

December 16, 2010

Honorable Darrell E. Issa
2347 Rayburn Office Building
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Issa:

Your support is crucial. After months of your support for the Whistleblower Protection Enhancement Act (WPEA), our community was deeply disappointed to read in the *Washington Post* this morning that you want to delay passage of S. 372. The time to pass whistleblower reform is right now.

Citing "new areas of concern that have been raised by the WikiLeaks" disclosures, your spokesman, Keith Bardella, "said the congressman believes the measure should be considered next year, when Republicans control the House," the *Post* reported.

Whistleblowers have waited more than a decade to get the protections they deserve, and the protections that will enable you to engage in the vigorous oversight you are planning as the incoming chairman of the House Oversight and Government Reform Committee.

Our groups spanning the ideological spectrum urge you to reconfirm your support for this legislation. The WPEA has been exhaustively considered, with three House and Senate hearings since 2006, and seven months of negotiations with the minority staff of the Senate Select Committee on Intelligence, satisfying all concerns raised by Intelligence Committee staff. Importantly, the one hundred senators did not share your concerns and passed S. 372 by unanimous consent on December 10.

S. 372 will prevent leaks and strengthen our national security. It creates a safe, responsible channel to work within the system, when none currently exists. Further, S. 372 does not under any circumstances protect public disclosures of classified information. Nor does it protect disclosures of sensitive sources and methods information to any unauthorized person or entity.

Many issues that have been raised by WikiLeaks have nothing to do with this bill and efforts to draw a connection between WikiLeaks and this good government measure are misguided. However, S. 372 is an anti-leaks measure. If you have any qualms about its national security implications, please review the following facts. In 2006 Representative Peter Hoekstra (R-MI), then Chairman of the House Intelligence Committee, recognized that whistleblower rights are necessary to prevent leaks. He stated,

[P]eople [must] feel free that if they are observing illegal activity or they are observing activity within their departments that they are uncomfortable with, that they feel there is an effective process to bring that to the attention of the management within the community or to the committees of jurisdiction.... And that's why we need to make sure the whistleblower process is an open door, so that these folks are not faced with a, you know -- believing they're in an

environment where they don't have a choice, that they don't -- see something they don't like, that they just go, "Well, I'll just go to the press."

For the first time, the WPEA provides genuine due process rights to challenge retaliation, enabling employees to work through safe channels within the government, so they are not tempted to go to the media with illegal disclosures. That is a win-win both for national security and intelligence community accountability.

The *Post* further reports:

"The irony here is that as legitimate avenues for exposing not classified information but valid, documented concerns about government operations are blocked, the more attractive routes such as WikiLeaks become"

As incoming chairman of the House Oversight and Government Reform Committee, you will rely heavily on federal workers willing to blow the whistle on waste, fraud and abuse. But the message the *Post* reports you have sent today to whistleblowers and would-be-whistleblowers is that they will not be protected.

We urge you to reconsider and support the swift enactment of the critical reforms to protect whistleblowers and taxpayers in S. 372.

Sincerely,

Affiliation of Christian Engineers
AFGE National Council of EPA Locals #238
American Association of Law Libraries
American Booksellers Foundation for Free Expression
American Civil Liberties Union
American Federation of Government Employees
American Federation of State, County and Municipal Employees (AFSCME)
Bill of Rights Defense Committee
Californians Aware
Center for Lobbying in the Public Interest
Center for Lobbying in the Public Interest
Center for Media and Democracy
Citizen Power
Citizens for Responsibility and Ethics in Washington (CREW)
Concerned Citizens of Petersburg
DC Employment Justice Center
Department for Professional Employees, AFL-CIO
Disaster Accountability Project
Ecology Party
FAA Whistleblowers Alliance
Federal Law Enforcement Officers Association
Federation of American Scientists
Focus on Indiana

Fort Worth Citizens Against Neighborhood Drilling Operations (FWCANDO)
Global Alliance for Incinerator Alternatives
Government Accountability Project (GAP)
Green Party of Pennsylvania
Help Abolish Legal Tyranny (HALT)
Implode-Explode Heavy Industry, Inc.
International Association of Whistleblowers
International Medical Council on Vaccinations
Liberty Coalition
National Forum On Judicial Accountability
National Judicial Conduct and Disability Law Project, Inc.
National Coalition of Organized Women
National Taxpayers Union
National Treasury Employees Union
National Women's Health Network
New Mexico Environmental Law Center
New Orleans Women's Shelter
OAK - Organizations Associating for the Kind of Change America Really Needs
OMB Watch
OpenTheGovernment.org
POPULAR, Inc. - Power Over Poverty Under Laws of America Restored
Private Citizen, Inc.
Project On Government Oversight
Public Citizen
Public Employees for Environmental Responsibility (PEER)
Reproductive Health Technologies Project
RightMarch.com
San Luis Obispo Mothers for Peace
Santa Monicans For Safe Drinking Water Coalition
Simmelweis Society International
Sunlight Foundation
Sustainable Energy and Economy Network
Tax Justice Network USA
The Employment Law Group
The Reporters Committee for Freedom of the Press
The Society of Professional Journalists
Union of Concerned Scientists
U.S.PIRG
Voices for Corporate Responsibility
Workplace Fairness