3.903 Policy.

(a)

(1) Contractors and *subcontractors* are prohibited from discharging, demoting, or otherwise discriminating against an employee as a reprisal for disclosing, to any of the entities listed at paragraph (b) of this section, information that the employee reasonably believes is—

(i) Evidence of gross mismanagement of a Federal contract;

(ii) A gross waste of Federal funds;

(iii) An abuse of authority relating to a Federal contract;

(iv) A substantial and specific danger to public health or safety; or

(v) A violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract).

(2) A reprisal is prohibited even if it is undertaken at the request of an executive branch official, unless the request takes the form of a non-discretionary directive and is within the authority of the executive branch official making the request.

(b) Disclosure *may* be made to the following entities:

(1) A Member of Congress or a representative of a committee of Congress.

(2) An *Inspector General*.

(3) The Government Accountability Office.

(4) A Federal employee responsible for contract oversight or management at the relevant agency.

(5) An *authorized official of the Department of Justice* or other law enforcement agency.

(6) A court or grand jury.

(7) A management official or other employee of the contractor or *subcontractor* who has the responsibility to investigate, discover, or address misconduct.

(c) An employee who initiates or provides evidence of contractor or *subcontractor* misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Federal contract *shall* be deemed to have made a disclosure.

Parent topic: Subpart 3.9 - Whistleblower Protections for Contractor Employees