

116TH CONGRESS
2D SESSION

H. R. 7936

To amend title 5, United States Code, to protect Federal employees from retaliation for the lawful use of Federal records, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 2020

Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. CONNOLLY) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To amend title 5, United States Code, to protect Federal employees from retaliation for the lawful use of Federal records, 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 “Federal Employee Ac-
5 cess to Information Act”.

1 **SEC. 2. PROTECTIONS AGAINST RETALIATION FOR LAWFUL**
2 **USE OF FEDERAL RECORDS BY FEDERAL EM-**
3 **PLOYEES.**

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

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

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

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

11 “(E) the employee or applicant for employ-
12 ment—

13 “(i) making a request for information
14 pursuant to section 552 (commonly re-
15 ferred to as the ‘Freedom of Information
16 Act’) or subsection (d) of section 552a
17 (commonly referred to as the ‘Privacy Act
18 of 1974’); or

19 “(ii) pursuing any administrative or
20 judicial action with respect to such request,
21 including seeking assistance or to engage
22 in dispute resolution, as described in sec-
23 tion 552.”.

24 (b) CONFORMING AMENDMENTS.—

25 (1) TITLE 5.—Sections 1214, 1215(a)(3)(B),
26 1221, 2302, and 7703 of title 5, United States

1 Code, are amended by striking “or (D)” in each in-
2 stance and inserting “(D), or (E)”.

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

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