

AMENDMENT TO H.R. 2483
OFFERED BY Ms. Waters

Beginning on page 6, strike line 9 and all that follows through page 7, line 22, and insert the following:

1 “(i) APPROPRIATE NOTIFICATION.—
2 Prior to commencing any enforcement ac-
3 tion relating to any information reported
4 to it by a whistleblower, the Commission
5 may, consistent with the public interest
6 and its obligation to preserve the confiden-
7 tiality of a whistleblower, contact the entity
8 that is the subject of such action after re-
9 ceiving a complaint and provide the entity
10 the opportunity to investigate the matter
11 and report back to the Commission. In de-
12 termining whether to contact the entity to
13 make such a request, the Commission may
14 consider a number of factors, including the
15 nature of the alleged conduct, the level at
16 which the conduct allegedly occurred, and
17 any information the Commission may have
18 regarding the entity’s record of compliance
19 and corporate governance.

1 “(ii) EVALUATION.—Where the Com-
2 mission contacts an entity pursuant to
3 clause (i), the entity’s actions in response
4 to such notification shall be evaluated, as
5 appropriate, in accordance with the Com-
6 mission’s policy statement entitled ‘Report
7 of Investigation Pursuant to Section 21(a)
8 of the Securities Exchange Act of 1934
9 and Statement of the Relationship of Co-
10 operation to Agency Enforcement Deci-
11 sions.’”; and

⊗