HEN16115 S.L.C.

AMENDMENT NO	Calendar No.
Purpose: To preserve merit sys	tem rights.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

	G ,
	H. R. 3361
\mathbf{T}	o amend the Homeland Security Act of 2002 to establish the Insider Threat Program, and for other purposes.
Re	eferred to the Committee on and ordered to be printed
	Ordered to lie on the table and to be printed
A	MENDMENT intended to be proposed by Mrs. McCaskill
Viz	:
1	On page 8, between lines 12 and 13, insert the fol-
2	lowing:
3	"(e) Preservation of Merit System Rights.—
4	"(1) In General.—The Steering Committee
5	shall not seek to, and the authorities provided under
6	this section shall not be used to, deter, detect, or
7	mitigate disclosures of information by Government
8	employees or contractors that are lawful under and
9	protected by section 17(d)(5) of the Central Intel-
10	ligence Agency Act of 1949 (50 U.S.C. 3517(d)(5))
11	(commonly known as the 'Intelligence Community
12	Whistleblower Protection Act of 1998'), chapter 12
13	or 23 of title 5, United States Code, the Inspector

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1	General Act of 1978 (5 U.S.C. App.), or any other
2	whistleblower statute, regulation, or policy.
3	"(2) Implementation.—
4	"(A) In General.—Any activity carried
5	out under this section shall be subject to section
6	115 of the Whistleblower Protection Enhance-
7	ment Act of 2012 (5 U.S.C. 2302 note).
8	"(B) REQUIRED STATEMENT.—Any activ-
9	ity to implement or enforce any insider threat
10	activity or authority under this section or Exec-
11	utive Order 13587 (50 U.S.C. 3161 note) shall
12	include the statement required by section 115
13	of the Whistleblower Protection Enhancement
14	Act of 2012 (5 U.S.C. 2302 note) that pre-
15	serves rights under whistleblower laws and sec-
16	tion 7211 of title 5, United States Code, pro-
17	tecting communications with Congress.