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ONE HUNDRED NINTH CONGRESS

# Congress of the United States

## House of Representatives

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June 28, 2005

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Ms. Sibel D. Edmonds  
Director  
National Security Whistleblowers Coalition  
P.O. Box 20210  
Alexandria, VA 22314

Dear Ms. Edmonds:

Thank you for the informative briefing for staff of the House Government Reform and Judiciary Committees on April 28, 2005. I was glad to help arrange a meeting space for the briefing, and my staff inform me that you assembled a diverse group of national security whistleblowers from across the country. Congratulations also on the launch of your new group, the National Security Whistleblowers Coalition (NSWBC). I commend you and the other members of the NSWBC for bringing much-needed attention to this vitally important issue.

In your letter on May 18, 2005, following-up on the congressional briefing, you set forth various legislative proposals and asked for my input. Your first question asked where I stand on the goals of the NSWBC. Let me state unequivocally that all federal government workers deserve whistleblower protection, none more than national security whistleblowers. These are federal government workers and contractors who have undergone extensive background investigations, obtained security clearances, and handled classified information on a routine basis. Our own government has concluded that they can be trusted to work on the most important law enforcement and intelligence projects in today's post-9/11 environment. These officials are critical to our national defense.

Ironically, however, when these officials come forward to identify waste, fraud, or abuse, they suddenly become second-class citizens. They have little, if any, protection under our whistleblower laws. In fact, they often have less protection than hundreds of thousands of other government workers who work on less sensitive projects.

The most difficult thing to explain to a national security whistleblower is why he or she has no recourse to recover his or her job, livelihood, or reputation, even when the allegations underlying that employee's case prove true. Rather than being rewarded for disclosing abuse, national security whistleblowers are often punished and have no means of appeal. For these reasons, I favor expanding the Whistleblower Protection Act to cover these employees and

contractors as fully as possible, as well as making the retaliatory revocation of a security clearance a prohibited personnel practice.

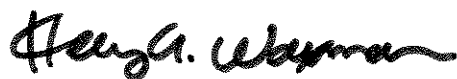
Your second question asked what I plan to do to address these issues. As Ranking Minority Member of the Government Reform Committee — the congressional committee with oversight jurisdiction over civil servants, federal contractors, and other government employees — I have used my position to advocate on behalf of whistleblowers. For years, I have requested that the Committee pass legislation that strengthens federal whistleblower rights and extends these protections to a greater universe of federal employees.

Two weeks ago, the Committee scheduled a mark-up for H.R. 1317. I had planned to offer several amendments that would have greatly strengthened the bill, while at the same time striking a provision that could have eliminated whistleblower protections for a large group of federal employees. I was hoping to have the opportunity to debate these amendments on their merits, but I was disappointed that the mark-up was cancelled at the last minute. I remain hopeful that the Committee will reschedule its consideration of the bill so we can move this process one step closer to achieving our goals.

Particularly in the aftermath of the events of September 11, 2001, spending on homeland security and defense contracts has mushroomed into the tens of billions of dollars. The number of federal employees and contractors working with classified information has also increased. With this recent growth comes a greater risk of waste, fraud, and abuse. As a result, I believe the number of national security whistleblowers will increase in the future, and Congress must rely on these whistleblowers for warnings of abuse.

As Members of Congress, it is one of our core duties to protect the nation. Creating a protected avenue for national security whistleblowers to report waste, fraud, and abuse directly furthers this duty.

Sincerely,

A handwritten signature in black ink that reads "Henry A. Waxman". The signature is written in a cursive, flowing style.

Henry A. Waxman  
Ranking Minority Member