

115TH CONGRESS
2^D SESSION

S. 1869

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Whistleblower Protec-
3 tion Coordination Act”.

4 **SEC. 2. REAUTHORIZATION.**

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

7 (1) in paragraph (1)(C)—

8 (A) by redesignating clauses (i) and (ii) as
9 subclauses (I) and (II), respectively, and adjust-
10 ing the margins accordingly;

11 (B) by striking “Ombudsman who shall
12 educate agency employees—” and inserting the
13 following: “Coordinator who shall—

14 “(i) educate agency employees—”;

15 (C) in subclause (I), as so redesignated, by
16 striking “on retaliation” and inserting “against
17 retaliation”;

18 (D) in subclause (II), as so redesignated,
19 by striking the period at the end and inserting
20 the following: “, including—

21 “(aa) the means by which em-
22 ployees may seek review of any allega-
23 tion of reprisal, including the roles of
24 the Office of the Inspector General,
25 the Office of Special Counsel, the

1 Merit Systems Protection Board, and
2 any other relevant entities; and

3 “(bb) general information about
4 the timeliness of such cases, the avail-
5 ability of any alternative dispute
6 mechanisms, and avenues for poten-
7 tial relief.”; and

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

9 “(ii) assist the Inspector General in pro-
10 moting the timely and appropriate handling and
11 consideration of protected disclosures and alle-
12 gations of reprisal, to the extent practicable, by
13 the Inspector General; and

14 “(iii) assist the Inspector General in facili-
15 tating communication and coordination with the
16 Special Counsel, the Council of the Inspectors
17 General on Integrity and Efficiency, the estab-
18 lishment, Congress, and any other relevant enti-
19 ty regarding the timely and appropriate han-
20 dling and consideration of protected disclosures,
21 allegations of reprisal, and general matters re-
22 garding the implementation and administration
23 of whistleblower protection laws, rules, and reg-
24 ulations.”;

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

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

5 (4) by inserting after paragraph (2) the fol-
6 lowing:

7 “(3) The Whistleblower Protection Coordinator
8 shall have direct access to the Inspector General as
9 needed to accomplish the requirements of this sub-
10 section.”.

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

14 “(5) ADDITIONAL RESPONSIBILITIES RELATING
15 TO WHISTLEBLOWER PROTECTION.—The Council
16 shall—

17 “(A) facilitate the work of the Whistle-
18 blower Protection Coordinators designated
19 under section 3(d)(C); and

20 “(B) in consultation with the Office of
21 Special Counsel and Whistleblower Protection
22 Coordinators from the member offices of the In-
23 spector General, develop best practices for co-
24 ordination and communication in promoting the
25 timely and appropriate handling and consider-

1 ation of protected disclosures, allegations of re-
2 prisal, and general matters regarding the imple-
3 mentation and administration of whistleblower
4 protection laws, in accordance with Federal
5 law.”.

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

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

10 “(20)(A) a detailed description of any instance
11 of whistleblower retaliation, including information
12 about the official found to have engaged in retalia-
13 tion; and

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

17 (2) in subsection (b)—

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

20 (B) by redesignating paragraph (4) as
21 paragraph (5); and

22 (C) by inserting after paragraph (3) the
23 following:

24 “(4) whether the establishment entered into a
25 settlement agreement with the official described in

1 subsection (a)(20)(A), which shall be reported re-
2 gardless of any confidentiality agreement relating to
3 the settlement agreement; and”.

4 (d) REPEAL OF SUNSET.—

5 (1) IN GENERAL.—Subsection (c) of section
6 117 of the Whistleblower Protection Enhancement
7 Act of 2012 (Public Law 112–199; 126 Stat. 1475)
8 is repealed.

9 (2) RETROACTIVE EFFECTIVE DATE.—The
10 amendment made by paragraph (1) shall take effect
11 on November 26, 2017.

Passed the Senate March 15, 2018.

Attest:

Secretary.

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