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(Original Signature of Member)

114TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To enhance whistleblower protection for contractor and grantee employees.

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IN THE HOUSE OF REPRESENTATIVES

Mr. CUMMINGS introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**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. SHORT TITLE.**

4 This Act may be cited as the “Whistleblower Protec-  
5 tions for Contractors Act”.

1 **SEC. 2. ENHANCEMENT OF WHISTLEBLOWER PROTECTION**  
2 **FOR CONTRACTOR AND GRANTEE EMPLOY-**  
3 **EES.**

4 (a) PROTECTION FOR EMPLOYEES OF GRANTEES  
5 AND SUBGRANTEES.—

6 (1) DEFENSE GRANTS.—Section 2409(a)(1) of  
7 title 10, United States Code, is amended by insert-  
8 ing “or personal services contractor” after “sub-  
9 grantee”.

10 (2) CIVILIAN GRANTS.—Section 4712(a)(1) of  
11 title 41, United States Code, is amended by striking  
12 “or grantee” and inserting “grantee, or subgrantee  
13 or personal services contractor”.

14 (3) PERMANENT EXTENSION OF PILOT PRO-  
15 GRAM FOR ENHANCEMENT OF CONTRACTOR PROTEC-  
16 TION FROM REPRISAL FOR DISCLOSURE OF CERTAIN  
17 INFORMATION.—

18 (A) IN GENERAL.—Section 4712 of title  
19 41, United States Code, is amended—

20 (i) in the section heading by striking  
21 **“Pilot program for enhancement”**  
22 and inserting **“Enhancement”**; and

23 (ii) by striking subsection (i).

24 (B) CLERICAL AMENDMENT.—The table of  
25 sections at the beginning of chapter 47 of title  
26 41, United States Code, is amended by striking

1 the item relating to section 4712 and inserting  
2 the following new item:

“4712. Enhancement of contractor protection from reprisal for disclosure of cer-  
tain information.”.

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

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

8 (A) by inserting “or subcontractor, or per-  
9 sonal services contractor” after “contractor”  
10 each place it appears;

11 (B) by inserting “, subcontract, or per-  
12 sonal services contract” after “contract” each  
13 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 “, subcontractor, or  
22 personal services contractor” after “con-  
23 tractor” each place it appears;

1 (ii) by inserting “, subcontract, or  
2 personal services contract” after “con-  
3 tract” each place it appears; and

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

8 (B) CONFORMING AMENDMENT.—Section  
9 4304(a)(15) of title 41, United States Code, is  
10 amended by inserting “or subcontractor, or per-  
11 sonal service contractor” after “contractor”.

12 (c) INCLUSION OF CONTRACT CLAUSE IN CONTRACTS  
13 AWARDED BEFORE EFFECTIVE DATE.—At the time of  
14 any major modification to a contract that was awarded  
15 before the date of the enactment of this Act, the head of  
16 the contracting agency shall make best efforts to include  
17 in the contract a contract clause providing for the applica-  
18 bility of the amendments made by this section and section  
19 827 of the National Defense Authorization Act for Fiscal  
20 Year 2013 (Public Law 112–239; 126 Stat. 1833).