

H.R. 2988 Whistleblower Protection Improvement Act

H.R. 2988, Whistleblower Protection Improvement Act, would strengthen protections for federal employees who expose wrongdoing. Whistleblowers play a crucial role in holding government accountable by exposing waste, fraud, and abuse. This legislation would:

Expand Whistleblower Protections

- Clarify that no federal government employee—including the President or Vice President of the United States and Members of Congress—may interfere with or retaliate against a federal employee for sharing information with Congress.
- Prohibit agencies from launching retaliatory investigations against employees who blow the whistle.
- Prohibit retaliation against an employee for disclosing to a supervisor any violations of law, gross mismanagement or waste, abuse of authority, or a substantial and specific danger to public health or safety.
- Require that if the Office of Special Counsel determines that a referral to an Office of Inspector General was retaliatory, the Office of Special Counsel must communicate that to the Office of Inspector General. The Office of Inspector General will consider that finding when determining whether to initiate or continue its investigation.
- Limit public disclosure of the identity of an employee who engages in whistleblowing activity.

Ensure Due Process and Equitable Relief for Whistleblowers

- Provide timely consideration and appeals for employees who request a delay in adverse personnel actions.
- Grant whistleblowers access to a jury trial in federal district court if the Merit Systems Protections Board does not issue a decision in 180 days (or 240 days for complex cases) and provide retroactive jury trial access for claims filed with the Merit Systems Protections Board up to five years prior to the date of enactment.
- Clarify that whistleblowers who prevail are entitled to recover attorney fees and be granted necessary relief to make them whole, such as through training, restoration of seniority, or a promotion consistent with the employee's record.

Provide Protections for more Federal Employees

- Extend Title 5 whistleblower protections to officers or applicants of the Public Health Service and the National Oceanic and Atmospheric Administration's commissioned officer corps.