

declares the House in recess until approximately 2:45 p.m. today.

Accordingly (at 2 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1445

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. SCHAKOWSKY) at 2 o'clock and 45 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 a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

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

#### DEPARTMENT OF VETERANS AFFAIRS CONTRACTING PREFERENCE CONSISTENCY ACT

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4920) to amend title 38, United States Code, to provide for an exception to certain small business contracting requirements applicable to the Department of Veterans Affairs procurement of certain goods and services covered under the Ability One program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4920

*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 Veterans Affairs Contracting Preference Consistency Act".

##### SEC. 2. EXCEPTION TO DEPARTMENT OF VETERANS AFFAIRS SMALL BUSINESS CONTRACTING REQUIREMENT FOR CERTAIN GOODS AND SERVICES COVERED UNDER ABILITY ONE PROGRAM.

(a) IN GENERAL.—Subsection (d) of section 8127 of title 38, United States Code, is amended—

(1) by striking "Except" and inserting "(1) Except";

(2) by inserting "in paragraph (2) and" before "in subsections (b) and (c)"; and

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

"(2)(A) Notwithstanding paragraph (1), with respect to the procurement of a covered product or service, a contracting officer of the Department shall procure such product or service from a source designated under chapter 85 of title 41, and in accordance with the regulations prescribed under such chapter.

"(B) In this paragraph, the term 'covered product or service' means—

"(i) a product or service that—

"(I) is included on the procurement list under section 8503(a) of title 41; and

"(II) was included on such procurement list on or before December 22, 2006; or

"(ii) a product or service that—

"(I) is a replacement for a product or service described under clause (i);

"(II) is essentially the same and meeting the same requirement as the product or service being replaced; and

"(III) a contracting officer determines meets the quality standards and delivery schedule of the Department."

(b) CONFORMING AMENDMENTS.—Such section is further amended in each of subsections (b) and (c), by striking "For" and inserting "Except as provided in subsection (d)(2), for".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to a contract entered into on or after the date of the enactment of this Act.

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. Madam 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. 4920.

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

There was no objection.

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

Madam Speaker, this bipartisan legislation sponsored by Ranking Member ROE and me, and 17 other cosponsors, would provide critically needed relief for nonprofit companies that employ blind and disabled workers under the AbilityOne Program.

Approximately 2,000 blind and disabled Americans, including many veterans, are employed under VA's AbilityOne contracts. Without this legislation, these nonprofit companies will likely lose their VA contracts because they will lose their award preference. This bill would only exempt or grandfather the existing AbilityOne VA contracts from losing their preference so these employees would keep their jobs. It will not expand the program.

VA expends approximately \$27 billion on contracts and government purchase cards for goods and services. Of this spending, only about \$100 million is spent on contracts with AbilityOne nonprofit businesses. Approximately \$5 billion is spent on contracts with veteran-owned small businesses, many owned by disabled veterans.

In other words, VA's AbilityOne contracts are a very small percentage of the Department's spending. However, the program is vital for the 2,000 blind and otherwise disabled individuals employed through AbilityOne.

This committee has long championed the Veterans First Contracting Program and providing more opportunities for veteran-owned small businesses to do business with the Federal Government.

This legislation means we can support both the Veterans First and AbilityOne programs that employ and increase economic opportunities for veterans and individuals with disabilities.

This bill was approved unanimously by the Committee on Veterans' Affairs and is supported by the Blinded Veterans Association, National Federation of the Blind, American Council of the Blind, National Industries for the Blind, National Association for the Employment of People Who Are Blind, SourceAmerica, and National Council of SourceAmerica Employers.

Madam Speaker, I urge my colleagues to support this very important legislation, and I reserve the balance of my time.

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

Madam Speaker, I rise today in support of H.R. 4920, the VA Contracting Preference Consistency Act.

I thank Chairman TAKANO for introducing the legislation, which would preserve employment opportunities for the blind and severely disabled who rely on VA contracts.

This bill addresses a technical conflict between the AbilityOne Program and the VA Veterans First program. I am sorry to say that this conflict exists because of Congress' oversight in the drafting of the Veterans Benefits, Health Care, and Information Technology Act of 2006. Whereas earlier legislation was clear about the legislation between the AbilityOne and the service-disabled, veteran-owned small businesses contracting programs, the 2006 act was silent. The result has been a series of lawsuits beginning in 2017.

I wish this conflict did not exist, but the fact is, it does, and it still does. It has put the jobs of over 2,000 individuals who are blind or severely disabled potentially at risk. These are vulnerable populations with an unemployment rate that hovers around 70 to 80 percent.

The bill's solution is simple and equitable. It preserves only the AbilityOne work that was being performed in VA as of December 22, 2006, when the Veterans Benefits, Health Care, and Information Technology Act of 2006 was enacted, creating the Veterans First Program. No new work will go into the AbilityOne Program. Rather, it will all be reserved for service-disabled, veteran-owned small businesses under the rule of two.

This is very similar to the VA's policy, which balanced the two programs for nearly 10 years. While that policy was effective in practice, it was struck down because it lacked a clear statutory basis.

Unfortunately, there has been a great deal of wrong information circulating about this legislation. Some had alleged that it would abolish the Vets First program or wipe away the Supreme Court's Kingdomware decision, and that is simply not true.

The Vets First program is a success story. The volume of VA contracting with veteran-owned small businesses

now exceeds \$5 billion annually. This legislation in no way, shape, or form erodes that.

On the other hand, the VA spending in the AbilityOne Program fluctuates between \$100 million and \$200 million in a typical year. This legislation would preserve only a portion of that, the portion that exists before Vets First was created.

At the end of the day, this issue is about preserving jobs for the blind and disabled individuals, and these jobs are extremely scarce. I want to see these jobs multiply and become higher paying with more opportunities for advancement. The first step to do that is to make sure jobs continue to exist.

There have already been a significant number of furloughs at AbilityOne nonprofits. It is vital that we act before those furloughs turn into full-time layoffs.

Last week, 497 veterans who are employed by the AbilityOne nonprofits or supporters of the program sent a letter urging passage of this bill. The committee has received many other letters from business owners praising or opposing the bill, depending on which program they are associated with. I do not for a minute want to fall into that false choice between opportunities for veterans and opportunities for blind and disabled individuals. They can co-exist. They have coexisted in the past, and I want to make sure that they co-exist in the future.

Madam Speaker, to that end, I thank all the cosponsors of this broadly bipartisan legislation, and I reserve the balance of my time.

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

Mr. BOST. Madam Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX of North Carolina. Madam Speaker, I rise today in support of H.R. 4920, the Department of Veterans Affairs Contracting Preference Consistency Act.

This bipartisan bill provides a necessary fix to ensure that nonprofit organizations that provide jobs for the blind and those with significant disabilities and companies that are owned by veterans receive their due and are no longer in conflict.

The AbilityOne Program was enacted by Congress to give nonprofit organizations that employ the blind or those with significant disabilities preferential treatment in competing for certain Federal procurement contracts. Unfortunately, due to an unnecessary conflict between AbilityOne and a similar program, the Veterans First program, which sets aside some Department of Veterans Affairs contracts for service-disabled, veteran-owned small businesses, a legislative fix became necessary.

H.R. 4920 provides that fix by grandfathering in VA contracts that predate the creation of the Vets First

program to restore eligibility for nonprofit organizations that employ blind individuals or those with significant disabilities. This bipartisan legislation is proof that the choices between helping veterans and those with disabilities is not mutually exclusive.

I thank Chairman TAKANO, Ranking Member ROE, and all the members on the committee for their work on the bill, and I urge my colleagues to support its passage.

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

Mr. BOST. Madam Speaker, I am prepared to close.

Madam Speaker, as has been testified today from both sides of the aisle, both of these programs are vitally important. We believe this legislation would move forward in making sure that both veterans and the blind and disabled who are working in our VA system will be taken care of.

I appreciate everyone who is a sponsor of this bill, and I encourage all Members involved to vote "yes."

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

Mr. TAKANO. Madam Speaker, I urge all of my colleagues to join me in passing H.R. 4920, 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. 4920.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1500

#### IDENTIFYING BARRIERS AND BEST PRACTICES STUDY ACT

Mr. TAKANO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4183) to direct the Comptroller General of the United States to conduct a study on disability and pension benefits provided to members of the National Guard and members of reserve components of the Armed Forces by the Department of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4183

*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 "Identifying Barriers and Best Practices Study Act".*

#### SEC. 2. COMPTROLLER GENERAL STUDY ON DISABILITY AND PENSION BENEFITS PROVIDED TO MEMBERS OF THE NATIONAL GUARD AND MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES BY THE DEPARTMENT OF VETERANS AFFAIRS.

*(a) IN GENERAL.—Not later than 36 months after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study on disability and pension ben-*

*efits provided to members of the National Guard and members of reserve components of the Armed Forces by the Department of Veterans Affairs. In conducting such study, the Comptroller General shall review, for the period beginning on January 1, 2008, and ending on December 31, 2018, each of the following:*

*(1) The number of members of the National Guard and the number of members of reserve components of the Armed Forces who received disability compensation or pension provided by the Department of Veterans Affairs.*

*(2) A comparison of each of the following between veterans who served only in the National Guard or reserve components and veterans who served in the regular components of the Armed Forces:*

*(A) The percentage of each group of such veterans with service-connected disabilities.*

*(B) The number of veterans in each group with each disability rating.*

*(C) The number of veterans in each group with a service-connected disability, including the number of each of the following types of such veterans in each group:*

*(i) Pilots.*

*(ii) Veterans who served in the special forces.*

*(iii) Veterans who participated in the Personnel Reliability Program.*

*(iv) Veterans who underwent diving or flight physicals as a regular component of their service in the Armed Forces and who have a muscular-skeletal or mental health condition.*

*(D) The number of total claims for disability compensation and pension submitted, approved, and disapproved for each group of veterans.*

*(3) An identification of common barriers for members of the National Guard and members of reserve components in obtaining disability benefits under the laws administered by the Secretary of Veterans Affairs, including barriers relating to documentation of injuries incurred while serving, such as line of duty letters.*

*(b) REPORTS.—*

*(1) PRELIMINARY REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a preliminary report on the findings of the study required by subsection (a).*

*(2) FINAL REPORT.—Upon completion of the study, the Comptroller General shall submit to such Committees a final report on such study.*

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. Madam 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. 4183, as amended.

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

There was no objection.

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

Madam Speaker, I rise in support of H.R. 4183, as amended, the Identifying Barriers and Best Practices Study Act, introduced by Representative KHANNA of California.

I support this legislation that requests a multiyear study on VA disability and pension benefits for members of the Reserve components and