

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 1823  
OFFERED BY MR. KENNEDY OF NEW YORK**

At the end, add the following new sections:

**1 SEC. 3. PERSONNEL REQUIREMENTS FOR DEPARTMENT OF**  
**2 VETERANS AFFAIRS.**

**3 (a) EXEMPTION FROM HIRING FREEZE.**—The De-  
**4** partment shall be exempt from any hiring freeze issued  
**5** by the President, the Secretary, or the Director of the Of-  
**6** fice of Personnel Management during the period beginning  
**7** on January 20, 2025, and ending on January 20, 2029.

**8 (b) REINSTATEMENT OF VETERANS.**—With respect  
**9** to any veteran (as that term is defined in section 101 of  
**10** title 38, United States Code) who was a career employee  
**11** of the Department and whom the Secretary removed from  
**12** employment with the Department during the period begin-  
**13** ning on January 20, 2025, and ending on the date of the  
**14** enactment of this Act, the Secretary shall—

**15 (1)** reinstate such veteran to the position (or  
**16** equivalent position) such veteran occupied on the  
**17** date that is one day before the date of removal; and

1 (2) exempt such veteran from separation under  
2 any reduction in force that occurs before January  
3 20, 2029.

4 (c) LIMITATION ON LAYOFFS.—

5 (1) IN GENERAL.—The Secretary shall submit  
6 written notice, to the Committees on Veterans' Af-  
7 fairs of the House of Representatives and the Sen-  
8 ate, not later than 15 days before the date that the  
9 Department will remove any officer or employee  
10 under a reduction in force or an agency reorganiza-  
11 tion.

12 (2) PROBATIONARY EMPLOYEES.—

13 (A) IN GENERAL.—Notwithstanding any  
14 other provision of law, no employee of the De-  
15 partment in probationary status may be re-  
16 moved from a position at the Department with-  
17 out the enactment into law after the date of the  
18 enactment of this section, with express ref-  
19 erence to this section, permitting such removal.

20 (B) NOTIFICATION.—The Secretary shall  
21 submit to Congress—

22 (i) on the date the Secretary removes  
23 a probationary employee for poor perform-  
24 ance, a report that includes the reasons for  
25 the removal, the employee's most recent

1 performance appraisal, and the removal  
2 notice submitted to the employee; and  
3 (ii) not later than 30 days after the  
4 date of the enactment of this Act and  
5 every 30 days thereafter, a list of any pro-  
6 bationary employees at the Department  
7 that received a removal notice during the  
8 period covered by the report.

9 **SEC. 4. CERTIFICATION OF COMPLIANCE.**

10 Not later than 30 days after the date of the enact-  
11 ment of this Act, and annually thereafter, the Secretary  
12 shall certify (in writing), to the Committees on Appropria-  
13 tions of the House of Representatives and the Senate and  
14 the Committees on Veterans' Affairs of the House of Rep-  
15 resentatives and the Senate, that the Secretary is in com-  
16 pliance with the requirements of this Act.

