

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7936
OFFERED BY MRS. CAROLYN B. MALONEY OF
NEW YORK

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Employee Ac-
3 cess to Information Act of 2020”.

4 **SEC. 2. PROTECTIONS AGAINST RETALIATION FOR LAWFUL**
5 **USE OF FEDERAL RECORDS BY FEDERAL EM-**
6 **PLOYEES.**

7 (a) PROTECTION AGAINST RETALIATION.—Section
8 2302(b)(9) of title 5, United States Code, is amended—

9 (1) in subparagraph (C), by striking “or” at
10 the end;

11 (2) in subparagraph (D), by inserting “or”
12 after the semicolon; and

13 (3) by adding at the end the following:

14 “(E) the employee or applicant for employ-
15 ment—

16 “(i) making a request for information
17 pursuant to section 552 (commonly re-

1 ferred to as the ‘Freedom of Information
2 Act’) or subsection (d) of section 552a
3 (commonly referred to as the ‘Privacy Act
4 of 1974’); or

5 “(ii) pursuing any administrative or
6 judicial action with respect to such request,
7 including seeking assistance or to engage
8 in dispute resolution, as described in sec-
9 tion 552.”.

10 (b) CONFORMING AMENDMENTS.—

11 (1) TITLE 5.—Sections 1214, 1215(a)(3)(B),
12 1221, 2302, and 7703 of title 5, United States
13 Code, are amended by striking “or (D)” in each in-
14 stance and inserting “(D), or (E)”.

15 (2) WHISTLEBLOWER PROTECTION ENHANCE-
16 MENT ACT OF 2012.—Section 116(b)(1)(A) of the
17 Whistleblower Protection Enhancement Act of 2012
18 (Public Law 112–199) is amended by striking “or
19 (D)” and inserting “(D), or (E)”.

