

## **(h) Protection of whistleblowers**

### **(1) Prohibition against retaliation**

#### **(A) In general**

No employer may discharge, demote, suspend, threaten, harass, directly or indirectly, or in any other manner discriminate against, a whistleblower in the terms and conditions of employment because of any lawful act done by the whistleblower-

- (i) in providing information to the Commission in accordance with subsection (b); or
- (ii) in assisting in any investigation or judicial or administrative action of the Commission based upon or related to such information.

#### **(B) Enforcement**

##### **(i) Cause of action**

An individual who alleges discharge or other discrimination in violation of subparagraph (A) may bring an action under this subsection in the appropriate district court of the United States for the relief provided in subparagraph (C), unless the individual who is alleging discharge or other discrimination in violation of subparagraph (A) is an employee of the Federal Government, in which case the individual shall only bring an action under section 1221 of title 5.

##### **(ii) Subpoenas**

A subpoena requiring the attendance of a witness at a trial or hearing conducted under this subsection may be served at any place in the United States.

##### **(iii) Statute of limitations**

An action under this subsection may not be brought more than 2 years after the date on which the violation reported in subparagraph (A) is committed.

#### **(C) Relief**

Relief for an individual prevailing in an action brought under subparagraph (B) shall include-

- (i) reinstatement with the same seniority status that the individual would have had, but for the discrimination;
- (ii) the amount of back pay otherwise owed to the individual, with interest; and
- (iii) compensation for any special damages sustained as a result of the discharge or discrimination, including litigation costs, expert witness fees, and reasonable attorney's fees.