



Blacks In Government®
2021 National Delegates Assembly
Virtual Meeting



RESOLUTION

BLACKS IN GOVERNMENT® SUPPORTS SENATORS CHARLES GRASSLEY AND CORY BOOKER FOR NEW AMENDMENTS AND REPRESENTATIVES GERALD CONNOLLY AND KAREN BASS FOR A STAND ALONE VERSION OF THE SENATE’S GEORGE FLOYD JUSTICE IN POLICING ACT THAT CALLS FOR PROTECTION OF LAW OFFICERS WHO REPORT BAD POLICING BEHIND THE BLUE WALL OF SILENCE AND FOR THE REMOVAL OF QUALIFIED AMMUNITY

WHEREAS, the National Organization of Blacks In Government (BIG), was incorporated in 1976, as a 501[c]3 non-profit organization to, educate and advocate on behalf of Federal, State and Municipal government employees and today, BIG seeks to represent 2.5 million public and private civil servants by continuing to address discrimination in the workplace and its effect on public service; and

WHEREAS, on June 8, 2020, H.R. 7120 was introduced in the 116th U.S. Congress (2019-2020) House of Representatives as the George Floyd Justice in Policing Act of 2020; and

WHEREAS, on August 23, 2020, BIG® adopted a National Resolution supporting H.R. 7120 the George Floyd Justice In Policing Act that passed in the U.S. House of Representatives that addressed a wide range of policies and issues regarding policing practices and law enforcement accountability with enhance transparency and data collection, and elimination of discriminatory policing and practices

WHEREAS, and, now a similar bill is being [proposed](#) as a U.S. Senate version with new amendments added by Senator’s Grassley (R/Iowa) and Booker (D/NJ) to protect good officers that report misconduct by colleagues and introduction of a “stand alone” bill by House Representative Gerald Connolly (D.-VA) and Karen Bass (D.-CA) that would end law enforcement “Qualified Immunity”.

WHEREAS, Blacks In Government has been out front on parts of this legislation over previous years by adopting BIG® National Resolutions calling for and supporting Congressional members seeking an end to Racial Profiling, instituting

a National data base for tracking police abuse on black and brown citizens, and whistleblowing protections for good officers.

WHEREAS, the Government Accountability Project founded by attorney Tom Devine is the nation's leading whistleblower protection organization. Through litigating whistleblower cases, publicizing concerns and developing legal reforms, Government Accountability Project's mission is to protect the public interest by promoting government and corporate accountability. Founded in 1977, Government Accountability Project is a nonprofit, nonpartisan advocacy organization based in Washington, D.C.

THEREFORE, BE IT RESOLVED;

In furtherance of its advocacy mission, BIG® endorses passage of the U.S. Senate version of the, the George Floyd Justice In Policing Act of 2020 in the 116th U.S Congress ([Bill Summary](#)) and request that:

- (1) The National President of Blacks In Government® will write a letter to both Senators, The Honorable Cory Booker(D-NJ) and Honorable Charles Grassley (R-Iowa) thanking them for this legislation and for adding whistleblower protections for officers who report bad policing behind the Blue Wall of Silence, and
- (2) The National President of Blacks In Government® will write the Chairman for the U.S. Senate, the Honorable Mitch McConnell asking him to support the Senate provisions of the George Floyd Justice In Policing Act, and
- (3) The National President of Blacks In Government® will write the President of the United States asking him to sign the legislation, should both the Senate and House agree on a bipartisan version of this legislation.

Submitted by:

Dr. Matthew F. Fogg

Dr. Matthew F. Fogg
Former BIG® National 2nd Vice President
BIG Region XI - Heritage Chapter President
Chief Deputy, United States Marshal, RET.

June 23, 2021

* [Research for this Resolution comes from this link attached.](#)

**There are no BIG® financial obligations associated with the adoption of this Resolution.



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RESOLUTION

BLACKS IN GOVERNMENT® SUPPORTS THE 116TH U.S. CONGRESS HOUSE OF REPRESENTATIVES LEGISLATION H.R. 7935 'WHISTLEBLOWER PROTECTION IMPROVEMENT ACT OF 2020'

WHEREAS, the National Organization of Blacks In Government (BIG®), was incorporated in 1976, as a 501[c]3 non-profit organization to, educate and advocate on behalf of Federal, State and Municipal government employees and today, BIG® seeks to represent 2.5 million public and private civil servants by continuing to address discrimination in the workplace and its effect on public service; and

WHEREAS, on August 4, 2020, Bill Sponsor, Representative Carolyn B. Maloney [D-NY-12] Introduced in the 116th U.S. Congress (2019-2020) House of Representatives as H.R. 7935 the 'Whistleblower Protection Improvement Act (WPIA) of 2020; and

WHEREAS, In 2009, the Blacks In Government® National Delegates Assembly held in Baltimore, Maryland adopted a Resolution submitted by Heritage Chapter President Matthew Fogg directing BIG® to sign a petition submitted by the Government Accountability Project (GAP) law firm and its "Make It Safe Coalition" that called on President Barack Obama and the U.S. Congress to support the H.R. 1507 and S372 Congressional legislation known as the "Whistleblower Protection Enhancement Act of 2009".

WHEREAS, on May 3, 2021, a GAP press release denoted research demonstrating that federal employees have almost no chance of defending themselves against retaliation despite the current Whistleblower Protection Act and currently, Administrative Judges (AJ) at the U.S. Merit Systems Protection Board control a federal whistleblower's only opportunity for a due process hearing and a review of 51 AJ decisions from January 1–April 30 revealed a 50-1 track record against whistleblowers.

WHEREAS, the Government Accountability Project released this research as part of [testimony](#) by GAP Founder and Legal Director Tom Devine supporting the introduction of the bi-partisan 'Whistleblower Protection Improvement Act' by House Committee on Oversight and Reform Chair Carolyn Maloney (D-N.Y.).

WHEREAS, The cornerstone for the WPIA is providing access to court and jury trials to seek justice, indispensable since the Merit Systems Protection Board administrative remedy has been paralyzed since January 2017 and faces a more than a 3,500 case backlog that will take years to overcome after it becomes functional again.

WHEREAS, WPIA will,

- protects whistleblowers from retaliatory investigations,
- provides a timely opportunity to obtain temporary relief,
- strengthens channels to communicate with Congress,
- details standards for protection of whistleblowers' confidentiality,
- restores accountability for Offices of Inspector General (OIG's), necessary because a loophole has rendered unenforceable the Office of Special Counsels orders to investigate abuses by OIG's.
- closes loopholes that deny WPA coverage for non-career Senior Executive Service and Public Health Service employees,
- closes loopholes that mean whistleblowers still are not made whole and lose when they "win' their cases,
- expands attorney fees to cover court representation, and
- creates due process rights to challenge violations of the WPA's anti-gag provisions.

THEREFORE, BE IT RESOLVED;

In furtherance of its advocacy mission, BIG® endorses passage of H.R. 7935 'WHISTLEBLOWER PROTECTION IMPROVEMENT ACT OF 2020' in the 116th U.S Congress ([Bill Summary](#)) and request that:

- (1) The National President of Blacks In Government® will write a letter to both the House of Representatives, the Honorable Nancy Pelosi, House Speaker, and Oversight and Reform Chair, Carolyn Maloney (D-N.Y.) thanking them for introduction and support of this legislation, and

- (2) The National President of Blacks In Government® will write the Chairman for the U.S. Senate, the Honorable Mitch McConnell, asking him to support the provisions as stated in H.R. 7935, and
- (3) The National President of Blacks In Government® will write the President of the United States asking him to sign the legislation, should both the Senate and House agree on a bipartisan version of this legislation, and
- (4) The National President of Blacks In Government® will write a letter to attorney Tom Devine thanking him for GAP's support of this legislation and for networking with BIG's Heritage Chapter over several years to make government a better place for those who blow-the-whistle on waste, fraud, and abuse to include racial discrimination.

Submitted by:

Dr. Matthew F. Fogg

Dr. Matthew F. Fogg
Former BIG® National 1st & 2nd Vice President
BIG Region XI - Heritage Chapter President
Chief Deputy, United States Marshal, RET.
June 23, 2021

* Much of the language in this Resolution is verbatim from the [GAP Website](#) and Press Release.

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