

Ms. FOXX. Mr. Speaker, on February 18, the State of North Carolina lost one of its most generous and devoted public servants when former Congressman Cass Ballenger passed away at the age of 88.

Cass served 38 years in public office and was a beloved colleague to many who serve in this Chamber for 18 of those years. He never lost an election, which tells you plenty about the honesty and tenacity with which he lived his life.

In addition to his reputation as a straight-talking legislator who reformed the Occupational Safety and Health Administration, he was known for his extensive humanitarian efforts in Latin America, where he helped build medical clinics, supported orphanages, and delivered medical and relief supplies with his wife, Donna.

Although I never had the opportunity to serve with Cass in Congress, I considered it a great privilege to know this remarkable man and always looked forward to seeing him when our paths crossed in North Carolina. Cass was a man of integrity who said exactly what he thought and fought for what he believed was right. He will be greatly missed.

DHS SHUTDOWN

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, well this week in Congress it is *deja vu* all over again.

Last week, instead of bringing up a clean, long-term funding bill for the Department of Homeland Security, the House again kicked the can down the road. We know that we need to keep open and keep funding the operations of the Department, and we certainly can't make this yet another manufactured political crisis this week.

We know, and everybody in this Hall knows, that there is support in the House, bipartisan support, for a clean Homeland Security bill. I don't know precisely what the numbers are, but more and more we hear from our friends on the Republican side that they would like to see a vote to fully fund DHS for the remainder of the year, and then take up in regular order the process of determining what immigration policy ought to look like in this country.

We have big problems in this Nation. We have big challenges across the globe. We need to focus our attention on getting an economy that works for everyone and not continue to fight battles over manufactured political crises intended to pander to the smallest minds in this body. That is not the way the American people want us to work. We need to get back to the business of the American people.

NATIONAL FFA WEEK

(Mr. NEWHOUSE asked and was given permission to address the House for 1 minute.)

Mr. NEWHOUSE. Mr. Speaker, last week we celebrated National FFA Week and the national FFA organization's more than 80 years of commitment to providing students with a path to leadership and career success through agricultural education. This year's theme, "Go All Out," asks more than 600,000 students from over 7,600 local FFA chapters to "go all out for agriculture" and show their communities how they live the FFA motto: Learning to Do, Doing to Learn, Earning to Live, Living to Serve.

As a former FFA member, I have always been impressed with how well FFA helps hone certain skills and prepare students for the future. I find that FFA not only helps to advance their knowledge of agriculture and develop community relationships, but you can always tell an FFA student by how articulate and well-spoken they are.

My own experience in FFA not only helped shape my career as a farmer but also prepared me to represent the Fourth District of Washington State.

Mr. Speaker, please join me in congratulating the FFA on 80 years of commitment to agriculture and education.

DHS SHUTDOWN

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

Mr. VARGAS. Mr. Speaker, I rise today on behalf of the millions of Americans who are concerned about the state of our national security. In today's world, we face many threats from foreign enemies who intend to do us harm. Americans expect that Congress will fulfill its duty to act in the best interests of those we serve. The question of whether or not to fund the Department of Homeland Security should never even be up for debate. I respect the difference of opinions some of my colleagues hold with respect to the President's recent executive action on immigration. But taking hostage a funding bill that is intended to keep American families safe in order to get what you want is reckless, and it is not the way this body was intended to function.

Let's pass a clean DHS funding bill, and then let's have a serious debate on immigration. We need to find a comprehensive solution to our immigration challenges, and the only way to do that is by working together to pass a bipartisan bill. Let's utilize this Chamber to debate and pass meaningful legislation, and let's start right now by approving the Department of Homeland Security funding for the remainder of the fiscal year.

HONORING THE LIFE OF KENNETH LEHR

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor the life of a man who was dedicated to protecting and serving the public. Kenneth Lehr, the fire chief for the village of Medora in Macoupin County, Illinois, died in the line of duty earlier this month.

Chief Lehr was entering his 21st year as a member of the Medora Fire Department and had served as fire chief since 2006.

While preparing to respond to a 911 call on February 5, Chief Lehr was struck by a firetruck that was heading to the scene. This tragic event reminds us all to never forget the selflessness and sacrifices our first responders make on our behalf, especially when many give their lives for our safety.

Earlier this month, more than 500 first responders, family, and friends packed the gymnasium at Southwestern High School in Piasa, Illinois, to pay their respects to Chief Lehr. Some firefighters traveled more than 2 hours to honor Chief Lehr.

Friends and coworkers of Chief Lehr noted his unwavering willingness to help others, both as fire chief and as a member of the Medora community. Chief Lehr is survived by his wife, one son, and three grandsons. My thoughts and this House's thoughts and prayers are with his family, friends, and the Medora community as they continue to mourn.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Friday, February 27, 2015:

H.R. 33, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1702

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BYRNE) at 5 o'clock and 2 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 on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

AUTHORIZING SECRETARY OF VETERANS AFFAIRS TO RECOUP BONUSES AND AWARDS

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 280) to authorize the Secretary of Veterans Affairs to recoup bonuses and awards paid to employees of the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 280

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO RECOUP BONUSES OR AWARDS PAID TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 715. Recoupment of bonuses or awards paid to employees of Department

“(a) RECOUPMENT.—Notwithstanding any other provision of law, the Secretary may issue an order directing an employee of the Department to repay the amount, or a portion of the amount, of any award or bonus paid to the employee under title 5, including under chapters 45 or 53 of such title, or this title if—

“(1) the Secretary determines such repayment appropriate pursuant to regulations prescribed under subsection (c); and

“(2) before such repayment, the employee is afforded notice and an opportunity for a hearing conducted by another department or agency of the Federal Government.

“(b) REVIEW.—A decision regarding a repayment by an employee pursuant to subsection (a)(2) is final and may not be reviewed by any department or agency or any court.

“(c) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is further amended by adding at the end the following new item:

“715. Recoupment of bonuses or awards paid to employees of Department.”

(c) EFFECTIVE DATE.—Section 715 of title 38, United States Code, as added by subsection (a), shall apply with respect to an award or bonus paid by the Secretary of Veterans Affairs to an employee of the Department of Veterans Affairs before, on, or after the date of the enactment of this Act.

(d) CONSTRUCTION.—Nothing in this Act or the amendments made by this Act may be construed to modify the certification issued by the Office of Personnel Management and the Office of Management and Budget regarding the performance appraisal system of the Senior Executive Service of the Department of Veterans Affairs.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. I yield myself such time as I may consume.

Mr. Speaker, H.R. 280, as amended, is similar to a bill that I introduced last

Congress. I would like to thank my friend Mr. CHAFFETZ for helping us bring this bill to the floor today. It would authorize and provide for the Secretary to have the authority to rescind a bonus or a performance award from VA employees when the Secretary deems it appropriate. To ensure a fair process, the provision would also give the employee an opportunity to hold a hearing on the Secretary's decision to recoup that bonus.

Now, I proposed this legislation last Congress because VA had given the Committee on Veterans' Affairs conflicting statements whether or not they had the authority, and later they confirmed that they did not have that authority. So it is clear to me that this is still an authority that the Secretary still needs as more and more investigations, in fact, are being completed by the Department, the VA inspector general, and the Committee on Veterans' Affairs.

As these investigations into falsified wait times, data manipulation, and several other issues at the VA continue, I hope this authority will be applied appropriately and that it will be utilized as yet another tool for the Secretary to use to instill true accountability throughout his agency on behalf of America's veterans.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, February 26, 2015.

Hon. JEFF MILLER,
Chairman, Committee on Veterans' Affairs,
Cannon House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 280, to authorize the Secretary of Veterans Affairs to recoup bonuses and awards paid to employees of the Department of Veterans Affairs. As you know, the Committee on Veterans' Affairs received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on January 12, 2015. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego action on the bill.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 280 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Veterans' Affairs, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, February 27, 2015.
Hon. JASON CHAFFETZ,
Chairman, House Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: In reference to your letter on February 26, 2015, I write to confirm our mutual understanding regarding H.R. 280, as amended, “To authorize the Secretary of Veterans Affairs to recoup bonuses and awards paid to employees of the Department of Veterans Affairs.”

I appreciate the House Committee on Oversight and Government Reform's waiver of consideration of provisions under its jurisdiction and its subject matter as specified in your letter. I acknowledge that the waiver was granted only to expedite floor consideration of H.R. 280, as amended, and does not in any way waive or diminish the House Committee on Oversight and Government Reform's jurisdictional interests over this legislation or similar legislation. I will support a request from the House Committee on Oversight and Government Reform for appointment to any House-Senate conference on H.R. 280, as amended.

Again, thank you for your assistance with these matters.

With warm personal regards, I am

Sincerely,

JEFF MILLER,
Chairman.

Ms. BROWN of Florida. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 280, as amended. This measure would provide the Secretary of Veterans Affairs with the authority to issue an order directing an employee of the VA to repay a bonus or a portion of the bonus provided to that employee. H.R. 280 provides the Secretary may do this if the Secretary determines that the repayment is appropriate. This authority would apply to an award or a bonus paid by the VA before, on, or after the date of the enactment of H.R. 280. The bill provides that any affected employee be provided with notice and the opportunity for a hearing conducted by another agency or department.

I support this measure, but I want to take this opportunity to address a few concerns for the RECORD.

I believe that the Secretary should have a limited authority, beyond administrative error, to recoup a bonus paid to the VA employee when the underlying basis of that bonus is false or the result of wrongdoing, fraud, or criminal conduct by the employee. I hope that the Secretary will use this broad grant of rulemaking authority provided in H.R. 280 to provide narrow and specific grounds for recoupment.

Secondly, I am concerned about the application of this authority to bonuses provided before the date of the enactment. I know that Chairman MILLER and all of us are concerned over bonuses that may have been awarded over the last number of years to VA managers who took activities, steps to cover up the delay and wait time faced by our veterans. Even though I am unhappy with their action, I would not like to see the authority provided to the Secretary under the bill to be done away with because of a constitutional challenge to this authority.