

Suspend the Rules and Pass the Bill, H.R. 5578, With an Amendment

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

119TH CONGRESS
1ST SESSION

H. R. 5578

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

SEPTEMBER 26, 2025

Mr. GARCIA of California (for himself and Mr. COMER) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Expanding Whistle-
5 blower Protections for Contractors Act of 2026”.

1 **SEC. 2. DEFENSE CONTRACTOR EMPLOYEES: PROTECTION**
2 **FROM REPRISAL FOR DISCLOSURE OF CER-**
3 **TAIN INFORMATION.**

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

6 (1) in subsection (a)—

7 (A) in paragraph (1)—

8 (i) in the matter preceding subpara-
9 graph (A)—

10 (I) by striking “An employee”
11 and all that follows through “services
12 contractor” and inserting “A pro-
13 tected individual”; and

14 (II) by striking “disclosing” and
15 all that follows through “evidence of”;
16 and

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

20 “(A) Refusing to obey an order that would re-
21 quire the protected individual to violate a law, rule,
22 or regulation related to any contract, subcontract,
23 grant, or subgrant.

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

1 vidual reasonably believes is evidence of the fol-
2 lowing:

3 “(i) Gross mismanagement of any Depart-
4 ment of Defense contract or grant, any gross
5 waste of Department funds, any abuse of au-
6 thority relating to any Department contract,
7 subcontract, grant, or subgrant, or any viola-
8 tion of law, rule, or regulation related to any
9 Department contract or subcontract (including
10 the competition for or negotiation of a contract
11 or subcontract) or grant or subgrant.

12 “(ii) Gross mismanagement of any Na-
13 tional Aeronautics and Space Administration
14 contract or grant, any gross waste of Adminis-
15 tration funds, any abuse of authority relating to
16 an Administration contract, subcontract, grant,
17 or subgrant, or any violation of law, rule, or
18 regulation related to any Administration con-
19 tract or subcontract (including the competition
20 for or negotiation of a contract or subcontract)
21 or grant or subgrant.

22 “(iii) A substantial and specific danger to
23 public health or safety.”; and

24 (B) in paragraph (3)—

1 (i) in subparagraph (A), by striking
2 “an employee” and inserting “a protected
3 individual”; and

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

6 “(B) it shall not be within the authority of an
7 executive branch official to request that a con-
8 tractor, subcontractor, grantee, or subgrantee en-
9 gage in a reprisal prohibited by paragraph (1).”;

10 (2) in subsection (c)—

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

13 “(E) Propose appropriate disciplinary action
14 against any executive branch official for any request
15 made of a contractor, subcontractor, grantee, or sub-
16 grantee that subjected the complainant to a reprisal
17 prohibited by subsection (a).”; and

18 (B) by striking paragraph (8) and insert-
19 ing the following paragraph:

20 “(8) CLARIFICATION FOR SCOPE OF WAIVER RE-
21 STRICTIONS.—The rights, forum, and remedies provided
22 for in this section may not be waived by any public or
23 private agreement, policy, form, or condition of employ-
24 ment, including by any predispute arbitration agree-
25 ment.”;

1 (3) in subsection (f)—

2 (A) by striking “an employee” and insert-
3 ing “a protected individual”; and

4 (B) by striking “the employee” and insert-
5 ing “the protected individual”; and

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

8 “(8) The term ‘protected individual’ means—

9 “(A) a contractor, subcontractor, grantee,
10 or subgrantee of the Department of Defense or
11 the National Aeronautics and Space Adminis-
12 tration, including—

13 “(i) the government of each of the
14 several States, the District of Columbia, an
15 Indian tribe or authorized tribal organiza-
16 tion, the Commonwealth of Puerto Rico,
17 Guam, American Samoa, the Virgin Is-
18 lands, the Commonwealth of the Northern
19 Mariana Islands, or any other territory or
20 possession of the United States; and

21 “(ii) the government of any political
22 subdivision of, agency of, or instrumen-
23 tality of, a government listed in clause (i);

24 “(B) an employee of a contractor, subcon-
25 tractor, grantee, or subgrantee of the Depart-

1 ment of Defense or the National Aeronautics
2 and Space Administration, or a former em-
3 ployee of such contractor, subcontractor, grant-
4 ee, or subgrantee whose protected disclosure or
5 engagement in any activity protected against
6 reprisal under this section occurred prior to ter-
7 mination, including an employee of—

8 “(i) the government of each of the
9 several States, the District of Columbia, an
10 Indian tribe or authorized tribal organiza-
11 tion, the Commonwealth of Puerto Rico,
12 Guam, American Samoa, the Virgin Is-
13 lands, the Commonwealth of the Northern
14 Mariana Islands, or any other territory or
15 possession of the United States; and

16 “(ii) the government of any political
17 subdivision of, agency of, or instrumen-
18 tality of, a government listed in clause (i);
19 or

20 “(C) a person performing personal services
21 for the Department of Defense or the National
22 Aeronautics and Space Administration pursuant
23 to a contractual agreement for the performance
24 of personal services, including a personal serv-
25 ices contract or personal services agreement,

1 and who engages in an activity for which any
2 reprisal is prohibited under subsection (a), in-
3 cluding a person performing personal services
4 pursuant such a contractual agreement for—

5 “(i) the government of each of the
6 several States, the District of Columbia, an
7 Indian tribe or authorized tribal organiza-
8 tion, the Commonwealth of Puerto Rico,
9 Guam, American Samoa, the Virgin Is-
10 lands, the Commonwealth of the Northern
11 Mariana Islands, or any other territory or
12 possession of the United States; and

13 “(ii) the government of any political
14 subdivision of, agency of, or instrumen-
15 tality of, a government listed in clause
16 (i).”.

17 **SEC. 3. ENHANCEMENT OF NON-DEFENSE CONTRACTOR**
18 **PROTECTION FROM REPRISAL FOR DISCLO-**
19 **SURE OF CERTAIN INFORMATION.**

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

22 (1) in subsection (a)—

23 (A) by striking paragraph (1) and insert-
24 ing the following paragraph:

1 “(1) IN GENERAL.—A protected individual may
2 not be discharged, demoted, or otherwise discrimi-
3 nated against as a reprisal for the following:

4 “(A) Refusing to obey an order that would
5 require the protected individual to violate a law,
6 rule, or regulation related to any contract, sub-
7 contract, grant, or subgrant.

8 “(B) Disclosing to a person or body de-
9 scribed in paragraph (2) information that the
10 protected individual reasonably believes is evi-
11 dence of the following:

12 “(i) Gross mismanagement of any
13 Federal contract or grant, any gross waste
14 of Federal funds, any abuse of authority
15 relating to any Federal contract, sub-
16 contract, grant, or subgrant, or any viola-
17 tion of law, rule, or regulation related to
18 any Federal contract or subcontract (in-
19 cluding the competition for or negotiation
20 of a contract or subcontract) or grant or
21 subgrant.

22 “(ii) A substantial and specific danger
23 to public health or safety.”; and
24 (B) in paragraph (3)—

1 (i) in subparagraph (A), by striking
2 “an employee” and inserting “a protected
3 individual”; and

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

6 “(B) it shall not be within the authority of
7 an executive branch official to request that a
8 contractor, subcontractor, grantee, or sub-
9 grantee engage in a reprisal prohibited by para-
10 graph (1).”;

11 (2) in subsection (c)—

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

14 “(E) Propose appropriate disciplinary ac-
15 tion against any executive branch official for
16 any request made of a contractor, subcon-
17 tractor, grantee, or subgrantee that subjected
18 the complainant to a reprisal prohibited by sub-
19 section (a).”; and

20 (B) by striking paragraph (7) and insert-
21 ing the following paragraph:

22 “(7) RIGHTS, FORUM, AND REMEDIES NOT
23 WAIVABLE.—The rights, forum, and remedies pro-
24 vided for in this section may not be waived by any
25 public or private agreement, policy, form, or condi-

1 tion of employment, including by any predispute ar-
2 bitration agreement.”;

3 (3) in subsection (e)—

4 (A) by striking “an employee” and insert-
5 ing “a protected individual”; and

6 (B) by striking “the employee” and insert-
7 ing “the protected individual”;

8 (4) in subsection (g), by inserting after para-
9 graph (2) the following new paragraph:

10 “(3) The term ‘protected individual’ means—

11 “(A) a contractor, subcontractor, grantee,
12 or subgrantee of the Federal Government, in-
13 cluding—

14 “(i) the government of each of the
15 several States, the District of Columbia, an
16 Indian tribe or authorized tribal organiza-
17 tion, the Commonwealth of Puerto Rico,
18 Guam, American Samoa, the Virgin Is-
19 lands, the Commonwealth of the Northern
20 Mariana Islands, or any other territory or
21 possession of the United States; and

22 “(ii) the government of any political
23 subdivision of, agency of, or instrumen-
24 tality of, a government listed in clause (i);

1 “(B) an employee of a contractor, subcon-
2 tractor, grantee, or subgrantee of the Federal
3 Government or a former employee of such con-
4 tractor, subcontractor, grantee, or subgrantee
5 whose protected disclosure or engagement in
6 any activity protected against reprisal under
7 this section occurred prior to termination, in-
8 cluding an employee of—

9 “(i) the government of each of the
10 several States, the District of Columbia, an
11 Indian tribe or authorized tribal organiza-
12 tion, the Commonwealth of Puerto Rico,
13 Guam, American Samoa, the Virgin Is-
14 lands, the Commonwealth of the Northern
15 Mariana Islands, or any other territory or
16 possession of the United States; and

17 “(ii) the government of any political
18 subdivision of, agency of, or instrumen-
19 tality of, a government listed in clause (i);
20 or

21 “(C) a person performing personal services
22 for the Federal Government pursuant to a con-
23 tractual agreement for the performance of per-
24 sonal services, including a personal services con-
25 tract or personal services agreement, including

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

3 “(i) the government of each of the
4 several States, the District of Columbia, an
5 Indian tribe or authorized tribal organiza-
6 tion, the Commonwealth of Puerto Rico,
7 Guam, American Samoa, the Virgin Is-
8 lands, the Commonwealth of the Northern
9 Mariana Islands, or any other territory or
10 possession of the United States; and

11 “(ii) the government of any political
12 subdivision of, agency of, or instrumen-
13 tality of, a government listed in clause
14 (i).”.