

HR 4619

WARN Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Finance and Financial Sector

Introduced: Feb 25, 2016

Current Status: Referred to the Subcommittee on Commodity Exchanges, Energy, and Credit.

Latest Action: Referred to the Subcommittee on Commodity Exchanges, Energy, and Credit. (Mar 22, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/4619>

Sponsor

Name: Rep. Cummings, Elijah E. [D-MD-7]

Party: Democratic • **State:** MD • **Chamber:** House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Mar 1, 2016

Committee Activity

Committee	Chamber	Activity	Date
Agriculture Committee	House	Referred to	Mar 22, 2016
Financial Services Committee	House	Referred To	Feb 25, 2016
Judiciary Committee	House	Referred To	Feb 25, 2016

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

Bill	Relationship	Last Action
114 S 2591	Related bill	Feb 25, 2016: Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.

Whistleblower Augmented Reward and Nonretaliation Act of 2016 or the WARN Act of 2016

This bill amends the Financial Institutions Anti-Fraud Enforcement Act of 1990 governing the rights of a private person (declarant) who files a declaration of a violation giving rise to a federal action for civil penalties with respect to fraud crimes involving federally insured financial institutions.

The bill revises the minimum and maximum percentage of a declarant's entitlement to share in the recovery by the United States from a judgment, order, or settlement that was based in whole or in part on the information contained in a valid declaration, and allows a 30-day window in which to appeal any award determination.

The bill prescribes specified relief in a civil action intended to protect declarants from employer reprisals including reinstatement with the same seniority status.

The Department of Justice shall require employers to provide education and training to employees regarding declarant rights and remedies.

The Federal Deposit Insurance Act is amended to extend similar protections to employees of banking agencies, together with the same minimum and maximum rewards for information leading to recoveries or civil penalties.

Both the Securities Exchange Act of 1934 and the Commodity Exchange Act are amended to: (1) remove the definition of whistleblower, and (2) prohibit the Securities and Exchange Commission and the Commodity Futures Trading Commission (Commissions) from denying eligibility for an award if the information basic to the award is submitted within 90 days after obtaining knowledge of the disclosed misconduct.

The Commissions shall also presume that reports are timely and shall not reduce an award due to delay, unless disclosure was deliberately postponed either because of culpability, interference with internal investigative processes, or attempts at self-enrichment.

The prohibition against employer retaliation shall cover acts by the whistleblower in: (1) objecting to, or refusing to participate in, any activity, policy, practice which the whistleblower reasonably believed to be in violation of Commission-enforceable law, rule, order, standard, or prohibition; or (2) providing information relating to any violation within Commission jurisdiction.

Relief for an individual prevailing in an enforcement action shall include compensatory damages and up to \$250,000 in punitive damages.

The bill prohibits employers from: (1) taking specified actions to impede an individual who undertakes a protected activity, or (2) engaging in any other discrimination that would chill the exercise of a protected activity.

The Commissions shall promulgate regulations requiring each employer to maintain internal compliance programs.

The bill makes conforming amendments to federal criminal law.

Actions Timeline

- **Mar 22, 2016:** Referred to the Subcommittee on Commodity Exchanges, Energy, and Credit.
- **Feb 25, 2016:** Introduced in House
- **Feb 25, 2016:** Referred to the Committee on Financial Services, and in addition to the Committees on Agriculture, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.