

**AMENDMENT TO H.R. 2048, AS REPORTED
OFFERED BY MR. POCAN OF WISCONSIN**

At the end of the bill insert the following:

1 **TITLE IX—GENERAL**
2 **PROVISIONS**

3 **SEC. 901. WHISTLEBLOWER COMPLAINTS.**

4 (a) AUTHORIZATION TO REPORT COMPLAINTS OR
5 INFORMATION.—An employee of or contractor to an ele-
6 ment of the intelligence community that has knowledge of
7 the programs and activities authorized by the Foreign In-
8 telligence Surveillance Act of 1978 (50 U.S.C. 1801 et
9 seq.) may submit a covered complaint—

10 (1) to the Comptroller General of the United
11 States;

12 (2) to the Permanent Select Committee on In-
13 telligence of the House of Representatives;

14 (3) to the Select Committee on Intelligence of
15 the Senate; or

16 (4) in accordance with the process established
17 under section 103H(k)(5) of the National Security
18 Act of 1947 (50 U.S.C. 3033(k)(5)).

19 (b) INVESTIGATIONS AND REPORTS TO CONGRESS.—

20 The Comptroller General shall investigate a covered com-

1 plaint submitted pursuant to subsection (b)(1) and shall
2 submit to Congress a report containing the results of the
3 investigation.

4 (c) COVERED COMPLAINT DEFINED.—In this sec-
5 tion, the term “covered complaint” means a complaint or
6 information concerning programs and activities authorized
7 by the Foreign Intelligence Surveillance Act of 1978 (50
8 U.S.C. 1801 et seq.) that an employee or contractor rea-
9 sonably believes is evidence of—

10 (1) a violation of any law, rule, or regulation;

11 or

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

15 **SEC. 902. PROHIBITION ON INTERFERENCE WITH REPORT-**
16 **ING OF WASTE, FRAUD, ABUSE, OR CRIMINAL**
17 **BEHAVIOR.**

18 (a) IN GENERAL.—Notwithstanding any other provi-
19 sion of law, no officer or employee of an element of the
20 intelligence community shall take any retaliatory action
21 against an employee of or contractor to an element of the
22 intelligence community who seeks to disclose or discloses
23 covered information to—

24 (1) the Comptroller General;

1 (2) the Permanent Select Committee on Intel-
2 ligence of the House of Representatives;

3 (3) the Select Committee on Intelligence of the
4 Senate; or

5 (4) the Office of the Inspector General of the
6 Intelligence Community.

7 (b) ADMINISTRATIVE SANCTIONS.—An officer or em-
8 ployee of an element of the intelligence community who
9 violates subsection (a) shall be subject to administrative
10 sanctions, up to and including termination.

11 (c) DEFINITIONS.—In this section:

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

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

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

21 (2) INTELLIGENCE COMMUNITY.—The term
22 “intelligence community” has the meaning given the
23 term in section 3 of the National Security Act of
24 1947 (50 U.S.C. 3003).

