

U.S. Sen. Johnson: Senators Introduce Bipartisan Legislation to Protect Whistleblowers

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WASHINGTON — Sen. Ron Johnson (R-Wis.), chairman of the Senate Homeland Security and Governmental Affairs Committee, Sen. Chuck Grassley (R-Iowa), chairman of the Senate Judiciary Committee, and Sen. Claire McCaskill (D-Mo.), ranking member of the Senate Homeland Security and Governmental Affairs Committee, introduced the Office of Special Counsel (OSC) Reauthorization Act and the Follow the Rules Act Wednesday. These bipartisan pieces of legislation would provide greater protections to federal government whistleblowers.

“Whistleblowers promote an accountable federal bureaucracy, but coming forward with allegations of waste or abuse can have serious consequences for federal employees,” said Johnson. “I’m proud to introduce legislation that will empower whistleblowers — including Department of Veterans Affairs employees who blow the whistle on corruption and life-threatening practices that endanger veterans — and to give the Office of Special Counsel the tools it needs to protect federal whistleblowers.”

“Whistleblowers are our first line of defense against problems in government. They bravely shine the light on fraud, waste and abuse so government can function better for the people it serves. And they often do so at their own peril. These two bills help to better protect whistleblowers from retaliation for simply telling the truth by expanding protections to employees who refuse to follow orders that violate

federal rules and regulations, and by strengthening the Office of Special Counsel, which supports whistleblowers who face reprisal,” Grassley said.

“Whistleblowers are absolutely essential to tackling waste, fraud, and abuse and saving taxpayer dollars,” said McCaskill. “I’m glad to join with my colleagues across the aisle to protect whistleblowers and make sure they won’t lose their job or miss out on a promotion because they do the right thing.”

Background

OSC Reauthorization Act:

The Office of Special Counsel Reauthorization Act of 2017 reauthorizes the Office of Special Counsel (OSC) through 2022. The OSC is an independent agency charged with investigating and adjudicating federal employees’ claims of whistleblower retaliation and with investigating and directing agency action based on employees’ disclosures of waste, fraud, abuse, and mismanagement. This bill includes provisions that improve the OSC’s ability to investigate these cases and to ensure that agencies undertake corrective actions. The bill also strengthens whistleblower protections for the OSC’s own employees. The bill also will place more responsibility on managers for protecting whistleblowers by making whistleblower protection a criterion for performance appraisals, and it will modify some whistleblower protections in existing laws that have been narrowed or altered by judicial interpretations.

Follow the Rules Act:

The Follow the Rules Act expands the Whistleblower Protection Act to apply to a federal employee facing reprisal for refusing to obey an order that would violate a rule or regulation, not just a federal law. This bill addresses a 2016 decision by the U.S. Court of Appeals for the Federal Circuit, which found that a federal employee who was relieved of his duties because he refused to obey an order was not entitled to federal whistleblower protections for agency retaliation on the grounds that the order he refused to obey violated a federal regulation, not a law.