

AMENDMENT NO.

**AS MODIFIED**

Calendar No.

Purpose: To provide whistleblower protection for contract and agency employees at the Department of Energy.

IN THE SENATE

AMENDMENT No. 0871

By

*Craig*  
*for Reid - Ensign*

To:

*H.R. 6*

To enhance the

Referred to

Page(s)

AMENDMENT intended to be proposed by Mr. REID, Mr. ENSIGN

Viz:

At the appropriate place, insert the following:

"SECTION. WHISTLEBLOWER PROTECTION FOR EMPLOYEES OF THE  
DEPARTMENT OF ENERGY ~~AND THE NUCLEAR REGULATORY COMMISSION.~~

(a) DEFINITION OF EMPLOYER- Section 211(a)(2) of the Energy

Reorganization Act of 1974 (42 U.S.C. 5851(a)(2)) is amended--

(1) in subparagraph (C), by striking 'and' at the end;

(2) in subparagraph (D), by striking 'that is indemnified' and all that  
follows through '12344.'; and

(3) by adding at the end the following:

'(B) the Department of Energy.'

(b) DE NOVO JUDICIAL DETERMINATION- Section 211(b) of the Energy

Reorganization Act of 1974 (42 U.S.C. 5851(b)) is amended by adding at the end  
the following:

1 (4) DE NOVO JUDICIAL DETERMINATION- If the Secretary does not  
2 issue a final decision within 180 days after the filing of a complaint under  
3 paragraph (1) and the Secretary does not show that the delay is caused by  
4 the bad faith of the claimant, the claimant may bring a civil action in  
5 United States district court for a determination of the claim by the court de  
6 novo.