

AMENDMENT NO. _____ Calendar No. _____

Purpose: To strengthen requirements on reporting and the development of best practices.

IN THE SENATE OF THE UNITED STATES—107th Cong., 2d Sess.

H.R. 169

To require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws; to require that each Federal agency post quarterly on its public Web site, certain statistical data relating to Federal sector equal employment opportunity complaints filed with such agency; and for other purposes.

Referred to the Committee on _____
and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. LIEBERMAN

Viz:

1 On page 8, line 8, insert “the Committee on Govern-
2 mental Affairs of the Senate, the Committee on Govern-
3 ment Reform of the House of Representatives, each com-
4 mittee of Congress with jurisdiction relating to the agen-
5 cy,” before “the Equal Employment Opportunity Commis-
6 sion”.

1 On page 9, strike lines 4 through 14, and insert the
2 following:

3 (6) a detailed description of—

4 (A) the policy implemented by that agency
5 relating to appropriate disciplinary actions
6 against a Federal employee who—

7 (i) discriminated against any indi-
8 vidual in violation of any of the laws cited
9 under section 201(a) (1) or (2), or

10 (ii) committed another prohibited per-
11 sonnel practice that was revealed in the in-
12 vestigation of a complaint alleging a viola-
13 tion of any of the laws cited under section
14 201(a) (1) or (2), and

15 (B) with respect to each of such laws, the
16 number of employees who are disciplined in ac-
17 cordance with such policy and the specific na-
18 ture of the disciplinary action taken,

19 (7) an analysis of the information described
20 under paragraphs (1) through (6) (in conjunction
21 with data provided to the Equal Employment Oppor-
22 tunity Commission in compliance with part 1614 of
23 title 29 of the Code of Federal Regulations)
24 including—

25 (A) an examination of trends,

- 1 (B) causal analysis,
- 2 (C) practical knowledge gained through ex-
- 3 perience, and
- 4 (D) any actions planned or taken to im-
- 5 prove complaint or civil rights programs of the
- 6 agency, and
- 7 (8) any adjustment (to the extent the adjust-
- 8 ment can be ascertained in the budget of the agen-
- 9 cy) to comply with the requirements under section
- 10 201.

11 On page 9, line 24, strike all through page 10, line
12 6, and insert the following:

- 13 (2) rules to require that a comprehensive study
- 14 be conducted in the executive branch to determine
- 15 the best practices relating to the appropriate dis-
- 16 ciplinary actions against Federal employees who
- 17 commit the actions described under clauses (i) and
- 18 (ii) of section 203(a)(6)(A), and