create opportunities for women across the country and ensure they can take advantage of them.

H.R. 774 improves the Small Business Administration's Women's Business Center Program by increasing the authorization for funding by $3 million for Fiscal Year 2000, and reducing the amount of private funding that centers are required to have in their fifth and final year of operation. These two changes will strengthen this valuable program by providing additional funds so more Women's Business Centers can be opened and existing centers can continue to offer a variety of services in their fifth year.

This legislation will benefit the nineteenth district of Illinois by helping rural women business owners and promoting economic development, and urge my colleagues to join me in supporting this important measure.

Mrs. CAPPS. Mr. Speaker, today I rise in strong support of H.R. 774, the Women's Business Center Amendments Act.

In addition to reauthorizing this important program, this bill will increase funding for the Small Business Administration's Women's Business Center program by $3 million. I strongly support the vision of this program as well as the increase in funding levels.

Providing assistance and services to women considering entrepreneurial endeavors is vital to the success of the economy of the 22nd District of Columbia and our entire nation. On the Central Coast, 80% of all business activity is generated by small business, and many of these businesses are run by women. Assisting small businesses, and ensuring that the doors of economic opportunity are open to all women, are priorities for me in Congress.

Currently, there are only 60 Women's Business Centers in 36 states, but many more are needed. At this time, women in my congressional district must travel over 100 miles to reach a center, and for many this distance precludes them from availing themselves of those resources. By increasing the funding for this program, we will be able to reach out to the many women that are now underserved on the Central Coast and throughout the nation.

Women's Business Centers assists women entrepreneurs at all levels of business development by teaching the principles of finance, management and marketing. The program has demonstrated particular success with low-income, single and minority women.

The assistance provided at Women's Business Centers enables women to fight poverty by giving them the tools to become self-sufficient, successful business owners who are leaders in their communities.

I strongly urge my colleagues to pass this bill and support the Women's Business Center program.

Ms. VELÁZQUEZ. Mr. Speaker, I yield back the balance of my time.

Mrs. KELLY. Mr. Speaker, I urge all Members to support H.R. 774, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LINDER). The question is on the motion offered by the gentlewoman from New York (Mrs. KELLY) that the House suspend the rules and pass the bill, H.R. 774, as amended.

The question was taken.

Mrs. KELLY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mrs. KELLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 774, the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

DISTRICT OF COLUMBIA COURT EMPLOYEES WHISTLEBLOWER PROTECTION ACT OF 1999

Mr. DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 858) to amend title 11, District of Columbia Code, to extend coverage under the whistleblower protection provisions of the District of Columbia Comprehensive Merit Personnel Act of 1978 to personnel of the courts of the District of Columbia.

The Clerk read as follows:

H.R. 858

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 ''District of Columbia Court Employees Whistleblower Protection Act of 1999''.

SEC. 2. WHISTLEBLOWER PROTECTION FOR PERSONNEL OF THE COURTS OF THE DISTRICT OF COLUMBIA.

(a) IN GENERAL.—Subchapter II of chapter 17 of title 11, District of Columbia Code, is amended by adding at the end the following new section:

''§ 11–1733. Whistleblower protection for court personnel

''Notwithstanding any other provision of law, section 1503 of the District of Columbia Comprehensive Merit Personnel Act of 1978 (DC Code, sec. 1–616.3) shall apply to court personnel, except that court personnel may institute a civil action pursuant to subsection (c) of such section in the Superior Court of the District of Columbia or the United States District Court for the District of Columbia.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 17 of title 11, District of Columbia Code, is amended by adding at the end the following new item:

''11–1733. Whistleblower protection for court personnel.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall take effect as if included in the enactment of title XI of the Balanced Budget Act of 1997.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. DAVIS) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DAVIS of Virginia asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. DAVIS of Virginia. Mr. Speaker, H.R. 858 is a straightforward, bipartisan bill. It simply levels the playing field by providing employees of the D.C. Superior Court, many of whom are my constituents, the same whistleblower protections that are enjoyed by other city employees under the District's Merit Personnel Act. It is also in accordance with the protections which cover employees in the Federal court system. The only additional option we are providing for any claimants, for obvious reasons, is the possibility of seeking relief in either the local or the Federal courts.

The reason we need this bill, and we need to pass it in an expeditious fashion, is because of an ongoing GAO study of the financial and budgetary practices of the District of Columbia courts. At my request, management practices are being included in the GAO study.

On January 26, 1999, I joined with the gentleman from Oklahoma (Mr. ISTOOK), the chairman of the Subcommittee on the District of Columbia of the Committee on Appropriations, and the ranking member of that subcommittee, the gentleman from Virginia (Mr. MORAN), in encouraging the Superior Court to urge employees who may have information useful to the GAO auditors to step forward without fear of retaliation. These assurances were provided in the form of administrative orders. We are grateful for such assurances. The bill is intended to provide statutory guarantees that can back up the court's order. It also plugs a loophole in the law that would help to ensure that Congress and others will continue to get the most candid and accurate information.

It is obviously very important that when Congress asks for a GAO study, that GAO auditors be in a position to get the answers that they seek. Otherwise, Congress could be basing its subsequent oversight and legislation on misleading data. H.R. 858 would help to guarantee the integrity of the information Congress will be receiving.

The D.C. Superior Court has over 1,000 employees and an annual budget of over $128 million. Whistleblower protection is by now a time-honored method of uncovering waste, fraud, abuse and mismanagement. It should also be noted that Title XI of the D.C. Code, which this bill amends, is the sole prerogative of Congress to change under the Home Rule Act.

I would emphasize that this legislation should not be misconstrued to cast any aspersions on those responsible for the sound management of the D.C. Superior Court. We are merely backing up the Court's own directives by providing routine protections which are overdue and which could help the GAO and Congress to receive the most accurate information.

The Congressional Budget Office has assured us that this bill will not affect direct spending or receipts, and I want to urge passage of H.R. 858.

Mr. Speaker, we have a number of cosponsors to this bill, and I want to thank the gentleman from Indiana (Mr. BURTON) for moving this through the Committee on Government Reform so expeditiously and my colleague, the gentlewoman from the District of Columbia (Ms. NORTON) for her help in the drafting of this.

Mr. Speaker, I reserve the balance of my time.

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

I would like to thank the gentleman from Virginia (Mr. DAVIS) for bringing the District of Columbia Court Employees Whistleblower Protection Act of 1999 to the House floor today. May I also thank the gentleman from Oklahoma (Mr. ISTOOK), the chairman of the Subcommittee on the District of Columbia of the Committee on Appropriations and the gentleman from Virginia (Mr. MORAN), the ranking member, for their work on the problems underlying this bill. I am an original cosponsor of this noncontroversial legislation, and I am pleased to have been so.

Mr. Speaker, H.R. 858 amends Title XI of the District of Columbia Code to provide a new section affording whistleblower protections to D.C. court personnel. Congressional action is required because the District's Home Rule Charter allows only the Congress to amend Title XI, which relates to the Federal judiciary. As well, the Federal assumption of D.C. court costs in the District of Columbia Revitalization and Self-Government Improvement Act of 1997, known as the Revitalization Act, leaves Congress as the body with principal oversight over the D.C. courts.

May I say that we remain very pleased and gratified that through action of the Congress, the Federal Government has taken over certain State functions that no city could carry today.

While this bill addresses an important issue, I want to indicate that there are other concerns as well that are similar, and perhaps other inevitable gaps in the law affecting the public safety elements of the Revitalization Act that were transferred because, after all, we were dealing with a very large transfer in that act.

I appreciate that the gentleman from Virginia (Mr. DAVIS) has agreed that the Subcommittee on the District of Columbia of the Committee on Government Reform will hold hearings in the spring on the other outstanding issues, especially those affecting the courts and halfway houses. Meanwhile, I agree that whistleblower protection is needed now in order to allow the GAO to proceed on an investigation of certain aspects of the D.C. court system.

Mr. Speaker, H.R. 858 would grant D.C. court personnel the same whistleblower protections currently enjoyed by other D.C. employees under the District's Merit Personnel Act. An employee who discloses what she reasonably believes to be a violation of law, misuse of government resources or funds, should always be protected. In addition, H.R. 858 would allow court employees to bring a civil action in either D.C. Superior Court or the United States Court for violation of whistleblower protections. District court jurisdiction is appropriate, considering that it is the Superior Court that might be the subject of litigation, and also because of the jurisdiction of the Federal Government over the district courts under the Revitalization Act.

Mr. Speaker, let me emphasize that I have full confidence in Superior Court Chief Judge Eugene Hamilton who has indicated, and I am quoting him, that ''There has not been, nor will there be, any retaliation or any other adverse consequences to any employee as a result of cooperating with the audit.'' Judge Hamilton has issued his own order to this effect.

Mr. Speaker, H.R. 858, applying the same whistleblower protection to court employees that other D.C. employees now rely upon, should bolster Judge Hamilton's orders to court management to fully comply with the GAO requests. I urge my colleagues to support this noncontroversial legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Virginia. Mr. Speaker, I include for the RECORD the Congressional Budget Office cost estimate and the statement of administration policy, the support from the administration.

STATEMENT OF ADMINISTRATION POLICY

(This statement has been coordinated by OMB with the concerned agencies.)

H.R. 858—DISTRICT OF COLUMBIA COURT EMPLOYEES WHISTLEBLOWER PROTECTION ACT OF 1999

(Rep. Davis (R) VA and 3 cosponsors)

The Administration supports H.R. 858, which would extend coverage under the whistleblower protection provisions of the District of Columbia Comprehensive Merit Personnel Act of 1978 to personnel of the courts of the District of Columbia. The change would protect these employees from losing their jobs or otherwise being penalized for disclosing violations of the law or misuse of government funds or resources. Similar protection is already provided to most District employees.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE—MARCH 15, 1999

H.R. 858—DISTRICT OF COLUMBIA COURT EMPLOYEES' WHISTLEBLOWER PROTECTION ACT OF 1999—AS ORDERED REPORTED BY THE HOUSE COMMITTEE ON GOVERNMENT REFORM ON MARCH 10, 1999

H.R. 858 would amend District of Columbia statutes to extend protection from retaliatory action to court personnel who disclose seemingly unlawful or fraudulent practices. Protection would also extend to D.C. court personnel who participate in an investigation into alleged violations of law or refuse to participate in activities that are fraudulent or unlawful. Under the bill, court employees could seek relief from violations by filing civil claims in either the Superior Court of the District of Columbia or the U.S. District Court for the District of Columbia. CBO estimates that enacting H.R. 858 would have little or no effect on the federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 858 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) because it would impose enforceable duties on the District of Columbia with regard to the treatment of court personnel. CBO estimates that the costs of complying with this mandate would be minimal. H.R. 858 contains no private-sector mandates as defined in UMRA.

The CBO staff contacts are John R. Righter (for federal costs), who can be reached at 226–2860, and Susan Sieg (for the state and local impact), who can be reached at 225–3220. This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

Mrs. MORELLA. Mr. Speaker, I am pleased to add my voice in support of H.R. 858, the District of Columbia Whistleblower Act. I commend Committee Chairman DAN BURTON and D.C. Subcommittee Chairman TOM DAVIS for bringing this legislation to the House floor in a timely manner.

H.R. 858 merely extends the same whistleblower protections to employees of the D.C. Superior Court that federal employees and District of Columbia workers enjoy. The bill also gives D.C. Superior Court employees the option of taking complaints of wrongdoing to the local or to the federal courts.

It is my understanding that the General Accounting Office (GAO) is conducting a study of the financial operations and the management practices of the D.C. courts. This legislation will give D.C. Superior Court workers the confidence and security they need to step forward with information that may be helpful to the GAO.

Whenever waste, fraud, and abuse occur within a federal agency or within a federal or local court, there are employees who know about it and are angered by it. These employees need to know that they will not suffer damage to their careers if they uncover and try to correct these abuses. Pentagon employees who report millions of dollars of wasteful spending and lawyers at the Nuclear Regulatory Commission who question the safety of nuclear plants are all assured that they will not suffer retaliation for disclosing wrongdoing within their agencies. H.R. 858 will also ensure that dedicated civil servants within the D.C. Superior Court will receive the statutory protection that they deserve for the disclosure of accurate information regarding mismanagement and abuse within the courts.

As the Vice-Chair of the D.C. Subcommittee, I am proud to be an original cosponsor of H.R. 858. Let me add that, in no way, do I mean to suggest that there is rampant mismanagement or abuse within the D.C. Superior Court. This legislation merely levels the playing field for Court employees and corrects an inequity in the law that will help to strengthen the D.C. court system. Protecting D.C. Superior Court employees who disclose government waste and mismanagement is a major step toward a more effective court system, which is essential to the revitalization of the District of Columbia.

Many of the 1,000 employees of the D.C. Superior Court live in my congressional district, and I am pleased to be part of this effort

to afford them the same whistleblower protections that cover all workers in the city of D.C. and throughout the federal government.

I urge my colleagues to support H.R. 858.

Mr. MORAN of Virginia. Mr. Speaker, I rise in support of the District of Columbia Court Employees Whistleblower Protection Act of 1999 (H.R. 858).

My colleagues, this is important legislation. It deserves strong bi-partisan support.

As my good friends TOM DAVIS and ELEANOR HOLMES NORTON acknowledge this legislation is important to correct an error that has permitted employees of the District's Superior and Appeals Courts to operate without any whistleblower protection.

The error was probably an oversight.

As part of home-rule back in 1971, Congress fused the functions of state and municipal court functions to produce the D.C. Superior Court and the D.C. Court of Appeals.

Both courts are funded by the city, but their judges are nominated for 15-year terms by the President and confirmed by the Senate.

Apparently no one sought or succeeded in extending the District's merit protection laws to court employees.

As a result, court employees have lacked the same whistleblower protections all other district government employees receive.

Unfortunately, it took a series of troubling events to bring this issue back to the attention of Congress.

Last fall, I was contacted by several court-appointed attorneys handling both criminal and child abuse cases who indicated that they were not being paid because the D.C. Superior Court was running out of money.

Some of these billable hours remained unpaid for up to 6 months.

From these initial calls, it became apparent that the Superior Court was facing a severe financial crisis.

Probing further a number of charges were raised about the Court's financial management practices.

These charges range from mismanagement to specific misdeeds.

On September 22, 1998, D.C. Appropriations Chairman Charles Taylor and I asked the General Accounting Office to conduct an audit of the Court's financial and personnel practices.

In response to reports that some court personnel were reluctant to cooperate with GAO's audit for fear of retaliation, I joined Reps. TOM DAVIS and ERNEST ISTOOK on January 26th of this year in a letter sent to Chief Judge Eugene Hamilton asking him to ensure that no court employees were retaliated against for cooperating with GAO auditors.

Judge Hamilton has assured us of his cooperation, but reports on employees' fear of retaliation have continued.

It is for this reason, that we are now compelled to move forward with whistleblower protection legislation.

It is my sincere hope that the Court will receive a clean audit, but it is critical Congress and the residents of the District of Columbia have full confidence that their courts operate with sound financial and personnel practices.

This legislation will help give us the confidence these goals are attainable.

Mr. DAVIS of Virginia. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 858.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 858.

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

There was no objection.

FEDERAL RESERVE BOARD RETIREMENT PORTABILITY ACT

Mr. MICA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 807) to amend title 5, United States Code, to provide portability of service credit for persons who leave employment with the Federal Reserve Board to take positions with other Government agencies, as amended.

The Clerk read as follows:

H.R. 807

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 ''Federal Reserve Board Retirement Portability Act''.

SEC. 2. PORTABILITY OF SERVICE CREDIT.

(a) CREDITABLE SERVICE.—

(1) IN GENERAL.—Section 8411(b) of title 5, United States Code, is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) in paragraph (4)—

(i) by striking ''of the preceding provisions'' and inserting ''other paragraph''; and

(ii) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) a period of service (other than any service under any other paragraph of this subsection, any military service, and any service performed in the employ of a Federal Reserve Bank) that was creditable under the Bank Plan (as defined in subsection (i)), if the employee waives credit for such service under the Bank Plan and makes a payment to the Fund equal to the amount that would have been deducted from pay under section 8422(a) had the employee been subject to this chapter during such period of service (together with interest on such amount computed under paragraphs (2) and (3) of section 8334(e)).

Paragraph (5) shall not apply in the case of any employee as to whom subsection (g) (or, to the extent subchapter III of chapter 83 is involved, section 8332(n)) otherwise applies.''.

(2) BANK PLAN DEFINED.—Section 8411 of title 5, United States Code, is amended by adding at the end the following:

''(i) For purposes of subsection (b)(5), the term 'Bank Plan' means the benefit structure in which employees of the Board of Governors of the Federal Reserve System appointed on or after January 1, 1984, participate, which benefit structure is a component of the Retirement Plan for Employees of the Federal Reserve System, established under section 10 of the Federal Reserve Act (and any redesignated or successor version of such benefit structure, if so identified in writing by the Board of Governors of the Federal Reserve System for purposes of this chapter).''.

(b) EXCLUSION FROM CHAPTER 84.—

(1) IN GENERAL.—Paragraph (2) of section 8402(b) of title 5, United States Code, is amended by striking the matter before subparagraph (B) and inserting the following:

''(2)(A) any employee or Member who has separated from the service after—

''(i) having been subject to—

''(I) subchapter III of chapter 83 of this title;

''(II) subchapter I of chapter 8 of title I of the Foreign Service Act of 1980; or

''(III) the benefit structure for employees of the Board of Governors of the Federal Reserve System appointed before January 1, 1984, that is a component of the Retirement Plan for Employees of the Federal Reserve System, established under section 10 of the Federal Reserve Act; and

''(ii) having completed—

''(I) at least 5 years of civilian service creditable under subchapter III of chapter 83 of this title;

''(II) at least 5 years of civilian service creditable under subchapter I of chapter 8 of title I of the Foreign Service Act of 1980; or

''(III) at least 5 years of civilian service (other than any service performed in the employ of a Federal Reserve Bank) creditable under the benefit structure for employees of the Board of Governors of the Federal Reserve System appointed before January 1, 1984, that is a component of the Retirement Plan for Employees of the Federal Reserve System, established under section 10 of the Federal Reserve Act,

determined without regard to any deposit or redeposit requirement under either such subchapter or under such benefit structure, or any requirement that the individual become subject to either such subchapter or to such benefit structure after performing the service involved; or''.

(2) EXCEPTION.—Subsection (d) of section 8402 of title 5, United States Code, is amended to read as follows:

''(d) Paragraph (2) of subsection (b) shall not apply to an individual who—

''(1) becomes subject to—

''(A) subchapter II of chapter 8 of title I of the Foreign Service Act of 1980 (relating to the Foreign Service Pension System) pursuant to an election; or

''(B) the benefit structure in which employees of the Board of Governors of the Federal Reserve System appointed on or after January 1, 1984, participate, which benefit structure is a component of the Retirement Plan for Employees of the Federal Reserve System, established under section 10 of the Federal Reserve Act (and any redesignated or successor version of such benefit structure, if so identified in writing by the Board of Governors of the Federal Reserve System for purposes of this chapter); and

''(2) subsequently enters a position in which, but for paragraph (2) of subsection (b), such individual would be subject to this chapter.''.

(c) PROVISIONS RELATING TO CERTAIN FORMER EMPLOYEES.—A former employee of the Board of Governors of the Federal Reserve System who—

(1) has at least 5 years of civilian service (other than any service performed in the employ of a Federal Reserve Bank) creditable under the benefit structure for employees of the Board of Governors of the Federal Reserve System appointed before January 1,