

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 ap-

pointed 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,

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;

(2) was subsequently employed subject to 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 chapter 84 of title 5, United States Code); and

(3) after service described in paragraph (2), becomes subject to and thereafter entitled to benefits under chapter 84 of title 5, United States Code,

shall, for purposes of section 302 of the Federal Employees' Retirement System Act of 1986 (100 Stat. 601; 5 U.S.C. 8331 note) be considered to have become subject to chapter 84 of title 5, United States Code, pursuant to an election under section 301 of such Act.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to succeeding provisions of this subsection, this section and the amendments made by this section shall take effect on the date of enactment of this Act.

(2) PROVISIONS RELATING TO CREDITABILITY AND CERTAIN FORMER EMPLOYEES.—The amendments made by subsection (a) and the provisions of subsection (c) shall apply only to individuals who separate from service subject to chapter 84 of title 5, United States Code, on or after the date of enactment of this Act.

(3) PROVISIONS RELATING TO EXCLUSION FROM CHAPTER.—The amendments made by subsection (b) shall not apply to any former employee of the Board of Governors of the Federal Reserve System who, subsequent to his or her last period of service as an employee of the Board of Governors of the Federal Reserve System and prior to the date of enactment of this Act, became subject to subchapter III of chapter 83 or chapter 84 of title 5, United States Code, under the law in effect at the time of the individual's appointment.

**SEC. 3. CERTAIN TRANSFERS TO BE TREATED AS A SEPARATION FROM SERVICE FOR PURPOSES OF THE THRIFT SAVINGS PLAN.**

(a) AMENDMENTS TO CHAPTER 84 OF TITLE 5, UNITED STATES CODE.—

(1) IN GENERAL.—Subchapter III of chapter 84 of title 5, United States Code, is amended by inserting before section 8432 the following:

**"§8431. Certain transfers to be treated as a separation**

"(a) For purposes of this subchapter, separation from Government employment includes a transfer from a position that is subject to one of the retirement systems described in subsection (b) to a position that is not subject to any of them.

"(b) The retirement systems described in this subsection are—

"(1) the retirement system under this chapter;

"(2) the retirement system under subchapter III of chapter 83; and

"(3) any other retirement system under which individuals may contribute to the Thrift Savings Fund through withholdings from pay."

(2) CLERICAL AMENDMENT.—The table of sections for chapter 84 of title 5, United States Code, is amended by inserting before the item relating to section 8432 the following:

"8431. Certain transfers to be treated as a separation."

(b) CONFORMING AMENDMENTS.—Subsection (b) of section 8351 of title 5, United States Code, is amended by redesignating paragraph (1) as paragraph (8), and by adding at the end the following:

"(9) For the purpose of this section, separation from Government employment includes a transfer described in section 8431."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to transfers occurring before, on, or after the date of enactment of this Act, except that, for purposes of applying such amendments with respect to any transfer occurring before such date of enactment, the date of such transfer shall be considered to be the date of enactment of this Act. The Executive Director (within the meaning of section 8401(13) of title 5, United States Code) may prescribe any regulations necessary to carry out this subsection.

**SEC. 4. CLARIFYING AMENDMENTS.**

(a) IN GENERAL.—Subsection (f) of section 3304 of title 5, United States Code, as added by section 2 of Public Law 105-339, is amended—

(1) by striking paragraph (4);

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(3) by inserting after paragraph (1) the following:

"(2) If selected, a preference eligible or veteran described in paragraph (1) shall acquire competitive status and shall receive a career or career-conditional appointment, as appropriate."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on October 31, 1998.

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

The Chair recognizes the gentleman from Florida (Mr. MICA).

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 807, as amended.

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

There was no objection.

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

Mr. Speaker, this morning I would like to take this opportunity to commend the gentleman from Florida (Mr. SCARBOROUGH), the chairman of the Subcommittee on Civil Services, for introducing this legislation. I also would like to take this opportunity to thank the gentleman from Maryland (Mr. CUMMINGS), the distinguished ranking member of the Subcommittee on Civil Service, for his strong support for this legislation.

I also want to take this opportunity to thank the gentleman from Indiana (Mr. BURTON), the chairman of the Committee on Government Reform, and the gentleman from California (Mr. WAXMAN), the ranking member, for their support on this bill and also moving it through the committee process in an expedited fashion. I also wanted to take this opportunity to extend my

congratulations and thanks to the gentlewoman from Maryland (Mrs. MORELLA) for her strong support, not only of this legislation, but the gentlewoman is one of the most active individuals in the Congress in support of our Federal employees, no matter what capacity they serve our Federal Government in, and the citizens of America.

Mr. Speaker, this bipartisan legislation today will provide retirement portability for certain Federal Reserve Board employees who take jobs in our executive branch of government. This legislation will allow those employees who participate in the Board's FERS-like retirement plan, and FERS is our Federal Employee Retirement System, for those not familiar with the acronym, to obtain FERS credit for their Federal Reserve years when they transfer to another Federal agency.

□ 1145

The Federal Reserve already provides such reciprocity for employees who transfer to the Federal Reserve from other Federal agencies. Without this corrective legislation today, former Board employees would receive smaller annuities upon retirement than they otherwise should and they otherwise deserve.

This is a simple bill that also corrects an inequity in current law that prevents some Federal employees from withdrawing their funds from their Thrift Savings Plan accounts.

Under current law, employees participating in the Thrift Savings Plan who transfer to the Federal Reserve Board from other Federal agencies are not permitted to withdraw funds from their Thrift Savings Plan accounts.

Current law specifies that employees, and I will quote from the law, "must separate from government employment," in order to be entitled to withdraw funds. However, employment at the Board is considered to be government employment. Therefore, employees who transfer to the Board and commence participation in the Federal Reserve retirement plan may not withdraw the funds in their Thrift Savings Plan accounts.

Section 3 of this legislation corrects that problem by allowing our Federal employees who have transferred or will transfer to the Board to move the funds in their Thrift Savings accounts to the Board's thrift plan.

Mr. Speaker, sections 3's technical correction, along with the portability language in section 2, are appropriate and necessary remedies to ensure Board employees fair treatment under our current law.

Section 4 of this bill is also critically important to the men and women who have served our Nation under arms. It clarifies the Veterans Employment Opportunities Act that we passed last year to ensure that our veterans will receive their benefits that Congress intended when it passed the Act again in the last session of Congress.

Mr. Speaker, with those opening comments, I reserve the balance of my time.

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

Mr. Speaker, I commend the gentleman from Florida (Mr. SCARBOROUGH) for moving swiftly to bring this bipartisan bill to the floor.

Under current law, if an employee of the Federal Reserve Board leaves to work for another Federal agency, the employee is required to join FERS, the Federal Employees Retirement System. Under the current FERS statute, time spent working at the Board after 1988 does not count as credible service towards a FERS annuity. This is simply not fair. As a result, these employees will receive smaller pensions upon retirement.

This outcome resulted from an oversight that occurred when the FERS statute was written in late 1980s. It affects Federal Reserve Board employees hired after 1983 who continued working at the Board after 1988.

In human terms, the problem affects approximately 50 employees who have already left the Board for other agencies. But if not addressed, it will potentially affect approximately 1,000 people, translating into 60 percent of the Board's current workforce should they move to other agencies and then retire under FERS.

In the long run, if the problem is left unaddressed, an ever-larger proportion of the Board's workforce will be potentially affected in the same manner.

Last week, H.R. 807 was marked up by full committee, and two amendments were offered and approved by the committee that further enhanced the bill, and a bill that Congress passed last year, the Veterans Employment Opportunities Act of 1998.

Due to an amendment offered by the gentleman from Florida (Mr. SCARBOROUGH), the bill will also allow current and future Federal employees who transfer to the Federal Reserve Board to transfer the funds from their FERS Thrift Savings accounts to the Federal Reserve through a savings plan.

At present, current law dictates that Federal employees who participate in the TSP, then transfer to the Board, cannot withdraw funds from their TSP account. The affected employees can no longer contribute money to their TSP or transfer money from their TSP accounts to the Board's thrift plan. They also lose the option to borrow money from their TSP, which is an option that should be available to them as Federal employees.

The Federal Reserve Board has requested this technical correction, and I am pleased to support it. During the last Congress, the gentleman from Florida (Mr. MICA), former chairman of the Subcommittee on Civil Service, and myself, worked hard to see that the Veterans Employment Opportunities Act of 1998 be enacted. I applaud him for all of his efforts.

This Act improves the ability of veterans to compete during the Federal

hiring process, extends veterans' preference to all branches of the Federal Government, and instructs the Secretary of Labor to maintain a database of contractors who have filed reports on the number of veterans they have hired.

Since the enactment of this legislation, concerns have arisen regarding OPM's interpretation of a section of the Act providing for the hiring of veterans by Federal agencies. OPM interpreted the language in the act to mean that veterans could be hired for a Federal job as schedule B appointees rather than as career status appointees. Schedule B appointments are not afforded the same rights and privileges as career status employees.

This issue was discussed with our counterparts in the Senate and with OPM. All parties agreed that language was needed to clarify the original intent of the Congress. This clarifying language is reflected in the amendment of the gentleman from Florida (Mr. MICA). Again I compliment him for that. The amendment will ensure American veterans are hired.

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

Mr. MICA. Mr. Speaker, I am pleased to yield 1½ minutes to the distinguished gentleman from Virginia (Mr. DAVIS), chairman of the NRCC and also chair of the Subcommittee on the District of Columbia, who has brought the District of Columbia from the depths of disaster to fiscal soundness.

Mr. DAVIS of Virginia. Mr. Speaker, I thank the gentleman from Florida for yielding me this time. The introduction is longer than my speech, I am afraid.

Mr. Speaker, I rise today in support of H.R. 807, the Federal Reserve Board Retirement Portability Act introduced by the gentleman from Florida (Mr. SCARBOROUGH) and of which I am proud to be a cosponsor.

This bill correct two technical oversights that significantly harm the ability of the 1,700 Reserve Board employees who work at the facility's Washington headquarters to pursue career opportunities open to all other Federal employees.

This legislation will accord Federal Reserve Board employees, many of whom live in my District, some of the same privileges that other Federal employees enjoy. The Board currently has its own retirement plan covering employees hired prior to 1984 under the Civil Service Retirement System as well as a bank plan for those hired after that date.

Those covered under the CSRS plan have had the pension reciprocity and enjoyed pension civil service portability. Unfortunately, due to a technical oversight when the Federal retirement system, the FERS system, was created, those employees covered solely by the bank plan are not allowed to credit their service with the Federal Reserve to FERS if they leave for another employment opportunity within

the Executive Branch. Conversely, under current Federal law, Federal employees who transfer to the Federal Reserve Board are given portability.

The result of this oversight is that Board employees may face a reduced pension that does not accurately reflect their years of service to the Federal Government. As a matter of fact, Federal Reserve Board employees may collect a reduced pension from both the FERS and the Board plan that does not equal a FERS pension corrected to reflect continuous government service. This problem hinders the career opportunities of Board employees and limits the ability of other Federal Government agencies to recruit those individuals.

H.R. 807 also makes another technical correction to allow Federal employees who transfer to the Federal Reserve Board from other Federal agencies to have access to their Thrift Savings Plan. Presently, Federal employees who transfer to the Board cannot access their TSP, nor can they roll those TSP dollars over to the Board's thrift plan. Again, this harms the employment opportunities of Federal employees and limits some of the choices they might otherwise enjoy.

H.R. 807 will give the Federal Reserve Board the necessary tools to attract the most qualified candidates from within the Executive Branch.

Mr. Speaker, I want to commend the gentleman from Florida (Mr. SCARBOROUGH), chairman of the Subcommittee on Civil Service and his pinch-hitter today, the gentleman from Florida (Mr. MICA), former chairman, who endorses this legislation. It is a worthwhile bill that deserves the support of every Member.

Mr. Speaker, I rise today in support of H.R. 807, the Federal Reserve Board Retirement Portability Act introduced by Representative SCARBOROUGH and of which I am proud to be a cosponsor. This bill corrects two technical oversights that significantly harm the ability of the 1700 Federal Reserve Board employees who work at the facility's Washington headquarters to pursue career opportunities open to other federal employees.

This legislation will accord Federal Reserve Board employees—many of whom live in my Congressional district—some of the same privileges that other federal employees enjoy. The Federal Reserve Board currently has its own retirement plan covering employees hired prior to 1984 under the Civil Service Retirement System (CSRS) as well as a Bank plan for those hired after that date. Those covered under the CSRS plan have had pension reciprocity and enjoyed pension civil service portability. Unfortunately, due to a technical oversight when the Federal Retirement System (FERS) was created, those employees covered solely by the bank plan are not allowed to credit their service with the Federal Reserve to FERS if they leave for another employment opportunity within the Executive branch. Conversely, under current law, Federal employees who transfer to the Federal Reserve Board are given portability.

The result of this oversight is that Board employees may face a reduced pension that

does not accurately reflect their years of service to the federal government. As a matter of fact, Federal Reserve Board employees may collect a reduced pension from both the FERS and the Board plan that does not equal a FERS pension corrected to reflect continuous government service. This problem hinders the career opportunities of Federal Reserve employees and limits the ability of other federal government agencies to recruit these individuals.

H.R. 807 also makes another technical correction to allow federal employees who transfer to the Federal Reserve Board from other federal agencies to have access to their Thrift Savings Plans (TSP). Presently, federal employees who transfer to the Federal Reserve Board cannot access their TSP, nor can they roll those TSP dollars over to the Board's thrift plan. Again, this harms the employment opportunities of federal employees and limits some of the choices they might otherwise enjoy. H.R. 807 will give the Federal Reserve Board the necessary tools to attract the most qualified candidates from within the Executive Branch.

H.R. 807 substantially corrects these problems and it recognizes the importance of treating all federal employees fairly. When we ignore these technical oversights, we send our federal employees the wrong message. By addressing the retirement program problems at the Federal Reserve, we enhance that Agency's ability to attract and retain the most qualified individuals.

Mr. Speaker, I would like to commend my colleague, Mr. SCARBOROUGH, Chairman of the Civil Service Subcommittee for introducing this legislation. H.R. 807 is a worthwhile bill that deserves the support of every Member, and I urge my colleagues on both sides of the aisle to vote in favor of this legislation.

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

Mr. Speaker, I want to thank the gentleman from Virginia (Mr. DAVIS) for his comments. I agree with him. This legislation is extremely important. Although it affects 50 people now and will eventually affect 1,000 people, this is a perfect example of the Congress working in a bipartisan manner to put a face on legislation and to address the problems that these Members of the Federal Reserve System are facing.

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

Mr. MICA. Mr. Speaker, I am pleased to yield 1½ minutes to the distinguished gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I rise in very strong support of this bill, H.R. 807. Through the portability, it provides equity for those employees who so deserve it. It is indeed a bipartisan piece of legislation.

I want to commend the gentleman from Florida (Mr. SCARBOROUGH) for introducing it, the gentleman from Maryland (Mr. CUMMINGS), ranking member of the Subcommittee on Civil Service, the gentleman from Florida (Mr. MICA), the gentleman from Virginia (Mr. DAVIS), and all of the Members who have voted unanimously on a committee level in favor of this bill

which allows the Federal Reserve Board employees to count their years of service there toward a civil service retirement plan if they later work for another government agency.

It is the kind of equity that we must offer our employees to be able to recruit and retain the very finest as we currently have. So I am most supportive of this legislation; and, as the ranking minority member mentioned, I hope that this is a hallmark and a prototype of continued bipartisan legislation to help our civil service.

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

Mr. Speaker, we have no further speakers, but I just want to reemphasize the fact that this legislation is one that just shows how fast this Congress can move. When we heard about the problems, when the gentleman from Florida (Mr. MICA), our former chairman, was chairman heard about this problem during testimony, we immediately moved to address it. We set deadlines that were met.

I think that that is the way Americans want their government to work. This time we have gotten this legislation in early. We will do everything in our power of course to make sure that it moves swiftly through the other body.

With that, Mr. Speaker, I urge all of my colleagues to support this legislation.

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

Mr. MICA. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I would like to focus some attention for a few moments on section 4 of H.R. 807. This section is particularly important to our Nation's veterans. I want to thank again the gentleman from Florida (Mr. SCARBOROUGH), who is the chairman now of the Subcommittee on Civil Service, and also thank again the gentleman from Maryland (Mr. CUMMINGS), the ranking member, for their strong support for this section and revision that has been provided space in this bill.

When the Committee on Government Reform marked up H.R. 807, I was able to add section 4 in order to perfect the language of Public Law 105-339, the Veterans Employment Opportunities Act, which passed in the last session in 1998. That bill, which I had the pleasure of introducing with others in the House, expanded veterans employment opportunities and strengthened veterans preference in our civil service system.

□ 1200

It was an important bill to our Nation's veterans. In fact, it was called the most significant veterans preference legislation since World War II and was strongly supported by every one of our Nation's veterans service organizations.

A key provision of that act allowed veterans to compete for civil service jobs even if they did not have the sta-

tus as Federal employees. Before the act was passed, competition for many jobs was limited to current Federal employees. However, after the act was passed, the Office of Personnel Management raised an important technical issue. OPM held that individuals who were selected under this provision could not be appointed to competitive service unless they already had what is known as competitive status. Instead, the Office of Personnel Management instructed agencies to provide these individuals with excepted service appointments.

As excepted service employees, these veterans would have, in fact, fewer rights than their colleagues in the competitive service. Most importantly, as excepted service employees, these veterans would not be able to compete for other agency jobs under internal merit promotion procedures. This was not what I intended; this was not what Congress intended. Congress intended that veterans appointed under this provision would have all of the rights of their fellow employees in a particular agency.

Mr. Speaker, the majority and the minority staffs of the Subcommittee on Civil Service and of the Senate Committee on Veterans' Affairs met with the Office of Personnel Management's experts to discuss this problem. Section 4 enacts language suggested by the Office of Personnel Management. Under this language, in fact, veterans who are selected under the access provision of the Veterans Employment Opportunities Act will receive competitive appointments and competitive status. That is what we intended and that is what Congress wants. They will have the same rights as their coworkers.

Mr. Speaker, we have discussed this situation extensively with veterans' organizations and various service groups represented by veterans. They are keenly interested in resolving this problem and have urged Congress to act as quickly as possible to correct and clarify this situation and cure this problem. They strongly support section 4, and I urge all Members to support section 4 and also this legislation.

In closing, Mr. Speaker, this bill is really about fairness. The Federal Reserve already allows Federal employees who transfer there to receive credit for their years of service at other agencies. Congress should provide reciprocal rights under the Federal employees' retirement system for those Federal Reserve employees who transfer to other agencies, particularly when the cost is negligible. Likewise, there is no reason to deny individuals who transfer to the Federal Reserve the right to withdraw their funds from their own thrift savings plan accounts.

Section 4 of this bill, as I stated, is extremely important to our Nation's veterans. It will, again, clarify the meaning of the Veterans Employment Opportunities Act, which was passed in the last Congress. Congress intended

that those veterans selected for Federal employment under the access provisions of that act would have the very same rights as their coworkers and compete for other jobs. Both Republicans and Democrats support this legislation, as does the administration. We have worked very closely with the Federal Reserve Board, the Office of Personnel Management, the Federal Retirement Thrift Investment Board, and others in crafting the language before the House of Representatives this morning.

Mr. Speaker, H.R. 807, as amended, is a good piece of legislation, a bipartisan piece of legislation, and a fair bill. It is important to our Federal employees at the Federal Reserve Board, it is also important to those who have served our Nation. I urge all Members to vote for H.R. 807, as amended.

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

The SPEAKER pro tempore (Mr. LINDER). The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and pass the bill, H.R. 807, as amended.

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

The title of the bill was amended so as to read:

"A bill 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, and for other purposes."

A motion to reconsider was laid on the table.

#### RECOGNIZING AND HONORING JOE DIMAGGIO

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 105) recognizing and honoring Joe DiMaggio.

The Clerk read as follows:

##### H. RES. 105

Whereas Joseph Paul ("Joe") DiMaggio was born in Martinez, California, on November 25, 1914;

Whereas Joe DiMaggio was the son of Sicilian immigrants, Joseph Paul and Rosalia DiMaggio, and was the 2nd of 3 brothers to play Major League Baseball;

Whereas Joe DiMaggio played 13 seasons in the major leagues, all for the New York Yankees;

Whereas Joe DiMaggio, who wore Number 5 in Yankee pinstripes, became a baseball icon in the 1941 season by hitting safely in 56 consecutive games, a major league record that has stood for more than 5 decades and has never been seriously challenged;

Whereas Joe DiMaggio compiled a .325 batting average during his storied career and played on 9 World Series championship teams;

Whereas Joe DiMaggio was selected to the Baseball Hall of Fame in 1955, 4 years after his retirement, in his 1st year of eligibility;

Whereas Joe DiMaggio in 1969 was voted Major League Baseball's greatest living player;

Whereas Joe DiMaggio served the Nation in World War II as a member of the Army Air Corps;

Whereas Joe DiMaggio was tireless in helping others and was devoted to the "Joe DiMaggio Children's Hospital" in Hollywood, Florida;

Whereas Joe DiMaggio will be remembered as a role model for generations of young people; and

Whereas Joe DiMaggio transcended baseball and will remain a symbol for the ages of talent, commitment, and achievement: Now, therefore, be it

*Resolved*, That the House of Representatives recognizes and honors Joe DiMaggio—

(1) for his storied baseball career;

(2) for his many contributions to the Nation throughout his lifetime; and

(3) for transcending baseball and becoming a symbol for the ages of talent, commitment, and achievement.

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

##### GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 105, recognizing and honoring Joe DiMaggio.

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

There was no objection.

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

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, Joseph Paul DiMaggio was a man of grace, class and of dignity. He was a modern day American icon, hero and a gentleman.

Joe DiMaggio was born in Martinez, California, on November 25, 1914, the son of Sicilian immigrants and one of nine children. At the age of 18 he joined the San Francisco Seals of the Pacific Coast League and began his career in baseball that would make him one of the most popular men to ever play at America's favorite pastime.

In 1936, Joe DiMaggio became a "Yankee" and remained so for the rest of his life. During his 13 seasons he played in 10 world series and 11 All-Star games. He was the American League's most valuable player for three seasons. In 1941 he set the untouchable record for the longest hitting streak with 56 consecutive games, and in 1955 major league baseball set Joe DiMaggio's name in stone by inducting him into baseball's Hall of Fame. To some he was "Joltin' Joe", to others he was the "Yankee Clipper", but to baseball he remained a legend.

Moreover, Joe DiMaggio's life goes far beyond his on-field extensive achievements. He was a patriot and an ambassador of humanity. In 1943, he volunteered to serve his Nation in

World War II. In 1986, he was awarded the Ellis Island Medal of Honor. He founded the Joe DiMaggio's Children Hospital Foundation to provide the highest quality health care for our Nation's most precious possessions. Joe DiMaggio's dedication is an example of class and dignity to every American.

In conclusion, I am proud to take this time on the floor today to remember Joe DiMaggio. The image of number 5, running gracefully through centerfield in Yankee Stadium making another deceptively easy catch, is a symbol to America, one that we will never forget. We thank "Gentleman Joe" for being an inspiration to our Nation.

Accordingly, I urge all Members to support this legislation.

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

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

Mr. Speaker, I extend my thanks and the appreciation of the Congress to the gentleman from New York (Mr. RANGEL) and the gentleman from New York (Mr. GILMAN), both of whom hail from the other city with a great baseball team, for introducing H. Res. 105 honoring Joe DiMaggio.

Baseball Commissioner, Bud Selig, in commenting on the death of Joe DiMaggio, stated, and I quote: "For several generations of baseball fans, Joe was the personification of grace, class and dignity on the baseball diamond. His persona extended beyond the playing field and touched all of our hearts. In many respects, as an immigrant's son, he represented the hopes and ideals of our great country."

This high praise for a man born in a small fishing village 25 miles from northeast of San Francisco is indeed a wonderful tribute. But it was Emerson who said it best when he said, "It is better to judge a man not by his station in life but what he has done to get there." And so the story of Joe DiMaggio is one that, by anybody's measuring stick, would have to be termed a great life.

Joe DiMaggio's father expected him to become a fisherman, like his brothers, but Joe had different dreams. He dreamt of fields and diamonds. He dreamt of playing the game of baseball.

In 1932, at the age of 17, he began his professional baseball career, playing in three games for the San Francisco Seals of the Pacific coast. He played his first major league game on May 3 of 1936 at Yankee Stadium against the St. Louis Browns.

Joe DiMaggio served the Yankees as one of the best outfielders to play the game. Nicknamed the "Yankee Clipper", for his superb fielding ability, DiMaggio was a great offensive player as well. He set a major league record by establishing a 56 game hitting streak in 1941. And as one who loves the game of baseball, I can tell my colleagues that is a great, great feat.

DiMaggio played in 10 World Series, and was the American League's most valuable player in 1939, 1941 and 1947. In