

Groups Support Consumer Product Safety Whistleblower Protections in Committee Vote
Tomorrow
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Forty-Two Good Government and Consumer Groups Send Letter in Support of Consumer
Product Safety Commission Reform Legislation

(Washington, D.C.) – Today, GAP and a coalition of forty-two good government and consumer protection groups sent a letter to the Senate Committee on Commerce, Science and Transportation expressing support for the provisions in S. 2045, consumer product safety reform legislation, and specifically, the legislation’s whistleblower rights provision. The groups further expressed support for a perfecting amendment to be offered tomorrow by Senator Claire McCaskill (D-MO), which would incorporate a “best practices” whistleblower protection model from legislation adopted by Congress earlier this year.

The groups note that whistleblower rights are a “necessary cornerstone” for consumer product safety reform to be realized most effectively. S. 2045, the Consumer Product Safety Commission Reform Act of 2007, would protect employees from retaliation for reporting abuses of safety standards by a retailer, manufacturer or distributor of a product. Its chief sponsor is Sen. Mark Pryor (D-AR). The Committee is expected to vote on the legislation and the McCaskill strengthening amendment in a full committee mark-up tomorrow, Tuesday October 30, 2007, at 2:30 p.m. This is the second time this Congress that the Commerce Committee, led by Chairman Daniel Inouye (D-HI), has supported landmark whistleblower protections as part of a broader reform initiative. In the recently passed 9/11 legislation, the Committee supported state-of-the-art rights for ground transportation employees.

“The legislation’s employee protections combine the best practices of recent laws and proposals for whistleblowers in financial markets, energy production, transportation, and defense contracting,” states GAP Legislative Director Adam Miles. “With the recent import scares and the holiday season approaching, adding consumer product safety protections to this list couldn’t be happening at a better time.”

GAP Legal Director Tom Devine warned, however, against intense special interest pressure

threatening the bi-partisan mandate, despite solid Democratic support. "The National Association of Manufacturers (NAM) has made whistleblower rights a primary target in fighting product safety reform. Republicans should resist this pressure. Safety defects in consumer products like toys, car seats, and blankets dangerously threaten the health and safety of our children and families."

A copy of the groups' letter can be found on GAP's Web site here:
http://www.whistleblower.org/doc/2007/CPSC_committee_letter.pdf

Joining GAP in signing onto the letter and supporting the bill are: Public Citizen, U.S. Public Interest Research Group, Consumer Federation of America, Consumers Union, Project On Government Oversight, National Whistleblower Center, Union of Concerned Scientists, Taxpayers Against Fraud, OMB Watch, Fund for Constitutional Government, Public Employees for Environmental Responsibility, American Library Association, Openthegovernment.org, HALT, Inc. – An Organization of Americans for Legal Reform, Liberty Coalition, Federation of American Scientists, U.S. Bill of Rights Foundation, Whistleblowers USA, No Fear Coalition, Federal Employees Against Discrimination, Integrity International, No FEAR Coalition, American Association of University Professors, AZ Conference, Coalition for Civil Rights and Democratic Liberties, Truckers Justice Center, Sustainable Energy and Economy Network, Circumpolar Conservation Union, Patrick Henry Center, Information Trust, Parentadvocates.org, National Judicial Conduct and Disability Law Project, Inc., Focus On Indiana, The 3.5.7 Commission, The New Grady Coalition, Georgians for Open Government, Ethics in Government Group (EGG), The Semmelweis Society International (SSI), Doctors for Open Government, Alliance for Patient Safety, Health Integrity Project, and The Student Health Integrity Project (SHIP).

The Committee's whistleblower provisions in S. 2045, Section 22, represent the "best practices" in analogous legislation that Congress has enacted this session. The McCaskill amendment solidifies this conclusion by incorporating two crucial cornerstones for whistleblower protection. First, it protects whistleblowers for disclosures made in the course of carrying out their job duties. This is workers' most common safety role and overwhelmingly the context for most retaliation. Unfortunately, whistleblowers often have more protection when they blindside employers by going to directly to the media than if they report their concern to their supervisor.

Second, the McCaskill amendment provides whistleblowers normal due process through a district court jury trial, if the Department of Labor has not issued a timely ruling. Jury trials are a whistleblower's best chance to defend their rights, with justice decided by the citizens and consumers the whistleblower is trying to protect.

"The Committee's leadership in general, and Senators Pryor and McCaskill in particular, deserve recognition for providing a safe channel of legal rights for whistleblowers, the public's eyes and ears, to prevent public safety hazards and testify when necessary to enforce the law," the letter concluded.

Government Accountability Project

The Government Accountability Project is the nation's leading whistleblower protection organization. Through litigating whistleblower cases, publicizing concerns and developing legal reforms, GAP's mission is to protect the public interest by promoting government and corporate accountability. Founded in 1977, GAP is a non-profit, non-partisan advocacy organization with offices in Washington, D.C. and Seattle, WA.