

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7683
OFFERED BY MR. BERGMAN OF MICHIGAN**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “VA Fiscal Manage-
3 ment Modernization Act”.

**4 SEC. 2. ASSISTANT SECRETARY FOR MANAGEMENT OF THE
5 DEPARTMENT OF VETERANS AFFAIRS:
6 CHANGE IN TITLE; CLARIFICATION AND EX-
7 PANSION OF AUTHORITY.**

8 (a) CHANGE IN TITLE.—Section 308 of title 38,
9 United States Code, is amended, in subsection (a)(3)(A),
10 by striking “Assistant Secretary for Management” and in-
11 serting “Assistant Secretary for Planning and Budget”.

12 (b) INCREASE TO NUMBER OF DEPUTY ASSISTANT
13 SECRETARIES.—Such section is further amended, in sub-
14 section (d)(1), by striking “19” and inserting “21”.

15 (c) DUTIES AND OFFICE.—Section 309 of such title
16 is amended to read as follows (and the table of sections
17 at the beginning of chapter 3 of such title is amended ac-
18 cordingly):

1 **“§ 309. Chief Financial Officer; Office of Planning and**
2 **Budget**

3 “(a) DESIGNATION.—The Secretary shall designate
4 the Assistant Secretary for Planning and Budget, whose
5 functions include budgetary and financial functions, as the
6 Chief Financial Officer of the Department.

7 “(b) DUTIES.—The duties of the Chief Financial Of-
8 ficer include the following:

9 “(1) To advise the Secretary on financial man-
10 agement of the Department.

11 “(2) To formulate, justify, and execute the
12 budget of the Department.

13 “(3) To control, account for, audit, and report
14 on the finances of the Department.

15 “(4) To manage the life cycle of major acquisi-
16 tion programs of the Department.

17 “(5) To exercise the authority and carry out the
18 functions specified in section 902 of title 31.

19 “(6) To ensure compliance with sections 1341,
20 1342, 1349, 1350, and 1511 through 1519 of title
21 31 (commonly referred to as ‘the Antideficiency
22 Act’).

23 “(7) To provide to Congress (or a congressional
24 committee), upon request, information regarding the
25 budget and finances of the Department.

1 “(8) To serve as the head of the Office of Plan-
2 ning and Budget of the Department.

3 “(c) DEPUTY ASSISTANT SECRETARIES.—(1) There
4 is in the Department a Deputy Assistant Secretary for
5 Planning and Budget.

6 “(2) There is in the Department a Deputy Assistant
7 Secretary for Planning and Budget for Financial Oper-
8 ations and Internal Controls. Such Deputy Assistant Sec-
9 retary shall be a career appointee (as that term is defined
10 in section 3132(a) of title 5) within the Senior Executive
11 Service of the Department.

12 “(d) OFFICE OF PLANNING AND BUDGET.—There is
13 in the Department an Office of Planning and Budget.

14 “(e) LEGISLATIVE AND CONGRESSIONAL BUDGET IN-
15 FORMATION OFFICE.—(1) There is within the Office of
16 Planning and Budget a Legislative and Congressional
17 Budget Information Office (in this section referred to as
18 the ‘LCBI Office’). The Chief Financial Officer shall ap-
19 point a head of the LCBI Office who shall report exclu-
20 sively to the Chief Financial Officer.

21 “(2) The sole function of the LCBI Office is to pro-
22 vide to Congress (or a congressional committee), accurate,
23 timely, and certified information regarding the finances
24 and budget of the Department.

1 “(3) Congress or a congressional committee may sub-
2 mit a request for information described in paragraph (2)
3 directly to the LCBI Office.

4 “(4) Paragraphs (2) and (3) notwithstanding, the As-
5 sistant Secretary for Congressional and Legislative Affairs
6 shall respond to a request described in paragraph (3) sub-
7 mitted to the Office of Congressional and Legislative Af-
8 fairs.

9 “(5) Not more than six full-time equivalent employ-
10 ees, including supervisors, may be assigned to the LCBI
11 Office.

12 “(f) SUNSET.—On the day that is five years after the
13 date of the enactment of the VA Fiscal Management Mod-
14 ernization Act, the following shall terminate:

15 “(1) The designation of the Chief Financial Of-
16 ficer under subsection (a).

17 “(2) The duties of the Chief Financial Officer
18 under subsection (b).

19 “(3) The positions of the Deputy Assistant Sec-
20 retaries for Planning and Budget under subsection
21 (c).

22 “(4) The Office of Planning and Budget under
23 subsection (d).

24 “(5) The LCBI Office under subsection (e).”.

1 (d) FINANCIAL EMPLOYEES.—Subchapter I of chap-
2 ter 7 of such title is amended by inserting after section
3 728 the following new section (and the table of sections
4 at the beginning of such chapter is amended accordingly):

5 **“§ 729. Employees with certain financial authority:**
6 **management; limitation on authority to**
7 **appoint**

8 “(a) MANAGEMENT.—(1) An employee described in
9 paragraph (2) shall report exclusively to the Chief Finan-
10 cial Officer of the Department designated under section
11 309 of this title.

12 “(2) An employee described in this paragraph is an
13 employee of the Department—

14 “(A) whose position is that of chief financial of-
15 ficer of an Administration of the Department or a
16 Veterans Integrated Service Network; or

17 “(B) whose duties are substantially similar to a
18 position described in subparagraph (A).

19 “(3) An employee described in paragraph (2) may not
20 perform a programmatic or operational function in the
21 Department.

22 “(b) LIMITATION ON AUTHORITY TO APPOINT.—The
23 Secretary may not establish a employee position—

24 “(1) that performs a function substantially
25 similar to the function of the Legislative and Con-

1 gressional Budget Information Office of the Depart-
2 ment established under section 309(d) of this title;
3 and

4 “(2) that is not within the Legislative and Con-
5 gressional Budget Information Office.

6 “(c) SUNSET.—This section shall terminate on the
7 day that is five years after the date of the enactment of
8 the VA Fiscal Management Modernization Act.”.

9 (e) IMPLEMENTATION.—The Secretary of Veterans
10 Affairs shall carry out the amendments made by this sec-
11 tion not later than 180 days after the date of the enact-
12 ment of this Act.

13 **SEC. 3. EXTENSION OF CERTAIN LIMITS ON PAYMENTS OF**
14 **PENSION.**

15 Section 5503(d)(7) of title 38, United States Code,
16 is amended by striking “January 31, 2033” and inserting
17 “December 31, 2033”.

