

**AMENDMENT TO H.R. 5743, AS REPORTED  
OFFERED BY MR. HOLT OF NEW JERSEY**

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

1 **SEC. 306. 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. 1104. (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.—

2           The term ‘authorized Member of Congress’ means  
3           with respect to information about sources and meth-  
4           ods of the Central Intelligence Agency, the Director  
5           of National Intelligence, and the National Intel-  
6           ligence Program (as defined in section 3(6)), a mem-  
7           ber of the Permanent Select Committee on Intel-  
8           ligence of the House of Representatives, the Select  
9           Committee on Intelligence of the Senate, or any  
10          other committee of the House of Representatives or  
11          Senate to which the type of information is custom-  
12          arily provided.

13          “(2) COVERED INFORMATION.—The term ‘cov-  
14          ered information’ means any information (including  
15          classified or sensitive information) that an employee  
16          or contractor reasonably believes is evidence of—

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

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

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

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

