



## THE AMERICAN RECOVERY & REINVESTMENT ACT (ARRA) Federal Law – ARRA Section 1553 Protects Whistleblowers



### PROHIBITION OF REPRISALS

An employee of any non-federal employer receiving ARRA funds may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to state or federal authorities, Congress, law enforcement, a supervisor, or anyone working for the employer who has the authority to investigate, discover, or terminate misconduct, information that the employee reasonably believes is evidence of—

1. gross mismanagement of an agency contract or grant relating to ARRA funds;
2. a gross waste of ARRA funds;
3. a substantial and specific danger to public health or safety related to the implementation or use of ARRA funds;
4. an abuse of authority related to the implementation or use of ARRA funds; or
5. a violation of law, rule, or regulation related to an agency contract (including the competition for or negotiation of a contract) or grant, awarded or issued relating to ARRA funds.

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### RIGHTS & REMEDIES

1. If you or someone you know has been subjected to a prohibited reprisal you have the right to submit a complaint to the appropriate Inspector General for investigation.
2. The Inspector General shall have 180 days to make a determination regarding the complaint.
3. The Inspector General has discretion not to investigate complaints; in that case, you have the right to a written explanation for such a decision.
4. The Inspector General may order an employer to end the reprisal, reinstate the employee with back pay/benefits, and/or pay compensatory damages.
5. Upon receipt of an explanation of a decision not to conduct or continue the investigation, you have the right to seek a civil remedy in federal district court.
6. Once you have exhausted all administrative remedies, you may bring legal action against the employer to seek compensatory damages and other relief.
7. These rights and remedies shall not be waived by any agreement, policy, form or condition of employment, including by any predispute arbitration agreement.

**RELATIONSHIP TO New Hampshire Law, RSA 275-E.**—Nothing in ARRA Section 1553 may be construed to preempt, preclude, or limit the protections provided for public or private employees under RSA 275-E, New Hampshire's whistleblower protection statute.

Any employer receiving covered funds shall post notice of the rights and remedies provided under this section.

### Report Reprisal, Fraud, Waste, or Abuse

NH Recovery website link:  
<http://www4.egov.nh.gov/recovery/fraud.asp>  
Criminal Fraud Reporting to the NH Attorney  
General's Office: (603) 271-3671  
Waste or Abuse to the Office of Economic  
Stimulus: (603) 271-8785

US Government Accountability Office  
FraudNET: [fraud@gao.gov](mailto:fraud@gao.gov)  
Phone: 1-800-424-5454  
Fax: 202-512-3086  
Mail: GAO FraudNet  
441 G Street NW, Mail Stop 4T21  
Washington, DC 20548