

## S 2390

### Federal Bureau of Investigation Whistleblower Protection Enhancement Act of 2016

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Crime and Law Enforcement

**Introduced:** Dec 10, 2015

**Current Status:** By Senator Grassley from Committee on the Judiciary filed written report. Report No. 114-261.

**Latest Action:** By Senator Grassley from Committee on the Judiciary filed written report. Report No. 114-261. (May 25, 2016)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/2390>

#### Sponsor

**Name:** Sen. Grassley, Chuck [R-IA]

**Party:** Republican • **State:** IA • **Chamber:** Senate

#### Cosponsors (11 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Leahy, Patrick J. [D-VT]	D · VT		Dec 10, 2015
Sen. Johnson, Ron [R-WI]	R · WI		Feb 29, 2016
Sen. Kirk, Mark Steven [R-IL]	R · IL		Feb 29, 2016
Sen. McCaskill, Claire [D-MO]	D · MO		Feb 29, 2016
Sen. Tillis, Thomas [R-NC]	R · NC		Feb 29, 2016
Sen. Wyden, Ron [D-OR]	D · OR		Feb 29, 2016
Sen. Hatch, Orrin G. [R-UT]	R · UT		Mar 7, 2016
Sen. Markey, Edward J. [D-MA]	D · MA		Mar 7, 2016
Sen. Baldwin, Tammy [D-WI]	D · WI		Mar 17, 2016
Sen. Lee, Mike [R-UT]	R · UT		Apr 14, 2016
Sen. Heinrich, Martin [D-NM]	D · NM		Jun 15, 2016

#### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Apr 14, 2016

#### Subjects & Policy Tags

##### Policy Area:

Crime and Law Enforcement

#### Related Bills

Bill	Relationship	Last Action
114 HR 5790	Related bill	Dec 16, 2016: Became Public Law No: 114-302.

## **Federal Bureau of Investigation Whistleblower Protection Enhancement Act of 2016**

(Sec. 2) This bill revises whistle-blower protections for a Federal Bureau of Investigation (FBI) employee or job applicant who discloses wrongdoing to an appropriate official.

Specifically, it prohibits an FBI or Department of Justice (DOJ) employee from taking or failing to take a personnel action (e.g., demotion) with respect to an FBI employee or applicant because of a protected disclosure. A protected disclosure is a disclosure of information to an appropriate official which an employee or applicant reasonably believes evidences: (1) a violation of a law, rule, or regulation; or (2) waste, fraud, or abuse. The bill expands the list of appropriate officials who may receive a protected disclosure to include a supervisor in an employee's direct chain of command.

Additionally, the bill sets forth procedures for filing, investigating, adjudicating, and reviewing whistle-blower retaliation complaints.

An FBI employee or applicant may file a complaint with DOJ's Office of Inspector General (OIG), which must investigate and decide whether reasonable grounds exist to believe that a prohibited personnel action occurred.

If either party files an objection to the OIG's decision, then an administrative law judge (ALJ) must review it, on the record, and issue a written decision. The ALJ's determination becomes final, unless it is appealed to or reviewed by DOJ. Any ALJ or DOJ determination is subject to judicial review.

### **Actions Timeline**

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- **May 25, 2016:** By Senator Grassley from Committee on the Judiciary filed written report. Report No. 114-261.
- **Apr 14, 2016:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Apr 14, 2016:** Committee on the Judiciary. Reported by Senator Grassley with an amendment in the nature of a substitute. Without written report.
- **Apr 14, 2016:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 421.
- **Dec 10, 2015:** Introduced in Senate
- **Dec 10, 2015:** Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S8605; text of measure as introduced: CR S8606-8607)