

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 7683**  
**OFFERED BY Mrs. Kiggans**

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. CLARIFICATION AND EXPANSION OF AUTHORITY OF**  
5                   **THE ASSISTANT SECRETARY FOR MANAGE-**  
6                   **MENT OF THE DEPARTMENT OF VETERANS**  
7                   **AFFAIRS.**

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

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

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

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

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

3           “(2) To formulate, justify, and execute the  
4           budget of the Department.

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

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

9           “(5) To ensure compliance with sections 1341,  
10          1342, 1349, 1350, and 1511 through 1519 of title  
11          31 (commonly referred to as ‘the Antideficiency  
12          Act’).

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

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

18          “(c) DEPUTY ASSISTANT SECRETARIES.—(1) There  
19          is in the Department a Deputy Assistant Secretary for  
20          Management for Planning and Budget.

21          “(2) There is in the Department a Deputy Assistant  
22          Secretary for Management for Financial Operations and  
23          Internal Controls. Such Deputy Assistant Secretary shall  
24          be a career appointee (as that term is defined in section

1 3132(a) of title 5) within the Senior Executive Service of  
2 the Department.

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

5 “(e) LEGISLATIVE AND CONGRESSIONAL BUDGET IN-  
6 FORMATION OFFICE.—(1) There is within the Office of  
7 Management a Legislative and Congressional Budget In-  
8 formation Office (in this subsection referred to as the  
9 ‘LCBI Office’). The Chief Financial Officer shall appoint  
10 a head of the LCBI Office who shall report exclusively  
11 to the Chief Financial Officer.

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

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

19 “(4) Paragraphs (2) and (3) notwithstanding, the As-  
20 sistant Secretary for Congressional & Legislative Affairs  
21 shall respond to a request described in paragraph (3) sub-  
22 mitted to the Office of Congressional and Legislative Af-  
23 fairs.

1       “(5) Not more than six full-time equivalent employ-  
2 ees, including supervisors, may be assigned to the LCBI  
3 Office.”.

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

7       (c) FINANCIAL EMPLOYEES.—Subchapter I of chap-  
8 ter 7 of such title is amended by inserting after section  
9 728 the following new section (and the table of sections  
10 at the beginning of such chapter is amended accordingly):

11       **“§ 729. Employees with certain financial authority:**  
12                               **management; limitation on authority to**  
13                               **appoint**

14       “(a) MANAGEMENT.—(1) An employee described in  
15 paragraph (2) shall report exclusively to the Chief Finan-  
16 cial Officer of the Department designated under section  
17 309 of this title.

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

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

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

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

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

6           “(1) that performs a function substantially  
7 similar to the function of the Legislative and Con-  
8 gressional Budget Information Office of the Depart-  
9 ment established under section 309(d) of this title;  
10 and

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

13       “(d) IMPLEMENTATION.—The Secretary of Veterans  
14 Affairs shall carry out the amendments made by this sec-  
15 tion not later than 180 days after the date of the enact-  
16 ment of this Act.

