

August 5, 2016

Mr. Donald Trump  
Republican Presidential Nominee  
725 5<sup>th</sup> Avenue  
New York, NY 10022

Sec. Hillary Clinton  
Democratic Presidential Nominee  
1 Pierrepont Plaza  
New York, NY 11201

Gov. Gary Johnson  
Libertarian Presidential Nominee  
PO Box 4422  
Salt Lake City, UT 84110

Dr. Jill Stein  
Green Presidential Nominee  
PO Box 260197  
Madison, WI 5372

RE: 2016 Presidential Nominee Questionnaire

Dear Presidential Candidates,

Congratulations on securing your respective parties' nominations. During your primary battles, you provided policy prescriptions for a range of issues. However, we are seeking information regarding your positions on establishing effective policies for employee whistleblowers. As such, the undersigned organizations, representing millions of active, concerned Americans across the ideological spectrum, and whistleblowers respectfully call upon you to clarify your stance on eliminating waste, fraud and abuse through enhanced whistleblower protections.

Whistleblowers are the early warning system. Whichever of you is elected, they will be your eyes and ears on the ground to abuses of power that betray the public trust. Whether the issue is caring for our veterans, keeping our country safe, or eliminating wasteful spending, whistleblower disclosures are one of the most effective tools to ensure we provide for our citizens. Our veterans are beginning to receive better care because a whistleblower revealed our warriors died waiting for appointments.<sup>1</sup> Our citizens are safer because a whistleblower revealed the TSA planned to cut costs by creating vulnerabilities.<sup>2</sup> They expose corruption and waste and have recovered more than \$48 billion taxpayer dollars through the False Claims Act.<sup>3</sup>

For these reasons and more, whistleblower protections consistently receive support across the political spectrum. More than a dozen gold-standard whistleblower laws have been enacted since 2002, including unanimous passage of the Whistleblower Protection Enhancement Act of 2012. These protections are incredibly important, as demonstrated by the establishment of the bipartisan Senate and House Whistleblower Protection

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<sup>1</sup> Department of Veterans Affairs, Office of Inspector General, *Veterans Health Administration, Review of Alleged Patient Deaths, Patient Wait Times, and Scheduling Practices at the Phoenix VA Health Care System*, Report No. 14- 02603-267, Aug. 26, 2014

<sup>2</sup> Maimon, A. What Happens When a Whistleblower Returns to Work after a Decade's Fight. *The Washington Post*. March 6, 2016, available at [https://www.washingtonpost.com/lifestyle/magazine/what-happens-when-a-whistleblower-returns-to-work-after-a-decade-fight/2016/03/02/cf3f5062-a41c-11e5-ad3f-991ce3374e23\\_story.html](https://www.washingtonpost.com/lifestyle/magazine/what-happens-when-a-whistleblower-returns-to-work-after-a-decade-fight/2016/03/02/cf3f5062-a41c-11e5-ad3f-991ce3374e23_story.html).

<sup>3</sup> Chuck Grassley, United States Senator. *Grassley: False Claims Act is Our Most Important Tool to Fight Fraud against Taxpayers*, April 28, 2016, available at <http://www.grassley.senate.gov/news/news-releases/grassley-false-claims-act-our-most-important-tool-fight-fraud-against-taxpayers>.

Caucuses. Yet, whistleblowers continue to risk their professional and personal freedom when they come forward. This must be neutralized through common-sense policies. During a time when many citizens are seeking leadership that transcends status-quo politics, support for whistleblower rights would send a clear message to American voters that you are committed to addressing and ultimately eliminating waste, fraud and abuse.

**We ask for the favor of your reply by September 5**, so we may inform the public of your views. Please send your completed questionnaire via email to the attention of Shanna Devine, Legislative Director of the Government Accountability Project at [Shannad@whistleblower.org](mailto:Shannad@whistleblower.org). Please note that all responses will be posted at [www.whistleblower.org](http://www.whistleblower.org) on September 6, 2016.

The purpose of the enclosed questionnaire is to educate and inform the public on each nominee's stance on the issues directly impacting whistleblowing. *It is not meant to serve as an endorsement of/for any particular candidate and/or political party.*

Respectfully,

(Organizations)

American Civil Liberties Union  
Center for Financial Privacy and Human Rights  
Demand Progress  
Government Accountability Project  
International Association of Whistleblowers  
Liberty Coalition  
National Taxpayers Union  
National Whistleblower Center  
OpenTheGovernment.org  
Project On Government Oversight  
Public Citizen  
Public Employees for Environmental Responsibility  
Rutherford Institute  
Taxpayers Protection Alliance  
The ACORN 8

(Whistleblowers)

Carol Czarkowski, *Former Supervisory Contracting Officer, Department of Navy*  
Coleen Rowley, *Former Special Agent, Federal Bureau of Investigations*  
Martin E. Andersen, *Senior Advisor for Policy Planning, Department of Justice, Assistant Professor of National Security Affairs, Department of Defense*  
Robert J. MacLean, *Federal Air Marshal, Department of Homeland Security*

**Enclosure**

Please answer the following questions to clarify your position on whistleblower protections:

1. *As President, would you work to ensure that federal employees have whistleblower protections that are as strong as those for private sector employees, including jury trial access when they do not receive timely administrative resolution of their complaint?*

Yes\_\_\_\_\_ No\_\_\_\_\_

2. *As President, would you uphold the notion that public and private sector employees – including those within the intelligence community – should be protected against retaliatory acts such as criminal investigations and prosecutions, when they engage in legally protected whistleblowing for which it would be unlawful to fire them or take other adverse employment actions?*

Yes\_\_\_\_\_ No\_\_\_\_\_

3. *As a matter of policy, would your administration require mandatory disciplinary or performance action against managers found in legal proceedings to have engaged in whistleblower retaliation?*

Yes\_\_\_\_\_ No\_\_\_\_\_

4. *Would your administration work to fill vacant leadership positions at the agencies that oversee and implement federal whistleblower laws with persons with a proven track record advocating on behalf of whistleblowers?*

Yes\_\_\_\_\_ No\_\_\_\_\_

5. *As President, would you actively support the strengthening and enforcement of current whistleblower reward laws, such as the qui tam provisions of the False Claims Act, the Securities and Exchange Commission (SEC) whistleblower award program, and similar reward laws?*

Yes\_\_\_\_\_ No\_\_\_\_\_