



Office of Equal Opportunity and Civil Rights

DATE: December 22, 2003

FROM: Ramón Surís Fernández, Esq.
Director
Office of Equal Opportunity and Civil Rights (OEOCR)

TO: All CMS Employees

SUBJECT: [The Notification and Federal Employee Antidiscrimination and Retaliation Act – “No Fear Act” \(P.L. 107-174\)](#)

The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, also referred to as the *No FEAR Act*, was signed into law by President George W. Bush on May 15, 2002 and became effective October 1, 2003. The passage of this law holds substantial implications for Federal agencies, and has been hailed as the “first civil rights bill of the new century.” The *No FEAR Act* imposes new requirements upon Federal agencies and is designed to hold agencies more accountable for ensuring that the laws intended to protect Federal employees from discrimination, harassment, retaliation, and whistleblowing are enforced.

Specifically, *No Fear* requires agencies to:

- Provide written information and training for all employees on their rights, protections, and remedies under discrimination, retaliation, and whistleblower laws;
- Report annually to Congress, the number of complaints filed alleging violations of discrimination and whistleblower statutes, the status or disposition of each case, the amount of money reimbursed to the Department of Treasury’s Judgment Fund, the number of employees disciplined for such infractions, and the specific action taken;
- Begin posting on its public Website summary statistical data relating to EEO complaints. Starting January 31, 2004, a link to this information will be prominently posted on CMS.gov, and there will be a hyperlink to Department-wide data;
- Reimburse the Judgment Fund for any settlements or awards paid out on EEO cases in District Court.

Information and updates regarding the *No FEAR Act*, may be accessed through CMS’s homepage or the OEOCR webpage, http://cmsnet.cms.hhs.gov/hpages/oecr/PL174_whistle0203.pdf. Also, you may contact OEOCR at 410-786-5110 for additional information.