AMENDMENT TO H.R. 754, AS REPORTED
OFFERED BY MR. HOLT OF NEW JERSEY

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

SEC. 304. PROHIBITION ON INTERFERENCE WITH REPORTING OF WASTE, FRAUD, ABUSE, OR CRIMINAL BEHAVIOR.

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

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

“Sec. 1104. (a) IN GENERAL.—Notwithstanding any other provision of law, any officer or employee of an element of the intelligence community that retaliates against an employee or contractor of the intelligence community who seeks to disclose or discloses covered information to an authorized Member of Congress or the Inspector General of the element of the intelligence community to which such employee or contractor of the intelligence community is assigned shall be subject to administrative sanctions up to and including termination.

(b) DEFINITIONS.—In this section:
“(1) AUTHORIZED MEMBER OF CONGRESS DEFINED.—The term ‘authorized Member of Congress’ means—

“(A) with respect to information about sources and methods of the Central Intelligence Agency, the Director of National Intelligence, and the National Intelligence Program (as defined in section 3(6)), a member of the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, or any other committee of the House of Representatives or Senate to which the type of information is customarily provided;

“(B) with respect to special access programs referred to in section 119 of title 10, United States Code, an appropriate member of the defense committees (as defined in subsection (g) of such section); and

“(C) with respect to other information, a member of the Permanent Select Committee on Intelligence or the Committee on Oversight and Government Reform of the House of Representatives, the Select Committee on Intelligence or the Committee on Homeland Security and Gov-
ternmental Affairs of the Senate, or any other committee of the House of Representatives or the Senate that has oversight responsibility over the program that the information concerns.

“(2) COVERED INFORMATION.—The term ‘covered information’ means any information (including classified or sensitive information) that an employee or contractor reasonably believes is evidence of—

“(A) a violation of any law, rule, or regulation; or

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

(b) CONFORMING AMENDMENT.—The table of contents in the first section of such Act is amended by adding at the end the following new item:

“Sec. 1104. Prohibition on interference with reporting of waste, fraud, abuse, or criminal behavior.”.