

INTRODUCTION OF H.R. 1703, DEPARTMENT OF VETERANS AFFAIRS EMPLOYMENT DISCRIMINATION PREVENTION ACT

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. EVANS. Mr. Speaker, as you know, the problem of sexual harassment is not new to our society, let alone our Federal work force. It has been only in the past decade or so, however, that we in Congress have begun to truly recognize the depths of the problem and attempted to eliminate it from the workplace—even if such harassment comes from the highest levels of management.

As recent testimony before the House Veterans Affairs Subcommittee on Oversight and Investigations has revealed, sexual harassment has been no stranger to the Department of Veterans Affairs [VA] over the past few years. Despite what I consider the sincere efforts of VA Secretary Jesse Brown, the VA's zero tolerance policy against sexual harassment has failed.

In one highly publicized case brought to light during hearings last month, several VA employees had the courage to raise serious, substantiated allegations of sexual harassment against their boss, the Director of the Fayetteville, NC, facility. One employee was demoted after she rejected the Director's advances. When the filed charges of harassment with her immediate supervisor she was told she had little chance of succeeding on her claim because the accused was a powerful hospital director. In open testimony before our committee, she testified under oath that life had become so difficult for her at the facility that she was literally afraid to go to work each day, and ultimately transferred at her own expense to another VA hospital to get away from the Fayetteville Director.

Other employees testified that the same Director commonly made references to various parts of their female anatomy, commonly used profanity, and made sexually suggestive comments toward them, and in one case grabbed an employee's breasts at a Christmas party. Still, when some of these women attempted to file charges of harassment against the Director, local and regional VA counsels discouraged them from pursuing such claims and provided incorrect information concerning how and when to file discrimination charges.

Even amidst substantiated allegations of harassment and abusive treatment of women in the Fayetteville, NC, facility, the VA's solution was to transfer the Fayetteville Director to sunny Bay Pines, FL—the Director's planned retirement destination—with a pay increase and lessened responsibilities. The VA also paid his moving expenses, and specifically allowed him to be considered for a return to the Senior Executive Service [SES] in 3 years. The female victims of the Director's abuse, meanwhile, continue to suffer the lingering traumatic effects of his harassment.

Unfortunately, little has changed in the VA workplace since 1992, when I first chaired oversight subcommittee hearings on this issue. At that time, we heard equally compelling testimony from a legion of women who also were subjected to abusive and hostile treatment by senior level managers in the VA

workplace. Incredibly, one woman who testified during the 1992 hearing presently remains on disability leave from the VA, still unable to return to work because of the emotional trauma she suffered at the hands of her senior level VA harasser.

That is why today I am pleased to join as an original cosponsor of the Department of Veterans Affairs Employment Discrimination Prevention Act. This bipartisan legislation, introduced today in the House, revamps the way VA investigates internal allegations of sexual harassment by, and against, its own employees and seeks to bring confidence and trust to the EEO process at the VA.

Boiled down to its essence, this legislation changes the way charges of harassment and other discrimination claims are handled within the VA; instead of allowing claims to be investigated by poorly trained collateral duty employees at the very facility where the harassment or discrimination is said to exist, our bill requires that all such claims be investigated and reviewed by well-trained central office employment law experts with no direct ties to the VA facility where the discrimination has allegedly occurred. In addition, the bill calls for the final agency determination to be made by independent administrative law judges [ALJ's] rather than VA bureaucrats.

This bill will help ensure that well-trained specialists investigate such claims, and will directly address the all-too-familiar scenario where a poorly trained, lower level VA employee is asked to investigate harassment or discrimination charges against a senior official who may have everything to say about his or her continued employment with the agency.

I sponsored a nearly identical version of this legislation which overwhelmingly passed the House in the 103d Congress, but was never acted on in the Senate. At that time, the VA believed that a proposed Government-wide reform of the equal employment opportunity [EEO] processes at all Federal agencies would occur. The VA opposed the legislation on that basis, and also indicated that many of the changes called for in the bill could be made administratively.

Nearly 5 years later there has been no Government-wide reform of the EEO process, there has been no major overhaul of the VA EEO administrative process, and the VA's well-intentioned zero tolerance policy has proven to be ineffective.

We cannot be expected to wait any longer for meaningful reform of the VA EEO process to occur. More importantly, this Nation's veterans and the VA employees dedicated to serving them cannot be expected to wait any longer for meaningful action and honest reform.

By enacting this legislation, we in Congress can help put the VA back on the path toward eradicating discrimination at the work place. Our veterans and VA employees deserve no less.

FIFTH AND SIXTH GRADERS SPEAK OUT—IT'S TIME FOR A NATIONAL HOLIDAY TO HONOR WOMEN'S ACHIEVEMENTS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. FILNER. Mr. Speaker and colleagues, I rise to give voice to the views of Sheila LeCompte's fifth and sixth grade students at Clear View Charter School in Chula Vista, CA, who have argued forcefully for a national holiday to honor 1 of 10 women whom they believe are worthy of this recognition.

One of the students, Diana Camacho, has it right when she says: "Not one woman has been celebrated with a holiday, even when they have accomplished just as much as the men. Considering that now we are all treated equal, I believe famous women who changed the world need credit."

Diana suggests that Marie Curie should be honored with a holiday: "She changed the world dramatically through her medical discoveries. She was the first person to win two Nobel prizes."

The 11- to 12-year-old children's nominations for a national holiday run from the well-known to more obscure, but nevertheless very deserving, women. Former First Lady Eleanor Roosevelt was picked by Taylor Barnes and Paul Hernandez. Ernest Joseph Z. Castillo nominated Susan B. Anthony who fought for woman's right to vote.

Brian P. Trick suggests that the "mother of modern computers," Grace Hopper, be nominated. He feels strongly about a honor: "Women are important in making our society a better place for many generations to come. . . . She was the one that said that computers could understand English and worked to prove it. Because of her work, we are able to have personal computers and other tools without special training."

Jean-Marc Apalategui and Alen Cabandong nominate 19th Century suffragist, anti-slavery activist, and former slave Sojourner Truth for a national holiday.

Christopher Del Rio would like Harriet Tubman's birthday to be declared a national holiday. He called her the "mother of the civil rights movement."

Singer Ella Fitzgerald gets Reuben Felizardo's vote, and Juliette Lowe, the founder of the Girl Scouts of America, is Andy Castiglione's nomination. Aviator Amelia Earhart was the pick of Kevin Han and Jennifer Olsen.

These women are all worthy role models and national heroes.

I agree with these students. A national holiday for one of this Nation's outstanding women will motivate girls and young women. They can stand on the shoulders of these great women. Mr. Speaker and colleagues, listen again to Diana Camacho's convincing reasons to honor Madam Curie—her choice for a national holiday: "When I read about her, I got inspired to do better in everything I do. So with a holiday, just think of the influence it could have on young girls who learned about her! If we did this, it would change the way people look at women, because it would send the message that women can do great things just like men can—and be noticed. It would change the world just like Marie Curie did."

It's time for a national holiday to honor one of our women of achievement.

A SPECIAL TRIBUTE TO THE LATE
GOVERNOR PETER TALI COLEMAN
OF AMERICAN SAMOA

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. FALEOMAVAEGA. Mr. Speaker, I rise to honor the memory of a distinguished Pacific leader, the late Uifa'atali Peter Coleman, former Governor of American Samoa, who passed away last month after a long battle with cancer. A dedicated public servant with more than 50 years of public service, Governor Coleman was our first American Samoan statesman, a Pacific American with a truly regional vision. It is that vision for which he will always be remembered by our people.

He was someone important for whom I had tremendous respect. Governor Coleman was always cordial and courteous to me and always extended the hand of friendship. Although we disagreed on certain issues, we agreed on many others, and among them the importance of a strong American presence in the Pacific region.

I learned from him how to handle the stress of political life, how to take the storms in stride and never make a disagreement into a personal matter. He was the kind of individual of whom political opponents like former Governor A.P. Lutali could say, "Uifa'atali and I may have been adversaries in politics, but in life we were always friends."

Mr. Speaker, Governor Coleman exemplified all the traits of a true Samoan leader. He was a soldier and a warrior, a pioneer and a man of vision, a statesman and a man of wisdom. He possessed that quality which Samoans value most in our leaders, that of tofa mamao, which denotes a leader with a sense of vision or understanding and anticipating future events. Above all, Governor Coleman was a humble person who thought less of how he would be remembered in the future than of what he could accomplish today.

Uifa'atali Peter Coleman was born on December 8, 1919, in Pago Pago, American Samoa. He received his elementary school education in Tutuila and graduated from St. Louis High School in Honolulu, where he joined the National Guard and enlisted in the U.S. Army at the beginning of World War II. Assigned to the Pacific theater, he was stationed in the Solomon Islands, Vanuatu and Hawaii. By the end of the war, he had risen to the rank of captain. In 1982, for his military service, he was inducted into the U.S. Army Officers' Candidate School Hall of Fame in Fort Benning, GA.

After the war, Governor Coleman enrolled in Georgetown University, and in 1949 he received a bachelor of science degree in economics from that institution. While in college he worked as a staff secretary to a Member of Congress, became a member of the U.S. Capitol Police Force and in what was then the Office of Territories at the U.S. Department of

the Interior. He became the first Samoan to my knowledge to receive a law degree from a major U.S. university. After that, he returned to American Samoa, where he became the first Samoan to serve as public defender and later became attorney general.

In 1956, he was appointed Governor of American Samoa by President Eisenhower, one of the first Pacific Islanders to serve as governor in the Pacific. He held that position until 1961.

During those years he chaired the Convention which drafted American Samoa's Constitution and his administration laid the foundation for what has later become known as the American Samoa Government. To properly understand his achievements, Mr. Speaker, we must remember that at that time he had limited resources and hardly any staff to speak of—i.e., there were no younger, educated American Samoans to fill the positions in government. All that came later.

From 1961 until 1965, Governor Coleman served as Administrator of what is now the Republic of the Marshall Islands. So great was the regard in which he was held that he became, by special act of the Nitijela (the Marshallese Parliament) the first U.S. citizen ever accorded an honorary Marshall Islands citizenship.

During his subsequent 17 years in the northern Pacific, Governor Coleman served as Deputy High Commissioner of the U.S. Trust Territory of the Pacific Islands and, subsequently, as Acting High Commissioner, which position he held until 1977. His performance firmly established him as a regional statesman.

When American Samoa held its first gubernatorial election in 1977, he ran for office and became the first elected Governor, a position which he held three times. During his elected years in office, he continued to forge close ties between the territory government and Washington DC and with Federal and State agencies and institutions. He was responsible for American Samoa's membership in both the National Governors Association and the Regional Western Governors Association. In 1980 he became the first territorial Governor to serve as chairman of the Western Governors Conference. He was elected a member of the executive committee of the NGA in 1990.

As a regional leader, Mr. Speaker, Governor Coleman's record is equally distinguished. He co-founded the Pacific Basin Development Council in 1980 and was its first elected President in 1982. In 1982 he hosted and chaired the South Pacific Commission's annual conference in Pago Pago, American Samoa. At a special SPC meeting in 1983 and later in a conference in Saipan, he argued strenuously for equal membership in SPC for Pacific territories. This he ultimately was successful in obtaining for the territories.

He was two times a member of the standing committee of the Pacific Islands Conference of Leaders. He was on the founding board of the Pan-Pacific Alliance for Trade and Development and a founding member of the Offshore Governor's Forum, which he chaired from 1992 to 1993.

Governor Coleman was loved and respected by the people he served—both in

American Samoa and in the region. I know that everyone who ever had the privilege of working with him had tremendous respect for his common sense, his intelligence, and his decency.

His generosity of spirit was well-known. He was a role model and a mentor to many young people, myself included. As he gained political stature, he helped younger aspiring leaders—he opened up windows of opportunity and it is as a mentor that many of us will remember him best. From the "teaching stories" he shared to the examples of achievement which his own life offered, he inspired many of us to consider public service. As my distinguished colleague from Guam, Congressman ROBERT UNDERWOOD, has said, "He accurately saw himself as a developer of indigenous governments, bringing Pacific islanders to full recognition of their right to self-government and their capacity to implement the same."

His regional stature was widely acknowledged, Mr. Speaker. In 1970 he was granted an honorary degree by the University of Guam, who cited him as a "Man of the Pacific." In 1978, he received an honorary doctorate from Chaminade College in Hawaii, Pacific Magazine called him, "a man who is probably on a first name basis with everybody from the heart of the Pacific islands to their most distant corners."

This stature as a regional leader led to a number of special assignments. He was a member of numerous U.S. delegations to treaty negotiations, observances and regional conferences, among them the U.S. delegation which negotiated the 1981 Treaties of Friendship with Kiribati, Tuvalu, Tokelau and the Cook Islands, the second Pacific Islands Conference of Leaders in Rarotonga in 1985, the Pacific Democrat Union Conference in Fiji in 1987, the centenary observance of the U.S. Tonga Treaty of Friendship in 1988, and the American Samoa delegation to the Wellington Conference which banned driftnet fishing in the South Pacific in 1989.

In the words of his longtime political rival, former Governor A.P. Lutali, "I am proud that my friend Uifa'atali earned a place in history for his devotion and service to our people and the peoples of the Pacific." Whether we remember the dedicated public servant, the leader, the regional statesman, the role model for Pacific youth, the good friend whose personal warmth was always evident—or any of his other remarkable aspects, we all mourn his loss.

What stands out in my mind is Governor Coleman's regional stature. Here was a man, a Pacific islander, who saw beyond the shores of his own island—a man who clearly saw the link between the welfare of American Samoa and the welfare of other Pacific islanders. He fought for a responsible U.S. presence in the region, he cofounded, encouraged, and nurtured regional organizations and he inspired a whole generation of young Pacific islanders to strive to better themselves by following his example and his vision.