The definition provides that "official use" includes "any use that is consistent with the law, and the regulations and policies of the Department of Justice." The new definition of "official use" also includes specific examples of the types of uses that fall within the term "official use." Examples are not meant to be an exhaustive list, but rather illustrative of the ordinary, lawful uses of subpoenaed material in a Department of Justice investigation or litigation that we intend the Department of Justice to employ in False Claims Act cases. Section 4(c) of S. 386 amends Section 3733(ii)(2)(B) and (C) that could be misinterpreted by the courts to prevent the custodian of CID material from sharing the material with other Department of Justice or program agency personnel for these official uses in the absence of authority from regulations or a court.

D. SECTION 4(D): RELIEF FROM RETALIATORY ACTIONS

Section 3730(h) of the False Claims Act imposes liability on any employer who discriminates in the terms or conditions of employment against an employee because of the employee's lawful acts in furtherance of a qui tam action. This section needs to be amended so that it is clear that it covers the following types of retaliation that whistleblowers commonly have faced over the course of the last twenty years: (i) retaliation against not only those who actually file a qui tam action, but also against those who plan to file a qui tam that never gets filed, who blow the whistle internally or externally without the filing of a qui tam action, or who refuse to participate in the wrongdoing; (ii) retaliation against the family members and colleagues of those who have blown the whistle; and (iii) retaliation against contractors and agents of the discriminating party who have been denied relief by some courts because they are not technically "employees.

To address the need to widen the scope of protected activity, Section 4(d) of S. 386 provides that Section 3730(h) protects all "lawful acts done . . . in furtherance of . . . other efforts to stop 1 or more violations" of the False Claims Act. This language is intended to make clear that this subsection protects not only steps taken in furtherance of a qui tam action or actual qui tam action, but also steps taken to remedy the misconduct through methods such as internal reporting to a supervisor or company compliance department and refusals to participate in the misconduct that leads to the false claims, whether or not such steps are clearly in furtherance of a potential or actual qui tam action.

To address the concern about indirect retaliation against colleagues and family members of the person who acts to stop the violations of the False Claims Act, Section 4(e) adds Section 3730(h) by adding language expressly protecting individuals from employment retaliation when "associated others" made efforts to stop False Claims Act violations. This language is intended to deter and penalize indirect retaliation by, for example, firing a spouse or child of the person who blew the whistle.

To address the need to protect persons who seek to stop violations of the Act regardless of whether the person is a salaried employee, an employee hired as an independent contractor, or an employee hired by an agency as a consultant, Section 4(d) of S. 386 amends Section 3730(h) so that it expressly protects not just "employees" but also "contractors" and "agents." Among other things, this amendment will ensure that Section 3730(h) protects physicians from discrimination by health care providers that employ them as independent contractors, and government subcontractors from discrimination or other retaliation by government prime contractors.
A PROCLAMATION HONORING THE TOWN OF WARSAW, OHIO, ON THE 175TH ANNIVERSARY OF ITS FOUNDING

HON. ZACHARY T. SPACE
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 3, 2009

Mr. SPACE. Madam Speaker:
Whereas, Colonel William Simmons, a trusted friend of General George Washington, proved himself on the field of battle on numerous occasions; and
Whereas, for his more than 40 years of service, Colonel Simmons was given 4,297 acres of land in Southeastern Ohio; and
Whereas, Colonel Simmons laid out the plots of land in 1820 which were to become the town of Warsaw; and
Whereas, Warsaw was named after the town of Warsaw, a country then attempting to achieve its own independence; and
Whereas, the official town charter dates back to June 3, 1834; now, therefore, be it
Resolved, that along with friends, family, and the residents of Warsaw, as well as the entire 18th Congressional District, I congratulate the town of Warsaw on their 175th Anniversary.

HONORING THE RETIREMENT OF SENIOR CHIEF PETTY OFFICER TAMMY LOGAN

HON. RICK Larsen
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 3, 2009

Mr. LARSEN of Washington. Madam Speaker, I rise today to honor Senior Chief Petty Officer Tammy D. Logan, United States Navy, who is retiring after 20 years of service to our nation.

In May 1989, Senior Chief Logan, a native of my home state of Washington, enlisted in the U.S. Navy as a Seaman Recruit. Over the course of the next twenty years, Senior Chief Logan served the Navy in a wide variety of roles, travelling throughout the country and overseas. Her assignments include Helicopter Anti-Submarine Squadron (Light) 32, Carrier Strike Group 5, and the Commander in Chief, U.S. Atlantic Fleet.

Throughout her career, Senior Chief Logan has demonstrated a commitment to continuing her education. In 2002, she earned her Associate of Arts degree from Saint Leo University, and she is currently scheduled to graduate from Excelsior College with a Bachelor of Science Degree in July of 2009.

Senior Chief Logan has also earned a variety of awards for her outstanding service to our country. Her personal awards include the Meritorious Service Medal, Navy and Marine Corps Commendation Medal (two awards), Navy and Marine Corps Achievement Medal (five awards), and the Good Conduct Medal (six awards).

I commend Senior Chief Logan for her commitment to our country and the sacrifices she has made on its behalf. On the occasion of her retirement, I thank her and her family for her honorable service to our nation and wish her fair winds and following seas as she concludes a distinguished career.

INTRODUCTION OF H.R. 2680, THE “TERRITORIAL HEALTH PARITY ACT OF 2009”

HON. MADELEINE Z. BORDALLO
OF GUAM
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 3, 2009

Ms. BORDALLO. Madam Speaker, today I have introduced a bill, H.R. 2680, to amend the Social Security Act to provide for parity in the Medicaid program for Puerto Rico, the U.S. Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands (CNMI), and American Samoa. This bill, entitled the “Territorial Health Parity Act of 2009,” would amend the Social Security Act to eliminate the federal funding caps now in place and to strike the statutory set Federal Medicaid Assistance Percentage (FMAP) of 50% that currently applies to all the territories. This bill would ensure that each of the territories, like each of the 50 states, receives an FMAP that accurately reflects its economic conditions and demographics. In addition, because certain data