

AMENDMENT TO H.R. 2596
OFFERED BY MS. SPEIER OF CALIFORNIA

At the appropriate place in the bill, insert the following new section:

1 **SEC. ____ . EXTENSION OF WHISTLEBLOWER PROTECTIONS**
2 **FOR DEFENSE CONTRACTOR EMPLOYEES TO**
3 **EMPLOYEES OF CONTRACTORS OF THE ELE-**
4 **MENTS OF THE INTELLIGENCE COMMUNITY.**

5 (a) CONTRACTORS OF DOD AND RELATED AGEN-
6 CIES.—Subsection (e) of section 2409 of title 10, United
7 States Code, is amended to read as follows:

8 “(e) DISCLOSURES WITH RESPECT TO ELEMENTS
9 OF INTELLIGENCE COMMUNITY AND INTELLIGENCE-RE-
10 LATED ACTIVITIES.—(1) Any disclosure under this section
11 by an employee of a contractor, subcontractor, or grantee
12 of an element of the intelligence community (as defined
13 in section 3(4) of the National Security Act of 1947 (50
14 U.S.C. 3003(4))) with respect to an element of the intel-
15 ligence community or an activity of an element of the in-
16 telligence community shall comply with applicable provi-
17 sions of section 17(d)(5) of the Central Intelligence Agen-
18 cy Act of 1949 (50 U.S.C. 3517(d)(5)) and section 8H
19 of the Inspector General Act of 1978 (5 U.S.C. App.).

1 “(2) Any disclosure described in paragraph (1) of in-
2 formation required by Executive order to be kept classified
3 in the interests of national defense or the conduct of for-
4 eign affairs that is made to a court shall be treated by
5 the court in a manner consistent with the interests of the
6 national security of the United States, including through
7 the use of summaries or ex parte submissions if the ele-
8 ment of the intelligence community awarding the contract
9 or grant concerned advises the court that the national se-
10 curity interests of the United States warrant the use of
11 such summaries or submissions.”.

12 (b) PILOT PROGRAM ON OTHER CONTRACTOR EM-
13 PLOYEES.—Subsection (f) of section 4712 of title 41,
14 United States Code, is amended to read as follows:

15 “(f) DISCLOSURES WITH RESPECT TO ELEMENTS OF
16 INTELLIGENCE COMMUNITY AND INTELLIGENCE-RE-
17 LATED ACTIVITIES.—

18 “(1) MANNER OF DISCLOSURES.—Any disclo-
19 sure under this section by an employee of a con-
20 tractor, subcontractor, or grantee of an element of
21 the intelligence community (as defined in section
22 3(4) of the National Security Act of 1947 (50
23 U.S.C. 3003(4))) with respect to an element of the
24 intelligence community or an activity of an element
25 of the intelligence community shall comply with ap-

1 plicable provisions of section 17(d)(5) of the Central
2 Intelligence Agency Act of 1949 (50 U.S.C.
3 3517(d)(5)) and section 8H of the Inspector General
4 Act of 1978 (5 U.S.C. App.).

5 “(2) TREATMENT BY COURTS.—Any disclosure
6 described in paragraph (1) of information required
7 by Executive order to be kept classified in the inter-
8 ests of national defense or the conduct of foreign af-
9 fairs that is made to a court shall be treated by the
10 court in a manner consistent with the interests of
11 the national security of the United States, including
12 through the use of summaries or ex parte submis-
13 sions if the element of the intelligence community
14 awarding the contract or grant concerned advises
15 the court that the national security interests of the
16 United States warrant the use of such summaries or
17 submissions.”.

