

HR 4639

Thoroughly Investigating Retaliation Against Whistleblowers Act

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: Feb 26, 2016

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. (Jul 13, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/4639>

Sponsor

Name: Rep. Blum, Rod [R-IA-1]

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

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Meadows, Mark [R-NC-11]	R · NC		Feb 26, 2016
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Feb 29, 2016
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Mar 1, 2016

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Jul 13, 2016
Oversight and Government Reform Committee	House	Reported By	Apr 25, 2016

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
114 S 3011	Related bill	Jun 6, 2016: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 505.

Thoroughly Investigating Retaliation Against Whistleblowers Act

(Sec. 2) This bill amends the Whistleblower Protection Act of 1989 to reauthorize through FY2020 the Office of Special Counsel (OSC), an independent federal investigative and prosecutorial agency led by an official appointed by the President to protect federal employees, former employees, and applicants for employment from prohibited personnel practices.

(Sec. 3) The OSC shall have access to any record or other information of any agency under its jurisdiction. The Department of Justice (DOJ) or an inspector general may withhold access to information if the disclosure could interfere with an ongoing criminal investigation or prosecution, but only if DOJ or the agency head submits a report to the OSC describing the records withheld and the reasons for the withholding.

(Sec. 4) The bill: (1) extends from 15 to 45 days the period for the OSC to review a disclosed prohibited practice; (2) requires an agency to provide a detailed explanation of any failure to take action to address information about a prohibited practice transmitted to it by the OSC; and (3) requires an agency that reports agency action proposed as a result of its investigation of such information to submit a supplemental report within 180 days on whether such proposed action has been taken and, if not, why not.

(Sec. 5) The OSC may terminate an investigation if: (1) it involves an allegation that has been previously made by the same person, (2) the OSC does not have jurisdiction to investigate such allegation, or (3) the person should have known of the alleged prohibited personnel practice earlier than three years before the OSC received the allegation.

(Sec. 6) The bill expands the OSC's annual reporting requirements to include: (1) the cost of allegations disposed of by the OSC; (2) the number of stays or disciplinary actions that the OSC negotiates with agencies; (3) the number of corrective action petitions and disciplinary action complaints initiated before, and stays obtained from, the Merit Systems Protection Board; and (4) the number of prohibited personnel practice complaints that result in a favorable action or outcome for the complainant.

The OSC must include in its publicly disclosed list of noncriminal matters referred to agencies: (1) any comments from the complainant, provided that the availability to the public is appropriate, not prohibited by law, and consented to by the complainant; and (2) the OSC's comments or recommendations.

(Sec. 7) The OSC shall design and establish a pilot program in FY2017-FY2018 to survey individuals who have filed a complaint or disclosure with the OSC. The responses shall be used to improve customer service at various stages of the review or investigative process.

(Sec. 8) Penalties for violations of Hatch Act prohibitions against engaging in political activities may include a combination of the disciplinary actions and the civil penalty prescribed under current law.

(Sec. 9) The OSC must prescribe and publish in the Federal Register any regulations necessary for the OSC to perform functions required by amendments made by this bill.

Actions Timeline

- **Jul 13, 2016:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Jun 22, 2016:** Received in the Senate.
- **Jun 21, 2016:** Mr. Blum moved to suspend the rules and pass the bill, as amended.
- **Jun 21, 2016:** Considered under suspension of the rules. (consideration: CR H3990-3991)
- **Jun 21, 2016:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4639.
- **Jun 21, 2016:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H3990-3991)
- **Jun 21, 2016:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H3990-3991)
- **Jun 21, 2016:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 25, 2016:** Reported (Amended) by the Committee on Oversight and Government Reform. H. Rept. 114-521.
- **Apr 25, 2016:** Placed on the Union Calendar, Calendar No. 401.
- **Mar 1, 2016:** Committee Consideration and Mark-up Session Held.
- **Mar 1, 2016:** Ordered to be Reported (Amended) by Voice Vote.
- **Feb 26, 2016:** Introduced in House
- **Feb 26, 2016:** Referred to the House Committee on Oversight and Government Reform.