

114TH CONGRESS
1ST SESSION

S. 795

To enhance whistleblower protection for contractor and grantee employees.

IN THE SENATE OF THE UNITED STATES

MARCH 18, 2015

Mrs. MCCASKILL introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To enhance whistleblower protection for contractor and grantee employees.

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. ENHANCEMENT OF WHISTLEBLOWER PROTEC-**
4 **TION FOR CONTRACTOR AND GRANTEE EM-**
5 **PLOYEES.**

6 (a) PROTECTION FOR EMPLOYEES OF GRANTEES
7 AND SUBGRANTEES.—

8 (1) DEFENSE GRANTS.—Section 2409(a)(1) of
9 title 10, United States Code, is amended by striking
10 “or subcontractor” and inserting “, personal services
11 contractor, subcontractor, grantee, or subgrantee”.

1 (2) CIVILIAN GRANTS.—Section 4712(a)(1) of
 2 title 41, United States Code, is amended by striking
 3 “or grantee” and inserting “personal services con-
 4 tractor, grantee, or subgrantee”.

5 (b) PROHIBITION ON REIMBURSEMENT FOR LEGAL
 6 FEES ACCRUED IN DEFENSE AGAINST REPRISAL
 7 CLAIMS.—

8 (1) DEFENSE CONTRACTS.—Section 2324(k) of
 9 title 10, United States Code, is amended—

10 (A) by inserting “or subcontractor” after
 11 “contractor” each place it appears;

12 (B) by inserting “or subcontract” after
 13 “contract” each place it appears; and

14 (C) in paragraph (1), by inserting “or to
 15 any other activity described in subparagraphs
 16 (A) through (C) of section 2409(a)(1) of this
 17 title” after “statute or regulation”.

18 (2) CIVILIAN CONTRACTS.—

19 (A) IN GENERAL.—Section 4310 of title
 20 41, United States Code, is amended—

21 (i) by inserting “or subcontractor”
 22 after “contractor” each place it appears;

23 (ii) by inserting “or subcontract”
 24 after “contract” each place it appears; and

1 (iii) in subsection (b)(1), by inserting
 2 “or to any other activity described in sec-
 3 tion 4712(a)(1) of this title” after “statute
 4 or regulation”.

5 (B) CONFORMING AMENDMENT.—Section
 6 4304(a)(15) of title 41, United States Code, is
 7 amended by inserting “or subcontractor” after
 8 “contractor”.

9 (c) INCLUSION OF CONTRACT CLAUSE IN CONTRACTS
 10 AWARDED BEFORE EFFECTIVE DATE.—At the time of
 11 any major modification to a contract that was awarded
 12 before the date of the enactment of this Act, the head of
 13 the contracting agency shall include in the contract a con-
 14 tract clause providing for the applicability of the amend-
 15 ments made by this section and section 827 of the Na-
 16 tional Defense Authorization Act for Fiscal Year 2013
 17 (Public Law 112–239; 126 Stat. 1833).

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