

114TH CONGRESS
2D SESSION

H. R. 5526

To improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2016

Mr. WENSTRUP (for himself and Mrs. WALORSKI) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees 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,*

3 **SECTION 1. TABLE OF CONTENTS.**

4 The table of contents for this Act is as follows:

Sec. 1. Table of contents.

Sec. 2. Appointment and pay for directors of medical centers and Veterans Integrated Services Networks.

Sec. 3. Modification to annual determination of staffing shortages in Veterans Health Administration.

- Sec. 4. Repeal of compensation panels to determine market pay for physicians and dentists.
- Sec. 5. Executive management fellowship program.
- Sec. 6. Accountability of leaders for managing the Department of Veterans Affairs.
- Sec. 7. Modification to veterans preference.
- Sec. 8. Reemployment of former employees.
- Sec. 9. Recruiting database.
- Sec. 10. Human resources academy.
- Sec. 11. Promotional opportunities for technical experts.
- Sec. 12. Comptroller General study on succession planning.
- Sec. 13. Information on hiring effectiveness.
- Sec. 14. Employment of students and recent graduates.
- Sec. 15. Exit surveys.

1 **SEC. 2. APPOINTMENT AND PAY FOR DIRECTORS OF MED-**
 2 **ICAL CENTERS AND VETERANS INTEGRATED**
 3 **SERVICES NETWORKS.**

4 (a) APPOINTMENT.—Paragraph (4) of section
 5 7306(a) of title 38, United States Code, is amended to
 6 read as follows:

7 “(4) Such medical directors and directors of
 8 Veterans Integrated Service Networks as may be ap-
 9 pointed to suit the needs of the Department, who, to
 10 the extent practicable, shall be a qualified doctor of
 11 medicine, a qualified doctor of dental surgery or
 12 dental medicine, or other qualified medical profes-
 13 sional.”.

14 (b) PAY.—

15 (1) IN GENERAL.—Subchapter IV of chapter 74
 16 of title 38, United States Code, is amended by add-
 17 ing after section 7459 the following new section:

1 **“§ 7460. Medical directors and directors of Veterans**
2 **Integrated Service Networks**

3 “(a) ELEMENTS OF PAY.—Pay for covered directors
4 shall consist of the following elements:

5 “(1) Base pay as provided for under subsection
6 (b).

7 “(2) Market pay as provided for under sub-
8 section (c).

9 “(b) BASE PAY.—Each covered director is entitled to
10 base pay determined under subsection (a)(1) of section
11 7404 of this title.

12 “(c) MARKET PAY.—(1) Each covered director is eli-
13 gible for market pay under this subsection.

14 “(2) Market pay shall consist of pay intended to re-
15 flect the recruitment and retention needs for the assign-
16 ment (as defined by the Secretary) of a particular covered
17 director.

18 “(3) The annual amount of the market pay payable
19 to a covered director shall be determined by the Secretary
20 on a case-by-case basis.

21 “(4) In determining the amount of market pay for
22 covered directors, the Secretary shall—

23 “(A) consult two or more national surveys of
24 pay for hospital directors, medical facility directors,
25 or others individuals in similar positions, whether
26 prepared by private, public, or quasi-public entities

1 in order to make a general assessment of the range
2 of pays payable to covered directors, as applicable;
3 and

4 “(B) take into account—

5 “(i) the experience of the covered director
6 in managing facilities or program offices of the
7 Department;

8 “(ii) the experience of the covered director
9 in managing medical facilities for other depart-
10 ments or agencies of the Federal Government,
11 private entities, or non-profit entities;

12 “(iii) the complexity of the facility man-
13 aged or to be managed by the covered director;

14 “(iv) the labor market for hospital direc-
15 tors, medical facility directors, or other individ-
16 uals in similar positions, which may cover any
17 geographic area the Secretary considers appro-
18 priate; and

19 “(v) such other considerations as the Sec-
20 retary considers appropriate.

21 “(5) The amount of market pay of a covered director
22 shall be evaluated by the Secretary not less often than
23 once every two years. The amount of market pay may be
24 adjusted as the result of such an evaluation. A covered

1 director whose market pay is so evaluated shall receive
2 written notice of the results of such evaluation.

3 “(d) REQUIREMENTS AND LIMITATIONS ON TOTAL
4 PAY.—(1)(A) Not less often than once every two years,
5 the Secretary shall prescribe for Department-wide applica-
6 bility the minimum and maximum amounts of annual pay
7 that may be paid under this section to covered directors.

8 “(B) Amounts prescribed under subparagraph (A)
9 shall be published in the Federal Register, and shall not
10 take effect until at least 60 days after the date of publica-
11 tion.

12 “(2) The sum of the total amount of the annual rate
13 of base pay payable to a covered director under subsection
14 (b) and the market pay determined for the covered direc-
15 tor under subsection (c) may not be less than the min-
16 imum amount, nor more than the maximum amount, spec-
17 ified pursuant to paragraph (1)(A).

18 “(3) In no case may the total amount of compensa-
19 tion paid to a covered director in any year exceed the
20 amount of annual compensation (excluding expenses)
21 specified in section 102 of title 3.

22 “(e) TREATMENT OF PAY.—Pay under subsections
23 (b) and (c) shall be considered pay for all purposes, includ-
24 ing retirement benefits under chapters 83 and 84 of title
25 5 and other benefits.

1 “(f) ANCILLARY EFFECTS OF DECREASES IN PAY.—

2 (1) A decrease in pay of a covered director resulting from
3 an adjustment in the amount of market pay of the covered
4 director under subsection (c) shall not be treated as an
5 adverse action.

6 “(2) A decrease in pay of a covered director resulting
7 from an involuntary reassignment in connection with a
8 disciplinary action taken against the covered director is
9 not subject to appeal.

10 “(g) DELEGATION OF RESPONSIBILITIES.—The Sec-
11 retary may delegate to an appropriate officer or employee
12 of the Department any responsibility of the Secretary
13 under this section, except for the responsibilities of the
14 Secretary under subsection (d)(1).

15 “(h) COVERED DIRECTORS DEFINED.—In this sec-
16 tion, the term ‘covered directors’ means medical directors
17 and directors of Veterans Integrated Service Networks ap-
18 pointed under section 7306(a)(4) of this title.”.

19 (2) CLERICAL AMENDMENT.—The table of sec-
20 tions at the beginning of such chapter is amended
21 by inserting after the item relating to section 7459
22 the following new item:

“7460. Medical directors and directors of Veterans Integrated Service Net-
works.”.

23 (3) CONFORMING AMENDMENTS.—Chapter 74
24 of such title is further amended—

1 (A) in section 7404(a)(1) by striking “The
 2 annual” and inserting “Except as provided by
 3 section 7460 of this title, the annual”; and

4 (B) in the heading for subchapter IV (and
 5 in the item relating to such subchapter in the
 6 table of sections at the beginning of such chap-
 7 ter), by striking “HEALTH-CARE”.

8 **SEC. 3. MODIFICATION TO ANNUAL DETERMINATION OF**
 9 **STAFFING SHORTAGES IN VETERANS HEALTH**
 10 **ADMINISTRATION.**

11 (a) IN GENERAL.—Subsection (a) of section 7412 of
 12 title 38, United States Code, is amended—

13 (1) by striking “the five occupations” and in-
 14 serting “the five clinical occupations and the five
 15 nonclinical occupations”; and

16 (2) by striking “throughout the Department”
 17 and inserting “with respect to each Veterans Inte-
 18 grated Services Network,”.

19 (b) TECHNICAL AMENDMENT.—Subsection (b) of
 20 such section is amended by striking “paragraph (1)” and
 21 inserting “subsection (a)”.

1 **SEC. 4. REPEAL OF COMPENSATION PANELS TO DETER-**
 2 **MINE MARKET PAY FOR PHYSICIANS AND**
 3 **DENTISTS.**

4 Section 7431(c) of title 38, United States Code, is
 5 amended—

6 (1) by striking paragraph (4);

7 (2) by redesignating paragraphs (5), (6), and
 8 (7) as paragraphs (4), (5), and (6), respectively; and

9 (3) in paragraph (6), as so redesignated, by
 10 striking “under paragraph (6)” and inserting
 11 “under paragraph (5)”.

12 **SEC. 5. EXECUTIVE MANAGEMENT FELLOWSHIP PROGRAM.**

13 (a) FELLOWSHIP PROGRAM.—Chapter 7 of title 38,
 14 United States Code, is amended by adding at the end the
 15 following new subchapter:

16 “SUBCHAPTER II—EXECUTIVE MANAGEMENT
 17 FELLOWSHIP PROGRAM

18 “§ 721. **Executive Management Fellowship Program**

19 “(a) FELLOWSHIP PROGRAM.—There is in the De-
 20 partment an Executive Management Fellowship Program.
 21 The purpose of the program shall be to provide eligible
 22 employees of the Veterans Benefits Administration and
 23 the Veterans Health Administration with training and ex-
 24 perience in the private sector.

25 “(b) FELLOWSHIP.—(1) A fellowship provided under
 26 this section is a one-year fellowship during which the eligi-

1 ble employee who is the recipient of the fellowship shall
2 receive training at a private-sector entity that is engaged
3 in the administration and delivery of health care or other
4 services similar to the benefits administered by the Sec-
5 retary.

6 “(2) The Secretary shall enter into such agreements
7 with private-sector entities as are necessary to carry out
8 this section.

9 “(c) SELECTION OF RECIPIENTS.—In August of each
10 year, the Secretary shall select not fewer than 18 and not
11 more than 30 eligible employees to receive a fellowship
12 under this section. To the extent practicable, the Secretary
13 shall select such eligible employees from among eligible
14 employees who are veterans in a manner that is reflective
15 of the demographics of the veteran population of the
16 United States.

17 “(d) ELIGIBLE EMPLOYEES.—For the purposes of
18 this section, an eligible employee is an employee of the
19 Veterans Benefits Administration or the Veterans Health
20 Administration who—

21 “(1) is compensated at a rate of basic pay not
22 less than the minimum rate of basic pay payable for
23 grade GS–14 of the General Schedule and not more
24 than either the minimum rate of basic pay payable
25 to a member of the Senior Executive Service under

1 section 5382 of title 5, United States Code, or the
2 minimum rate of basic pay payable pursuant to
3 chapter 74 of this title, as the case may be;

4 “(2) enters into an agreement with the Sec-
5 retary under subsection (e); and

6 “(3) submits to the Secretary an application
7 containing such information and assurances as the
8 Secretary may require.

9 “(e) AGREEMENTS.—An agreement between the Sec-
10 retary and a recipient of a fellowship shall be in writing,
11 shall be signed by the recipient, and shall include the fol-
12 lowing provisions:

13 “(1) The Secretary’s agreement—

14 “(A) to provide the recipient with a fellow-
15 ship under this section; and

16 “(B) to afford the participant the oppor-
17 tunity for employment in the Veterans Benefits
18 Administration or the Veterans Health Admin-
19 istration (subject to the availability of appro-
20 priated funds for such purpose and other quali-
21 fications established in accordance with section
22 7402 of this title).

23 “(2) The recipient’s agreement—

24 “(A) to accept the fellowship;

1 “(B) after completion of the fellowship, to
2 serve as a full-time employee in the Veterans
3 Benefits Administration or the Veterans Health
4 Administration for at least two years as speci-
5 fied in the agreement; and

6 “(C) that, during the two-year period be-
7 ginning on the last day of the fellowship, the re-
8 cipient will not accept employment in the same
9 industry as the industry of the private entity at
10 which the recipient accepts the fellowship.

11 “(3) A provision that any financial obligation of
12 the United States arising out of an agreement en-
13 tered into under this subchapter, and any obligation
14 of the recipient which is conditioned on such agree-
15 ment, is contingent upon funds being appropriated
16 for educational assistance under this subchapter.

17 “(4) A statement of the damages to which the
18 United States is entitled under this subchapter for
19 the recipient’s breach of the agreement.

20 “(5) Such other terms as the Secretary deter-
21 mines are required to be included in the agreement.

22 “(f) TREATMENT OF RECIPIENTS.—The recipient of
23 a fellowship under this section shall be considered an em-
24 ployee of the Department for all purposes, including for
25 purposes of receiving a salary and benefits, and shall re-

1 main eligible for all promotion and incentive programs
2 otherwise available to such an employee.

3 “(g) REPORT TO CONGRESS.—Not later than 60 days
4 after completing a fellowship under this section, a recipi-
5 ent of the fellowship shall submit to the Secretary a report
6 on the fellowship. Each such report shall describe the du-
7 ties of the recipient during the fellowship and any rec-
8 ommendations of the recipient for the application of indus-
9 try processes, technologies, and best practices. Not later
10 than seven days after receiving each such report, the Sec-
11 retary shall submit to the Committees on Veterans’ Affairs
12 of the Senate and House of Representatives such report
13 without change.

14 “(h) PRIVATE-SECTOR ENTITY DEFINED.—In this
15 section, the term ‘private-sector entity’ includes an entity
16 operating under a public-private partnership.”.

17 (b) DEADLINE FOR IMPLEMENTATION.—Not later
18 than 90 days after the date of the enactment of this Act,
19 the Secretary of Veterans Affairs shall implement the Ex-
20 ecutive Management Fellowship Program required under
21 section 721 of title 38, United States Code, as added by
22 subsection (a).

23 (c) CLERICAL AMENDMENT.—The table of sections
24 at the beginning of such chapter is amended by adding
25 at the end the following new items:

“721. Executive Management Fellowship Program.”.

1 **SEC. 6. ACCOUNTABILITY OF LEADERS FOR MANAGING**
2 **THE DEPARTMENT OF VETERANS AFFAIRS.**

3 (a) IN GENERAL.—Chapter 7 of title 38, United
4 States Code, is amended by inserting after section 709 the
5 following new section:

6 **“§ 709A. Annual performance plan for political ap-**
7 **pointees**

8 “(a) IN GENERAL.—The Secretary shall conduct an
9 annual performance plan for each political appointee of
10 the Department that is similar to the annual performance
11 plan conducted for an employee of the Department who
12 is appointed as a career appointee (as that term is defined
13 in section 3132(a)(4) of title 5) within the Senior Execu-
14 tive Service at the Department.

15 “(b) ELEMENTS OF PLAN.—Each annual perform-
16 ance plan conducted under subsection (a) with respect to
17 a political appointee of the Department shall include an
18 assessment of whether the appointee is meeting the fol-
19 lowing goals:

20 “(1) Recruiting, selecting, and retaining well-
21 qualified individuals for employment at the Depart-
22 ment.

23 “(2) Engaging and motivating employees.

1 “(3) Training and developing employees and
2 preparing those employees for future leadership roles
3 within the Department.

4 “(4) Holding each employee of the Department
5 that is a manager accountable for addressing issues
6 relating to performance, in particular issues relating
7 to the performance of employees that report to the
8 manager.

9 “(c) DEFINITION OF POLITICAL APPOINTEE.—In
10 this section, the term ‘political appointee’ means an em-
11 ployee of the Department who holds—

12 “(1) a position which has been excepted from
13 the competitive service by reason of its confidential,
14 policy-determining, policy-making, or policy-advo-
15 cating character; or

16 “(2) a position in the Senior Executive Service
17 as a noncareer appointee (as such term is defined in
18 section 3132(a) of title 5).”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of chapter 7 of such title is amended by
21 inserting after the item relating to section 709 the fol-
22 lowing new item:

 “709A. Annual performance plan for political appointees.”.

23 **SEC. 7. MODIFICATION TO VETERANS PREFERENCE.**

24 (a) ACTIVE DUTY REQUIREMENT.—Section
25 2108(1)(B) and (D) of title 5, United States Code, are

1 amended by striking “consecutive” in each instance it ap-
2 pears and inserting “cumulative”.

3 (b) EXPANSION OF ELIGIBILITY OF RETIRED VET-
4 ERANS.—Section 2108(4) of title 5, United States Code,
5 is amended to read as follows:

6 “(4) ‘preference eligible’ includes a retired
7 member of the armed forces; and”.

8 (c) VETERANS PREFERENCE FOR VA SENIOR EX-
9 ECUTIVES.—

10 (1) IN GENERAL.—To the greatest extent prac-
11 ticable and notwithstanding the matter following
12 subparagraph (H) of section 2108(3) of title 5,
13 United States Code, the Secretary of Veterans Af-
14 fairs shall give a hiring preference to any preference
15 eligible when selecting an individual for appointment
16 to a senior executive position.

17 (2) DEFINITIONS.—For purposes of this sub-
18 section—

19 (A) the term “preference eligible” has the
20 meaning given such term in section 2108(3) of
21 title 5, United States Code; and

22 (B) the terms “individual” and “senior ex-
23 ecutive position” have the meaning given such
24 terms in paragraphs (1) and (3), respectively,

1 of section 713(g) of title 38, United States
2 Code.

3 (3) CONFORMING AMENDMENT.—Section
4 2108(3) of title 5, United States Code, is amended
5 in the matter following subparagraph (H) by insert-
6 ing “(except as provided for under section 8(c) of
7 the To improve the authority of the Secretary of
8 Veterans Affairs to hire and retain physicians and
9 other employees of the Department of Veterans Af-
10 fairs, and for other purposes Act of 2016)” after
11 “members of, the Senior Executive Service”.

12 **SEC. 8. REEMPLOYMENT OF FORMER EMPLOYEES.**

13 (a) IN GENERAL.—The Secretary of Veterans Affairs
14 may noncompetitively appoint a qualified former employee
15 to any position within the competitive service or any ex-
16 cepted service position under chapter 74 of title 38, United
17 States Code, at the Department of Veterans Affairs that
18 is one grade higher than the grade of the position at the
19 Department most recently occupied by the employee.

20 (b) LIMITATION.—The Secretary may not appoint a
21 qualified former employee to a position that is more than
22 one grade (or equivalent) higher than the position at the
23 Department most recently occupied by the employee.

1 (c) DEFINITION OF QUALIFIED FORMER EM-
2 PLOYEE.—For purposes of this section, the term “quali-
3 fied former employee” means any individual who—

4 (1) formerly occupied any position at the De-
5 partment of Veterans Affairs within 2 years before
6 applying for reemployment at the Department;

7 (2) voluntarily left such position, or was subject
8 to a reduction in force, and had a satisfactory per-
9 formance record while occupying such position; and

10 (3) since leaving such position has maintained
11 licensing requirements, related to the position, if
12 any, and gained skill, knowledge, or other factors re-
13 lated to the position.

14 **SEC. 9. RECRUITING DATABASE.**

15 (a) ESTABLISHMENT.—The Secretary of Veterans
16 Affairs shall establish a single database that lists each va-
17 cant position in the Department of Veterans Affairs that
18 the Secretary determines is critical to the mission of the
19 Department, difficult to fill, or both.

20 (b) QUALIFIED APPLICANT.—If the Secretary deter-
21 mines that an applicant for a vacant position listed in the
22 database established under subsection (a) is qualified for
23 such position but does not select the applicant for such
24 position, the Secretary, at the election of the applicant,
25 shall consider the applicant for other similar vacant posi-

1 tions listed in the database for which the applicant is
2 qualified.

3 (c) PROLONGED VACANCIES.—If the Secretary does
4 not fill a vacant position listed in the database established
5 under subsection (a) after a period determined appro-
6 priate by the Secretary, the Secretary—

7 (1) shall ensure that applicants described in
8 subsection (b) are considered for such position; and

9 (2) shall use the database established under
10 subsection (a) to assist in filling such position.

11 (d) REPORT.—Not later than one year after the date
12 of the enactment of this Act, the Secretary shall submit
13 to Congress a report on the use and efficacy of the data-
14 base established under subsection (a).

15 **SEC. 10. HUMAN RESOURCES ACADEMY.**

16 (a) IN GENERAL.—The Secretary of Veterans Affairs
17 shall provide to human resources professionals of the Vet-
18 erans Health Administration of the Department of Vet-
19 erans Affairs training on how to best recruit and retain
20 employees of the Veterans Health Administration, includ-
21 ing with respect to any recruitment and retention matters
22 that are unique to the Veterans Health Administration
23 pursuant to chapter 74 of title 38, United States Code,
24 or other provisions of law. The Secretary shall provide
25 such training in a manner that the Secretary determines

1 appropriate in light of budget, travel, and other con-
2 straints.

3 (b) AMOUNT OF TRAINING.—The Secretary shall en-
4 sure that each human resources professional of the Vet-
5 erans Health Administration receives the training de-
6 scribed in subsection (a)—

7 (1) as soon as practicable after being hired by
8 the Secretary as a human resource professional; and

9 (2) annually thereafter.

10 (c) CERTIFICATION.—The Secretary shall require
11 that each human resources professional of the Veterans
12 Health Administration, upon the completion of the train-
13 ing described in subsection (a), certifies that the profes-
14 sional received the training and understands the informa-
15 tion provided by the training.

16 (d) ANNUAL REPORT.—The Secretary shall submit
17 to the Committees on Veterans' Affairs of the House of
18 Representatives and the Senate an annual report on the
19 training described in subsection (a), including the cost of
20 providing such training and the number of human re-
21 sources professionals who received such training during
22 the year covered by the report.

1 **SEC. 11. PROMOTIONAL OPPORTUNITIES FOR TECHNICAL**
2 **EXPERTS.**

3 Not later than one year after the date of the enact-
4 ment of this Act, the Secretary of Veterans Affairs shall
5 establish a promotional track system for employees of the
6 Department of Veterans Affairs that the Secretary deter-
7 mines are technical experts pursuant to regulations pre-
8 scribed by the Secretary for purposes of carrying out this
9 section. Such system shall—

10 (1) provide any such employee the opportunity
11 to advance within the Department without being re-
12 quired to transition to a management position; and

13 (2) for purposes of achieving career advance-
14 ment—

15 (A) provide for the establishment of new
16 positions within the Department; and

17 (B) notwithstanding any other provision of
18 law, provide for increases in pay for any such
19 employee.

20 **SEC. 12. COMPTROLLER GENERAL STUDY ON SUCCESSION**
21 **PLANNING.**

22 (a) STUDY.—The Comptroller General of the United
23 States shall conduct a study on each of the following:

24 (1) The succession planning at each medical fa-
25 cility of the Department of Veterans Affairs.

1 (2) The succession planning at the Veterans
2 Benefits Administration and the National Cemetery
3 Administration of the Department.

4 (b) ELEMENTS.—The study under subsection (a)
5 shall include, for each entity studied under the study, the
6 following:

7 (1) A determination of the mission-critical posi-
8 tions within the entity and the vacancy risk of such
9 positions.

10 (2) An analysis of the future needs for mission-
11 critical positions and gaps within the existing talent
12 pool of the entity.

13 (3) A description of strategies to close skill
14 gaps through the use of training for existing staff,
15 targeted recruitment, and hiring.

16 (4) A plan to regularly evaluate progress of
17 staff and update existing succession plans using
18 clear and measurable metrics and benchmarks.

19 (5) A demonstration of the capacity of the enti-
20 ty to execute succession plans with successful succes-
21 sion management strategies.

22 (6) Any other matters the Comptroller General
23 determines appropriate.

24 (c) REPORT.—Not later than one year after the date
25 of the enactment of this Act, the Comptroller General shall

1 submit to the Committees on Veterans' Affairs of the
2 House of Representatives and the Senate a report con-
3 taining each study conducted under subsection (a).

4 **SEC. 13. INFORMATION ON HIRING EFFECTIVENESS.**

5 (a) IN GENERAL.—The Secretary of Veterans Affairs
6 shall measure and collect information on indicators of hir-
7 ing effectiveness as follows:

8 (1) With respect to recruiting and hiring—

9 (A) the ability to reach and recruit well-
10 qualified talent from diverse talent pools, in-
11 cluding sources of candidates for mission-crit-
12 ical occupations;

13 (B) the use and impact of special hiring
14 authorities and flexibilities to recruit most
15 qualified applicants, including the use of stu-
16 dent internships as a talent pool for permanent
17 hires;

18 (C) the use and impact of special hiring
19 authorities and flexibilities to recruit diverse
20 candidates, including veteran, minority and dis-
21 abled candidates;

22 (D) the use and impact of special hiring
23 authorities and flexibilities to recruit candidates
24 for mission-critical occupations and occupations
25 with shortages;

1 (E) the age, educational level, and source
2 of applicants;

3 (F) the length of time between the date on
4 which a position is advertised and the date on
5 which a first offer of employment is made;

6 (G) the length of time between the date on
7 which a first offer of employment for a position
8 is made and the date on which a new hire
9 starts in that position;

10 (H) the number of internal and external
11 applicants for positions; and

12 (I) the number of offers accepted com-
13 pared to the number of offers made for perma-
14 nent positions.

15 (2) With respect to the hiring authority—

16 (A) the satisfaction of the hiring authority
17 with—

18 (i) the quality of new hires;

19 (ii) the match between the skills of
20 newly hired individuals and the needs of
21 the Department;

22 (iii) the hiring process and hiring out-
23 comes after the first year of the employ-
24 ment of a new hire; and

1 (iv) the length of time that elapses to
2 fill a position and for a new hire to begin
3 working in a new position; and

4 (B) mission-critical deficiencies filled by
5 new hires and the connection between mission-
6 critical deficiencies and annual agency perform-
7 ance.

8 (3) Satisfaction of employment applicants with
9 the hiring process, including with respect to the clar-
10 ity of job announcement, reasons for withdrawal of
11 applications, user-friendliness of the application
12 process, communication regarding status of applica-
13 tion, and timeliness of hiring decision.

14 (4) With respect to a newly hired employee—

15 (A) the satisfaction of the employee with
16 the hiring process as described in paragraph
17 (3);

18 (B) the satisfaction with the process of
19 joining and becoming oriented with the Depart-
20 ment, including with respect to the timeliness of
21 such process after the hiring decision, the ori-
22 entation process, and being provided with time-
23 ly and useful new employee information and as-
24 sistance after the hire is made but before the

1 new hire starts in that position and after the
2 new hire has begun;

3 (C) attrition and reasons for leaving;

4 (D) investment in training and develop-
5 ment for the employee during the first year of
6 employment; and

7 (E) significant barriers to the effective re-
8 cruitment, selection, joining and becoming ori-
9 ented with the Department, and retention of
10 employees.

11 (b) DISAGGREGATION OF DATA.—To the extent prac-
12 ticable and in a manner which protects personally identifi-
13 able information of applicants and employees, the Sec-
14 retary shall collect and report data collected under sub-
15 section (a) disaggregated by facility or Veterans Inte-
16 grated Service Network.

17 (c) REPORTS.—

18 (1) IN GENERAL.—On an annual basis, the Sec-
19 retary shall submit to the Committees on Veterans'
20 Affairs of the House of Representatives and the Sen-
21 ate a report of the information collected under sub-
22 section (a).

23 (2) AVAILABILITY OF RECRUITING AND HIRING
24 INFORMATION.—On an annual basis, the Secretary
25 shall make publicly available the information col-

1 lected under subsection (a) in a consistent and ma-
2 chine-readable format to allow for a comparison of
3 hiring effectiveness and experience by Veterans Inte-
4 grated Service Network or comparable public or pri-
5 vate sector organization.

6 **SEC. 14. EMPLOYMENT OF STUDENTS AND RECENT GRAD-**
7 **UATES.**

8 (a) IN GENERAL.—The Secretary of Veterans Affairs
9 shall prescribe regulations to allow for excepted service ap-
10 pointments of students and recent graduates leading to
11 conversion to career or career conditional employment of
12 a student or recent graduate of a qualifying educational
13 institution, as defined by the Department.

14 (b) APPLICABILITY.—The conversion authority de-
15 scribed in subsection (a) shall be applicable to individuals
16 in good standing who—

17 (1) are employed in a qualifying internship or
18 fellowship program at the Department;

19 (2) are employed in the Department in a volun-
20 teer capacity and performing substantive duties com-
21 parable to those of individuals in internship or fel-
22 lowship programs and meet the required number of
23 hours for conversion; or

24 (3) are employed in the Department under a
25 contract or agreement with an external nonprofit or-

1 ganization and performing substantive duties com-
2 parable to those of individuals in internship or fel-
3 lowship programs.

4 (c) UNIFORMITY.—For the purposes of subsections
5 (b)(2) and (b)(3), hours of work performed by an indi-
6 vidual employed shall be considered equal to those per-
7 formed by an individual employed in a qualifying intern-
8 ship or fellowship program by the Department.

9 **SEC. 15. EXIT SURVEYS.**

10 (a) IN GENERAL.—The Secretary of Veterans Affairs
11 shall develop and carry out a standardized exit survey to
12 be voluntarily completed by career and noncareer employ-
13 ees and executives of the Department of Veterans Affairs
14 who voluntarily separate from the Department. Such exit
15 survey shall be developed in consultation with an appro-
16 priate non-Department entity with experience developing
17 such surveys.

18 (b) SURVEY CONTENT.—The survey shall include, at
19 a minimum—

20 (1) reasons for leaving the Department;

21 (2) efforts made by the supervisor of the em-
22 ployee to retain the individual;

23 (3) the extent of job satisfaction and engage-
24 ment during the employment;

1 (4) the intent of employee to either remain em-
2 employed within the Federal Government or to leave
3 employment with the Federal Government; and

4 (5) such other matters as the Secretary deter-
5 mines appropriate.

6 (c) ANONYMITY OF SURVEY CONTENT.—The Sec-
7 retary shall ensure that, to the extent possible, data col-
8 lected under subsection (a) is anonymized and personally
9 identifiable information is removed.

10 (d) SHARING OF SURVEY DATA.—The Secretary
11 shall ensure that the results of the survey required by sub-
12 section (a) are shared on an annual basis with directors
13 and managers of facilities of the Department and the Vet-
14 erans Integrated Service Networks.

15 (e) REPORT.—Not later than one year after the date
16 of the enactment of this Act, and annually thereafter, the
17 Secretary shall submit to the Committees on Veterans' Af-
18 fairs of the House of Representatives and the Senate a
19 report containing the aggregate results of the exit survey
20 under subsection (a) covering the year prior to the report.
21 The report shall include—

22 (1) an analysis of the most common reasons
23 employees choose to leave the Department;

24 (2) steps the Secretary is taking to improve re-
25 tention, particularly for mission-critical occupations;

- 1 (3) the demographic characteristics of employ-
- 2 ees choosing to leave the Department;
- 3 (4) any legislative barriers to improving em-
- 4 ployee retention; and
- 5 (5) the number of employees who took the exit
- 6 survey under subsection (a).

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