

S 1745

Non-Federal Employee Whistleblower Protection Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Oct 1, 2009

Current Status: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

Latest Action: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Oct 1, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/1745>

Sponsor

Name: Sen. McCaskill, Claire [D-MO]

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

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Webb, Jim [D-VA]	D · VA		Nov 2, 2009

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Oct 1, 2009

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

No related bills are listed.

Non-Federal Employee Whistleblower Protection Act of 2009 - Amends the Federal Property and Administrative Services Act of 1949 to repeal and replace provisions prohibiting reprisals against employees of government contractors for disclosing to a federal official information relating to a substantial violation of law related to a public contract.

Prohibits an employee of any non-federal employer receiving covered funds (i.e., a contract, grant, or other payment any portion of which is provided by the federal government) from being discriminated against as a reprisal for initiating or participating in any proceeding related to the misuse of federal funds, reasonably opposing the misuse of federal funds, or disclosing to specified federal agencies or officials information that the employee reasonably believes is evidence of: (1) gross mismanagement of an agency contract or grant relating to covered funds; (2) a gross waste of covered funds; (3) a substantial and specific danger to public health or safety, or an abuse of authority, related to the implementation or use of covered funds; or (4) a violation of a law, rule, or regulation related to an agency contract, subcontract, or grant relating to covered funds.

Sets forth provisions regarding: (1) time limitations for agency inspector general determinations regarding whether to conduct or continue an investigation of a reprisal complaint; (2) the right of a complainant to pursue a civil remedy if an inspector general decides not to conduct or continue an investigation or an agency denies relief or fails to act with specified periods; (3) a complainant's access to the inspector general's investigative file; (4) the standard of proof for a reprisal; (5) agency actions to deny relief or to remedy a reprisal, including by requiring a compliance program to ensure that an employer commits no further retaliation or by requiring the employee to be paid ten times the amount of lost wages and other compensatory damages where the reprisal is found to have been willful, wanton, or malicious; and (6) non-enforceability of certain provisions waiving rights and remedies or requiring arbitration of disputes.

Actions Timeline

- **Oct 1, 2009:** Introduced in Senate
- **Oct 1, 2009:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.