the Whistleblower Ombudsman. As you know, the Whistleblower Ombudsman will be responsible for developing best practices for whistleblower intakes for House offices and providing trainings to House offices on how to safely receive information from whistleblowers. This includes:

- establishing an effective reporting system for whistleblowers;
- maintaining whistleblower confidentiality;
- advising staff on relevant laws and policies; and
- protecting information provided by whistleblowers.

Whistleblowers are Congress' lifeline to information about federal waste, fraud, abuse, and malfeasance. Through the False Claims Act, for example, in recent years whistleblowers helped return to the government an average of \$3-5 billion annually. Whistleblowers protect our democracy — but to do so they have to go against a giant bureaucracy and they can lose everything in the process, even if they win in court.

That is why intervention from Congressional Offices provides a vital lifeline, in turn, for protecting whistleblowers. Through an effective partnership, congressional offices and committees can help shift the pressure from being directed against the isolated whistleblower, to against the corrupt institution.

Whistleblowers take immense professional and personal risks when they help Congress engage in robust oversight. Their interactions with Congress are risky because Congressional intervention puts employers on red alert, increasing their incentive to silence the messenger. The level of intensity of retaliation against whistleblowers is directly tied to the stakes of their disclosures.

The creation of the House Office of the Whistleblower Ombudsman is an important starting point to ensure that whistleblowers have the necessary confidence that their claims will be handled responsibly. This is why we respectfully request that your committee provide the House Office of the Whistleblower Ombudsman \$1,000,000 in fiscal year 2020 to ensure that the office has all the resources necessary to hit the ground running.

Our budgetary request includes necessary expenditures for the Office including enabling the Office to hire staff, develop and maintain a website that will include informational resources, produce innovative and interactive training materials, develop whistleblower intake materials, explore technological developments concerning secure communication platforms, and consult subject-matter experts to collaborate and improve the Office.

We appreciate your thoughtful consideration and look forward to working with you to strengthen this vital lifeline of communication to Congress.