whistleblower protections to government contractors.

I am also disappointed that we could not come to an agreement with the Republican side on extending protections to employees in the Intelligence Community.

In spite of the bill's imperfections and limitations, I wholeheartedly endorse this agreement. This is a good government bill that will help to curb waste, fraud, and abuse in the Federal Government.

I encourage the Senate to act quickly on our modifications, and send the bill to President Obama without further delay.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of S. 372, the Whistleblower Protection Enhancement Act of 2010.

I would like to thank Senator AKAKA, and the other Senators who have worked so hard to advance this bill to provide stronger whistleblower protections. This effort has spanned over a decade, and I am hopeful that it will come to a successful conclusion today.

Whistleblower protections are a critical component in bringing about a more effective and accountable government. As the Congress considers proposals to address the deficit, our work needs to be pursued on numerous fronts. Whistleblowers risk their careers to challenge abuses, and gross waste of government resources. They deserve to be protected so they can carry out their important work conscientiously, and with the taxpayers best interests in mind.

By providing new rights, remedies, and protections for government whistleblowers, this bill takes an important step toward curbing waste, fraud, and abuse. This will aid our deficit reduction efforts.

S. 372, as passed by the Senate, reflects a bipartisan compromise between the original Senate bill and H.R. 1507, legislation I sponsored with Representatives PLATTS, Chairman TOWNS, and Representatives WAXMAN and BRALEY.

The Oversight and Government Reform Committee has reported similar legislation, on a bipartisan basis, in each of the last two Congresses. The House of Representatives has twice passed similar bills, once in 2007 with 331 votes and again as a bipartisan amendment to the Recovery Act.

Unfortunately, H.R. 1507 was stripped out of the Recovery Act during the conference with the Senate.

Over the course of the last two years, we have worked with the Obama administration and the Senate to work out a compromise that retains the core protections for federal workers and national security personnel that were included in bills passed by the House in 2007 and 2009.

The bill before us today restores Congress' intent to protect an employee for any lawful disclosure of waste, fraud, abuse, or illegality. S. 372 addresses several court decisions that have limited the protections Congress made available to federal employees under the 1989 Whistleblower Protection Act. These decisions quite frankly have gutted the protections available to federal employees.

This bill provides the opportunity for whistleblower cases before the Merit Systems Protection Board to be reviewed by all of the Federal Circuits. Moreover it provides an opportunity for certain cases to receive jury trials. This expansion of opportunity for judicial review is critical. While I would have preferred broader criteria for review and that this enhanced judicial review be made permanent, I have reluctantly accepted the changes made by the Senate to narrow the circumstances under which cases can receive judicial review and to sunset these provisions in 5 years.

This legislation also protects federal employees for disclosures related to distortions of government science and extends to employees of the Transportation Security Administration.

S. 372 is a good bipartisan, bicameral compromise, and should be sent to the President without further delay. This bill, as passed by the Senate, included important protections for national security employees. These provisions had been included with significant input from the national security community and passed the Senate by unanimous consent. Unfortunately, jurisdictional disputes within the House have prompted us to remove these protections in the interest of passing the rest of these essential reforms. I regret the loss of these provisions and look forward to working with incoming Chairman ISSA to advance these protections for national security employees in the next Congress.

I want to thank my cosponsor and partner on this bill, TODD PLATTS for his assistance and strong leadership. I also want to thank Chairman TOWNS and Ranking Member ISSA for their strong support throughout this Congress to advance this important legislation.

I'll close by simply noting that this legislation is long overdue. Without whistleblowers and the unfiltered information that government insiders can provide, the oversight functions vested in Congress would be seriously compromised, as would our efforts to rein in the federal budget deficit. I encourage all Members to support this important bill.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise today in support of the S. 372, the ''Whistleblower Protection Enhancement Act of 2010.''

S. 372 amends the Whistleblower Protection Act (WPA) and strengthens the rights and protections of Federal employees who come forward to disclose government waste, fraud, abuse, and mismanagement. The House has passed similar legislation on a bipartisan basis in 2007 (H.R. 985) and 2009, as an amendment to the Recovery Act.

I am a staunch advocate for protecting Federal employees from retaliation when they come forward to disclose waste, fraud, abuse and mismanagement. Whistleblowers are among the most patriotic and conscientious Federal employees. They take great risks to make certain that our Federal Government is functioning properly and effectively for all taxpayers. They serve as indispensable guardians for the efficient use of taxpayer funds. This is an especially valuable service during this vital period of national economic recovery.

Unhindered exposure of waste, fraud and abuse identifies expensive break-downs in the functioning of our Federal Government while also preserving the Federal funds we require to effectively serve our citizens. In some instances, conscientious whistleblowers protect others from harm and actually save lives. So, we must protect these attentive Federal employees who expose systemic lapses and protect the integrity and proper functioning of our Federal Government.

Discrimination and retaliation against Federal employees contravenes Federal law, puts the public at risk, and costs taxpayers millions of dollars. Retaliation and discrimination also breed a myriad of other costs that cannot be quantified in the toll exacted on the health, morale, and well-being of Federal employees who are entrusted to protect and serve our Nation. Federal managers and supervisors who engage in discriminatory conduct must be judiciously and expeditiously disciplined.

S. 372, the ''Whistleblower Protection Enhancement Act of 2010'' enhances the protection of Federal employees. It restores Congress' intent to protect an employee who makes any lawful disclosure of waste, fraud, abuse, or illegality. S. 372 addresses court decisions that have limited the protections Congress made available to Federal employees under the 1989 Whistleblower Protection Act.

This legislation will improve the administration of justice. It will allow non-intelligence whistleblowers to bring their cases before a jury under certain circumstances. The current administrative system will be further strengthened by allowing a limited number of more complex whistleblower cases to be considered in Federal court by juries. The bill also will allow whistleblower appeals to be heard by the regional Federal appellate courts.

This bill further expands upon the protections for Federal employees in additional necessary and meaningful ways. It extends whistleblower protections to employees at the Transportation Security Administration. It clarifies that whistleblowers may disclose evidence of censorship of scientific or technical information under the same standards that apply to disclosures of other kinds of waste, fraud, and abuse. It enhances protections for employees facing retaliation after refusing to violate the law or participating in an Inspector General investigation.

This legislation will codify and strengthen rules that preempt agencies from issuing regulations or directives that interfere with whistleblower protections. I am also pleased to say, that for the first time, S. 327 will make compensatory damage awards available to whistleblowers. This is a key component in ensuring a whistleblower is made whole after suffering retaliation. This bill will also make it easier for the Office of Special Counsel to discipline agency managers who are found to retaliate against employees.

It is my fervent expectation that this legislation will meaningfully advance our national integrity by deterring Federal managers from violating the civil rights and civil liberties of their fellow Federal workers, especially whistleblowers.

I ask my colleagues to stand with me today and vote in favor of S. 327.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 4058. An act to extend certain expiring provisions providing enhanced protections for servicemembers relating to mortgages and mortgage foreclosure.

□ 1740

SUPPORTING OLYMPIC DAY

Mr. VAN HOLLEN. Madam Speaker, I ask unanimous consent that the Committee on Oversight and Government Reform be discharged from further consideration of the resolution (H. Res. 1461) supporting Olympic Day on June 23, 2010, and congratulating Team USA and World Fit participants, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The text of the resolution is as follows:

H. RES. 1461

Whereas Olympic Day, June 23, 2010, celebrates the Olympic ideal of developing peace through sport;

Whereas June 23 marks the anniversary of the founding of the modern Olympic movement, the date on which the Congress of Paris approved the proposal of Pierre de Coubertin to found the modern Olympics;

Whereas for more than 100 years, the Olympic movement has built a more peaceful and better world by educating young people through amateur athletics, by bringing together athletes from many countries in friendly competition, and by forging new relationships bound by friendship, solidarity, and fair play;

Whereas the United States advocates the ideals of the Olympic movement;

Whereas Olympic Day will encourage the development of Olympic and Paralympic sport in the United States;

Whereas Team USA won an historic 37 medals at the Vancouver 2010 Olympic Winter Games;

Whereas Team USA won 13 medals at the Vancouver 2010 Paralympic Winter Games;

Whereas the USOC Paralympic Military Program provides post-rehabilitation support and mentoring to members of the United States Armed Forces who've sustained physical injuries such as traumatic brain injury, spinal cord injury, amputation, visual impairment or blindness, and stroke;

Whereas Olympic Day encourages the participation of youth of the United States in Olympic and Paralympic sport;

Whereas World Fit, a program established by Olympians and Paralympians to promote physical fitness and a healthy lifestyle to middle school children and connect them with Olympic and Paralympic athletes and the Olympic Movement, helped 7,239 students from 17 schools in 6 States walk a total of 769,148 miles in 6 weeks during the 2010 program;

Whereas Olympic Day will encourage the teaching of Olympic history, health, arts, and culture among the youth of the United States; and

Whereas enthusiasm for Olympic and Paralympic sport is at an all-time high: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports Olympic Day and the goals that Olympic Day pursues;

(2) congratulates Team USA on their Vancouver 2010 accomplishments; and

(3) supports the goals of World Fit and congratulates its participants on the 2010 results.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. VAN HOLLEN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measures just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

CLARIFYING THE NATIONAL CREDIT UNION ADMINISTRATION AUTHORITY

Mr. KLEIN of Florida. Madam Speaker, I ask unanimous consent that the Committee on Financial Services be discharged from further consideration of the bill (S. 4036) to clarify the National Credit Union Administration authority to make stabilization fund expenditures without borrowing from the Treasury, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The text of the bill is as follows:

S. 4036

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STABILIZATION FUND.

(a) ADDITIONAL ADVANCES.—Section 217(c)(3) of the Federal Credit Union Act (12 U.S.C. 1790e(c)(3)) is amended by inserting before the period at the end the following: ''and any additional advances''.

(b) ASSESSMENTS.—Section 217 of the Federal Credit Union Act (12 U.S.C. 1790e) is amended by striking subsection (d) and inserting the following:

''(d) ASSESSMENT AUTHORITY.—

''(1) ASSESSMENTS RELATING TO EXPENDITURES UNDER SUBSECTION (B).—In order to make expenditures, as described in subsection (b), the Board may assess a special premium with respect to each insured credit union in an aggregate amount that is reasonably calculated to make any pending or future expenditure described in subsection (b), which premium shall be due and payable not later than 60 days after the date of the assessment. In setting the amount of any assessment under this subsection, the Board shall take into consideration any potential impact on credit union earnings that such an assessment may have.

''(2) SPECIAL PREMIUMS RELATING TO REPAYMENTS UNDER SUBSECTION (C)(3).—Not later than 90 days before the scheduled date of each repayment described in subsection (c)(3), the Board shall set the amount of the upcoming repayment and shall determine whether the Stabilization Fund will have sufficient funds to make the repayment. If the Stabilization Fund is not likely to have sufficient funds to make the repayment, the Board shall assess with respect to each insured credit union a special premium, which shall be due and payable not later than 60 days after the date of the assessment, in an aggregate amount calculated to ensure that the Stabilization Fund is able to make the required repayment.

''(3) COMPUTATION.—Any assessment or premium charge for an insured credit union under this subsection shall be stated as a percentage of its insured shares, as represented on the previous call report of that insured credit union. The percentage shall be identical for each insured credit union. Any insured credit union that fails to make timely payment of the assessment or special premium is subject to the procedures and penalties described under subsections (d), (e), and (f) of section 202.''.

SEC. 2. EQUITY RATIO.

Section 202(h)(2) of the Federal Credit Union Act (12 U.S.C. 1782(h)(2)) is amended by striking ''when applied to the Fund,'' and inserting ''which shall be calculated using the financial statements of the Fund alone, without any consolidation or combination with the financial statements of any other fund or entity,''.

SEC. 3. NET WORTH DEFINITION.

Section 216(o)(2) of the Federal Credit Union Act (12 U.S.C. 1790d(o)(2)) is amended to read as follows:

''(2) NET WORTH.—The term 'net worth'—

''(A) with respect to any insured credit union, means the retained earnings balance of the credit union, as determined under generally accepted accounting principles, together with any amounts that were previously retained earnings of any other credit union with which the credit union has combined;

''(B) with respect to any insured credit union, includes, at the Board's discretion and subject to rules and regulations established by the Board, assistance provided under section 208 to facilitate a least-cost resolution consistent with the best interests of the credit union system; and

''(C) with respect to a low-income credit union, includes secondary capital accounts that are—

''(i) uninsured; and

''(ii) subordinate to all other claims against the credit union, including the claims of creditors, shareholders, and the Fund.''.

SEC. 4. STUDY OF NATIONAL CREDIT UNION ADMINISTRATION.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the National Credit Union Administration's supervision of corporate credit unions and implementation of prompt corrective action.

(b) ISSUES TO BE STUDIED.—In conducting the study required under subsection (a), the Comptroller General shall–

(1) determine the reasons for the failure of any corporate credit union since 2008;

(2) evaluate the adequacy of the National Credit Union Administration's response to the failures of corporate credit unions, including with respect to protecting taxpayers, avoiding moral hazard, minimizing the costs of resolving such corporate credit unions, and the ability of insured credit unions to bear any assessments levied to cover such costs;

(3) evaluate the effectiveness of implementation of prompt corrective action by the National Credit Union Administration for both insured credit unions and corporate credit unions; and

(4) examine whether the National Credit Union Administration has effectively implemented each of the recommendations by the Inspector General of the National Credit Union Administration in its Material Loss Review Reports, and, if not, the adequacy of the National Credit Union Administration's reasons for not implementing such recommendation.

(c) REPORT TO COUNCIL.—Not later than 1 year after the date of enactment of this Act,