

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074

<http://oversight.house.gov>

MEMORANDUM

January 23, 2020

To: Members of the Subcommittee on Government Operations

Fr: Committee Staff

Re: Hearing on “Protecting Those Who Blow the Whistle on Government Wrongdoing”

On **Tuesday, January 28, 2020, at 2:00 p.m., in room 2154 Rayburn House Office Building**, the Subcommittee will hold a hearing to examine who qualifies as a federal whistleblower, what protections such a designation affords to those who make allegations of waste, fraud, abuse, or mismanagement, and whether new legal provisions would improve whistleblower protections and ensure that federal employees, contractors, and grantees are willing to come forward to expose wrongdoing in government today and in the future.

I. IMPORTANCE OF WHISTLEBLOWERS

Whistleblower disclosures promote an effective civil service and benefit the public interest by “assisting in the elimination of fraud, waste, abuse, and unnecessary Government expenditures.”¹ When government employees come forward with consequential information, it can promote government accountability and reform while curtailing abuses.²

Numerous laws provide whistleblowers in the public and private sectors with important protections, including more than one-hundred federal laws that include either a whistleblower-related or retaliation-prohibition provision.³ Among them are two key laws, the Whistleblower Protection Act of 1989 (WPA) and the Whistleblower Protection Enhancement Act of 2012 (WPEA), which specifically protect whistleblowers who are federal employees. Additional legislation has extended whistleblower protections to federal contractors and grantees.⁴

¹ Pub. L. No. 101-12, 103 Stat. 16 (1989).

² Government Accountability Project et al., *Caught Between Conscience and Career: Expose Abuse Without Exposing Your Identity* (Mar. 20, 2019) (online at www.pogo.org/analysis/2019/03/caught-between-conscience-and-career/).

³ See generally Kalijarvi, Chuzi, Newman & Fitch, *Most Legal Claims Have Time Limits* (accessed Jan. 23, 2020) (online at <https://kcnfdc.com/most-legal-claims-have-time-limits/>).

⁴ 41 U.S.C. § 4705; 41 U.S.C. § 4712.

II. WITNESSES

Elizabeth Hempowicz

Director of Public Policy
Project on Government Oversight

David K. Colapinto

Founder and General Counsel
National Whistleblower Center

Paul Rosenzweig

Resident Senior Fellow, National Security and Cybersecurity
R Street

The Honorable Glenn A. Fine

Principal Deputy Inspector General Performing the Duties of the Inspector General
Department of Defense

The Honorable Michael E. Horowitz

Inspector General
U.S. Department of Justice

Staff contacts: Kristine Lam, Wendy Ginsberg, and Alison Arnold at (202) 225-5051.