

118TH CONGRESS
2D SESSION

S. 5074

To require the Secretary of Veterans Affairs to provide to Congress quarterly briefings on budgetary shortfalls of the Department of Veterans Affairs and to prohibit the provision of bonuses to Department of Veterans Affairs employees in Senior Executive Service positions in fiscal years with budgetary shortfalls, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2024

Mr. SULLIVAN (for himself, Mr. WICKER, Mr. DAINES, Mr. TUBERVILLE, Mrs. BLACKBURN, Ms. ERNST, Mr. RICKETTS, Mr. BUDD, Mr. BRAUN, Mr. CASSIDY, Mr. RUBIO, Mr. GRASSLEY, Ms. MURKOWSKI, Mr. TILLIS, and Mrs. FISCHER) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To require the Secretary of Veterans Affairs to provide to Congress quarterly briefings on budgetary shortfalls of the Department of Veterans Affairs and to prohibit the provision of bonuses to Department of Veterans Affairs employees in Senior Executive Service positions in fiscal years with budgetary shortfalls, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protecting Regular
3 Order for Veterans Act of 2024” or the “PRO Veterans
4 Act of 2024”.

5 **SEC. 2. MATTERS ADDRESSING DEPARTMENT OF VET-**
6 **ERANS AFFAIRS BUDGETARY SHORTFALLS.**

7 (a) QUARTERLY BRIEFINGS.—

8 (1) QUARTERLY BRIEFINGS REQUIRED.—Dur-
9 ing the first quarter beginning after the date of the
10 enactment of this Act and in each quarter thereafter
11 until the date that is three years after the date of
12 the enactment of this Act, the Secretary of Veterans
13 Affairs shall provide to the appropriate committees
14 of Congress a quarterly briefing, in person, on the
15 budget of the Department of Veterans Affairs and
16 any shortfall the Department may be experiencing.

17 (2) PLANS.—In any case in which the Secretary
18 informs Congress during a briefing under paragraph
19 (1) that the Department is experiencing a shortfall,
20 the Secretary shall, during such briefing, present the
21 plans of the Secretary to address or mitigate the
22 shortfall.

23 (b) PROHIBITION ON PROVISION OF BONUSES TO
24 CERTAIN DEPARTMENT OF VETERANS AFFAIRS EMPLOY-
25 EES IN SENIOR EXECUTIVE SERVICE POSITIONS IN CAL-

1 ENDAR YEARS WITH CERTAIN BUDGETARY SHORT-
2 FALLS.—

3 (1) PROHIBITION.—

4 (A) DEPARTMENT OF VETERANS AF-
5 FAIRS.—Subject to paragraph (2), during a pe-
6 riod described in subparagraph (C), the Sec-
7 retary may not provide any bonus or cash
8 award to any employee or officer of the Depart-
9 ment who works in the central office of the De-
10 partment in a Senior Executive Service posi-
11 tion, or a position in another comparable sys-
12 tem for senior-level Government employees, if
13 the Secretary submits to the Committee on Ap-
14 propriations of the Senate or the Committee on
15 Appropriations of the House of Representatives
16 a request for an appropriation for the Depart-
17 ment for that fiscal year and the request is not
18 submitted in the course of a proceeding relating
19 to—

20 (i) the preparation, submittal, or pres-
21 entation of the budget of the President
22 submitted pursuant to section 1105(a) of
23 title 31, United States Code, for the appli-
24 cable fiscal year; or

1 (ii) a midsession review by either of
2 such committees.

3 (B) OFFICE OF MANAGEMENT AND BUDG-
4 ET.—Subject to paragraph (2), during a period
5 described in subparagraph (C), the Director of
6 the Office of Management and Budget may not
7 provide any bonus or cash award to any em-
8 ployee or officer of the Office of Management
9 and Budget who serves in a Senior Executive
10 Service position, or a position in another com-
11 parable system for senior-level Government em-
12 ployees, if the Secretary submits to the Com-
13 mittee on Appropriations of the Senate or the
14 Committee on Appropriations of the House of
15 Representatives a request for an appropriation
16 for the Department for that fiscal year and the
17 request is not submitted in the course of a pro-
18 ceeding relating to—

19 (i) the preparation, submittal, or pres-
20 entation of the budget of the President
21 submitted pursuant to section 1105(a) of
22 title 31, United States Code, for the appli-
23 cable fiscal year; or

24 (ii) a midsession review by either of
25 such committees.

1 (C) PERIOD.—A period described in this
2 subparagraph is any period—

3 (i) beginning on the date on which the
4 Secretary submits a request described in
5 subparagraph (A); and

6 (ii) ending on the last day of the fiscal
7 year during which the Secretary submits
8 such request.

9 (2) SUNSET.—The prohibitions in paragraph
10 (1) shall terminate on the date that is three years
11 after the date of the enactment of this Act.

12 (c) DEFINITIONS.—In this section:

13 (1) APPROPRIATE COMMITTEES OF CON-
14 GRESS.—The term “appropriate committees of Con-
15 gress” means—

16 (A) the Committee on Veterans’ Affairs
17 and the Committee on Appropriations of the
18 Senate; and

19 (B) the Committee on Veterans’ Affairs
20 and the Committee on Appropriations of the
21 House of Representatives.

22 (2) SENIOR EXECUTIVE SERVICE POSITION.—
23 The term “Senior Executive Service position” has
24 the meaning given such term in section 3132(a) of
25 title 5, United States Code.

1 (3) **SHORTFALL.**—The term “shortfall”, with
2 respect to a fiscal year, means that the amount of
3 appropriations required by the Department of Vet-
4 erans Affairs for such fiscal year to meet all of the
5 statutory obligations of the Department during that
6 fiscal year exceeds the amount of appropriations re-
7 quested for the Department for that fiscal in the
8 budget of the President submitted pursuant to sec-
9 tion 1105(a) of title 31, United States Code, for
10 that fiscal year.

11 **SEC. 3. REPORT ON DEPARTMENT OF VETERANS AFFAIRS**
12 **POSITIONS CREATED SINCE OCTOBER 1, 2022.**

13 (a) **REPORT REQUIRED.**—Not later than one year
14 after the date of the enactment of this Act, the Secretary
15 of Veterans Affairs shall submit to Congress a report on
16 positions of employment created within the Department
17 of Veterans Affairs during the period beginning on Octo-
18 ber 1, 2022, and ending on the date of the enactment of
19 this Act.

20 (b) **CONTENTS.**—The report submitted pursuant to
21 subsection (a) shall include the following:

22 (1) A description for each position of employ-
23 ment described in subsection (a).

24 (2) For each position described pursuant to
25 paragraph (1), the following:

- 1 (A) The job description.
- 2 (B) The compensation.
- 3 (C) Bonuses provided.
- 4 (D) Remote work status.

