

116TH CONGRESS
2D SESSION

H. R. 9025

To amend the National Security Act of 1947 to expand protected disclosures made by intelligence community whistleblowers to include disclosures made to Members of Congress, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 18, 2020

Mr. AMASH introduced the following bill; which was referred to the Permanent Select Committee on Intelligence

A BILL

To amend the National Security Act of 1947 to expand protected disclosures made by intelligence community whistleblowers to include disclosures made to Members of Congress, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Intelligence Commu-
5 nity Congressional Whistleblowing Improvement Act”.

1 **SEC. 2. PROTECTED DISCLOSURES MADE TO MEMBERS OF**
2 **CONGRESS BY INTELLIGENCE COMMUNITY**
3 **WHISTLEBLOWERS.**

4 (a) DISCLOSURES TO MEMBERS UNDER NATIONAL
5 SECURITY ACT OF 1947.—

6 (1) DISCLOSURES TO MEMBERS.—Section
7 103H(k)(5) of the National Security Act of 1947
8 (50 U.S.C. 3033(k)(5)) is amended—

9 (A) in subparagraph (C), by inserting “or
10 any Member of Congress designated by the em-
11 ployee who submits the complaint or informa-
12 tion under subparagraph (A)” after “commit-
13 tees”;

14 (B) in subparagraph (D)—

15 (i) in clauses (i) and (ii), by inserting
16 “, or any Member of Congress,” after
17 “committees” each place it appears; and

18 (ii) in clause (iii)—

19 (I) by striking “A member or em-
20 ployee of one of the congressional in-
21 telligence committees” and inserting
22 “A Member of Congress, including
23 any Member of one of the congres-
24 sional intelligence committees, or an
25 employee of such a committee”; and

1 (II) by striking “member” each
2 place it appears and inserting “Mem-
3 ber”;

4 (C) in subparagraph (I), by striking “any
5 member” and inserting “any Member of Con-
6 gress, including any Member”; and

7 (D) by adding at the end the following new
8 subparagraph:

9 “(J) In this paragraph, the term ‘Member of Con-
10 gress’ means a member of the Senate or the House of Rep-
11 resentatives, a Delegate to the House of Representatives,
12 and the Resident Commissioner from Puerto Rico.”.

13 (2) PROHIBITED PERSONNEL ACTIONS.—Sec-
14 tion 1104 of such Act (50 U.S.C. 3234) is amend-
15 ed—

16 (A) in subsection (a), by adding at the end
17 the following new paragraph:

18 “(5) MEMBER OF CONGRESS.—The term ‘Mem-
19 ber of Congress’ has the meaning given such term
20 in section 103H(k)(5)(J) of this Act.”; and

21 (B) in subsections (b) and (c), by striking
22 “a member” and inserting “a Member of Con-
23 gress, including any Member” each place it ap-
24 pears.

1 (b) DISCLOSURES TO MEMBERS UNDER CENTRAL
2 INTELLIGENCE AGENCY ACT OF 1949.—Section 17(d)(5)
3 of the Central Intelligence Agency Act of 1949 (50 U.S.C.
4 3517(d)(5)) is amended—

5 (1) in subparagraph (C), by inserting “or any
6 Member of Congress designated by the employee
7 who submits the complaint or information under
8 subparagraph (A)” after “committees”;

9 (2) in subparagraph (D)—

10 (A) in clauses (i) and (ii), by inserting “,
11 or any Member of Congress,” after “commit-
12 tees” each place it appears; and

13 (B) in clause (iii)—

14 (i) by striking “A member or em-
15 ployee of one of the intelligence commit-
16 tees” and inserting “A Member of Con-
17 gress, including any Member of one of the
18 intelligence committees, or an employee of
19 such a committee”; and

20 (ii) by striking “member” each place
21 it appears and inserting “Member”;

22 (3) in subparagraph (G), by adding at the end
23 the following new clause:

24 “(iii) The term ‘Member of Congress’
25 means a member of the Senate or the

1 House of Representatives, a Delegate to
2 the House of Representatives, and the
3 Resident Commissioner from Puerto
4 Rico.”; and

5 (4) in subparagraph (H), by striking “any
6 member” and inserting “any Member of Congress,
7 including any Member”.

8 (c) DISCLOSURES TO MEMBERS UNDER ADDITIONAL
9 PROVISIONS.—Section 8H of the Inspector General Act of
10 1978 (5 U.S.C. App. 8H) is amended—

11 (1) in subsection (c), by inserting “or any Mem-
12 ber of Congress designated by the employee who
13 submits the complaint or information under sub-
14 paragraph (A)” after “committees”;

15 (2) in subsection (d)—

16 (A) in paragraphs (1) and (2), by inserting
17 “, or any Member of Congress,” after “commit-
18 tees” in each place it appears; and

19 (B) in paragraph (3)—

20 (i) by striking “A member or em-
21 ployee of one of the intelligence commit-
22 tees” and inserting “A Member of Con-
23 gress, including any Member of one of the
24 intelligence committees, or an employee of
25 such a committee”; and

1 (ii) by striking “member” each place
2 it appears and inserting “Member”;

3 (3) in subsection (g), by striking “any member”
4 and inserting “any Member of Congress, including
5 any Member”; and

6 (4) in subsection (h), by adding at the end the
7 following new paragraph:

8 “(3) The term ‘Member of Congress’ means a
9 member of the Senate or the House of Representa-
10 tives, a Delegate to the House of Representatives,
11 and the Resident Commissioner from Puerto Rico.”.

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