

traumatic stress. Now we must responsibly ask ourselves: Are we doing enough when it comes to addressing mental health in our veteran population?

Recent data has shown that every day in this country approximately 18 to 22 veterans take their own lives. This statistic answers the question I posed earlier. It is obvious more needs to be done.

Far too often we have heard of situations in which our veterans are being overprescribed opioids and antipsychotics. While traditional forms of therapies may work for some, tailoring therapies to the veterans and finding the balance between traditional and complementary, alternative treatments could be the difference in saving lives.

Late last year I met with a veteran who was able to tell me just how much alternative treatments have improved his life. His treatment plan to address his PTS and physical injuries consisted of over 30 different pills every day. He told me how much this affected him. He said he felt hopeless and wasn't quite himself anymore.

He then decided to take control of his life again and looked for an alternative. He found an alternative treatment in training and in caring for a service dog.

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Now, his treatment includes one multivitamin, one other medication, and a four-legged companion that never leaves his side.

The COVER Act is the next piece in a working formula to heal our veterans, mentally and physically. It will pave the way toward the inclusion of these complementary alternative therapies at the VA.

These therapies include, but certainly are not limited to, service animal therapy, yoga therapy, acupuncture, equine therapy, and accelerated resolution therapy. Mr. Speaker, I have heard the stories from these veterans, and these therapies really work. They need access to these therapies. At a recent town hall, I even heard about the benefits of martial arts. The martial arts were treating PTS.

Mr. Speaker, when treating mental health issues, one size does not fit all. Please support this good bill.

Ms. BROWN of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. BENISHEK. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. ROE), my colleague and a fellow physician on the Veterans' Affairs Committee.

Mr. ROE of Tennessee. Mr. Speaker, I rise in strong support of H.R. 2256, as amended, which includes a bill I introduced, H.R. 1016, the Biological Implant Tracking and Veteran Safety Act.

A frightening January 2014 GAO report found that the VA does not use a standardized process for tracking biological tissue from a cadaver to a liv-

ing donor veteran patient. In the event of a recall, it would be virtually impossible to track down which patient had received contaminated tissue. GAO also found that the Veterans Health Administration does not always ensure it is purchasing tissue from biological implant vendors that have registered with the FDA and does not maintain an inventory system to prevent expired tissue from remaining in storage alongside unexpired tissues.

The GAO and Veterans' Affairs Committee staff have discovered that VA often uses a loophole that allows it to purchase biological implants on the open, unregulated market, which it does in 57 percent of its biological implant purchases. This bill would require the procurement of biological implants from vendors on the Federal supply schedules which have been appropriately vetted. For biological implants not on the Federal supply schedule but requested by clinicians, my bill requires justification and approval of open market purchases under the Federal acquisition regulation on a case-by-case basis rather than simply granting a blanket waiver.

This bill would also direct the Secretary of Veterans Affairs to adopt FDA's unique device identification system for labeling of all biological implant tissue and implement an automated inventory system to track the tissue from donor to implant recipient. This legislation would also require all biological implant tissue to be procured through vendors that are registered with the FDA, accredited by the American Association of Tissue Banks, and use FDA's unique device identification system.

The 6 million veterans served annually by VHA deserve the highest standard of patient care in the Nation. Implementation of H.R. 2256 would help establish the VA as an industry leader in biologic implant safety and accountability.

I want to thank the Oversight and Investigations Subcommittee staff for their help in developing this legislation which truly puts veterans first.

Ms. BROWN of Florida. Mr. Speaker, I ask my colleagues to join me in supporting this legislation.

I yield back the balance of my time.

Mr. BENISHEK. Mr. Speaker, I appreciate the gentlewoman's support, and I again encourage all Members to support H.R. 2256, as amended.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. BENISHEK) that the House suspend the rules and pass the bill, H.R. 2256, as amended.

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. BENISHEK. 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 pro-

ceedings on this motion will be postponed.

#### PERMISSION TO FILE SUPPLEMENTAL REPORT ON H.R. 1599, SAFE AND ACCURATE FOOD LABELING ACT OF 2015

Mr. CONAWAY. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be authorized to file a supplemental report on the bill H.R. 1599.

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

There was no objection.

#### FTO PASSPORT REVOCATION ACT OF 2015

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 237) to authorize the revocation or denial of passports and passport cards to individuals affiliated with foreign terrorist organizations, and for other purposes, as amended.

The Clerk read the title of the bill.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 days to revise and extend their remarks and to include any extraneous material on this measure for the RECORD.

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

There was no objection.

Mr. ROYCE. Mr. Speaker, I ask unanimous consent at this time to withdraw the motion to suspend the rules.

The SPEAKER pro tempore. The motion is withdrawn.

#### FEDERAL EMPLOYEE ANTIDISCRIMINATION ACT OF 2015

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1557) to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal government, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1557

*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 "Federal Employee Antidiscrimination Act of 2015".

#### SEC. 2. SENSE OF CONGRESS.

Section 102 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) in paragraph (4), to read as follows:

"(4) accountability in the enforcement of Federal employee rights is furthered when Federal agencies take appropriate disciplinary action against Federal employees who

have been found to have committed discriminatory or retaliatory acts;” and

(2) in paragraph (5)(A)—

(A) by striking “nor is accountability” and inserting “but accountability is not”; and

(B) by inserting “for what by law the agency is responsible” after “under this Act”.

### SEC. 3. NOTIFICATION OF VIOLATION.

Section 202 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

“(d) NOTIFICATION OF FINAL AGENCY ACTION.—

“(1) Not later than 30 days after a Federal agency takes final action or the Equal Employment Opportunity Commission issues an appellate decision involving a finding of discrimination or retaliation prohibited by a provision of law covered by paragraphs (1) or (2) of section 201(a), as applicable, the head of the agency subject to the finding shall provide notice for at least 1 year on the agency’s Internet Web site in a clear and prominent location linked directly from the agency’s Internet home page stating that a finding of discrimination or retaliation has been made.

“(2) The notification shall identify the date the finding was made, the date or dates on which the discriminatory or retaliatory act or acts occurred, and the law or laws violated by the discriminatory or retaliatory act or acts. The notification shall also advise Federal employees of the rights and protections available under the respective provisions of law covered by paragraphs (1) or (2) of section 201(a).”.

### SEC. 4. REPORTING REQUIREMENTS.

(a) ELECTRONIC FORMAT REQUIREMENT.—

(1) IN GENERAL.—Section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by inserting “(in an electronic format prescribed by the Office of Personnel Management)” after “an annual report”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date that is 1 year after the date of enactment of this Act.

(3) TRANSITION PERIOD.—Notwithstanding the requirements of section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note), the report required under such section may be submitted in an electronic format, as prescribed by the Office of Personnel Management, during the period beginning on the date of enactment of this Act and ending on the effective date in paragraph (2).

(b) REPORTING REQUIREMENT FOR DISCIPLINARY ACTION.—Section 203 of such Act is amended by adding at the end the following:

“(c) DISCIPLINARY ACTION REPORT.—Not later than 60 days after the date on which a Federal agency takes final action or an agency receives an appellate decision issued by the Equal Employment Opportunity Commission involving a finding of discrimination or retaliation in violation of a provision of law covered by paragraphs (1) or (2) of section 201(a), as applicable, the employing Federal agency shall submit to the Commission a report stating whether disciplinary action has been initiated against a Federal employee as a result of the violation.”.

### SEC. 5. DATA TO BE POSTED BY EMPLOYING FEDERAL AGENCIES.

Section 301(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) in paragraph (9)—

(A) in subparagraph (A), by striking “and” at the end;

(B) in subparagraph (B)(ii), by striking the period at the end and inserting “, and”; and

(C) by adding at the end the following:

“(C) for each such finding counted under subparagraph (A), the agency shall specify—

“(i) the date of the finding,

“(ii) the affected agency,

“(iii) the law violated, and

“(iv) whether a decision has been made regarding necessary disciplinary action as a result of the finding.”; and

(2) by adding at the end the following:

“(11) Data regarding each class action complaint filed against the agency alleging discrimination or retaliation, including—

“(A) information regarding the date on which each complaint was filed,

“(B) a general summary of the allegations alleged in the complaint,

“(C) an estimate of the total number of plaintiffs joined in the complaint if known,

“(D) the current status of the complaint, including whether the class has been certified, and

“(E) the case numbers for the civil actions in which discrimination or retaliation has been found.”.

### SEC. 6. DATA TO BE POSTED BY THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

Section 302(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by striking “(10)” and inserting “(11)”.

### SEC. 7. NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION ACT AMENDMENTS.

(a) NOTIFICATION REQUIREMENTS.—The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding after section 206 the following:

#### “SEC. 207. COMPLAINT TRACKING.

“Not later than 1 year after the date of enactment of the Federal Employee Antidiscrimination Act of 2015, each Federal agency shall establish a system to track each complaint of discrimination arising under section 2302(b)(1) of title 5, United States Code, and adjudicated through the Equal Employment Opportunity process from inception to resolution of the complaint, including whether a decision has been made regarding necessary disciplinary action as the result of a finding of discrimination.

#### “SEC. 208. NOTATION IN PERSONNEL RECORD.

“If an agency takes an adverse action covered under section 7512 of title 5, United States Code, against an employee for an act of discrimination or retaliation prohibited by a provision of law covered by paragraphs (1) or (2) of section 201(a), the agency shall, after all appeals relating to such action have been exhausted, include a notation of the adverse action and the reason for the action in the employee’s personnel record.”.

(b) PROCESSING AND REFERRAL.—The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

#### “TITLE IV—PROCESSING AND REFERRAL

##### “SEC. 401. PROCESSING AND RESOLUTION OF COMPLAINTS.

“Each Federal agency is responsible for the fair, impartial, processing and resolution of complaints of employment discrimination and retaliation arising in the Federal administrative process and shall establish a model Equal Employment Opportunity Program that—

“(1) is not under the control, either structurally or practically, of a Human Capital or General Counsel office;

“(2) is devoid of internal conflicts of interest and ensures fairness and inclusiveness within the organization; and

“(3) ensures the efficient and fair resolution of complaints alleging discrimination or retaliation.

##### “SEC. 402. NO LIMITATION ON HUMAN CAPITAL OR GENERAL COUNSEL ADVICE.

“Nothing in this title shall prevent a Federal agency’s Human Capital or General Counsel office from providing advice or counsel to agency personnel on the processing and resolution of a complaint, including providing legal representation to an agency in any proceeding.

##### “SEC. 403. HEAD OF PROGRAM REPORTS TO HEAD OF AGENCY.

“The head of each Federal agency’s Equal Employment Opportunity Program shall report directly to the head of the agency.

##### “SEC. 404. REFERRALS OF FINDINGS OF DISCRIMINATION.

“(a) EEOC FINDINGS OF DISCRIMINATION.—Not later than 30 days after the Equal Employment Opportunity Commission issues an appellate decision involving a finding of discrimination or retaliation within a Federal agency the Commission shall refer the matter to the Office of Special Counsel.

“(b) REFERRALS TO SPECIAL COUNSEL.—The Office of Special Counsel shall accept and review a referral from the Commission under subsection (a) for purposes of seeking disciplinary action under its authority against an Federal employee who commits an act of discrimination or retaliation.

“(c) NOTIFICATION.—The Office of Special Counsel shall notify the Commission in a case in which the Office of Special Counsel initiates disciplinary action.

“(d) SPECIAL COUNSEL APPROVAL.—An agency may not take disciplinary action against a Federal employee for an alleged act of discrimination or retaliation referred by the Commission under this section except in accordance with the requirements of section 1214(f) of title 5, United States Code.”.

(c) CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) by inserting after the item relating to section 206 the following:

“Sec. 207. Complaint tracking.

“Sec. 208. Notation in personnel record.”; and

(2) by adding at the end the following:

“TITLE IV—PROCESSING AND REFERRAL

“Sec. 401. Processing and resolution of complaints.

“Sec. 402. No limitation on Human Capital or General Counsel advice.

“Sec. 403. Head of Program reports to head of agency.

“Sec. 404. Referrals of findings of discrimination.”.

##### SEC. 8. NON-DISCLOSURE AGREEMENT LIMITATION.

Section 2302(b) of title 5, United States Code is amended—

(1) in paragraph (13)—

(A) by inserting “or the Office of Special Counsel” after “Inspector General”; and

(B) by striking “implement” and inserting “(A) implement”; and

(C) by striking the period that follows the quoted material and inserting “; or”;

(2) by adding after subparagraph (A), as added by paragraph (1)(B), and preceding the flush left matter that follows paragraph (13), the following:

“(B) implement or enforce any nondisclosure policy, form, or agreement, if such policy, form, or agreement prohibits or restricts an employee from disclosing to Congress, the

Office of Special Counsel, or an Office of the Inspector General any information that relates to any violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial, and specific danger to public health or safety, or any other whistleblower protection.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

#### GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

I rise today in support of H.R. 1557, introduced by my friend and ranking member of the Oversight and Government Reform Committee, Mr. CUMMINGS of Maryland. He has done yeoman's work on this content. I was proud to join him as a cosponsor of this important piece of legislation that will help many of our Federal workers as they go through their work in knowing they have even more protections.

The Federal Employee Antidiscrimination Act of 2015 strengthens accountability within our Federal workforce. The bill does so by improving agencies' processes for reporting instances of workplace discrimination and retaliation. It also requires agencies to create a system to track complaints of discrimination and retaliation from beginning to end.

The bill ensures that agencies report to the Equal Employment Opportunity Commission whether disciplinary action has been taken against an employee for discrimination or retaliation. It requires agencies to provide electronic notification to employees when such an action occurs.

The bill requires agencies to post additional information about discriminatory practices on their Web site. It also requires that adverse actions taken against any employee for discrimination or retaliation be included in that individual's personnel file.

Combined, these provisions bring additional transparency and accountability to the Federal civil service and will help diminish instances of discrimination and retaliation within our government. Obviously, those things can't stand.

The bill also makes agency Equal Employment offices a direct report to the agency head. This is an important step and a good portion of the bill that is being brought forth today. This change will help ensure that employees feel safe and comfortable when report-

ing discriminatory or retaliatory actions.

Finally, H.R. 1557 makes clear that employees can report waste, fraud, and abuse within their agency to Congress, the Office of Special Counsel, or the inspectors general.

Federal employees are essential in exposing wrongdoing within the government. An agency should never have the ability to tell a government employee that he or she cannot report waste, fraud, or abuse to Congress, the Office of Special Counsel, or the inspectors general. The bill reinforces that obstructing an employee's communication with Congress and other watchdogs is against the law.

We should be encouraging open communication between Federal employees and Congress, the Office of Special Counsel, and the inspectors general to protect the integrity of our government and the taxpayers.

I want to again thank Mr. CUMMINGS for his leadership and work on this bill, and I urge my colleagues to support H.R. 1557.

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

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

As the author of the Federal Employee Antidiscrimination Act, I would like to thank Chairman CHAFFETZ and his staff for working with me in drafting this bipartisan legislation. I also appreciate the chairman's support for this bill during the committee's consideration this past March.

I thank Congresswoman ELEANOR HOLMES NORTON for cosponsoring the bill. As a former Commissioner of the Equal Employment Opportunity Commission, her expertise in employment law is unparalleled in Congress.

I also appreciate the support of Representatives JAMES SENSENBRENNER and SHEILA JACKSON LEE, who cosponsored the bill.

I especially want to thank Tanya Ward Jordan, Paulette Taylor, and all the members of the Coalition 4 Change, also known as C4C, for their invaluable assistance on this legislation.

I am also grateful that this bill has strong support of the Make It Safe Coalition.

Both C4C and the Make It Safe Coalition are dedicated to ending discrimination and retaliation against whistleblowers in the Federal workplace, and I applaud their leadership and their hard work.

The Federal EEO programs are critical to ensuring that Federal workplaces are free from discrimination and that any barriers impeding fairness in personnel decisions are identified and eliminated. These programs exist to ensure that our Federal workplaces uphold the guarantee of equal opportunity. That is the right of every citizen in this great country.

If discrimination occurs, these programs must be able to investigate and adjudicate employee complaints impartially and in a timely manner.

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In fiscal year 2012, Federal employees and job applicants filed nearly 16,000 complaints alleging that they had been victims of discrimination. Although the vast majority of Federal workplaces are in compliance with current EEO requirements, some Federal agencies have failed to meet the standards of a model EEO program.

For example, in 2014, the EEOC issued a report on the Social Security Administration that made 12 findings regarding Social Security's failure to maintain a model EEOC program, ensure efficient management of the various stages of the complaint process, provide uniform training to ensure equal opportunities, and implement effective and efficient antiharassment policies and procedures. The EEOC made more than 60 recommendations for reform of that one program alone.

My bill would require that EEO programs operate independently of an agency's human resources or general counsel offices and that the head of the program report directly to the head of an agency. This would ensure that effective implementation of the EEO program is prioritized at the highest level of an agency and that program's sole purpose is ensuring equal opportunity for all employees.

H.R. 1557 would also strengthen the accountability mechanisms that are central to the effectiveness of the EEO process. This legislation would expand the notifications that agencies are required to provide when discrimination is found to have occurred and would require agencies to track and report whether such findings have resulted in any disciplinary action.

Finally, the act would prohibit the use of nondisclosure agreements that restrict an employee from disclosing to Congress, the office of special counsel, or an inspector general any information that relates to any violation of law, rule, or regulation or instance of waste, fraud, or abuse.

According to the 2014 Federal employee viewpoint survey, only 60 percent of Federal employees agreed that they could “disclose a suspected violation of any law, rule, or regulation without fear of reprisal.”

As I often say, we are better than that. Employees need to have confidence that they can report an act of discrimination without suffering retaliation, and they need to know that such reports will be thoroughly, fairly, and timely investigated and adjudicated.

The Federal Employee Antidiscrimination Act of 2015 will strengthen existing requirements to ensure that Federal EEO programs meet these standards and that agency management of the EEO process follows the best practices available.

Again, I take a moment, Mr. Speaker, to thank Chairman CHAFFETZ. This was truly a bipartisan effort. We saw a problem, and we put our heads together and tried to address it. I would urge all Members of the House to vote for it.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers, and I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me rise today to thank both the chairman and the ranking member of this committee, Mr. CHAFFETZ and Mr. CUMMINGS, for their leadership on a very important issue, which I rise to be part of and with a little history on this issue with the earlier passage of the No FEAR Act so many years ago.

I support this legislation which ensures agencies effectively implement their Equal Employment Opportunity, or EEO, programs and that Federal employees are never prevented from disclosing discriminatory or wasteful actions to Congress, the office of special counsel, or inspectors general.

How important is that? We have a history of addressing workplace equality, and that is why I sponsored similar legislation with the No FEAR Act, which was first introduced in Congress in 2002. This was previous legislation that had a sense of Congress provision, whereas this particular legislation further strengthens the responsibilities and rights of employees.

The No FEAR Act set the precedent for imposing additional duties upon Federal agency employers, intended to reinvigorate their longstanding obligation to provide a work environment free of discrimination and retaliation.

On October 2, 2000, the House Science Committee held a hearing dealing with actions at one of our agencies. Dr. Marsha Coleman-Adebayo had been in my office repeatedly. I mention her name because of her continued vigilance in speaking about issues dealing with whistleblowers. In actuality, this one involved a \$600,000 jury decision against the EPA for race and sex discrimination under title VII of the Civil Rights Act of 1964.

As we all listened in this hearing, it was clear that what we wanted to do was prevent retaliation, which we see in this legislation here today. I am grateful that we now have a roadmap for dealing with individuals who want only the best for our government.

I can give some of the names as an example: Mark Felt, the FBI agent known as Deep Throat during the Watergate scandal of the 1970s; Frank Serpico, a New York police officer who confronted his department for the rampant corruption the leadership let take place; Jeffrey Wigand, a tobacco executive who admitted that tobacco companies knew they were putting addictive chemicals into their cigarettes; and, of course, Sherron Watkins, an executive of the Enron Corporation.

Of course, these individuals come from different walks of life, but the whole idea is to make sure that we, as Members of Congress, recognize that whistleblower activities or actions are clearly a part of good government.

According to the 2014 Federal employee viewpoint survey, only 60 percent of Federal employees agreed that they could “disclose a suspected violation of any law, rule, or regulation without fear of reprisal.”

I know that your committee, Mr. CHAFFETZ and Mr. CUMMINGS, is really the front line of providing this forum; and I am glad to be able to join you as a member of the Homeland Security Committee and Judiciary Committee to, again, emphasize the importance of safe and discrimination-free workplaces.

I am grateful, again, to have had the opportunity firsthand to listen to at least one of our whistleblowers who only wanted to be able to help establish a workplace that was free of discrimination and fear.

Again, I want to make mention of Marsha Coleman-Adebayo, a dedicated Federal employee who worked so very hard.

[From NPR.org, Sept. 6, 2011]

#### HIGH PRICE OF BLOWING THE WHISTLE ON EPA

Marsha Coleman-Adebayo earned a doctoral degree from the Massachusetts Institute of Technology, and worked with the United Nations before joining the Environmental Protection Agency in 1990. During her time at the U.N., she also developed an expertise in African developmental issues.

During her tenure at the EPA, Coleman-Adebayo says she requested that the agency devote attention to environmental problems in South Africa that were allegedly caused by an American company. She says that the agency reneged on promises to investigate the matter, and the harder she pushed for change, the more she faced a backlash from her superiors.

Ms. JACKSON LEE. Mr. Speaker, I make mention that we passed the No FEAR Act with a number of Members.

As we have noted a number of whistleblowers who were actually Persons of the Year on Time Magazine, I join my colleagues in supporting the present underlying legislation and ask all Members to support this legislation.

Mr. Speaker, I rise today as an original co-sponsor and strong support of H.R. 1557, the “Federal Employee Antidiscrimination Act of 2015.”

I support this legislation because it ensures agencies effectively implement their Equal Employment Opportunity (EEO) programs and that federal employees are never prevented from disclosing discriminatory or wasteful actions to Congress, the Office of Special Counsel, or Inspectors General.

Let me express my thanks to Ranking Member CUMMINGS for introducing this critical legislation that is essential to ensuring that our federal workplaces are free from discrimination, and that any barriers impeding fairness in personnel decisions are identified and eliminated.

We have a history of addressing workplace equality and that is why I sponsored similar legislation when the No Fear Act was first introduced to Congress in 2002.

The No Fear Act set the precedent for imposing additional duties upon Federal agency employers intended to reinvigorate their longstanding obligation to provide a work environment free of discrimination and retaliation.

If you would allow me I would like to put a face on this problem.

On October 2, 2000, the House Science Committee held a hearing entitled “Intolerance at EPA—Harming People, Harming Science?”

Dr. Marsha Coleman-Adebayo, an EPA whistleblower, won a \$600,000 jury decision against EPA for race and sex discrimination under title VII of the Civil Rights Act of 1964.

During that hearing, then-chairman of the Science Committee Congressman SENSENBRENNER illuminated the dangerous precedent set by the EPA, stating, “While EPA has a clear policy on dealing with employees that discriminate, harass and retaliate against other EPA employees, no one apparently involved in the Coleman-Adebayo or Nolan cases have yet to be disciplined by EPA.”

Mr. Speaker no employee should fear voicing their concerns in reference to a safer more work conducive environment.

We often look at individuals or groups who step forward as whistleblowers.

This term has been used with a negative connotation to describe insubordinate employees, but history has shown us that whistleblowers are often heroes that have shed light on employers’ illegal practices and as a result made the workplace better for future employees.

Mark Felt, the FBI agent known as deep throat during the Watergate Scandal of the 1970s.

Frank Serpico, New York police officer who confronted his department for the rampant corruption the leadership let take place.

Jeffrey Wigand, a tobacco executive who admitted that tobacco companies knew they were putting addictive chemicals into their cigarettes.

And Sherron Watkins, an executive of the Enron corporation who was vital in exposing the financial lies and frauds of the company.

All these individuals stood up against well-established corporations and agencies even when others doubted their claims.

We must protect these types of acts in Federal offices and successfully implement the Equal Employment Opportunity Programs (EEO).

Mr. Speaker, in a sense every Member of Congress is a whistleblower for the people in that uncovering and correcting problems in the agencies that administer the laws is an essential part of our oversight responsibilities.

According to the 2014 Federal Employee Viewpoint Survey, only 60 percent of federal employees agreed that they could quote, “disclose a suspected violation of any law, rule or regulation without fear of reprisal.”

We must do better and ensure employees have confidence that they can report an act of discrimination without suffering retaliation.

Employees need to know that EEO reports will be thoroughly, fairly, and timely investigated and adjudicated.

H.R. 1557 would require that EEO programs operate independently of an agency’s human resources or general counsel offices.

This bill requires the head of the program report directly to the head of an agency and the act would prohibit the use of non-disclosure agreements that restrict an employee from disclosing to Congress, the Office of Special Counsel, or instance of waste, fraud or abuse.

As a senior member of the Committees on Homeland Security and the Judiciary, and as

Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, I understand the importance of safe and discrimination free workplaces.

In conclusion, let me express my appreciation again to Ranking Member CUMMINGS for introducing this legislation and Chairman CHAFFETZ for shepherding this bill to the floor.

By strengthening existing requirements to ensure federal EEO programs meet high standards, we are implementing the best practices available to combat workplace discrimination.

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

Mr. Speaker, again, we urge the House to vote in favor of this very important legislation. It is bipartisan and does address issues that are of concern to all of us.

I yield back the balance of my time. Mr. CHAFFETZ. Mr. Speaker, in closing, I simply want to thank those Members who have worked hard on this bill. One that is of special note is Congressman SEAN DUFFY of Wisconsin. He has done great work on this, particularly trying to hold people accountable at Consumer Financial Protection Bureau for the EEOC issues there.

This bill would not be a reality without Mr. CUMMINGS. We thank him for his leadership on this. I am proud to support it. I think all the Members in this body should support it. It does further the protections for employees. It makes government better and more responsible.

Mr. Speaker, I urge passage of H.R. 1557, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 1557.

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. CHAFFETZ. 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.

#### CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO TRANSNATIONAL CRIMINAL ORGANIZATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-49)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90

days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to transnational criminal organizations declared in Executive Order 13581 of July 24, 2011, is to continue in effect beyond July 24, 2015.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are becoming increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect to transnational criminal organizations.

BARACK OBAMA.  
THE WHITE HOUSE, July 21, 2015.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the chair.

Accordingly (at 5 o'clock and 12 minutes p.m.), the House stood in recess.

□ 1742

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FARENTHOLD) at 5 o'clock and 42 minutes p.m.

#### FTO PASSPORT REVOCATION ACT OF 2015

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 237) to authorize the revocation or denial of passports and passport cards to individuals affiliated with foreign terrorist organizations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 237

*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 "FTO Passport Revocation Act of 2015".

#### SEC. 2. REVOCATION OR DENIAL OF PASSPORTS TO INDIVIDUALS AFFILIATED WITH FOREIGN TERRORIST ORGANIZATIONS.

The Act entitled "An Act to regulate the issue and validity of passports, and for other purposes", approved July 3, 1926 (22 U.S.C. 211a et seq.), commonly known as the "Passport Act of 1926", is amended by adding at the end the following:

#### "SEC. 4. AUTHORITY TO DENY OR REVOKE PASSPORT.

"(a) INELIGIBILITY.—

"(1) ISSUANCE.—Except as provided under subsection (b), the Secretary of State may refuse to issue a passport to any individual whom the Secretary has determined has aided, assisted, abetted, or otherwise helped an organization the Secretary has designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

"(2) REVOCATION.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1).

"(b) REPORT.—

"(1) IN GENERAL.—If the Secretary of State refuses to issue or revokes a passport pursuant to subsection (a), the Secretary shall, not later than 30 days after such refusal or revocation, submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on such refusal or revocation, as the case may be.

"(2) FORM.—The report submitted under paragraph (1) may be submitted in classified or unclassified form."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members have 5 days to revise and extend and to include extraneous materials on this measure.

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

There was no objection.

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

International travel by terrorist recruits poses a deadly and growing threat. It is estimated that ISIS alone has drawn 20,000 foreign fighters into Syria and Iraq.

Extremist groups in Libya, Yemen, and elsewhere also draw foreigners into their deadly campaigns. These include thousands of westerners, primarily from Europe, but also a couple of hundred people from the United States so far.

The threats are as real as today's headlines: British officials today arrested a man for plotting attacks on U.S. military personnel there in Britain and for planning to travel to Syria to join ISIS, along with his uncle.

If they are successful in traveling, these foreign fighters receive terrorist training and they hone their skills