

(ii) in subparagraph (B), by striking “; and” and inserting a semicolon;

(E) in paragraph (4), as so redesignated, by striking the period at the end and inserting “; and”; and

(F) by inserting at the end the following new paragraph:

“(5) by inserting at the end the following new subsection:

“(e) The Administrator, in carrying out subsection (b), shall have the responsibility to promote economy and efficiency in the selection and utilization of space, staff, equipment, and supplies for processing mail at Federal facilities.”

(3) in subsection (d)—

(A) in paragraph (1), by striking “; and” at the end and inserting a semicolon;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

(C) by inserting at the end the following new paragraph:

“(3) by inserting at the end the following new subsection:

“(c) The Administrator (or the Administrator’s designee) may inspect the mail processing practices and programs of any Federal agency for the purpose of rendering recommendations for the improvement of mail processing practices and programs. Officers and employees of such agencies shall cooperate fully in such inspections of mail processing practices and programs.”

(4) by striking subsection (f); and

(5) by redesignating subsection (g) as subsection (f).

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if included in the Presidential and Federal Records Act Amendments of 2014 (Public Law 113–187).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GOSAR) and the gentleman from Massachusetts (Mr. LYNCH) 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 to 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.

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

I rise in support of H.R. 6009, the Federal Agency Mail Management Act of 2016, introduced by my colleague on the Oversight and Government Reform Committee, Representative STEVE RUSSELL of Oklahoma.

This legislation is intended to make a bipartisan technical correction to the Presidential and Federal Records Act Amendments of 2014, enacted as Public Law 113–187.

Among the provisions of that bipartisan law was language designed to eliminate outdated references to the General Services Administration, or GSA, relating to records management. These changes updated outdated references from a time period when the National Archives was a part of the GSA. Since the National Archives became independent in 1984, these house-

keeping changes were long overdue. However, after the bill was enacted, the GSA and the Archives realized that the GSA had relied upon the now altered provisions for its oversight and management authority for Federal agency mail processing and management, which is a function that had not previously been transferred to the Archives. It was never the intent of the Congress to transfer this function.

The Archives and the GSA have been working closely together to ensure the law is being appropriately followed, but both agencies support clarification that this responsibility is properly the GSA’s. This legislation provides that exact clarification. Specifically, the bill makes technical corrections to the 2014 law to carve out the responsibility for mailroom management from records management to ensure that the former is properly the GSA’s duty and that the latter is the Archives’.

I believe this is a commonsense, good-government bill, and I am pleased to see that my colleague Representative Gerald Connolly is a cosponsor. I urge my colleagues to support this bill, and I hope it will move quickly through the legislative process so that we can properly resolve any lingering uncertainty that has been created regarding Federal mail management.

I reserve the balance of my time.

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

I support this bipartisan bill, which simply makes a technical correction to clarify that the Administrator of the General Services Administration is responsible for managing mail in the executive branch.

The Administrator of the GSA has historically had this responsibility. When the Federal Records Act was updated in 2014, changes made to the statute made it unclear whether the Administrator’s role had changed. This bill makes clear that Congress never intended to take away the GSA Administrator’s authority to manage the executive mail.

In closing, I would like to especially thank Representative STEVE RUSSELL from Oklahoma and Representative GERRY CONNOLLY from Virginia for their excellent work that they put into this legislation, and I hope that the Senate will take it up before the end of this Congress.

I yield back the balance of my time.

Mr. GOSAR. Mr. Speaker, I urge the adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). 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. 6009.

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.

FOLLOW THE RULES ACT

Mr. GOSAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6186) to amend title 5, United States Code, to extend certain protections against prohibited personnel practices, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6186

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 “Follow the Rules Act”.

SEC. 2. PROHIBITED PERSONNEL ACTION BASED ON ORDERING INDIVIDUAL TO VIOLATE RULE OR REGULATION.

(a) **IN GENERAL.**—Subparagraph (D) of section 2302(b)(9) of title 5, United States Code, is amended by inserting “, rule, or regulation” after “law”.

(b) **TECHNICAL CORRECTION.**—Such subparagraph is further amended by striking “for”.

(c) **APPLICATION.**—The amendment made by subsection (a) shall apply to any personnel action (as that term is defined in section 2302(a)(2)(A) of such title) occurring after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GOSAR) and the gentleman from Massachusetts (Mr. LYNCH) 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 to 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.

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

I rise in support of H.R. 6186, the Follow the Rules Act, introduced by Representative SEAN DUFFY. This legislation reiterates Congress’ intent that whistleblower protections be broadly construed.

Whistleblowers are the best source of information about waste, fraud, and abuse in the Federal Government. We should do all we can to protect them. Under the Whistleblower Protection Act of 1989, a whistleblower is protected for disclosing violations of laws, rules, or regulations; yet a recent opinion by the U.S. Court of Appeals for the Federal Circuit would limit the scope of those protections. The Federal Circuit held that Federal employees are not protected if they refuse to violate a rule or a regulation. This would mean whistleblowers could be ordered to violate the same rule or regulation whose violation they blew the whistle on. If they refuse, they could be retaliated against, such as being demoted or even fired.

In the case heard by the Federal Circuit, Dr. Timothy Allen Rainey, a contracting officer at the Department of

State, was ordered to tell a contractor to rehire a terminated subcontractor. Dr. Rainey refused on the grounds it would violate the Federal Acquisition Regulation—governmentwide contracting standards that have been in place for over 30 years. These contracting standards are exactly the sort of thing the Oversight and Government Reform Committee oversees to ensure compliance. In return for his objections, Dr. Rainey was stripped of his duties as a contracting officer and was given a negative performance rating. The Court of Appeals for the Federal Circuit held that, because Dr. Rainey was refusing to obey an order that would require him to violate a regulation and not a law, he could not be shielded by the Whistleblower Protection Act.

We should protect Federal workers who act in good faith to abide by the rules of their agencies. They shouldn't have to choose between disobeying the order of a supervisor and being disciplined for violating an agency's rules or regulations.

While nearly all Federal laws have implementing regulations, not all regulations have a detailed basis in law. Furthermore, agencies do not always train their employees to know which regulations are based in law. This means Federal workers may have to conduct extensive legal research before deciding on the safest course of action, in this case, whether to apply the very standards their own agencies put into place.

Whether the issue is regulations aimed against whistleblowers or whistleblowers acting to uphold other regulations, the issue is the same: we should incentivize and protect Federal employees for acting as principled civil servants. The Follow the Rules Act would send a clear, consistent message that Federal employees are expected to uphold standards of good government. It would ensure Federal workers are protected if they refuse to obey an order that would require them to violate even just a rule or a regulation.

Mr. Speaker, we are a nation based on the rule of law. We expect agencies to act in a transparent fashion and to be governed by predictable rules. We should provide the same sort of predictability to whistleblowers and protect them when they apply what they have been trained to follow. For that reason, I urge my colleagues to support this legislation.

I reserve the balance of my time.

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

I rise in strong support of H.R. 6186, the Follow the Rules Act.

I appreciate the hard work done by Representative DUFFY of Wisconsin and by Mr. CONNOLLY of Virginia in taking the lead in introducing this legislation and then in working diligently and in a bipartisan manner to achieve its passage.

This bill would clarify that an employee who refuses to obey an order

that would require the employee to violate the law, a rule, or a regulation is protected from retaliation under the Whistleblower Protection Act.

In June 2016, the U.S. Court of Appeals for the Federal Circuit issued a ruling that is contrary to the Whistleblower Protection Act and that is contrary to congressional intent. As Mr. GOSAR of Arizona previously laid out the facts, in *Rainey v. MSPB*, the court ruled that an employee who refuses to obey an order is protected only if the order would violate a statute but that the employee would not be protected if the order would simply violate a rule or a regulation.

This ruling incorrectly interprets congressional intent. Employees should be protected from retaliation if they do the right thing. That includes refusing to obey orders that would violate an agency's rules and regulations, as well as statutes. It is more critical than ever that we send a message to Federal employees that they have the right to do their jobs free from political pressure to bend or to violate the rules.

I urge my colleagues to support the passage of this legislation today.

I reserve the balance of my time.

Mr. GOSAR. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. I thank the gentleman from Arizona for yielding, and I thank my friends across the aisle for their support of this commonsense piece of legislation that, again, rights a wrong perception from the U.S. Court of Appeals.

Mr. Speaker, many of us in this institution do talk about how we are a nation of laws; but, unfortunately, on June 7, when the U.S. Court of Appeals handed down its decision, it ruled that we are a nation of laws but not a nation of rules and regulations, at least as they apply to Federal workers.

We have had a good discussion about the case. Dr. Timothy Rainey, just to summarize again, is a State Department employee who was asked to violate the Federal Acquisition Regulation, and he didn't want to do it; so he denied, and he invoked his right to disobey under the Whistleblower Protection Act. This was brought to the Merit Systems Protection Board, and it ruled against Dr. Rainey. It went to the U.S. Court of Appeals, and it also found against Dr. Rainey. This exposed a glaring inconsistency in the application of the Whistleblower Protection Act, which, again, is inconsistent with the intent of this institution.

So we ask ourselves: What does this mean?

I chair the Financial Services Committee's Subcommittee on Oversight and Investigation. Federal whistleblowers play an important role in exposing the mismanagement at Federal agencies and in supporting the oversight that all of us do in this Congress. Critical to them is the Whistleblower Protection Act, which provides Federal workers with certain safeguards to dis-

close information that an employee reasonably believes evidences gross mismanagement, a waste of funds, an abuse of authority, or a violation of law.

This court ruling will take away those protections when Federal employees stand up against bad actors within our Federal workforce. In effect, this ruling will give permission to supervisors in positions of authority to force Federal workers to violate the rules and regulations that Congress, through law, directs the agencies to implement.

For example, at the Treasury Department, one of the agencies that I have the great privilege of overseeing, this would mean that Federal workers could be forced to violate sanctions against Russia for a violation of Ukraine's territorial integrity. Many of those sanctions are enforced through the Code of Federal Regulations pursuant to laws that are passed by this Congress.

Regardless of one's opinion about rules and regulations—and if that were the conversation today, I am sure one would have a debate that was far more disagreeable, but that is not the issue. No matter what one thinks about rules and regulations, we should not leave exposed Federal workers who simply want to follow those rules and regulations. This bipartisan Follow the Rules Act, which, again, I introduced with my good friend from Virginia (Mr. CONNOLLY), will close the loophole that was created by the court. What we are doing is ensuring that Federal employees aren't just protected under our whistleblower statute for violations of Federal law, but that they are also protected as whistleblowers if there is a violation of a Federal rule or regulation.

This makes sense. It closes a loophole. I think that is why we have seen such bipartisan support from the far right of this institution and the far left of this institution. I think this is a great bill, and I thank my friends for so closely working with me to garner the support.

Mr. LYNCH. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. CONNOLLY), the other champion along with Mr. DUFFY of Wisconsin.

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Mr. CONNOLLY. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. LYNCH). I thank the gentleman from Arizona (Mr. GOSAR). I thank the gentleman from Wisconsin (Mr. DUFFY) for his leadership and collaboration on this important bill that he and I have introduced and is on the floor today, the Follow the Rules Act, H.R. 6186.

I appreciate Representative DUFFY's efforts to work to advance this legislation that falls under the umbrella of good government, which the Oversight and Government Reform Committee usually strives to promote on a bipartisan basis.

I welcome consideration of the bill, the Follow the Rules Act, to extend Congress' commitment to whistleblowers. The Follow the Rules Act upholds the committee's obligation to protect whistleblowers and help identify mismanagement at Federal agencies in supporting the oversight work of Congress.

The bill's language was previously adopted by a voice vote as section 1206 of the House-passed Financial Services and General Government Appropriations Act of 2017, H.R. 5482. The bill closes a loophole in the Whistleblower Protection Act created falsely, in my view, by the ruling in *Rainey v. Merit Systems Protection Board*, a precedent-setting case decided on June 7 in the U.S. Court of Appeals for the Federal Circuit.

The Whistleblower Protection Act provides Federal workers with legal safeguards to disclose information that an employee reasonably believes is evidence of gross mismanagement of a contract or a grant, gross waste of funds, abuse of authority regarding a contract or grant, or violation of law or rule regarding a contract or grant. That language ought to be fairly clear, but apparently it wasn't to the appellate court.

In *Rainey*, the right-to-disobey provision of the Whistleblower Protection Act was determined to only provide protection to Federal workers who refuse to obey an order that would require the individual to violate a law, but not to Federal workers who refuse to violate rules and regulations. God knoweth why.

This distinction leaves a gap in protections originally clearly intended for Federal employees by this Congress. In effect, the ruling exposes whistleblowers who refuse to violate the rules and regulations that were promulgated as a result of laws passed by Congress and signed by the President. That is how it flows.

This is a gap in coverage that must be addressed by Congress and clarified in the statute. Though, had the appellate court ruled correctly, it would be unnecessary.

The only way to protect whistleblowers from this court decision is to update the law to ensure that rules and regulations are covered by the right-to-disobey provision of the Whistleblower Protection Act.

I urge my colleagues to continue Congress' longstanding support for whistleblowers and vote in the affirmative for the Follow the Rules Act.

Mr. LYNCH. Mr. Speaker, having no further speakers on our side, I yield back the balance of my time.

Mr. GOSAR. Mr. Speaker, I urge the adoption of the bill.

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. 6186.

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.

ADOLFO "HARPO" CELAYA POST OFFICE

Mr. GOSAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6304) to designate the facility of the United States Postal Service located at 501 North Main Street in Florence, Arizona, as the "Adolfo 'Harpo' Celaya Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6304

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

SECTION 1. ADOLFO "HARPO" CELAYA POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 501 North Main Street in Florence, Arizona, shall be known and designated as the "Adolfo 'Harpo' Celaya Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Adolfo 'Harpo' Celaya Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GOSAR) and the gentleman from the Virgin Islands (Ms. PLASKETT) 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 have 5 legislative days to revise and extend their remarks and to include any 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.

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

I rise today in support of my bill, H.R. 6304. The bill designates a post office in Florence, Arizona, as the Adolfo "Harpo" Celaya Post Office.

Mr. Speaker, this bill honors a great man and an Arizona hero. He has served his Nation both in combat and with a lifetime of community service. That man is Adolfo "Harpo" Celaya.

The bill being considered here today, H.R. 6304, would designate the United States Postal Service facility in Florence, Arizona, as the Adolfo "Harpo" Celaya Post Office. This is a small gesture to honor a man who has given so much to this Nation and to his community.

By way of background, Harpo Celaya was born in Florence, Arizona, on May 16, 1927. He worked numerous jobs, including picking cotton and working at the local dairy from the time he was only 8 years old. He earned the nickname "Harpo" because he had thick

black curls that reminded his friends of Harpo Marx.

When he was just 17 years old, he read a recruitment poster that boasted "Join the Navy, see the world" and he begged his father to let him join. He was assigned to the USS *Indianapolis*, the flagship of the 5th Fleet.

The Indy saw many battles during World War II, and Harpo was there with the ship at the battle of Iwo Jima and witnessed the historic flag-raising on the island in February of 1945. He was also aboard when the Indy went on a secret mission delivering parts for Little Boy, the atomic bomb that was dropped on Hiroshima.

His experiences on the Indy would change his life forever. On the night of July 30, 1945, the Indy was on its way back to the Philippines after a secret mission delivering the atomic bomb. Harpo and many of his mates were sleeping on the deck because it was too hot to sleep in their bunks below. Despite the heat, Harpo covered himself with a blanket, as had been his habit for many years in trying to ward off mosquitoes in the Arizona desert.

Shortly after midnight, a Japanese submarine hit the Indy with two torpedoes. Fire tore through the deck, burning Harpo and his mates. Harpo credits his blanket, which was essentially vaporized in the heat, for saving him from being burned more severely.

He was en route to retrieve his life-jacket when he ran into his friend, Santos Pena, who told him that the ship was sinking and they needed to abandon it immediately. The USS *Indianapolis* sank within 12 minutes.

The two friends separated after jumping into the water, and 3 days passed before they found each other again. They continued to endure excruciating conditions with their fellow sailors in the choppy open seas, most slowly succumbing to dehydration, exposure, and shark attacks.

The survivors of the Indy were eventually rescued after spending almost 5 harrowing days in the water. Of the 1,196 men aboard, only 317 survived. After this incident, Harpo was medically discharged from the Navy and awarded the Purple Heart.

Still only 17 years of age, he went back to high school in his hometown of Florence, Arizona, and was recruited to play on the Florence Gophers basketball team. Even though none of the players were over 6 feet tall, Harpo led his team to the Arizona State Basketball Championship and was named captain of the first-string all-state team.

Harpo continued his winning streak by playing for and eventually coaching the basketball team at Palo Verde Community College in Blythe, California.

Harpo went on to become a cowboy for a few years and eventually ran his own small business, providing heating and air-conditioning services to his new community of San Jose, California.

Throughout his life, Harpo could often be found coaching or refereeing