



## Legislation Text

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**File #:** Res 0201-2014, **Version:** \*

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### Res. No. 201

Resolution calling upon the United States Congress to pass and the President of the United States to sign The Department of Veterans' Affairs Management Accountability Act of 2014, S.2013 and H.R.4031, which would provide the Secretary of Veterans Affairs greater authority to remove senior executive service employees from the Department of Veterans Affairs based on performance.

By Council Members Ulrich, Vallone and Rosenthal

Whereas, Many of the nation's largest Veterans Service Organizations (VSOs) have raised concerns about mismanagement and accountability issues at the United States Department of Veterans Affairs (VA); and

Whereas, According to the VA, New York City is home to roughly 200,000 veterans who, in addition to their dependents, rely on the VA for benefits and services; and

Whereas, Allegations exist that VA executives presided over significant acts of negligence and mismanagement, resulting in preventable deaths, patient safety incidents, and backlog increases; and

Whereas, Recent reports from the VA Inspector General have connected many patient problems to widespread and fundamental mismanagement at VA facilities; and

Whereas, A 2013 report released by the U.S. Government Accountability Office found that VA executive bonus pay had no clear link to performance; and

Whereas, In February 2014, Senator Marco Rubio and Congressman Jeffrey Miller introduced S.2013 and H.R.4031, respectively, legislation known as the Department of Veterans' Affairs Management Accountability Act of 2014 (the Act); and

Whereas, Current law allows the Secretary of Veterans Affairs to remove or suspend a senior executive service (SES) employee only for misconduct, neglect of duty, malfeasance, or failure to accept a

direct reassignment; and

Whereas, Existing laws also provide SES employees with certain employment protections including advance written notice of a proposed disciplinary action, opportunities to respond and contest said action, access to legal representation, and a final written decision with specific reasons for the action; and

Whereas, According to the American Legion and Veterans of Foreign Wars (VFW), the current SES discipline process is extraordinarily slow, highly bureaucratic, and affords SES employees the opportunity to engage in an endless back-and-forth with the Department through archaic legal maneuvers; and

Whereas; Veterans organizations further contend that these SES protections make it virtually impossible for an SES employee to be sanctioned or removed for poor performance; and

Whereas, The Act would provide the Secretary of Veterans Affairs with greater disciplinary authority to immediately remove those SES employees whose performance the Secretary believes warrants transfer, demotion, or termination; and

Whereas, Supporters of the Act claim that these enhanced measures will ultimately reduce the VA's disability benefits backlog and improve administered services; and

Whereas, The Act also helps to address the concerns raised by VSOs on behalf of their members regarding the purported systemic lack of accountability at the VA; and

Whereas, The Department of Veterans Affairs Management Accountability Act of 2014 would help ensure that the VA is supported, well-managed, and capable of carrying out its mission of caring for those veterans who have borne the battle, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass and the President of the United States to sign The Department of Veterans' Affairs Management Accountability Act of 2014, S.2013 and H.R.4031, which would provide the Secretary of Veterans Affairs greater authority to remove senior executive service employees from the Department of Veterans Affairs based on performance.

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