

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5790  
OFFERED BY MR. CHAFFETZ OF UTAH**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Federal Bureau of In-  
3 vestigation Whistleblower Protection Enhancement Act of  
4 2016”.

**5 SEC. 2. PROHIBITED PERSONNEL PRACTICES IN THE FED-  
6 ERAL BUREAU OF INVESTIGATION.**

7       Section 2303(a) of title 5, United States Code, is  
8 amended by striking “any employee of the Bureau” and  
9 all that follows through “health or safety” and inserting  
10 the following: “an employee in, or applicant for, a position  
11 in the Bureau as a reprisal for a disclosure of informa-  
12 tion—

13               “(1) made—

14                       “(A) in the case of an employee, to a su-  
15 pervisor in the direct chain of command of the  
16 employee, up to and including the head of the  
17 employing agency;

18                       “(B) to the Inspector General;

1           “(C) to the Office of Professional Respon-  
2           sibility of the Department of Justice;

3           “(D) to the Office of Professional Respon-  
4           sibility of the Federal Bureau of Investigation;

5           “(E) to the Inspection Division of the Fed-  
6           eral Bureau of Investigation;

7           “(F) as described in section 7211;

8           “(G) to the Office of Special Counsel; or

9           “(H) to an employee designated by any of-  
10          ficer, employee, office, or division described in  
11          subparagraphs (A) through (G) for the purpose  
12          of receiving such disclosures; and

13          “(2) which the employee or applicant reason-  
14          ably believes evidences—

15                 “(A) any violation of any law, rule, or reg-  
16                 ulation; or

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

