

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MORELLE) at 2 p.m.

PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

God, You are our savior, our strength, and our song.

Lord, even as we reflect on these words of the Psalmist, call to our minds how often throughout history, and in our own lives, You have been our salvation.

Help us to recall how You have intervened time and again in the health and welfare of our loved ones as well as our own.

May we recollect how often You have set Your shield before us in the presence of our enemies, in moments of despair, and in the face of harm.

Give us reason to remember the innumerable times You have protected us from our own foolish actions and prideful behavior.

Inspire us by these memories of Your saving acts, large and small, that we would allow them to shape our present.

Save us, we pray. We beseech You, O Lord, grant that all that we say today would reflect our gratitude for the success You have given us. May all that we do today be a prosperous celebration of Your redemptive love to us and to those around us.

Salvation belongs to You, O Lord. May Your blessings remain upon Your people. It is in Your merciful name we pray.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 11(a) of House Resolution 188, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. BOST) come forward and lead the House in the Pledge of Allegiance.

Mr. BOST led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Ohio (Mr. STIVERS), the whole number of the House is 430.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

MENTAL HEALTH AWARENESS MONTH

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize May as Mental Health Awareness Month. The focus of this campaign is to break down the stigma surrounding mental health.

Each year, millions of Americans face the reality of living with a mental illness. By breaking the stigma and talking about depression, anxiety, and other conditions, we can help those affected to seek the quality care that they deserve.

After spending the past year locked down and secluded from society, it is more important than ever to check in on your loved ones. If you are suffering or feel alone, please reach out for help. It is important to remember that you are not alone.

Mr. Speaker, by bringing attention to mental health, we can elevate the conversations surrounding mental health. We are focusing on prioritizing mental health and acknowledging it is okay to not be okay.

This month, reach out to your loved ones and check in. By starting the conversation, we are one step closer to ending the stigma surrounding mental health.

RECOGNIZING JAKE WEGNER

(Mrs. MILLER-MEEKS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER-MEEKS. Mr. Speaker, I rise today to share an uplifting story about a young man from my congressional district.

Jake Wegner, a senior at Central College in Pella, Iowa, took his first at bat after beating cancer twice.

Jake's first battle with cancer began when he was diagnosed with neuroblastoma before the start of his high school senior baseball season.

After recovering from surgery, Jake enrolled at Central College, where he finished his first semester, but upon returning home for a checkup, he learned that the cancer had relapsed.

Jake kept his faith strong and family close while he endured chemotherapy for the next 15 months, and in January of 2018, he was ready to begin classes again.

In yesterday's game against Simpson College, after 3 years of being cancer-free, Jake took his first at bat for senior night.

Jake, your story of following your dreams and overcoming adversity is an inspiration to all of us, and I couldn't be prouder to represent you in Congress.

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.

IMPROVING VA ACCOUNTABILITY TO PREVENT SEXUAL HARASSMENT AND DISCRIMINATION ACT OF 2021

Mr. TAKANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2704) to amend title 38, United States Code, to improve the equal employment opportunity functions of Department of Veterans Affairs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2704

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 "Improving VA Accountability To Prevent Sexual Harassment and Discrimination Act of 2021".

SEC. 2. IMPROVEMENTS TO EQUAL EMPLOYMENT OPPORTUNITY FUNCTIONS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) ALIGNMENT OF EEO DIRECTOR.—

(1) REPORTING AND DUTIES.—Subsection (h) of section 516 of title 38, United States Code, is amended—

(A) by striking "The provisions" and inserting "(1) The provisions"; and

(B) by adding at the end the following new paragraph:

"(2) Beginning not later than 90 days after the date of the enactment of this paragraph, in carrying out paragraph (1), the Secretary shall ensure that the official of the Department who serves as the Equal Employment Opportunity Director of the Department—

"(A) reports directly to the Deputy Secretary with respect to the functions under this section; and

"(B) does not also serve in a position that has responsibility over personnel functions of the Department or other functions that conflict with the functions under this section.".

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (b)(1), by inserting ", in accordance with subsection (h)(2)," after "an Assistant Secretary or a Deputy Assistant Secretary"; and

(B) in subsection (e)(1)(A), by striking "the Assistant Secretary for Human Resources and Administration" and inserting "the Secretary".

(b) ALIGNMENT OF EEO PROGRAM MANAGERS.—Such section is further amended by adding at the end the following new subsection:

"(i) In accordance with subsection (b), not later than December 31, 2021, the Secretary of Veterans Affairs shall ensure that each

Equal Employment Opportunity program manager of the Department at the facility level reports to the head of the Office of Resolution Management, or such successor office established pursuant to subsection (a), with respect to the equal employment functions of the program manager.”.

(c) REPORTING HARASSMENT AND EMPLOYMENT DISCRIMINATION COMPLAINTS.—Subsection (a) of such section 516 is amended—

(1) by striking “The Secretary” and inserting “(1) The Secretary”; and

(2) by adding at the end the following new paragraph:

“(2) The Secretary shall ensure that the employment discrimination complaint resolution system established under paragraph (1) requires that any manager of the Department who receives a sexual or other harassment or employment discrimination complaint reports such complaint to the Office of Resolution Management, or such successor office, immediately, or if such immediate reporting is impracticable, not later than two business days after the date on which the manager receives the complaint.”.

(d) TRAINING.—Subsection (c) of such section 516 is amended by adding at the end the following new sentence: “Beginning not later than September 30, 2021, the Secretary shall provide to each employee of the Department mandatory annual training on identifying and addressing sexual and other harassment and employment discrimination, including with respect to processes under the Harassment Prevention Program of the Department, or such successor program. An employee of the Department who is hired on or after such date shall receive the first such mandatory annual training not later than 60 days after being hired.”.

(e) HARASSMENT AND EMPLOYMENT DISCRIMINATION POLICIES AND DIRECTIVES.—The Secretary of Veterans Affairs shall—

(1) by not later than September 30, 2021, and on a regular basis thereafter, review the policies relating to sexual and other harassment and employment discrimination of the Department of Veterans Affairs to ensure that such policies are complete and in accordance with the sexual and other harassment and employment discrimination policies established by the Office of Resolution Management of the Department, or such successor office; and

(2) by not later than 180 days after the date of the enactment of this Act, issue a final directive and a handbook for the Harassment Prevention Program of the Department.

(f) REPORTS.—Not later than 180 days after the date of the enactment of this Act, and semiannually thereafter for one year, the Secretary of Veterans Affairs shall submit to the Committees on Veterans’ Affairs of the House of Representatives and the Senate a report on the progress the Secretary has made in carrying out this section and section 516 of title 38, United States Code, as amended by this section, including with respect to reporting sexual and other harassment and employment discrimination complaints pursuant to subsection (a)(2) of such section 516.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Illinois (Mr. BOST) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 2704.

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

There was no objection.

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

Mr. Speaker, H.R. 2704, sponsored by Oversight and Investigations Subcommittee Chair PAPPAS, takes important steps to address sexual harassment and discrimination at the VA.

This bipartisan legislation, the Improving VA Accountability to Prevent Sexual Harassment and Discrimination Act, would prioritize VA’s tracking and responses to allegations.

For example, it requires VA’s Equal Employment Opportunity Director to report directly to the Deputy Secretary. It also requires that any VA manager who receives a report of sexual or other harassment, or employment discrimination, report that complaint within 2 business days.

Among other important actions, this bill will also mandate additional training to identify and address sexual, and other types of harassment, and employment discrimination.

This legislation is based largely on the work of the Government Accountability Office, who testified in our committee during July of last year.

I urge my colleagues to support the bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of H.R. 2704, the Improving VA Accountability to Prevent Sexual Harassment and Discrimination Act of 2021.

It is a terrible reality that, according to a recent study, roughly 26 percent of female employees and 14 percent of male employees at VA have reported experiencing sexual harassment over a 2-year period.

Sadly, an even higher percentage of employees reported some type of discrimination, such as reprisal or racial discrimination.

Though these problems are large, I applaud the work of the VA Office of Resolution Management, Diversity and Inclusion and what they do. They are taking these issues on headfirst, but there is still a long way to go.

That is why I am proud to support H.R. 2704, which would eliminate the potential conflict of interest in VA’s chain of command; require stricter reporting of allegations of sexual harassment and discrimination; and require VA to finalize and deploy the Harassment Prevention Program, along with increasing training and reviews.

I am grateful to Chairman CHRIS PAPPAS and Congresswoman ASHLEY HINSON for introducing this bill and leading it. The bill has my full support.

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

Mr. TAKANO. Mr. Speaker, I yield 3 minutes to the gentleman from New Hampshire (Mr. PAPPAS), my good friend, the chairman of the Subcommittee on Oversight and Investiga-

tions, and also the author of this important piece of legislation.

Mr. PAPPAS. Mr. Speaker, I want to begin by thanking Chairman TAKANO and Ranking Member BOST for their work in putting together this comprehensive group of bills today to support our veterans, including this bill, and I appreciate their support for it.

I rise in support of this legislation, the Improving VA Accountability to Prevent Sexual Harassment and Discrimination Act, a bill that I introduced, along with Representative HINSON.

This bipartisan, bicameral bill will take critical steps to combat sexual harassment by updating VA’s antiquated policies and structure, in addition to creating stronger reporting requirements.

We know that at least 1 in 4 women and 1 in 10 men who have served in the military are survivors of sexual assault, harassment, or abuse.

At the VA, we know that at least 1 in 4 women veterans and 1 in 4 women employees experience sexual harassment in healthcare settings.

It is simply unacceptable that someone who has proudly served our Nation is subjected to sexual harassment in the institution whose charge it is to serve them.

It is long past time for us to make systemic change at the VA that will honor the service of our veterans and healthcare providers and keep people safe.

This is commonsense legislation that came out of an Oversight and Investigation Subcommittee hearing that we held last July. We heard from the GAO and the VA on this issue. While important steps have been made by the VA in the recent past, this is important legislation that is going to continue to improve this situation and make the kind of long-lasting change that is long overdue.

I urge my colleagues to pass this commonsense bill.

Mr. BOST. Mr. Speaker, I yield 3 minutes to the gentlewoman from Iowa (Mrs. HINSON), the cosponsor of the bill.

Mrs. HINSON. Mr. Speaker, I rise today in support of H.R. 2704, the Improving VA Accountability to Prevent Sexual Harassment and Discrimination Act.

I was proud to introduce this legislation alongside Congressman CHRIS PAPPAS and Senator MAGGIE HASSAN, as well as my fellow Iowan, Senator JONI ERNST, who is a combat veteran and sexual assault survivor herself.

Last year, a Government Accountability Office report exposed disturbing failures at the U.S. Department of Veterans Affairs to handle sexual harassment and discrimination at the agency properly. The report also revealed that between 18 and 27 percent of VA employees experienced some form of sexual harassment at work between 2014 and 2016.

This is completely unacceptable.

This bipartisan, bicameral bill will improve the way sexual harassment is

handled at the VA and will crack down on instances of harassment and discrimination within the Department.

Nobody should feel unsafe at work. The care VA employees provide for our veterans is absolutely critical, but they cannot provide that best care, the care our veterans deserve, if they are suffering in a hostile work environment.

Not only is this an accountability and workplace safety issue, it is a disservice to our veterans who rely on the VA for high-quality care, and a disservice to taxpayers who fund the Department.

We can do better, and this legislation will ensure that those who serve our veterans feel safe at work so they can do their jobs effectively.

Mr. Speaker, I urge all of my colleagues to support this important bipartisan legislation.

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

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Mr. BOST. Mr. Speaker, I encourage my colleagues to support this bill.

With that, I yield back the balance of my time.

Mr. TAKANO. Mr. Speaker, I ask all my colleagues to join me in passing this important piece of legislation, H.R. 2704, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 2704.

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. ROSENDALE. Mr. 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.

VA EQUAL EMPLOYMENT OPPORTUNITY COUNSELOR MODERNIZATION ACT

Mr. TAKANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2788) to amend title 38, United States Code, to eliminate the cap on full-time employees of the Department of Veterans Affairs who provide equal employment opportunity counseling.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2788

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 “VA Equal Employment Opportunity Counselor Modernization Act”.

SEC. 2. ELIMINATION OF CAP ON FULL-TIME EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS WHO PROVIDE EQUAL EMPLOYMENT OPPORTUNITY COUNSELING.

(a) IN GENERAL.—Section 516 of title 38, United States Code, is amended—

(1) by striking subsection (g); and
(2) by redesignating subsection (h) as subsection (g).

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans’ Affairs of the Senate and House of Representatives a report regarding the effect of the amendment under subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Illinois (Mr. BOST) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 2788.

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

There was no objection.

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

Mr. Speaker, I am pleased to support Representative LAMB’s bipartisan legislation, the VA Equal Employment Opportunity Counselor Modernization Act, which is cosponsored by Representative MANN.

This bill would help the Department address diversity and equity issues within VA’s workforce. It removes a portion of a 1997 law that limits the number of VA counselors who can advise employees on equal employment opportunity issues, provides alternative dispute resolution, and helps process formal complaints.

VA’s workforce has roughly doubled in size since the 1997 law was enacted, and VA requested for the limit to be removed to allow the Department to hire additional counselors to support the needs of a large and still growing workforce.

Our Oversight and Investigations Subcommittee recently held a hearing to examine important steps to address workforce diversity and inclusion at VA. At this hearing, the subcommittee, once again, learned how important these counselors are. This bill builds off that oversight and will assist VA’s efforts to support its workforce, which serves veterans every single day.

Mr. Speaker, I urge all my colleagues to join me in supporting this legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of H.R. 2788, the VA Equal Employment Opportunity Counselor Modernization Act.

Current law prohibits VA from having more than 40 full-time EEO coun-

selors. With a workforce of around 400,000, that is only one counselor for every 10,000 employees.

This arbitrary cap has hamstrung VA, and we have heard from the Department and stakeholders that the lack of counselors prevents VA from addressing complaints quickly. H.R. 2788 would remove this cap and finally allow VA to rightsize its need for EEO counselors.

I thank Congressman CONOR LAMB and Ranking Member TRACEY MANN for introducing and leading this common-sense legislation. I am pleased to support it this afternoon.

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

Mr. TAKANO. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. LAMB), my good friend and the author of this bipartisan legislation, H.R. 2788; and a member of the House Committee on Veterans’ Affairs.

Mr. LAMB. Mr. Speaker, I think the key term that Ranking Member BOST used was “common sense.” That can sometimes be in short supply around here.

When we found out that the VA has roughly the same number of EEOC counselors today—38—that it had in 1997, you ask yourself the simple question: Well, what else has happened at the VA since that time?

Their workforce has nearly doubled. Since 1997, the VA has become one of the largest Federal agencies, with a workforce of over 400,000 people, which means those same 38 EEOC counselors are handling roughly double the amount of complaints of unfair and illegal discrimination today that they were in 1997.

See, the law placed an artificial cap on the number of counselors, but it did not place a cap on the amount of unjust discrimination in our society. That has continued. If anything, the last year has shown us how deep and intransigent racial discrimination, sex discrimination, and other illegal forms of discrimination remain in our society and how we have to take active steps to dismantle them wherever we find them.

Unfair and illegal discrimination exists at the VA. It doesn’t make me proud to say it as a veteran, as a lawmaker, as a public servant, but it exists there just like it exists everywhere else. These folks know how to deal with it. They know how to listen. They know how to make the employees feel like they have a safe place to go and tell their side of the story. They know how to stick up for these employees who are giving their careers to helping our veterans.

All we need to do is lift the cap, and the VA will hire EEOC counselors who can do their job effectively and take care of those who are taking care of our veterans every day.

Mr. BOST. Mr. Speaker, I encourage my colleagues to support this bill, and I yield back the balance of my time.

Mr. TAKANO. Mr. Speaker, I, again, urge all of my colleagues to join me in