

Rev  
19

**AMENDMENT TO H.R. 5959, AS REPORTED  
OFFERED BY MR. HOLT OF NEW JERSEY**

At the end of subtitle B of title III, add the following new section:

1 **SEC. 321. PROHIBITION ON INTERFERENCE WITH REPORT-**  
2 **ING OF WASTE, FRAUD, ABUSE, OR CRIMINAL**  
3 **BEHAVIOR.**

4 (a) IN GENERAL.—Title XI of the National Security  
5 Act of 1947 (50 U.S.C. 442 et seq.) is amended by adding  
6 at the end the following new section:

7 “PROHIBITION ON INTERFERENCE WITH REPORTING OF  
8 WASTE, FRAUD, ABUSE, OR CRIMINAL BEHAVIOR

9 “SEC. 1103. (a) IN GENERAL.—Notwithstanding any  
10 other provision of law, any officer or employee of an ele-  
11 ment of the intelligence community that retaliates against  
12 an employee or contractor of the intelligence community  
13 who seeks to disclose or discloses covered information to  
14 an authorized Member of Congress or the Inspector Gen-  
15 eral of the element of the intelligence community to which  
16 such employee or contractor of the intelligence community  
17 is assigned shall be subject to administrative sanctions up  
18 to and including termination.

19 “(b) DEFINITIONS.—In this section:

1           “(1) AUTHORIZED MEMBER OF CONGRESS DE-  
2           FINED.—The term ‘authorized Member of Congress’  
3           means—

4                   “(A) with respect to information about  
5           sources and methods of the Central Intelligence  
6           Agency, the Director of National Intelligence,  
7           and the National Intelligence Program (as de-  
8           fined in section 3(6)), a member of the Perma-  
9           nent Select Committee on Intelligence of the  
10          House of Representatives, the Select Committee  
11          on Intelligence of the Senate, or any other com-  
12          mittee of the House of Representatives or Sen-  
13          ate to which the type of information is custom-  
14          arily provided;

15                   “(B) with respect to special access pro-  
16          grams referred to in section 119 of title 10,  
17          United States Code, an appropriate member of  
18          the defense committees (as defined in sub-  
19          section (g) of such section); and

20                   “(C) with respect to other information, a  
21          member of the Permanent Select Committee on  
22          Intelligence or the Committee on Oversight and  
23          Government Reform of the House of Represent-  
24          atives, the Select Committee on Intelligence or  
25          the Committee on Homeland Security and Gov-

1           ernmental Affairs of the Senate, or any other  
2           committee of the House of Representatives or  
3           the Senate that has oversight responsibility over  
4           the program that the information concerns.

5           “(2) COVERED INFORMATION.—The term ‘cov-  
6           ered information’ means any information (including  
7           classified or sensitive information) that an employee  
8           or contractor reasonably believes is evidence of—

9                   “(A) a violation of any law, rule, or regula-  
10                  tion; or

11                   “(B) gross mismanagement, a gross waste  
12                  of funds, an abuse of authority, or a substantial  
13                  and specific danger to public health or safety.”.

14           (b) CONFORMING AMENDMENT.—The table of con-  
15           tents in the first section of such Act is amended by adding  
16           at the end the following new item:

“Sec. 1103. Prohibition on interference with reporting of waste, fraud, abuse,  
or criminal behavior.”.

