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117TH CONGRESS
1ST SESSION

H. R. 2429

[Report No. 117-]

To amend title 38, United States Code, to improve the staffing, transparency, and accountability of the law enforcement operations of the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2021

Miss RICE of New York (for herself and Mrs. RADEWAGEN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

MAY --, 2021

Committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

A BILL

To amend title 38, United States Code, to improve the staffing, transparency, and accountability of the law enforcement operations of the Department of Veterans Affairs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “VA Police Improve-
5 ment and Accountability Act”.

6 **SEC. 2. IMPROVEMENTS TO TRANSPARENCY OF LAW EN-**
7 **FORCEMENT OPERATIONS OF DEPARTMENT**
8 **OF VETERANS AFFAIRS.**

9 (a) PROVISION OF INFORMATION.—Section 902 of
10 title 38, United States Code, is amended by adding at the
11 end the following new subsection:

12 “(e)(1) The Secretary shall publish on the internet
13 website of each facility of the Department the following
14 information with respect to the facility:

15 “(A) Summaries and statistics covering the pre-
16 vious five-year period regarding—

17 “(i) arrests made by and tickets issued by
18 Department police officers;

19 “(ii) prosecutions, ticketing, and other ac-
20 tions relating to such arrests;

21 “(iii) the use of force and weapons dis-
22 charge by Department police officers; and

23 “(iv) complaints, investigations, and dis-
24 ciplinary actions regarding Department police
25 officers.

1 “(B) Contact information for employees of the
2 Department and the public to directly contact the
3 police force of the facility, including for an indi-
4 vidual (or the representative, attorney, or authorized
5 agent of the individual) to request information re-
6 garding the arrest, ticketing, detainment, use of
7 force, or other police matters pertaining to that indi-
8 vidual.

9 “(2) The Secretary shall ensure that each police force
10 of a facility of the Department is able to provide to an
11 individual who contacts the police force pursuant to para-
12 graph (1)(B) the information described in such para-
13 graph.”.

14 (b) USE OF BODY WORN CAMERAS BY DEPARTMENT
15 POLICE OFFICERS.—

16 (1) REQUIREMENT.—Subsection (a) of such
17 section 902 is amended by adding at the end the fol-
18 lowing new paragraph:

19 “(3) Beginning not later than 180 days after the date
20 of the enactment of this paragraph, the Secretary shall
21 require Department police officers to use cameras worn
22 on the individual police officer’s person that record and
23 store audio and video (commonly known as ‘body worn
24 cameras’).”.

1 (2) GUIDANCE.—Not later than one year after
2 the date of the enactment of this Act, the Secretary
3 shall issue, and make publicly available, guidance on
4 the use of body worn cameras by Department police
5 officers pursuant to section 902(a)(3) of title 38,
6 United States Code, as amended by paragraph (1).

7 (3) CONSULTATION.—The Secretary shall issue
8 the guidance under paragraph (2) in consultation
9 with veterans service organizations, civil rights orga-
10 nizations, law enforcement organizations, law en-
11 forcement accreditation organizations, privacy rights
12 organizations, and other relevant organizations or
13 experts.

14 (c) DATA AND REPORTING ON POLICE INCIDENTS.—
15 Section 902 of title 38, United States Code, as amended
16 by subsection (a), is further amended by adding at the
17 end the following new subsection:

18 “(f) POLICE INCIDENTS.—(1)(A) The Secretary shall
19 track and analyze the following information regarding the
20 police force of the Department:

21 “(i) Arrests made by and tickets
22 issued by Department police officers.

23 “(ii) Prosecutions, ticketing, and
24 other actions relating to such arrests.

1 “(iii) The use of force and weapons
2 discharge.

3 “(iv) Complaints, investigations, and
4 disciplinary actions.

5 “(B) The Secretary shall carry out subparagraph (A)
6 by implementing one or more Department-wide data sys-
7 tems.

8 “(2)(A) Beginning not later than one year after the
9 date of the enactment of this subsection, the Secretary
10 shall ensure that each incident described in subparagraph
11 (C) is promptly reported to the Assistant Secretary with
12 responsibility for operations, preparedness, security, and
13 law enforcement functions.

14 “(B) The Assistant Secretary shall, in a timely man-
15 ner—

16 “(i) review each incident described in subpara-
17 graph (C)(i) that is reported under subparagraph
18 (A); and

19 “(ii) investigate each incident described in sub-
20 paragraph (C)(ii) that is reported under subpara-
21 graph (A).

22 “(C) An incident described in this subparagraph is
23 either of the following:

24 “(i) An incident, including an allegation, of the
25 use of force by a Department police officer.

1 “(ii) An incident, including an allegation, of the
2 use of force by a Department police officer that re-
3 sults in any person receiving medical attention.”.

4 (d) PLAN ON POLICE STAFFING.—The Secretary
5 shall develop a plan that establishes minimum standards
6 for police staffing at each facility of the Department, in-
7 cluding with respect to—

8 (1) the number of Department police officers
9 assigned to each facility; and

10 (2) the pay grades for such officers.

11 (e) REPORT ON IMPLEMENTATION.—Not later than
12 one year after the date of the enactment of this Act, the
13 Secretary shall submit to the Committees on Veterans’ Af-
14 fairs of the House of Representatives and the Senate a
15 report on the implementation of this section and the
16 amendments made by this section. The report shall include
17 the following:

18 (1) With respect to the staffing needs of the
19 Department police force—

20 (A) identification of the amount of turn-
21 over among Department police officers;

22 (B) how the compensation for Department
23 police officers affects such turnover;

24 (C) a comparison of such compensation
25 with the compensation provided to specialty po-

1 lice units, such as police units at medical facili-
2 ties and other police units in the same locality
3 pay area; and

4 (D) the plan developed under subsection
5 (d), including—

6 (i) estimates on the costs to carry out
7 the plan; and

8 (ii) any recommendations for legisla-
9 tive actions required to carry out the plan.

10 (2) With respect to body worn cameras, a re-
11 view of the implementation and use of body worn
12 cameras by Department police officers, including
13 under pilot programs carried out by the Secretary
14 during the five-year period preceding the date of the
15 report.

16 (f) DEFINITIONS.—In this section:

17 (1) The term “body worn camera” means a
18 camera worn on an individual police officer’s person
19 that records and stores audio and video.

20 (2) The term “Department police officer”
21 means an employee of the Department of Veterans
22 Affairs described in section 902(a) of title 38,
23 United States Code.