

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 2025”.

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-

vidual reasonably believes is evidence of the following:

“(i) Gross mismanagement of any Department of Defense contract or grant, any gross waste of Department funds, any abuse of authority relating to any Department contract, subcontract, grant, or subgrant, or any violation of law, rule, or regulation related to any Department contract or subcontract (including the competition for or negotiation of a contract or subcontract) or grant or subgrant.

“(ii) Gross mismanagement of any National Aeronautics and Space Administration contract or grant, any gross waste of Administration funds, any abuse of authority relating to an Administration contract, subcontract, grant, or subgrant, or any violation of law, rule, or regulation related to any Administration contract or subcontract (including the competition for or negotiation of a contract or subcontract) or grant or subgrant.

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

(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 (7) and insert-
19 ing the following paragraph:

20 “(7) 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) by striking subsection (e) and redesignating
2 subsections (f) and (g) as subsections (e) and (f), re-
3 spectively;

4 (4) in subsection (e), as so redesignated—

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

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

9 (5) in subsection (f), as so redesignated, by
10 adding at the end the following new paragraph:

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

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

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

24 “(ii) the government of any political
25 subdivision of, agency of, or instrumen-

1 tality of, a government listed in clause (i);
2 and

3 “(iii) an element of the intelligence
4 community (as defined in section 3 of the
5 National Security Act of 1947 (50 U.S.C.
6 3003)) within the Department of Defense;

7 “(B) an employee of a contractor, subcon-
8 tractor, grantee, or subgrantee of the Depart-
9 ment of Defense or the National Aeronautics
10 and Space Administration, or a former em-
11 ployee of such contractor, subcontractor, grant-
12 ee, or subgrantee whose protected disclosure or
13 engagement in any activity protected against
14 reprisal under this section occurred prior to ter-
15 mination, including an employee of—

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

24 “(ii) the government of any political
25 subdivision of, agency of, or instrumen-

1 tality of, a government listed in clause (i);
2 and

3 “(iii) an element of the intelligence
4 community (as defined in section 3 of the
5 National Security Act of 1947 (50 U.S.C.
6 3003)) within the Department of Defense;
7 or

8 “(C) a person performing personal services
9 for the Department of Defense or the National
10 Aeronautics and Space Administration pursuant
11 to a contractual agreement for the performance
12 of personal services, including a personal serv-
13 ices contract or personal services agreement,
14 and who engages in an activity for which any
15 reprisal is prohibited under subsection (a), in-
16 cluding a person performing personal services
17 pursuant such a contractual agreement for—

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

“(ii) the government of any political subdivision of, agency of, or instrumentality of, a government listed in clause (i); and

“(iii) an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) within the Department of Defense.”.

SEC. 3. ENHANCEMENT OF NON-DEFENSE CONTRACTOR PROTECTION FROM REPRISAL FOR DISCLOSURE OF CERTAIN INFORMATION.

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

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following paragraph:

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

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

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

5 “(i) Gross mismanagement of any
6 Federal contract or grant, any gross waste
7 of Federal funds, any abuse of authority
8 relating to any Federal contract, sub-
9 contract, grant, or subgrant, or any viola-
10 tion of law, rule, or regulation related to
11 any Federal contract or subcontract (in-
12 cluding the competition for or negotiation
13 of a contract or subcontract) or grant or
14 subgrant.

15 “(ii) A substantial and specific danger
16 to public health or safety.”; and
17 (B) in paragraph (3)—

18 (i) in subparagraph (A), by striking
19 “an employee” and inserting “a protected
20 individual”; and

21 (ii) by striking subparagraph (B) and
22 inserting the following subparagraph:

23 “(B) it shall not be within the authority of
24 an executive branch official to request that a
25 contractor, subcontractor, grantee, or sub-

1 grantee engage in a reprisal prohibited by para-
2 graph (1).”;

3 (2) in subsection (c)—

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

6 “(E) Propose appropriate disciplinary ac-
7 tion against any executive branch official for
8 any request made of a contractor, subcon-
9 tractor, grantee, or subgrantee that subjected
10 the complainant to a reprisal prohibited by sub-
11 section (a).”; and

12 (B) by striking paragraph (7) and insert-
13 ing the following paragraph:

14 “(7) RIGHTS, FORUM, AND REMEDIES NOT
15 WAIVABLE.—The rights, forum, and remedies pro-
16 vided for in this section may not be waived by any
17 public or private agreement, policy, form, or condi-
18 tion of employment, including by any predispute ar-
19 bitration agreement.”;

20 (3) in subsection (e)—

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

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

1 (4) by striking subsection (f) and redesignating
2 subsections (g) and (h) as subsections (f) and (g),
3 respectively; and

4 (5) in subsection (f), as so redesignated, by in-
5 serting after paragraph (2) the following new para-
6 graph:

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

8 “(A) a contractor, subcontractor, grantee,
9 or subgrantee of the Federal Government, in-
10 cluding—

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

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

23 “(iii) an element of the intelligence
24 community (as defined in section 3 of the

1 National Security Act of 1947 (50 U.S.C.
2 3003));

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

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

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

23 “(iii) an element of the intelligence
24 community (as defined in section 3 of the

1 National Security Act of 1947 (50 U.S.C.
2 3003)); or

3 “(C) a person performing personal services
4 for the Federal Government pursuant to a con-
5 tractual agreement for the performance of per-
6 sonal services, including a personal services con-
7 tract or personal services agreement, including
8 a person performing personal services pursuant
9 to such a contractual agreement for—

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

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

22 “(iii) an element of the intelligence
23 community (as defined in section 3 of the

1 National Security Act of 1947 (50 U.S.C.
2 3003)).”.

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