



GOVERNMENT  
ACCOUNTABILITY  
PROJECT

1612 K Street NW Suite 1100  
Washington, DC, 20006  
(202) 457-0034  
whistleblower.org

President Joseph R. Biden  
White House  
1600 Pennsylvania Avenue NW  
Washington, D.C. 20500

April 1, 2021

The Honorable Nancy P. Pelosi  
Speaker of the House  
U.S. House of Representatives  
Washington, DC 20510

The Honorable Charles E. Schumer  
Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Kevin O. McCarthy  
Minority Leader  
U.S. House of Representatives  
Washington, DC 20510

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
Washington, DC 20510

Dear President Biden and Members of Congress,

Government Accountability Project and the undersigned 264 organizations write to support freedom of speech protections for whistleblowers who strengthen our nation's democracy, challenge abuses of power that betray the public trust, and catalyze accountability.

Improvements to whistleblower protections, historically passed by Congress with bipartisan and nearly unanimous support, and supported by 86% of Americans according to a [recent](#) Marist poll, are a crucial first step to ensuring accountability and establishing safeguards in the federal government. Public servants should be able to disclose evidence of wrongdoing without fear of reprisal or futility. Truth shared by whistleblowers fuels oversight mechanisms by shining a light on existing weaknesses, inefficiencies, and injustices. We must protect those who courageously speak out about abuses of public trust that undermine our nation's safety and security and threaten our democracy.

Forty-two years ago, the United States passed the world's first national whistleblower protection law for government employees. Over the following decades, Congress continued to enact laws to protect whistleblowers from other sectors. However, the Whistleblower Protection Act (WPA) and over 50 scattered corporate laws have not provided effective protection to the courageous employees who speak out against abuse of power.

A 13-year legislative effort to restore credible rights led to the unanimous passage of the Whistleblower Protection Enhancement Act (WPEA) of 2012. Yet significant challenges to our merit systems in the years since have exposed loopholes and ongoing weaknesses in this system that demand immediate correction. Otherwise, whistleblowers will continue to be chilled from speaking up and face retaliation when they do. Wrongdoing can continue undeterred and waste, fraud, and abuse will abound.

For example, unlike the 2009 stimulus package after the great recession, nearly \$3 trillion in COVID-19 relief did not add whistleblowing protections to the law, either to challenge mispending or misconduct threatening public health. Despite ambitious legislation to control police abuses of power, our laws do not protect law enforcement officers whose testimony is indispensable for catching violations of law and abuses of power. Although congressional witnesses experienced

dangerous retaliation last year, our laws banning reprisal for congressional communications still have no enforcement provision.

Our laws have not kept pace with modern global standards. As we rebuild international trust in American democracy, essential to earning that trust is to telegraph our commitment to accountability of our government. By strengthening our whistleblower laws to match or exceed those of other democratic nations, we can restore our nation as the world's leader protecting freedom of speech for whistleblowers as an essential vehicle for accountability.

We seek your leadership now to expeditiously implement what Congress intended when it passed the WPEA, and to expand best practice rights where needed most – for the integrity of pandemic relief legislation along with all other public health work; for honest law enforcement officers challenging police abuses of power, and for all congressional witnesses.

Modern global best practices for whistleblower protection are clear. To meet them, America's rights must include four cornerstones:

- Grant employees the right to a jury trial in federal court;
- Give whistleblowers the right to challenge retaliatory investigations;
- Extend temporary relief to whistleblowers whenever they prove a prima facie case of retaliation; and
- Extend whistleblower rights beyond protection from workplace retaliation, and like the European Union, give whistleblowers a legal defense against civil or criminal liability.

Whistleblower protection is a foundation for the rule of law. It does not matter whether the issue is economic recovery, vaccine or prescription drug safety, environmental protection, infrastructure spending, election safety, national health insurance, or foreign policy. We need conscientious public servants willing and able to call attention to waste, fraud, and abuse on behalf of the taxpayers.

America needs your leadership to provide safeguards to courageous whistleblowers for accountability and the protection of democracy. We encourage you to begin by reforming the Whistleblower Protection Act and enacting the key provision described above where rights are nonexistent. Whistleblower reforms are necessary to ensure those who defend the public have a fair chance to defend themselves.

Sincerely,

Government Accountability Project  
Academics Stand Against Poverty  
ACCESS (Arab Community Center for Economic and Social Services)  
Accountability Counsel  
Accountability Lab  
ACORN 8  
Advocacy for Principled Action in Government  
Advocating Opportunity  
Advocatz  
Affiliation of Christian Engineers  
Alaska Community Action on Toxics  
Alliance for Nuclear Responsibility  
Alliance for Whistleblowers, Inc.  
American Association for Justice

American Environmental Health Studies Project, Inc.  
American Geophysical Union (AGU)  
American Institute of Biological Sciences  
American Oversight  
American-Arab Anti-Discrimination Committee (ADC)  
Animals Are Sentient Beings, Inc.  
Arab American Institute (AAI)  
Arizonans Concerned About Smoking  
Asian Pacific American Labor Alliance, AFL-CIO  
Association of Alternative Newsmedia  
Association of Health Care Journalists  
Atlantic States Legal Foundation, Inc.  
Bend the Arc Jewish Action  
Better Government Association  
Beyond Pesticides  
Blue Wave Postcard Movement  
Bryan Schwartz Law  
California Communities Against Toxics  
Californians Aware  
Center for a Livable Future  
Center for Auto Safety  
Center for Digital Democracy  
Center for Gender & Refugee Studies  
Center for International Policy  
Center for Justice & Democracy  
Center for Media and Democracy  
Center for Progressive Reform  
Center for Science in the Public Interest  
Center of Concern  
Center on Illicit Networks and Transnational Organized Crime  
Centro de los Derechos del Migrante, Inc.  
CEO Pipe Organs/Golden Ponds Farm  
Chesapeake Climate Action Network  
Children's Law Center  
Circumpolar Conservation Union  
Citizen Works  
Citizens for Health  
Citizens for Responsibility and Ethics in Washington (CREW)  
Citizens' Environmental Coalition  
Clean Elections Texas  
Climate Science Legal Defense Fund  
Coalition for Integrity  
Coalition to Preserve, Protect and Defend  
CODEPINK  
Columbia Legal Services  
Coming Clean  
Common Cause  
Community Research  
Community Science Institute, Inc.  
Concerned Citizens for Nuclear Safety  
Concerned Citizens of America  
Conservation Northwest

Constantine Cannon LLP  
Constitutional Accountability Center  
Constitutional Alliance  
Consumer Action  
Cook Inletkeeper  
CorpWatch  
Corruption kills  
Council for a Livable World  
CurbingCorruption  
Defending Rights & Dissent  
Demand Progress  
Democracy 21  
Democracy North Carolina  
Dialysis Advocates  
Digital Democracy Project  
Disaster Accountability Project  
EarthRights International  
Economists for Peace and Security  
Environmental Integrity Project  
Equal Justice Society  
Equal Rights Advocates  
Farmworker Association of Florida  
Farmworker Justice  
Federal Ethics Center  
Federal Managers Association  
Federally Employed Women (FEW)  
Feed the Truth  
Fight for the Future  
First Amendment Coalition  
Fix the Court  
Food & Water Watch  
Forest Service Employees for Environmental Ethics  
FracTracker Alliance  
Free Speech Coalition (FSC)  
Free Speech For People  
Freedom Network USA  
Friends of the Earth  
Geos Institute  
Global Integrity  
Global Witness  
Glynn Environmental Coalition  
Government Information Watch  
Grand Canyon Trust  
Green Delaware  
Greenpeace USA  
Hattian Bridge Alliance  
Heart of American Northwest  
Human Rights Initiative of North Texas  
Human Rights Watch  
Human, Environmental and Leadership Prevalent Center (HELP Center)  
In the Public Interest  
Institute for Agriculture and Trade Policy

Institute for Constitutional Advocacy and Protection  
International Association of Whistleblowers  
International Fund for Animal Welfare  
International Refugee Assistance Projects  
Issue One  
Jacobs Institute of Women's Health  
Judicial Accountability Movement  
Justice Integrity Project  
Katz, Marshall, & Banks LLP  
Kentucky Equal Justice Center  
Kentucky Resources Council  
Kohn, Kohn and Colapinto  
Law Enforcement Action Partnership  
League of United Latin American Citizens (LULAC)  
Legal Aid at Work  
LegalWizard Inc  
Liberty Shared  
Los Alamos Study Group  
Main Street Project  
Marriage Mission  
Mehri & Skalet  
Metrowest Worker Center - Casa  
Mid-Ohio Valley Climate Action  
MoneyOutVA  
National Association of Social Workers  
National Center for Health Research  
National Center for Law and Economic Justice  
National Center for Transgender Equality  
National Coalition Against Censorship  
National Council for Occupational Safety and Health  
National Employment Law Project  
National Employment Lawyers Association  
National Federation of Federal Employees  
National Freedom of Information Coalition  
National Immigration Law Center  
National Judicial Conduct and Disability Law Project, Inc.  
National Network for Immigrant & Refugee Rights  
National Organization for Women  
National Security Counselors  
National Whistleblower Center  
National Whistleblower Legal Defense and Education Fund  
National Workrights Institute  
Network for Environmental & Economic Responsibility  
Network for Responsible Public Policy  
New America's Open Technology Institute  
New Mexico Environmental Law Center  
New Order National Human Rights Organization  
No More Guantánamos  
NOMOS Consulting  
Northern Illinois Justice for Our Neighbors  
Northwest Environmental Advocates  
Northwest Environmental Defense Center

Northwest Immigrant Rights Project  
Northwest Workers' Justice Project  
Nuclear Energy Information Service (NEIS)  
Nuclear Watch New Mexico  
Ohio Voter Rights Coalition  
Open MIC (Open Media & Information Companies Initiative)  
Open The Government  
Oregon Wild  
Organized Crime and Corruption Reporting Project (OCCRP)  
Our Maryland  
P-INC  
Peace Action  
Peace and Freedom Party  
PEN America  
People for the American Way  
People's Parity Project  
Physicians for Human Rights  
Platform for the Protection of African Whistleblowers  
Polygon Education Fund  
Potter Bolaños LLC  
Press Freedom Defense Fund of First Look Institute  
PRESS4WORD  
Privacy Times  
Progress South Carolina  
Project Blueprint  
Project Censored/Media Freedom Foundation  
Project On Government Oversight  
Protect All Children's Environment  
Protect Democracy  
Public Citizen  
Public Employees for Environmental Responsibility  
PYRAMID SCHEME ALERT  
R Street Institute  
RepresentUs New Mexico  
Restore The Fourth  
Revolving Door Project  
Rio Grande Foundation  
Rock the Vote  
RootsAction.org  
Rural Coalition  
S.T.O.P. - The Surveillance Technology Oversight Project  
SalaamUSA  
Santa Fe Dreamers Project  
Senior Executives Association  
Shadow World Investigations  
Shriver Center on Poverty Law  
SIECUS: Sex Ed for Social Change  
Small planet Institute  
SMART Elections  
Society of Professional Journalists  
SocioEnergetics Foundation  
Sojourners

Southern Utah Wilderness Alliance  
Southwest Research and Information Center  
Stand Up America  
Structural Remediation Services, Inc. Survivor of Retaliation  
Sustainable Energy & Economy Network  
Taxpayers for Government Accounting Reform  
Teamsters for a Democratic Union  
The Ecotopian Society  
The Future We Need  
The Human Trafficking Legal Center  
The Iowa Institute for Public Accountability  
The Law Office of Jan T. Aune  
The Mississippi Workers' Center for Human Rights  
The Multiracial Activist  
The Signals Network  
The Workers Circle  
Transparency International Ireland  
Transparency International U.S. Office  
Truckers Justice Center  
Tully Center for Free Speech, Syracuse University  
Un-PAC  
Union of Concerned Scientists  
UNISHKA Research Service  
UNITED SIKHS  
United Tribal Council Aboriginal Corporation ICN (1966) RNTBC  
Virginia Times  
VoteVets  
Washington Coalition for Open Government  
Washington Lawyers' Committee for Civil Rights and Urban Affairs  
We The Action  
WESPAC Foundation, Inc.  
Whistleblower Network News  
Whistleblower Support Fund  
Whistleblowers for America  
WhistleblowersUK  
Win Without War  
Woodhull Freedom Foundation  
Woodymatters  
Workplace Fairness  
Workplace Justice Project at Loyola Law Clinic  
Worksafe  
World BEYOND War  
X-Lab