

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide for a study by the General Accounting Office on the ascertainment of Department of Justice costs in defending discrimination and whistleblower cases, and for other purposes.

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 2, between lines 8 and 9, strike the matter
- 2 relating to section 206 and insert the following:

“206. Studies by General Accounting Office on exhaustion of remedies and certain Department of Justice costs.”.

- 3 On page 11, line 10, strike all through page 12, line
- 4 16, and insert the following:

1 **SEC. 206. STUDIES BY GENERAL ACCOUNTING OFFICE ON**
2 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**
3 **AND ON ASCERTAINMENT OF CERTAIN DE-**
4 **PARTMENT OF JUSTICE COSTS.**

5 (a) STUDY ON EXHAUSTION OF ADMINISTRATIVE
6 REMEDIES.—

7 (1) STUDY.—

8 (A) IN GENERAL.—Not later than 180
9 days after the date of enactment of this Act,
10 the General Accounting Office shall conduct a
11 study relating to the effects of eliminating the
12 requirement that Federal employees aggrieved
13 by violations of any of the laws specified under
14 section 201(c) exhaust administrative remedies
15 before filing complaints with the Equal Employ-
16 ment Opportunity Commission.

17 (B) CONTENTS.—The study shall include a
18 detailed summary of matters investigated, of in-
19 formation collected, and of conclusions formu-
20 lated that lead to determinations of how the
21 elimination of such requirement will—

22 (i) expedite handling of allegations of
23 such violations within Federal agencies and
24 will streamline the complaint-filing process;

25 (ii) affect the workload of the Com-
26 mission;

1 (iii) affect established alternative dis-
2 pute resolution procedures in such agen-
3 cies; and

4 (iv) affect any other matters deter-
5 mined by the General Accounting Office to
6 be appropriate for consideration.

7 (2) REPORT.—Not later than 90 days after
8 completion of the study required by subsection (a),
9 the General Accounting Office shall submit to the
10 Speaker of the House of Representatives, the Presi-
11 dent pro tempore of the Senate, the Equal Employ-
12 ment Opportunity Commission, and the Attorney
13 General a report containing the information required
14 to be included in such study.

15 (b) STUDY ON ASCERTAINMENT OF CERTAIN COSTS
16 OF THE DEPARTMENT OF JUSTICE IN DEFENDING DIS-
17 CRIMINATION AND WHISTLEBLOWER CASES.—

18 (1) STUDY.—Not later than 180 days after the
19 date of enactment of this Act, the General Account-
20 ing Office shall conduct a study of the methods that
21 could be used for, and the extent of any administra-
22 tive burden that would be imposed on, the Depart-
23 ment of Justice to ascertain the personnel and ad-
24 ministrative costs incurred in defending in each case

1 arising from a proceeding identified under section
2 201(a) (1) and (2).

3 (2) REPORT.—Not later than 90 days after
4 completion of the study required by subsection (a),
5 the General Accounting Office shall submit to the
6 Speaker of the House of Representatives and the
7 President pro tempore of the Senate a report con-
8 taining the information required to be included in
9 the study.