

115TH CONGRESS  
1ST SESSION

# S. 1869

To reauthorize and rename the position of Whistleblower Ombudsman to be the Whistleblower Protection Coordinator.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2017

Mr. GRASSLEY (for himself, Mr. JOHNSON, Mr. WYDEN, and Mrs. MCCASKILL) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To reauthorize and rename the position of Whistleblower Ombudsman to be the Whistleblower Protection Coordinator.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Whistleblower Protec-  
5 tion Coordination Act”.

6 **SEC. 2. REAUTHORIZATION.**

7 (a) IN GENERAL.—Section 3(d) of the Inspector Gen-  
8 eral Act of 1978 (5 U.S.C. App.) is amended—

9 (1) in paragraph (1)(C)—

1 (A) by redesignating clauses (i) and (ii) as  
2 subclauses (I) and (II), respectively, and adjust-  
3 ing the margins accordingly;

4 (B) by striking “Ombudsman who shall  
5 educate agency employees—” and inserting the  
6 following: “Coordinator who shall—

7 “(i) educate agency employees—”;

8 (C) in subclause (I), as so redesignated, by  
9 striking “on retaliation” and inserting “against  
10 retaliation”;

11 (D) in subclause (II), as so redesignated,  
12 by striking the period at the end and inserting  
13 the following: “, including—

14 “(aa) the means by which em-  
15 ployees may seek review of any allega-  
16 tion of reprisal, including the roles of  
17 the Office of the Inspector General,  
18 the Office of Special Counsel, the  
19 Merit Systems Protection Board, and  
20 any other relevant entities; and

21 “(bb) general information about  
22 the timeliness of such cases, the avail-  
23 ability of any alternative dispute  
24 mechanisms, and avenues for poten-  
25 tial relief.”; and

1 (E) by adding at the end the following:

2 “(ii) assist the Inspector General in pro-  
3 moting the timely and appropriate handling and  
4 consideration of protected disclosures and alle-  
5 gations of reprisal, to the extent practicable, by  
6 the Inspector General; and

7 “(iii) assist the Inspector General in facili-  
8 tating communication and coordination with the  
9 Special Counsel, the Council of the Inspectors  
10 General on Integrity and Efficiency, the agency,  
11 Congress, and any other relevant entity regard-  
12 ing the timely and appropriate handling and  
13 consideration of protected disclosures, allega-  
14 tions of reprisal, and general matters regarding  
15 the implementation and administration of whis-  
16 tleblower protection laws, rules, and regula-  
17 tions.”;

18 (2) in paragraph (2), by striking “Ombuds-  
19 man” and inserting “Coordinator”;

20 (3) by redesignating paragraph (3) as para-  
21 graph (4); and

22 (4) by inserting after paragraph (2) the fol-  
23 lowing:

24 “(3) The Whistleblower Protection Coordinator  
25 shall have direct access to the Inspector General as

1 needed to accomplish the requirements of this sub-  
2 section.”.

3 (b) RESPONSIBILITIES OF CIGIE.—Section 11(c) of  
4 the Inspector General Act of 1978 (5 U.S.C. App.) is  
5 amended by adding at the end the following:

6 “(5) ADDITIONAL RESPONSIBILITIES RELATING  
7 TO WHISTLEBLOWER PROTECTION.—The Council  
8 shall—

9 “(A) facilitate the work of the Whistle-  
10 blower Protection Coordinators designated  
11 under section 3(d)(C); and

12 “(B) in consultation with the Office of  
13 Special Counsel and Whistleblower Protection  
14 Coordinators from the member offices of the In-  
15 spector General, develop best practices for co-  
16 ordination and communication in promoting the  
17 timely and appropriate handling and consider-  
18 ation of protected disclosures, allegations of re-  
19 prisal, and general matters regarding the imple-  
20 mentation and administration of whistleblower  
21 protection laws, in accordance with Federal  
22 law.”.

23 (c) REPORTING.—Section 5 of the Inspector General  
24 Act of 1978 (5 U.S.C. App.) is amended—

1           (1) in subsection (a), by amending paragraph  
2           (20) to read as follows:

3           “(20)(A) a detailed description of any instance  
4           of whistleblower retaliation, including information  
5           about the official found to have engaged in retalia-  
6           tion; and

7           “(B) what, if any, consequences the establish-  
8           ment actually imposed to hold the official described  
9           in subparagraph (A) accountable;”; and

10          (2) in subsection (b)—

11           (A) in paragraph (3)(D), by striking  
12           “and” at the end;

13           (B) by redesignating paragraph (4) as  
14           paragraph (5); and

15           (C) by inserting after paragraph (3) the  
16           following:

17           “(4) whether the establishment entered into a  
18           settlement agreement with the official described in  
19           subsection (a)(20)(A), which shall be reported re-  
20           gardless of any confidentiality agreement relating to  
21           the settlement agreement; and”.

22          (d) REPEAL OF SUNSET.—Subsection (c) of section  
23          117 of the Whistleblower Protection Enhancement Act of  
24          2012 (Public Law 112–199; 126 Stat. 1475) is repealed.

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