

S 2829

A bill to authorize appropriations for the Merit Systems Protection Board and the Office of Special Counsel, to provide for the protection of certain disclosures of information by Federal employees, and for other purposes.

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Jul 31, 2002

Current Status: Committee on Governmental Affairs referred to Subcommittee on International Security, Proliferation

Latest Action: Committee on Governmental Affairs referred to Subcommittee on International Security, Proliferation and Federal Services. (Sep 20, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/senate-bill/2829>

Sponsor

Name: Sen. Akaka, Daniel K. [D-HI]

Party: Democratic • **State:** HI • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred to	Sep 20, 2002

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

No related bills are listed.

Reauthorizes appropriations under the Whistleblower Protection Act of 1989 for the Merit Systems Protection Board and the Office of Special Counsel.

Repeals the requirement under Federal civil service provisions that the Special Counsel return any documents and other matter provided by the individual who made the disclosure.

Includes as a protected disclosure by a Federal employee any lawful disclosure that an employee or applicant reasonably believes is credible evidence of waste, fraud, abuse, or gross mismanagement. Covers any disclosure of information without restriction to time, place, form, motive, or context, or prior disclosure made to any person by an employee or applicant, including a disclosure made in the ordinary course of any employee's duties, that the employee or applicant reasonably believes is evidence of any violation of any law, rule, or regulation, or other specified misconduct.

Allows a presumption relating to the performance of a duty by an employee to be rebutted by substantial evidence.

Permits representation by attorneys for the Office of the Special Counsel in civil actions brought in connection with such disclosures of information or provisions relating to political activities. Allows the Special Counsel to obtain judicial review of any final order or decision of the Merit Systems Protection Board with respect to a case concerning such a disclosure or provision.

Requires each non-disclosure policy, form, or agreement to contain a statement that the restrictions are consistent with and do not supersede specified employee obligations, rights, or liabilities.

Actions Timeline

- **Sep 20, 2002:** Committee on Governmental Affairs referred to Subcommittee on International Security, Proliferation and Federal Services.
- **Jul 31, 2002:** Introduced in Senate
- **Jul 31, 2002:** Sponsor introductory remarks on measure. (CR S7746)
- **Jul 31, 2002:** Read twice and referred to the Committee on Governmental Affairs. (text of measure as introduced: CR S7746-7747)