

## S 1081

### Military Whistleblower Protection Enhancement Act of 2013

**Congress:** 113 (2013–2015, Ended)

**Chamber:** Senate

**Policy Area:** Armed Forces and National Security

**Introduced:** May 23, 2013

**Current Status:** Read twice and referred to the Committee on Armed Services.

**Latest Action:** Read twice and referred to the Committee on Armed Services. (May 23, 2013)

**Official Text:** <https://www.congress.gov/bill/113th-congress/senate-bill/1081>

### Sponsor

**Name:** Sen. Warner, Mark R. [D-VA]

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

### Cosponsors (1 total)

| Cosponsor              | Party / State | Role | Date Joined  |
|------------------------|---------------|------|--------------|
| Sen. Kaine, Tim [D-VA] | D · VA        |      | May 23, 2013 |

### Committee Activity

| Committee                | Chamber | Activity    | Date         |
|--------------------------|---------|-------------|--------------|
| Armed Services Committee | Senate  | Referred To | May 23, 2013 |

### Subjects & Policy Tags

#### Policy Area:

Armed Forces and National Security

### Related Bills

*No related bills are listed.*

Military Whistleblower Protection Enhancement Act of 2013 - Revises provisions concerning protected communications from members of the Armed Forces (members) to specified military and government officials (military whistleblower provisions) to include communications made to a court, grand jury, or court-martial proceeding or to an authorized official of the Department of Justice (DOJ) or another law enforcement agency.

Includes as additional protected communications any alleged violation of law, rule, or regulation, including those prohibiting rape, sexual assault, or other sexual misconduct under provisions of the Uniform Code of Military Justice (UCMJ).

Provides that neither an initial determination of whether a prohibited personnel retaliatory action was taken against a member for such a communication nor a subsequent investigation is required in the case of an allegation made more than one year (under current law, 60 days) after the member first becomes aware of the personnel action.

Requires reports by inspectors general of the military departments concerned on prohibited retaliatory personnel actions to: (1) be submitted to such department's Secretary (under current law, to the Secretary of Defense [DOD]); and (2) include an explicit determination as to whether a prohibited personnel action has occurred and recommendations for disposition of the complaint, including appropriate corrective action for the member. Requires any such corrective action to occur within 30 days after the receipt of such report. Requires the Secretary of Homeland Security (DHS) (with respect to the Coast Guard) and the Secretary concerned, upon determining that an order for corrective or disciplinary action is not appropriate, to notify the Secretary of Defense, the congressional defense committees, and the member of such determination and the reasons for not taking action. Requires (under current law, allows) the appropriate correction of military records upon the request of a member for whom a prohibited action determination has been made.

Establishes the member's and agency's burden of proof with respect to military whistleblower protection investigations and determinations.

## **Actions Timeline**

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- **May 23, 2013:** Introduced in Senate
- **May 23, 2013:** Read twice and referred to the Committee on Armed Services.