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

Mr. Speaker, I, too, rise in support of H.R. 1038, the Ensuring VA Employee Accountability Act of 2015.

Currently, when a VA employee is reprimanded for misconduct, the paperwork describing the incident is removed from that employee's file after 3 years. Paperwork describing an incident leading to an admonishment is taken out after just 2 years. H.R. 1038 requires the Secretary to maintain all written reprimands and admonishments of any VA employee in that employee's file for the entire duration of his or her employment at VA.

As members of the House Veterans' Affairs Committee work to ensure effective oversight of VA actions, it is important to maintain a record of VA employees' past misconduct. At the same time we are working toward greater accountability, we must also ensure that increased transparency does not come at the expense of fairness and the equitable treatment of VA employees.

Mr. Speaker, I look forward to working with my colleagues and all interested parties to clarify the intent of this legislation to ensure that we are not inadvertently affecting the use of negotiated settlement agreements when appropriate and that admonishments and reprimands are not wrongly used to silence whistleblowers.

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

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Mr. WENSTRUP. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. COSTELLO), the author of this bill.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, it is my pleasure to come before you today to speak on behalf of this commonsense effort to ensure greater employee accountability within the Department of Veterans Affairs.

We all agree that our veterans deserve the best service and care possible, and it is our responsibility to ensure that that care is provided by responsible employees.

My legislation, H.R. 1038, Ensuring VA Employee Accountability Act, is a further step in this direction. As you know, the VA carries out their disciplinary actions in a tiered system, and the two most commonly used are the lower-tiered actions, admonishments and reprimands.

As the VA continues to review the findings of the recent inspector general's investigations related to data manipulation, backlogs, and excessive wait times, it is apparent that a greater number of admonishments and reprimands are being issued to at-fault employees.

However, in the current policy, these disciplinary actions remain in an employee's file for only 3 years and are then deleted. This prevents the keeping of complete employee files and doesn't allow the poor performers within the VA to be tracked or held accountable.

Veterans expect the correct disciplinary action to be administered—indeed, all taxpayers do—and not simply the issuance of a temporary written warning. Therefore, as the VA continues to issue these lower-tier disciplinary actions more heavily than others, it is important that the personnel actions remain in the employee's record while employed at the VA.

My bill requires all reprimands and admonishments remain in a VA employee's file as long as they are employed at the VA, ensuring that the VA maintains good, complete employee records and holds those who care for our veterans accountable.

There are some concerns that this legislation could negatively impact flexibility in resolving routine personnel disputes, but there is nothing in this bill that imposes new employee penalties or would affect the existing process for a VA employee to appeal a disciplinary action.

We are open to working with our Senate counterparts to ensure that nothing in this legislation prevents a VA employee's ability to dispute a disciplinary action before a reprimand or admonishment is placed in their record. It is simply another tool for the Secretary to hold employees accountable during their tenure at the VA.

Mr. Speaker, I hope my colleagues will support my legislation to promote transparency and accountability where it is needed.

Ms. TITUS. Mr. Speaker, I commend Mr. COSTELLO for his work on this bill.

I urge my colleagues to support H.R. 1038 and to work with all of us to make sure going forward that the intent of the bill is accurately realized.

I yield back the balance of my time.

Mr. WENSTRUP. Mr. Speaker, once again, I encourage all Members to support H.R. 1038, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. WENSTRUP) that the House suspend the rules and pass the bill, H.R. 1038.

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.

SERVICE DISABLED VETERAN OWNED SMALL BUSINESS RELIEF ACT

Mr. WENSTRUP. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1313) to amend title 38, United States Code, to enhance the treatment of certain small business concerns for purposes of Department of Veterans Affairs contracting goals and preferences.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1313

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 ''Service Disabled Veteran Owned Small Business Relief Act''.

SEC. 2. MODIFICATION OF TREATMENT UNDER CONTRACTING GOALS AND PREFERENCES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 8127(h) of title 38, United States Code, is amended—

(1) in paragraph (3), by striking ''rated as'' and all that follows through ''disability.'' and inserting a period; and

(2) in paragraph (2), by amending subparagraph (C) to read as follows:

''(C) The date that—

''(i) in the case of a surviving spouse of a veteran with a service-connected disability rated as 100 percent disabling or who dies as a result of a service-connected disability, is 10 years after the date of the veteran's death; or

''(ii) in the case of a surviving spouse of a veteran with a service-connected disability rated as less than 100 percent disabling who does not die as a result of a service-connected disability, is three years after the date of the veteran's death.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to contracts awarded on or after such date.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. WENSTRUP) and the gentlewoman from Nevada (Ms. TITUS) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. WENSTRUP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to add extraneous material on H.R. 1313.

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

There was no objection.

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

Mr. Speaker, H.R. 1313 would amend title 38 to allow certain surviving spouses of service-disabled small-business owners to continue to be classified as a service-disabled veteran-owned small business for a 3-year period following the death of the veteran owner.

Current law limits the continuation to just the surviving spouses of disabled veterans rated at 100 percent by VA. By changing the law, we will enable surviving spouses of the vast majority of small businesses owned by service-disabled veterans to make the transition from a preferred VA contractor to the private sector market. This small change will also provide a large measure of financial stability to surviving spouses.

I see this as another commonsense bill, and I thank Mr. MCNERNEY for bringing it to us.

I reserve the balance of my time.

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

Mr. Speaker, I rise to support H.R. 1313, the Service Disabled Veteran Owned Small Business Relief Act of

2015. Veterans who are rated as 100 percent disabled by the Department of Veterans Affairs and who own at least 51 percent of their small business receive preferred status in the Federal contracting process.

If the veteran small-business owner passes away, the surviving family members and business partners are not allowed any time to transition away from this preferred status, thereby putting their businesses in jeopardy of losing any Federal contracts they may have. Last year, there were an estimated 500,000 of these businesses nationwide.

This bill provides a 3-year transition period during which the business would keep its preferential status and any Federal contracts associated with that status should the veteran owner pass away.

Current law does, however, allow the surviving spouse to maintain preferred status for up to 3 years following the death of a veteran owner, but only if that veteran had a 100 percent service-connected disability rating and died due to the disability.

H.R. 1313 further expands the transition period from 3 to 10 years after the veteran owner's death if the veteran were either 100 percent disabled or died from a service-connected disability.

H.R. 1313 is a fair policy that will ensure we protect the hard work and investment of our service-connected disabled veterans who own small businesses.

I would like to thank Chairman WENSTRUP and Ranking Member TAKANO of the Subcommittee on Economic Opportunity of the Veterans' Affairs Committee for their support of this bill and Mr. MCNERNEY for bringing it to us.

I reserve the balance of my time.

Mr. WENSTRUP. Mr. Speaker, at this time, I, again, reserve the balance of my time.

Ms. TITUS. Mr. Speaker, at this time, I yield 5 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, first, I want to thank Chairman WENSTRUP and Ranking Member TAKANO for their continued work on behalf of our Nation's veterans and for bringing these commonsense bills to the floor today.

Small businesses are the economic drivers in our communities, and we must give them opportunities they need to grow and prosper. Veteran entrepreneurs, in particular, are some of the most apt at starting, managing, and growing small businesses.

In the United States, there are about 5 million veteran-owned businesses and an estimated 500,000 service-disabled veteran-owned small businesses. A service-disabled veteran-owned small business is one that must be at least 51 percent directly owned and controlled by one or more service-disabled veterans.

The Federal Government established procurement contracting goals for small businesses in 1978 and set aside 3 percent of the total value of all Federal contracts for veteran-owned small businesses. Although some Federal agencies meet these goals, there are no penalties for not meeting the 3 percent small business procurement goal. The VA is diligent, on the other hand, in meeting this goal.

Under current law, if a veteran who was rated 100 percent disabled and owned a service-disabled veteran-owned small business passes away, the surviving spouse has 10 years to transition the business away from service-disabled veteran-owned small business status for contracts that the company has with the VA.

However, if the veteran businessowner was rated at less than 100 percent disabled or dies of a nonservice-connected injury, the surviving spouse has only 1 year to transition the business for contracts with the VA.

Unfortunately, this is not enough transition time for service-disabled veteran-owned small businesses whose owner passes away and was rated at less than 100 percent disabled to reposition the business, putting many service-disabled veteran-owned small businesses at a disadvantage. We need to correct this deficiency in the law.

That is why I introduced H.R. 1313, the Service Disabled Veteran Owned Small Business Relief Act. My bill allows the service-disabled veteran-owned small business, whose principal owner passes away and was rated at less than 100 percent disabled at the time of death, with a reasonable 3-year transition period from service-disabled veteran-owned small business status with the VA.

It is only right that we provide our heroes and their families and the employees with flexibility and certainty to ensure their businesses continue to thrive. The loss of a veteran businessowner is already tragic enough for their families and can put service-disabled veteran-owned small businesses at severe risk of closing or downsizing because of the loss of Federal contracts.

H.R. 1313 is supported by the Paralyzed Veterans of America, AMVETS, Veterans of Foreign Wars of the United States, The American Legion, and Iraq and Afghanistan Veterans of America. In addition, the VA said, at a subcommittee hearing on March 24 of this year, that the bill is a reasonable approach.

I hope that my colleagues will join me in passing this commonsense bill and support veteran-owned small businesses across the country.

Mr. WENSTRUP. Mr. Speaker, at this time, I have no further speakers, and I reserve the balance of my time.

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

I urge my colleagues to support H.R. 1313, to ensure that our service-connected disabled-veteran small-business owners are able to leave a legacy for their families and coworkers when they pass away.

At this point, I don't have any other speakers, and I yield back the balance of my time.

Mr. WENSTRUP. Once again, Mr. Speaker, I encourage all Members to support H.R. 1313, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. WENSTRUP) that the House suspend the rules and pass the bill, H.R. 1313.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

BOOSTING RATES OF AMERICAN VETERAN EMPLOYMENT ACT

Mr. WENSTRUP. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1382) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs, in awarding a contract for the procurement of goods or services, to give a preference to offerors that employ veterans, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1382

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 ''Boosting Rates of American Veteran Employment Act'' or the ''BRAVE Act''.

SEC. 2. PREFERENCE FOR OFFERORS EMPLOYING VETERANS.

(a) IN GENERAL.—Subchapter II of chapter 81 of title 38, United States Code, is amended by adding after section 8128 the following new section:

''§ 8129. Preference for offerors employing veterans

''(a) PREFERENCE.—In awarding a contract (or task order) for the procurement of goods or services, the Secretary may give a preference to offerors that employ veterans on a full-time basis. The Secretary shall determine such preference based on the percentage of the full-time employees of the offeror who are veterans.

''(b) ENFORCEMENT PENALTIES FOR MISREPRESENTATION.—(1) Any offeror that is determined by the Secretary to have willfully and intentionally misrepresented the veteran status of the employees of the offeror for purposes of subsection (a) shall be debarred from contracting with the Department for a period of not less than five years.

''(2) In the case of a debarment under paragraph (1), the Secretary shall commence debarment action against the offeror by not later than 30 days after determining that the offeror willfully and intentionally misrepresented the veteran status of the employees of the offeror as described in paragraph (1) and shall complete debarment actions against such offeror by not later than 90 days after such determination.

''(3) The debarment of an offeror under paragraph (1) includes the debarment of all