

113TH CONGRESS
1ST SESSION

H. R. 2072

To amend title 38, United States Code, to improve the accountability of the Secretary of Veterans Affairs to the Inspector General of the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2013

Mr. BENISHEK introduced the following bill; which was referred to the
Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to improve the accountability of the Secretary of Veterans Affairs to the Inspector General of the Department of Veterans Affairs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Demanding Account-
5 ability for Veterans Act of 2013”.

1 **SEC. 2. ACCOUNTABILITY OF SECRETARY OF VETERANS AF-**
2 **FAIRS TO INSPECTOR GENERAL OF THE DE-**
3 **PARTMENT OF VETERANS AFFAIRS.**

4 (a) IN GENERAL.—Chapter 7 of title 38, United
5 States Code, is amended by adding at the end the fol-
6 lowing new section:

7 **“§ 712. Accountability of Secretary to Inspector Gen-**
8 **eral.**

9 “(a) LIST OF MANAGERS.—(1) If the Inspector Gen-
10 eral of the Department of Veterans Affairs determines
11 that the Secretary has not appropriately responded with
12 significant progress to a covered report by the date speci-
13 fied in the action plan of the Secretary developed in re-
14 sponse to such covered report—

15 “(A) the Inspector General shall notify the
16 Committees on Veterans’ Affairs of the Senate and
17 House of Representatives and the Secretary of such
18 failure to appropriately respond; and

19 “(B) not later than 15 days after such notifica-
20 tion, the Secretary shall submit to the Inspector
21 General a list of the names of each responsible man-
22 ager and the matter in the action plan for which the
23 manager is responsible.

24 “(2) The Inspector General may not make public the
25 names of responsible managers submitted under para-
26 graph (1)(B).

1 “(b) PERFORMANCE OF RESPONSIBLE MANAGERS.—

2 (1) The Secretary shall—

3 “(A) promptly notify each responsible manager
4 of a covered issue by not later than seven days after
5 the date on which the Secretary submits to the In-
6 spector General the name of the manager under sub-
7 section (a)(2);

8 “(B) direct such manager to resolve such issue;
9 and

10 “(C) provide such manager with appropriate
11 counseling and a mitigation plan with respect to re-
12 solving such issue.

13 “(2) The Secretary shall ensure that any performance
14 review of a responsible manager includes an evaluation of
15 whether the manager took appropriate actions during the
16 period covered by the review to respond to the covered
17 issue for which a request was made under subsection (a).

18 “(3) The Secretary may not pay to a responsible
19 manager any bonus or award, including a performance
20 award under section 5384 of title 5, United States Code,
21 if the covered issue for which a request was made under
22 subsection (a) is unresolved.

23 “(c) ROLE OF INSPECTOR GENERAL.—Any authority
24 of the Inspector General provided under this section is in
25 addition to any responsibility or authority provided to the

1 Inspector General in the Inspector General Act of 1978
2 (5 U.S.C. App).

3 “(d) DEFINITIONS.—In this section:

4 “(1) The term ‘covered issue’ means, with re-
5 spect to a responsible manager, an issue described in
6 a covered report for which the manager is or was re-
7 sponsible.

8 “(2) The term ‘covered report’ means a report
9 by the Inspector General of the Department of Vet-
10 erans Affairs that recommends actions to the Sec-
11 retary of Veterans Affairs (or other official or em-
12 ployee of the Department) to address an issue in the
13 Department with respect to public health or safety.

14 “(3) The term ‘responsible manager’ means an
15 individual who—

16 “(A) is an employee of the Department;

17 “(B) is or was responsible for an issue in-
18 cluded in a covered report; and

19 “(C) in being so responsible, is or was em-
20 ployed in a management position, regardless of
21 whether the employee is in the competitive civil
22 service, Senior Executive Service, or other type
23 of civil service.”.

24 (b) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of such chapter is amended by inserting

- 1 after the item relating to section 711 the following new
- 2 item:

“712. Accountability of Secretary to Inspector General.”.

