

ONE HUNDRED FOURTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927

Minority (202) 225-3641

October 14, 2015

Mr. Cleveland Lawrence III  
Co-Director  
Taxpayers Against Fraud  
1220 19th Street, N.W., Suite 501  
Washington, DC 20036

Dear Mr. Lawrence,

Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade on Friday, September 25, 2015, to testify at the hearing entitled "Legislative Hearing on VIN Database and Auto Whistleblower Bills."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions by the close of business on Tuesday, October 20, 2015. Your responses should be e-mailed to the Legislative Clerk in Word format at [Dylan.Vorbach@mail.house.gov](mailto:Dylan.Vorbach@mail.house.gov) and mailed to Dylan Vorbach, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Michael C. Burgess, M.D.  
Chairman  
Subcommittee on Commerce,  
Manufacturing, and Trade

cc: Jan Schakowsky, Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade

Attachment

## Additional Questions for the Record

### The Honorable Jan Schakowsky

1. I am concerned about doing as much as we can to protect people who put their livelihoods in jeopardy to speak out about public safety risks. And I was a proponent of the anti-retaliatory language included in MAP-21 when it passed three years ago. This whistleblower bill is directed at incentivizing whistleblowers. But in two separate places in the text, it requires that potential whistleblowers first approach someone at their company and report the defect internally. In most cases, whether they do so or not could affect whether they qualify for an award under this bill, as well as the amount of the award if they do qualify.
  - a. What effect should we expect these internal reporting requirements to have on potential whistleblowers?
  - b. Are the exceptions to the internal reporting requirement in the bill enough to provide cover for people who feel morally obligated to speak out but are concerned about retaliation from their employer?
  - c. The whistleblower bill calls on the Secretary of Transportation and the rest of DOT to avoid revealing the identity of whistleblowers. But how does the internal reporting requirement affect confidentiality and the effort to protect the identity of whistleblowers once they decide to report their employer?
2. This whistleblower bill gives the Secretary of Transportation broad discretion in determining awards to whistleblowers. Other whistleblower bounty provisions, like Dodd Frank for example, give the government discretion as to the amount, but require that some award be given as long as certain conditions are met. In comparison, this bill would give the Secretary of Transportation complete discretion in whether to give an award at all, and merely prescribes criteria for the Secretary to consider. How will broad discretion for the Secretary in determining awards affect the likelihood that whistleblowers come forward?
3. Overall, will this bill incentivize whistleblowers?