

recently as 2016, the DEA determined that marijuana should remain a schedule I substance.

I don't care what the lobbyists or talking heads for the marijuana industry like John Boehner say, I care about keeping dangerous substances away from our children and standing for the values I was elected to fight for.

The last thing our country needs is our help facilitating the profitability of addictive, behavior-altering, recreational drug use.

I oppose the bill, and I urge every Member to do the same.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. TITUS). Pursuant to clause 4 of rule I, the following enrolled bills were signed by the Speaker on Friday, April 16, 2021:

S. 164, to educate health care providers and the public on biosimilar biological products, and for other purposes;

S. 415, to amend the Federal Food, Drug, and Cosmetic Act with respect to the scope of new chemical exclusivity;

S. 578, to improve the health and safety of Americans living with food allergies and related disorders, including potentially life-threatening anaphylaxis, food protein-induced enterocolitis syndrome, and eosinophilic gastrointestinal diseases, and for other purposes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1430

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. TITUS) at 2 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which the yeas and nays are ordered.

The House will resume proceedings on postponed questions at a later time.

DEPARTMENT OF HOMELAND SECURITY MORALE, RECOGNITION, LEARNING AND ENGAGEMENT ACT OF 2021

Mr. TORRES of New York. Madam Speaker, I move to suspend the rules

and pass the bill (H.R. 490) to amend the Homeland Security Act of 2002 to improve morale within the Department of Homeland Security workforce by conferring new responsibilities to the Chief Human Capital Officer, establishing an employee engagement steering committee, requiring action plans, and authorizing an annual employee award program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 490

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 "Department of Homeland Security Morale, Recognition, Learning and Engagement Act of 2021" or the "DHS MORALE Act".

SEC. 2. CHIEF HUMAN CAPITAL OFFICER RESPONSIBILITIES.

Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 344) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting ", including with respect to leader development and employee engagement," after "policies";

(ii) by striking "and in line" and inserting "in line"; and

(iii) by inserting "and informed by best practices within the Federal government and the private sector," after "priorities,";

(B) in paragraph (2), by striking "develop performance measures to provide a basis for monitoring and evaluating" and inserting "use performance measures to evaluate, on an ongoing basis,";

(C) in paragraph (3), by inserting "that, to the extent practicable, are informed by employee feedback" after "policies";

(D) in paragraph (4), by inserting "including leader development and employee engagement programs," before "in coordination";

(E) in paragraph (5), by inserting before the semicolon at the end the following: "that is informed by an assessment, carried out by the Chief Human Capital Officer, of the learning and developmental needs of employees in supervisory and non-supervisory roles across the Department and appropriate workforce planning initiatives";

(F) by redesignating paragraphs (9) and (10) as paragraphs (13) and (14), respectively; and

(G) by inserting after paragraph (8) the following new paragraphs:

"(9) maintain a catalogue of available employee development opportunities, including the Homeland Security Rotation Program pursuant to section 844, departmental leadership development programs, interagency development programs, and other rotational programs;

"(10) ensure that employee discipline and adverse action programs comply with the requirements of all pertinent laws, rules, regulations, and Federal guidance, and ensure due process for employees;

"(11) analyze each Department or Government-wide Federal workforce satisfaction or morale survey not later than 90 days after the date of the publication of each such survey and submit to the Secretary such analysis, including, as appropriate, recommendations to improve workforce satisfaction or morale within the Department;

"(12) review and approve all component employee engagement action plans to ensure such plans include initiatives responsive to the root cause of employee engagement challenges, as well as outcome-based performance measures and targets to track the progress of such initiatives;"

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(3) by inserting after subsection (c) the following new subsection:

"(d) CHIEF LEARNING AND ENGAGEMENT OFFICER.—The Chief Human Capital Officer may designate an employee of the Department to serve as a Chief Learning and Engagement Officer to assist the Chief Human Capital Officer in carrying out this section.";

and

(4) in subsection (e), as so redesignated—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (5), (6), and (7), respectively; and

(B) by inserting after paragraph (1) the following new paragraphs:

"(2) information on employee development opportunities catalogued pursuant to paragraph (9) of subsection (b) and any available data on participation rates, attrition rates, and impacts on retention and employee satisfaction;

"(3) information on the progress of Department-wide strategic workforce planning efforts as determined under paragraph (2) of subsection (b);

"(4) information on the activities of the steering committee established pursuant to section 711(a), including the number of meetings, types of materials developed and distributed, and recommendations made to the Secretary;"

SEC. 3. EMPLOYEE ENGAGEMENT STEERING COMMITTEE AND ACTION PLAN.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following new section:

"SEC. 711. EMPLOYEE ENGAGEMENT.

"(a) STEERING COMMITTEE.—Not later than 120 days after the date of the enactment of this section, the Secretary shall establish an employee engagement steering committee, including representatives from operational components, headquarters, and field personnel, including supervisory and non-supervisory personnel, and employee labor organizations that represent Department employees, and chaired by the Under Secretary for Management, to carry out the following activities:

"(1) Identify factors that have a negative impact on employee engagement, morale, and communications within the Department, such as perceptions about limitations on career progression, mobility, or development opportunities, collected through employee feedback platforms, including through annual employee surveys, questionnaires, and other communications, as appropriate.

"(2) Identify, develop, and distribute initiatives and best practices to improve employee engagement, morale, and communications within the Department, including through annual employee surveys, questionnaires, and other communications, as appropriate.

"(3) Monitor efforts of each component to address employee engagement, morale, and communications based on employee feedback provided through annual employee surveys, questionnaires, and other communications, as appropriate.

"(4) Advise the Secretary on efforts to improve employee engagement, morale, and communications within specific components and across the Department.

"(5) Conduct regular meetings and report, not less than once per quarter, to the Under Secretary for Management, the head of each component, and the Secretary on Department-wide efforts to improve employee engagement, morale, and communications.

"(b) ACTION PLAN; REPORTING.—The Secretary, acting through the Chief Human Capital Officer, shall—

“(1) not later than 120 days after the date of the establishment of the employee engagement steering committee under subsection (a), issue a Department-wide employee engagement action plan, reflecting input from the steering committee and employee feedback provided through annual employee surveys, questionnaires, and other communications in accordance with paragraph (1) of such subsection, to execute strategies to improve employee engagement, morale, and communications within the Department; and

“(2) require the head of each component to—

“(A) develop and implement a component-specific employee engagement plan to advance the action plan required under paragraph (1) that includes performance measures and objectives, is informed by employee feedback provided through annual employee surveys, questionnaires, and other communications, as appropriate, and sets forth how employees and, where applicable, their labor representatives are to be integrated in developing programs and initiatives;

“(B) monitor progress on implementation of such action plan; and

“(C) provide to the Chief Human Capital Officer and the steering committee quarterly reports on actions planned and progress made under this paragraph.

“(c) **TERMINATION.**—This section shall terminate on the date that is five years after the date of the enactment of this section.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 710 the following new item:

“Sec. 711. Employee engagement.”.

(c) **SUBMISSIONS TO CONGRESS.**—

(1) **DEPARTMENT-WIDE EMPLOYEE ENGAGEMENT ACTION PLAN.**—The Secretary of Homeland Security, acting through the Chief Human Capital Officer of the Department of Homeland Security, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the Department-wide employee engagement action plan required under subsection (b)(1) of section 711 of the Homeland Security Act of 2002 (as added by subsection (a) of this section) not later than 30 days after the issuance of such plan under such subsection (b)(1).

(2) **COMPONENT-SPECIFIC EMPLOYEE ENGAGEMENT PLANS.**—Each head of a component of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the component-specific employee engagement plan of each such component required under subsection (b)(2) of section 711 of the Homeland Security Act of 2002 not later than 30 days after the issuance of each such plan under such subsection (b)(2).

SEC. 4. ANNUAL EMPLOYEE AWARD PROGRAM.

(a) **IN GENERAL.**—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by section 3 of this Act, is further amended by adding at the end the following new section:

“SEC. 712. ANNUAL EMPLOYEE AWARD PROGRAM.

“(a) **IN GENERAL.**—The Secretary may establish an annual employee award program to recognize Department employees or groups of employees for significant contributions to the achievement of the Department's goals and missions. If such a program is established, the Secretary shall—

“(1) establish within such program categories of awards, each with specific criteria, that emphasizes honoring employees who are at the non-supervisory level;

“(2) publicize within the Department how any employee or group of employees may be nominated for an award;

“(3) establish an internal review board comprised of representatives from Department components, headquarters, and field personnel to submit to the Secretary award recommendations regarding specific employees or groups of employees;

“(4) select recipients from the pool of nominees submitted by the internal review board under paragraph (3) and convene a ceremony at which employees or groups of employees receive such awards from the Secretary; and

“(5) publicize such program within the Department.

“(b) **INTERNAL REVIEW BOARD.**—The internal review board described in subsection (a)(3) shall, when carrying out its function under such subsection, consult with representatives from operational components and headquarters, including supervisory and non-supervisory personnel, and employee labor organizations that represent Department employees.

“(c) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to authorize additional funds to carry out the requirements of this section or to require the Secretary to provide monetary bonuses to recipients of an award under this section.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002, as amended by section 3 of this Act, is further amended by inserting after the item relating to section 711 the following new item:

“Sec. 712. Annual employee award program.”.

SEC. 5. INDEPENDENT INVESTIGATION AND IMPLEMENTATION PLAN.

(a) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall investigate whether the application in the Department of Homeland Security of discipline and adverse actions are administered in an equitable and consistent manner that results in the same or substantially similar disciplinary outcomes across the Department for misconduct by a non-supervisory or supervisor employee who engaged in the same or substantially similar misconduct.

(b) **CONSULTATION.**—In carrying out the investigation described in subsection (a), the Comptroller General of the United States shall consult with the Under Secretary for Management of the Department of Homeland Security and the employee engagement steering committee established pursuant to subsection (b)(1) of section 711 of the Homeland Security Act of 2002 (as added by section 3(a) of this Act).

(c) **ACTION BY UNDER SECRETARY FOR MANAGEMENT.**—Upon completion of the investigation described in subsection (a), the Under Secretary for Management of the Department of Homeland Security shall review the findings and recommendations of such investigation and implement a plan, in consultation with the employee engagement steering committee established pursuant to subsection (b)(1) of section 711 of the Homeland Security Act of 2002, to correct any relevant deficiencies identified by the Comptroller General of the United States in such investigation. The Under Secretary for Management shall direct the employee engagement steering committee to review such plan to inform committee activities and action plans authorized under such section 711.

SEC. 6. IMPACTS OF SHUTDOWN.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall report to the Committee on Homeland Security of the House of

Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding the direct and indirect impacts of the lapse in appropriations between December 22, 2018, and January 25, 2019, on—

(1) Department of Homeland Security human resources operations;

(2) the Department's ability to meet hiring benchmarks; and

(3) retention, attrition, and morale of Department personnel.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TORRES) and the gentleman from New York (Mr. GARBARINO) each will control 20 minutes.

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

GENERAL LEAVE

Mr. TORRES of New York. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this measure.

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

There was no objection.

Mr. TORRES of New York. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 490, the DHS MORALE Act.

Every day, the Department of Homeland Security workforce carries out an array of critical missions, from screening travelers to securing cyberspace, to responding to disasters.

The 240,000 men and women who make up this workforce should feel appreciated, not only by the American people, but also by DHS. Unfortunately, that does not seem to be the case.

The Office of Personnel Management has found that DHS employees are consistently less satisfied with their jobs compared to the average Federal employee. Since 2005, DHS' own employees ranked the Department dead last among large Federal departments in the annual Best Places to Work in the Federal Government survey. Scratching below the surface, the Best Places to Work in the Federal Government survey found that DHS' workforce is the most dissatisfied when it comes to training, teamwork, work-life balance, and support for diversity.

In response to the concerns expressed by the workforce, Chairman THOMPSON introduced the DHS MORALE Act to require DHS to create and implement policies related to leadership development, employee engagement, career progression, and employee recognition.

Specifically, H.R. 490 requires the Department to prioritize career development opportunities and leadership development opportunities for DHS employees.

Additionally, it would require DHS to establish an employee engagement steering committee comprised of employees across the Department to better identify the causes of low morale

and what initiatives are working to improve it, and to establish an annual employee award program to recognize those in the DHS workforce who go above and beyond in their work to protect the homeland.

Identical versions of this measure have been approved by the House in prior Congresses.

This Congress, a new provision was added to the bill to respond to recommendations issued last month by the Government Accountability Office regarding morale challenges at the Department.

The provision directs DHS' chief human capital officer to review and approve DHS component agency plans to ensure they include initiatives to address the root causes of low morale and performance metrics for measuring implementation of those initiatives.

Enactment of H.R. 490 will help put DHS on a path toward fixing the longstanding morale problems at DHS.

Madam Speaker, I urge the passage of H.R. 490, and I reserve the balance of my time.

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

Madam Speaker, I rise today in support of H.R. 490, the Department of Homeland Security MORALE Act of 2021.

This legislation, sponsored by Chairman THOMPSON, will empower the Department's chief human capital officer to improve leadership development, employee engagement, and morale at the Department, which consistently ranks near the bottom of all Federal departments.

This bill will support the Department's most important asset, the many dedicated security professionals that work diligently to better protect our Nation.

Madam Speaker, I urge all of my colleagues to join me in supporting H.R. 490, and I reserve the balance of my time.

Mr. TORRES of New York. Madam Speaker, I have no further speakers, I am prepared to close, and I reserve the balance of my time.

Mr. GARBARINO. Madam Speaker, I have no further speakers, I urge Members to support this bill, and I yield back the balance of my time.

Mr. TORRES of New York. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, H.R. 490 will improve morale among the Department's 240,000 employees. That is why it has the support of unions representing DHS employees: The National Border Patrol Council, the National Treasury Employees Union, and the American Federation of Government Employees.

Enactment of H.R. 490 will also force DHS to examine the root causes of the longstanding morale problems and develop responsive approaches to move the Department forward in a positive direction.

Madam Speaker, I ask for my colleagues' support, and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in support of H.R. 490, "DHS MORALE Act," which expands the duties of the Chief Human Capital Officer to address morale throughout the Department of Homeland Security.

The bill provides for:

1. leader development and employee engagement,
2. maintaining a catalogue of available employee development opportunities, and
3. issuing a DHS-wide employee engagement action plan.

The bill directs DHS to establish an employee engagement steering committee and authorizes it to establish an annual employee award program.

DHS is also required to report to the congressional homeland security committees the impacts of the lapse in appropriations between December 22, 2018 and January 25, 2019 on (1) DHS human resources operations; (2) DHS's ability to meet hiring benchmarks; and (3) retention, attrition, and morale of DHS personnel.

As a senior member of this committee I have long been troubled by the low morale, employee retention and job opportunities within the entire agency and what impact these issues have had on homeland security.

Over my service on this committee, from its inception, I have learned a great deal about the capacity and strength of the men and women who work at the Department of Homeland Security.

I hold them in the highest regard for their dedication and service to our country.

This nation depends on the men and women of the Department of Homeland Security (DHS) to protect citizens from those who wish to do them harm.

DHS is charged with protecting the nation from terrorism threats.

The agency also assists local, state, and federal law enforcement to prepare to meet those threats which are significantly different than what was seen on September 11, 2001.

Because of the dedication of DHS professionals, we are better prepared to face these challenges as one nation united against a common foe.

The Department of Homeland Security was not created to protect the nation from desperate people escaping violence and poverty, seeking asylum in our country or the ravages of a virus attacking and killing over half a million Americans.

It was created to prevent attacks against our nation such as the one carried out by foreign terrorists who used commercial planes as missiles to destroy the World Trade Center Towers, and a section of the west side of the Pentagon, and would have killed more if not for the heroic acts of the passengers on Flight 93 to stop the attackers from reaching their ultimate destination right here at our nation's Capitol.

On January 6, 2021, our nation was once again threatened, but it was from an enemy found on our own shores led by the former President of the United States to attack the Capitol building during the constitutionally mandated Joint Meeting of Congress to count the ballots cast by presidential electors and announce the results and the winner to the nation and the world.

Today, our nation faces multiple crisis at the same time that are challenging our way of life, values, and resolve; challenges the American

people are, and will be, prepared to face and overcome.

As Americans we are best when we are true to the values we hold dear, beginning with fidelity to the Constitution and the laws of the United States.

The Department of Homeland Security has had low employee morale and low employee engagement since it began operations in 2003 and this must change.

In 2019, the Government Accountability Office (GAO) issued a report on DHS employee morale.

This report addressed:

1. drivers of employee engagement at DHS and
2. the extent that DHS has initiatives to improve employee engagement and ensures effective engagement action planning.

GAO analyzed employee trends within DHS, reviewed component employee engagement action plans and met with officials from DHS and component human capital offices as well as unions and employee groups.

I was at the Capitol on September 11, 2001, and I will never forget the Members who were there with me as we sang God Bless America on the steps of the Capitol.

In the days and weeks following the attacks, we were uncertain what threat might come and how many lives might be lost as we worked to put resources in place to deal with an enemy that might be among us.

Over the past nineteen years we have learned a great deal about homeland security, but we must learn more about making sure that agency professionals have what they need to excel.

We will be better prepared to face these challenges as one nation, united against a common foe, when morale issues within DHS have been effectively addressed.

I urge all members to join me in voting for H.R. 490, DHS MORALE Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TORRES) that the House suspend the rules and pass the bill, H.R. 490.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BIGGS. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

TRUSTED TRAVELER RECONSIDERATION AND RESTORATION ACT OF 2021

Mr. TORRES of New York. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 473) to require a review of Department of Homeland Security trusted traveler programs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 473

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