

There is important workplace protections that do not exist in this bill, and that is my position. We cannot start off by blaming unions, blaming the VA.

We have been through this before. There are some bad actors there. We are trying to get rid of them, and I want to get rid of them faster than you want to get rid of them, but I don't want to take down the whole group.

We paint with a very wide brush. We have done this with other Federal agencies. The reality is that the civil service protections available to these employees and all other Federal employees actually protect whistleblowers—that is in the law already—and allow them to come forward when they see wrongdoing, without fearing some retaliation.

Whistleblowers were how we discovered the problems, Mr. Chairman, in the first place. That is how we found out about what was going on in Phoenix and in some other places. Correct me if I am wrong; I think you will agree with me.

I agree that poorly performing employees have no place at the VA—or any other Federal agency for that matter. We agree on both sides of the aisle. We can't—as some have said, you guys are in favor of the vets, and we are not in favor of the vets.

Come on. We are away from that. We did that 15 years ago. That didn't work.

I agree that poorly performing employees have no place at the VA—or any other Federal agency, not just this one. This demonization of government employees that my colleagues are spearheading does not encourage productive work and, frankly, is just plain wrong.

I urge my colleagues to oppose this legislation. We are not going to make these folks any more accountable by demonizing the work.

By the way, just as you can't have community policing without police, you have got to understand, you cannot have service with thousands and thousands of positions being vacant because you don't want to spend the money.

That is at one of the cores; it may not be the most fundamental reason. That is one of the reasons at least why we can't provide service.

The Acting CHAIR (Mr. BYRNE). The Committee will rise informally.

The Speaker pro tempore (Mrs. WALORSKI) assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

VA ACCOUNTABILITY ACT OF 2015

The Committee resumed its sitting.

Mr. MILLER of Florida. Mr. Chairman, I don't believe I have mentioned

the unions one time, but I now think I understand why the disparity in the vote. The senior executive level that we passed the accountability for last year is nonunionized, and the people that we are talking about today are unionized.

I yield 2 minutes to the gentleman from the First District of Tennessee (Mr. ROE).

Mr. ROE of Tennessee. Mr. Chairman, it is a pleasure to join my colleagues on the House floor today to speak in support of H.R. 1994, the VA Accountability Act, as amended.

I would like to begin by noting that most of the VA's 300,000-plus employees are honest, hard-working folks who get up every day and go to work with the sole intention of helping our veterans, just as they do at Mountain Home VA Medical Center in my hometown of Johnson City, Tennessee.

With the scandals at the VA medical centers and reports of whistleblower retribution, it has become evident that there are more bad apples than we would like to believe.

The VA Accountability Act would provide the flexibility necessary for the Secretary of Veterans Affairs to remove these bad actors and send a message about the type of performance that we expect for our veterans.

Additionally, this bill would provide frontline employees with increased whistleblower protections from retribution from superiors and colleagues through the office of special counsel.

As a member of the Veterans' Affairs Subcommittee on Oversight and Investigations and as a veteran myself, I understand how crucial it is for whistleblowers to continue coming forward with allegations of mismanagement, misconduct, and outright negligence. If whistleblowers don't feel safe stepping forward, we will never, never be able to fix the problems at the VA.

I think it is important to note that nothing in this bill compels the Secretary to remove anyone. Let me say that again. Nothing in this bill requires the Secretary to remove anyone. It simply gives the Secretary the tools necessary to remove bad employees, which would be a welcomed authority, I would think.

Mr. Chairman, we must change the culture at the VA. As the second largest employing Department in the U.S. Government, second only to the Department of Defense, there are far too many bureaucratic hurdles in place to reasonably and responsibly manage it.

Just one thing about spending at the VA, Mr. Chairman, I have been on the Veterans' Affairs Committee since I have been in Congress, 6½ years. The budget is up 74 percent. We are spending the money. We need to spend it more wisely.

I urge my colleagues to support this legislation for our Nation's veterans.

Mr. TAKANO. Mr. Chairman, I am glad that my colleagues on the other side believe that we need to protect whistleblowers. It is precisely the at-

will nature, making all of the 200,000 employees of the VA at-will employees, which makes them more vulnerable to the caprices of managers and makes them less likely to want to come forward as whistleblowers.

I yield 2 minutes to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Mr. Chairman, I rise to oppose H.R. 1994, which seeks to transform 300,000 VA personnel to what we call at-will employees, capable of being fired based on anything, including their beliefs and not their merit necessarily. It effectively destroys the civil service as it is and as we know it at the VA.

Now, some jaded colleagues of mine would look at this bill and say it is just a clever attempt to drive a wedge between our Nation's veterans—all of whom we ardently support on both sides of the aisle—between those veterans and the civil servants who serve them at the VA and the unions that represent them.

This bill strips due process rights away from every nonmanagement VA employee, including over 100,000 veterans. That is the key, is that there are 100,000 veterans themselves affected by this bill; and they will lose rights as a result if this bill passes.

Now, H.R. 1994 will have a chilling effect on those willing to speak out, and that has been addressed amply heretofore, but I am here to say it goes beyond whistleblowers. Whistleblowers in this country have a lot of protections.

This goes beyond whistleblowers because, remember, a lot of the bad actors at the VA that have led to the Phoenix situation and the others that we have seen are management people.

Think of it. If we take away the due process rights of employees, not only who would serve as whistleblowers to blow the whistle on bad management conduct, but we take away their rights to due process before they lose their jobs; what we are doing to them is that we are perpetuating this culture of tacit compliance with bad actor managers at VA.

For example, if an employee simply doesn't want to go along with an improper and an unethical practice that a manager is asking him or her to do, that employee right now can say: No, I am not going to do it.

If we pass this bill and they refuse to do it, they can be fired for not doing it. This is not the way to serve our Nation's veterans.

Mr. MILLER of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK), chairman of the Health Subcommittee.

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Mr. BENISHEK. Mr. Chairman, today I rise in support of H.R. 1994, legislation to allow the VA Secretary to fire employees because of poor performance or misconduct. I want to thank Chairman MILLER for his strong leadership on this bill.

The VA Committee has been relentless in our pursuit of answers and accountability for our veterans since the