

part-time letter carrier after serving with distinction in the Navy during World War II.

In 1971, Sombrotto was elected president of the New York City branch of the National Association of Letter Carriers. In 1978, he was elected as NALC's national president, a position he held until 2002.

He was an active supporter of the Muscular Dystrophy Association, helping to raise millions of dollars to fight neuromuscular diseases.

Sombrotto passed away in 2013 at the age of 89. He was survived by his wife, seven children, and 14 grandchildren.

Mr. Speaker, we should pass this legislation. I urge all of my colleagues to support it.

With that, I reserve the balance of my time.

Mr. GOSAR. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield 4 minutes to the gentlewoman from New York (Mrs. MALONEY), the distinguished sponsor of the legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding and for his leadership on the Oversight Committee. I thank him and Chairman ISSA for moving this legislation through the committee. It would rename a United States Postal Service facility located in my district at 450 Lexington Avenue after Vincent R. Sombrotto, who is one of the most significant labor leaders of his generation.

Like many of his Postal Service colleagues, Vincent Sombrotto traded his military uniform for a letter carrier's uniform, and he wore both with great distinction.

As a letter carrier at New York City's Grand Central Station in the district I represent, Mr. Sombrotto led the 1970 wildcat postal strike that led Congress to reorganize the modern United States Postal Service.

Later elected as president of the National Association of Letter Carriers, their 16th president, serving from 1978 to 2002, Mr. Sombrotto worked to increase letter carrier wages, moving them from poverty level into middle class levels.

In 1992, he began the National Association of Letter Carrier's food drive, which has developed into the country's biggest 1-day food drive in the entire country. Since it started, the drive has provided more than 1.2 billion pounds of food for food banks in communities throughout the United States.

As a firm believer in civic responsibility, Mr. Sombrotto worked with the United States Postal Service and emergency services organizations to establish Carrier Alert. Carrier Alert is a nationwide program allowing postal carriers to perform humanitarian deeds on their routes, including saving lives, finding missing children and pets, and looking after the elderly.

I urge my colleagues to honor Mr. Sombrotto, who worked to improve the lives of letter carriers, their families,

and their communities by supporting H.R. 2291.

Mr. GOSAR. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CUMMINGS. With that, I urge all Members to vote in favor of the bill, and I yield back the balance of my time.

Mr. GOSAR. Mr. Speaker, I urge all Members to join me in support of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GOSAR) that the House suspend the rules and pass the bill, H.R. 2291.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ALL CIRCUIT REVIEW EXTENSION ACT

Mr. GOSAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4197) to amend title 5, United States Code, to extend the period of certain authority with respect to judicial review of Merit Systems Protection Board decisions relating to whistleblowers, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4197

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "All Circuit Review Extension Act".

SEC. 2. JUDICIAL REVIEW OF MERIT SYSTEMS PROTECTION BOARD DECISIONS RELATING TO WHISTLEBLOWERS.

(a) IN GENERAL.—Section 7703(b)(1)(B) of title 5, United States Code, is amended by striking "2-year" and inserting "5-year".

(b) DIRECTOR REVIEW.—Section 7703(d)(2) of such title is amended by striking "2-year" and inserting "5-year".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GOSAR) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GOSAR. Mr. 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 bill under consideration.

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

There was no objection.

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Mr. GOSAR. Mr. Speaker, I yield myself such time as I may consume.

In November 2012, the President signed into law the Whistleblower Protection Enhancement Act. This legislation was needed to update existing law

to better help protect whistleblowers from retaliation for helping expose waste, fraud, and abuse in the Federal Government.

Unfortunately, some managers were using loopholes in existing law to punish well-intentioned employees for bringing bad behavior to the light of day. These actions likely dissuaded some whistleblowers from coming forward to end wasteful or corrupt activities.

In addition, during the Oversight Committee's work on this legislation, it became apparent that many whistleblowers also may not have been getting a fair shake in Federal circuit court. Therefore, the legislation created a 2-year pilot allowing for all circuit review of whistleblower appeals, enabling whistleblower cases to be appealed outside the Federal circuit.

In the 18 months since the law's enactment, very few appeals have been heard outside of the Federal circuit, giving Congress an insufficient sample size to judge whether the various courts are appropriate venues for whistleblower appeals.

H.R. 4197 simply extends the 2-year all circuit review pilot for an additional 3 years. Extending the pilot will provide additional evidence for Congress to consider as we seek to determine the fairest and most efficient way for whistleblower cases to be handled under the Federal court system.

We must do everything in our power to help defend those who seek to do the right thing by protecting Americans and their hard-earned tax dollars.

I want to thank Chairman ISSA and Ranking Member CUMMINGS for their work on this legislation, and I support this legislation.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I introduced this bipartisan bill to protect important due process rights for whistleblowers. I want to thank the original cosponsors of this bill, Oversight Committee Chairman DARRELL ISSA, Federal Workforce Subcommittee Chairman BLAKE FARENTHOLD, Ranking Member GERRY CONNOLLY, and longtime whistleblower advocate and fellow Member from the State of Maryland, Representative CHRIS VAN HOLLEN.

H.R. 4197 extends a provision in the Whistleblower Protection Enhancement Act that was signed into law on November 27, 2012. Under that law, whistleblowers were allowed to file appeals in any circuit court of appeals with jurisdiction during the 2 years following enactment. The 2-year period will expire on November 27 of this year.

This bill would extend the all circuit review provision for an additional 3 years. Without this provision, whistleblowers could only appeal a decision by the Merit Systems Protection Board to the United States Court of Appeals for the Federal circuit.

The Federal circuit has become increasingly restrictive of whistleblower

rights in its decisions over the years. Allowing other circuits to consider appeals in whistleblower cases provides a peer review process and check on the Federal circuit.

The Oversight Committee approved this bill on a bipartisan vote in March. Following the committee's action, the Make It Safe Coalition, a group of more than 50 organizations supporting whistleblower rights, issued a statement. Here is some of what they said:

The House Government Reform Committee deserves credit for bipartisan leadership on its experiment in structural due process reforms. All circuit review is a sorely needed provision to ensure that the WPEA is in force as Congress intended.

Two years has not been enough time to evaluate whether the all circuit review provision works as intended, as only a few cases have made their way to other circuits so far.

I note this bill also would allow the Office of Personnel Management to file for reviews of MSPB decisions in circuits other than the Federal circuit for an additional 3 years.

Protecting the rights of whistleblowers fosters an environment where employees feel safe coming forward with information, including employees like the brave doctors, nurses, and administrative staff who have come forward to expose mismanagement in the Department of Veterans Affairs.

Federal whistleblowers are critical to exposing waste, fraud, and abuse in the government, and we need to do all that we can to support them.

With that, I urge my colleagues to support the legislation, and I reserve the balance of my time.

Mr. GOSAR. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from the State of California (Mr. ISSA).

Mr. ISSA. Mr. Speaker, I thank the chairman and Ranking Member CUMMINGS.

Mr. Speaker, the most important function that the Oversight Committee does is, in fact, to expose waste, fraud, and abuse in the Federal bureaucracy. To that end, FOIA and whistleblowers are the two most important tools we have. Ultimately, whistleblowers coming forward to let us know something and the Freedom of Information Act, in addition to congressional powers, are the only way that we can wrench the truth out of a bureaucracy that often tends to be closed and, in fact, protecting of mistakes and outright failures, including fraud.

The ranking member, rightfully so and very kindly, mentioned a bipartisan effort that is underway here in the Congress to deal with the crisis in our veterans' hospitals. Only last week, whistleblowers testified under oath of the retaliation that they had seen when they came forward to explain the problems they had. Doctors, health care professionals, and administrators found that even in a caring organization like the Veterans Administration, as their hospital systems should be, if

you simply talk about secret lists or failure to provide care, you might very well experience retaliation. And they did.

So I think this is a particularly appropriate time for our committee, under the leadership of our ranking member and this bill, H.R. 4197, to bring this bill to the floor to let people know that we intend on opening up further the protections for whistleblowers, because they are and have been critical to the American people's right to know, both through their Congress and through the public.

Mr. Speaker, I support the legislation, and I want to thank Mr. CUMMINGS for his work on it.

Mr. CUMMINGS. Mr. Speaker, again, I want to thank Chairman ISSA for all of his support. We couldn't have done it without him and his hard work on this issue.

There is something that we are clearly bipartisan on, and that is making sure that whistleblowers are protected. It is so very, very important. It plays such a vital role. There is certain information that we would never get under any circumstances if it were not for them. If they are not protected or they feel threatened by exposing problems in government they will be harmed, that is not healthy for our government. It is not healthy for our country and certainly makes it almost impossible for us to reach the highest level of effectiveness and efficiency in our committee.

I want to thank him and all the members of our committee.

With that, I yield back the balance of my time.

Mr. GOSAR. Mr. Speaker, I urge all Members to support H.R. 4197, a great attempt to make sure there is fair and equitable access to the fair facts so that justice can be served.

I urge all Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GOSAR) that the House suspend the rules and pass the bill, H.R. 4197.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SMART SAVINGS ACT

Mr. GOSAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4193) to amend title 5, United States Code, to change the default investment fund under the Thrift Savings Plan, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4193

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Smart Savings Act".

SEC. 2. THRIFT SAVINGS PLAN DEFAULT INVESTMENT FUND.

(a) IN GENERAL.—Section 8438(c)(2) of title 5, United States Code, is amended to read as follows:

“(2)(A) Consistent with the requirements of subparagraph (B), if an election has not been made with respect to any sums available for investment in the Thrift Savings Fund, the Executive Director shall invest such sums in an age-appropriate target date asset allocation investment fund, as determined by the Executive Director. Such investment fund shall consist of any of the funds described in subsection (b).

“(B) If an election has not been made by an eligible member under section 8440e with respect to any sums available for investment in such member's Thrift Savings Fund account, the Executive Director shall invest such sums in the Government Securities Investment Fund.”.

(b) ACKNOWLEDGMENT OF RISK.—Section 8439(d) of title 5, United States Code, is amended—

(1) by inserting “(1)” before “Each employee”; and

(2) by adding at the end the following new paragraph:

“(2) Prior to enrollment in the Thrift Savings Fund, or as soon as practicable thereafter, an individual who is automatically enrolled pursuant to section 8432(b)(2) shall receive the risk acknowledgment information described under paragraph (1).”.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 8472(g)(2) of title 5, United States Code, is amended by striking “required by section 8438 of this title to be invested in securities of the Government” and inserting “under section 8438(c)(2)(B)”.

(d) GUIDANCE.—Not later than 9 months after the date of enactment of this Act, the Executive Director (as that term is defined under section 8401(13) of title 5, United States Code) shall develop and issue guidance implementing the requirements of this Act.

(e) EFFECTIVE DATE AND APPLICATION.—The amendments made by subsections (a) and (b) shall—

(1) take effect on the date that the Executive Director issues guidance under subsection (d); and

(2) apply to individuals enrolled in the Thrift Savings Plan on or after such date.

SEC. 3. CLARIFICATION OF FIDUCIARY PROTECTIONS.

Section 8477(e)(1)(C)(ii) of title 5, United States Code, is amended—

(1) in subclause (II)—

(A) by inserting “or beneficiary” after “participant”; and

(B) by inserting “or option” after “fund”; and

(2) in subclause (III)—

(A) by inserting “or beneficiary” after “participant”; and

(B) by inserting “or beneficiaries” after “participants”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GOSAR) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GOSAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.