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(Original Signature of Member)

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R.** \_\_\_\_\_

To amend title 38, United States Code, to clarify and expand the authority of the Assistant Secretary for Management of the Department of Veterans Affairs, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. BERGMAN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend title 38, United States Code, to clarify and expand the authority of the Assistant Secretary for Management 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,*

1 **SECTION 1. CLARIFICATION AND EXPANSION OF AUTHOR-**  
2 **ITY OF THE ASSISTANT SECRETARY FOR**  
3 **MANAGEMENT OF THE DEPARTMENT OF VET-**  
4 **ERANS AFFAIRS.**

5 (a) IN GENERAL.—Section 309 of title 38, United  
6 States Code, is amended to read as follows (and the table  
7 of sections at the beginning of chapter 3 of such title is  
8 amended accordingly):

9 **“§ 309. Chief Financial Officer; Office of Management**

10 “(a) DESIGNATION.—The Secretary shall designate  
11 the Assistant Secretary for Management, whose functions  
12 include budgetary and financial functions, as the Chief Fi-  
13 nancial Officer of the Department.

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

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

18 “(2) To formulate, justify, and execute the  
19 budget of the Department.

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

22 “(4) To exercise the authority and carry out the  
23 functions specified in section 902 of title 31.

24 “(5) To ensure compliance with sections 1341,  
25 1342, 1349, 1350, and 1511 through 1519 of title

1       31 (commonly referred to as ‘the Antideficiency  
2       Act’).

3           “(6) To provide to Congress (or a congressional  
4       committee), upon request, information regarding the  
5       budget and finances of the Department.

6           “(7) To serve as the head of the Office of Man-  
7       agement of the Department.

8           “(c) DEPUTY ASSISTANT SECRETARIES.—(1) There  
9       is in the Department of Management a Deputy Assistant  
10      Secretary for Management for Financial Strategy and  
11      Budget.

12          “(2) There is in the Department of Management a  
13      Deputy Assistant Secretary for Management for Financial  
14      Operations and Internal Controls. Such Deputy Assistant  
15      Secretary shall be a career appointee (as that term is de-  
16      fined in section 3132(a) of title 5) within the Senior Exec-  
17      utive Service of the Department.

18          “(d) OFFICE OF MANAGEMENT.—There is in the De-  
19      partment an Office of Management.

20          “(e) LEGISLATIVE AND CONGRESSIONAL BUDGET IN-  
21      FORMATION OFFICE.—(1) There is within the Office of  
22      Management a Legislative and Congressional Budget In-  
23      formation Office (in this subsection referred to as the  
24      ‘LCBI Office’). The Chief Financial Officer shall appoint

1 a head of the LCBI Office who shall report exclusively  
2 to the Chief Financial Officer.

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

7 “(3) Not more than 15 full-time equivalent employ-  
8 ees, including supervisors, may be assigned to the LCBI  
9 Office.”.

10 (b) INCREASE TO NUMBER OF DEPUTY ASSISTANT  
11 SECRETARIES.—Section 308(d)(1) of such title is amend-  
12 ed by striking “19” and inserting “21”.

13 (c) FINANCIAL EMPLOYEES.—Subchapter I of chap-  
14 ter 7 of such title is amended by inserting after section  
15 728 the following new section (and the table of sections  
16 at the beginning of such chapter is amended accordingly):

17 **“§ 729. Employees with certain financial authority:**  
18 **management; limitation on authority to**  
19 **appoint**

20 “(a) MANAGEMENT.—(1) An employee described in  
21 paragraph (2) shall report exclusively to the Chief Finan-  
22 cial Officer of the Department designated under section  
23 309 of this title.

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

1           “(A) whose position is that of chief financial of-  
2           ficer of an Administration of the Department or Vet-  
3           erans Integrated Service Network; or

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

6           “(3) An employee described in paragraph (2) may not  
7           perform a programmatic or operational function in the  
8           Department.

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

11           “(1) that performs a function substantially  
12           similar to the function of the Legislative and Con-  
13           gressional Budget Information Office of the Depart-  
14           ment established under section 309(d) of this title;  
15           and

16           “(2) that is not within the Legislative and Con-  
17           gressional Budget Information Office.”.

18          (d) IMPLEMENTATION.—The Secretary of Veterans  
19          Affairs shall carry out the amendments made by this sec-  
20          tion not later than 180 days after the date of the enact-  
21          ment of this Act.