

119TH CONGRESS
1ST SESSION

S. 423

To protect regular order for budgeting for the Department of Veterans
Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 2025

Mr. SULLIVAN (for himself, Mr. MARSHALL, Mr. BUDD, Mr. WICKER, Mrs. BLACKBURN, Mr. SCOTT of Florida, Mr. DAINES, Mr. GRASSLEY, Mr. RICKETTS, Mr. TUBERVILLE, Ms. MURKOWSKI, Mr. TILLIS, and Ms. ERNST) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To protect regular order for budgeting for 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Regular
5 Order for Veterans Act of 2025” or the “PRO Veterans
6 Act of 2025”.

7 **SEC. 2. PROTECTING REGULAR ORDER FOR VETERANS.**

8 (a) QUARTERLY BRIEFINGS ON DEPARTMENT OF
9 VETERANS AFFAIRS BUDGETARY SHORTFALLS.—

1 (1) QUARTERLY BRIEFINGS.—

2 (A) QUARTERLY BRIEFINGS REQUIRED.—

3 During the first quarter beginning after the
4 date of the enactment of this Act and in each
5 quarter thereafter until the date that is three
6 years after the date of the enactment of this
7 Act, the Secretary of Veterans Affairs shall pro-
8 vide to the appropriate committees of Congress
9 a quarterly briefing, in person, on the budget of
10 the Department of Veterans Affairs and any
11 shortfall the Department may be experiencing.

12 (B) PLANS.—In any case in which the Sec-
13 retary informs Congress during a briefing
14 under paragraph (1) that the Department is ex-
15 perienceing a shortfall, the Secretary shall, dur-
16 ing such briefing, present the plans of the Sec-
17 retary to address or mitigate the shortfall.

18 (2) DEFINITIONS.—In this subsection:

19 (A) APPROPRIATE COMMITTEES OF CON-
20 GRESS.—The term “appropriate committees of
21 Congress” means—

22 (i) the Committee on Veterans’ Af-
23 fairs and the Committee on Appropriations
24 of the Senate; and

1 (ii) the Committee on Veterans' Af-
2 fairs and the Committee on Appropriations
3 of the House of Representatives.

4 (B) SHORTFALL.—The term “shortfall”,
5 with respect to a fiscal year, means that the
6 amount of appropriations required by the De-
7 partment of Veterans Affairs for such fiscal
8 year to meet all of the statutory obligations of
9 the Department during that fiscal year exceeds
10 the amount of appropriations requested for the
11 Department for that fiscal year in the budget of
12 the President submitted pursuant to section
13 1105(a) of title 31, United States Code, for
14 that fiscal year.

15 (b) LIMITATIONS ON PROVISION OF INCENTIVES FOR
16 CRITICAL SKILLS TO SENIOR EXECUTIVE SERVICE EM-
17 PLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.—
18 Section 706(d) of title 38, United States Code, is amended
19 by adding at the end the following:

20 “(7)(A) Subject to subparagraph (B)(ii), a critical
21 skill incentive may not be provided under paragraph (1)
22 to an employee of the Department employed in a Senior
23 Executive Service position, or a position in another com-
24 parable system for senior-level Government employees, as
25 defined by the Secretary, whose position is at the Central

1 Office of the Department, including the Veterans Health
2 Administration, the Veterans Benefits Administration,
3 and the National Cemetery Administration, regardless of
4 the actual location where the employee performs the func-
5 tions of the position.

6 “(B)(i) A critical skill incentive provided under para-
7 graph (1) to an employee of the Department employed in
8 a Senior Executive Service position, or a position in an-
9 other comparable system for senior-level Government em-
10 ployees, as defined by the Secretary, not described in sub-
11 paragraph (A) of this paragraph may only be provided—

12 “(I) on an individual basis and may not be pro-
13 vided to a group of such employees; and

14 “(II) upon approval of the following officers or
15 those serving in an acting capacity:

16 “(aa) The Under Secretary for Benefits,
17 the Under Secretary for Health, or the Under
18 Secretary for Memorial Affairs.

19 “(bb) The Assistant Secretary for Human
20 Resources and Administration.

21 “(cc) The Director of the Office of Man-
22 agement or the Chief Financial Officer.

23 “(dd) The Assistant Secretary for Ac-
24 countability and Whistleblower Protection.

25 “(ee) The General Counsel.

1 “(ff) Such other officers as the Secretary
2 determines appropriate.

3 “(ii) In the case of an employee of the Department
4 employed in a Senior Executive Service position, or a posi-
5 tion in another comparable system for senior-level Govern-
6 ment employees, as defined by the Secretary, whose posi-
7 tion is primarily at the Central Office of the Department,
8 but who performs some portion of the employee’s job func-
9 tion at other facilities of the Department, as defined by
10 the Secretary, not at Central Office—

11 “(I) the employee shall not be considered de-
12 scribed in subparagraph (A) with respect to the por-
13 tion of the employee’s job function that is based out
14 of non-Central Office facilities of the Department;
15 and

16 “(II) any critical skill incentive provided under
17 paragraph (1) to the employee for the portion of the
18 employee’s job function that is based out of facilities
19 of the Department other than the Central Office
20 shall be proportionate to the time spent at those De-
21 partment facilities.

22 “(C)(i) Not later than one year after the date of the
23 enactment of the Protecting Regular Order for Veterans
24 Act of 2025, and not less frequently than once each year
25 thereafter, the Secretary shall submit to the Committee

1 on Veterans' Affairs of the Senate and the Committee on
2 Veterans' Affairs of the House of Representatives an an-
3 nual report on the employees of the Department employed
4 in a Senior Executive Service position, or a position in
5 another comparable system for senior-level Government
6 employees, as defined by the Secretary, who were provided
7 a critical skill incentive under paragraph (1).

8 “(ii) Reports submitted pursuant to clause (i) may
9 be submitted by incorporating their contents into other
10 congressionally mandated reports to the committees de-
11 scribed in such clause.

12 “(D) In this paragraph, the term ‘Senior Executive
13 Service position’ has the meaning given such term in sec-
14 tion 3132(a) of title 5.”.

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