

H. Res. __

H.R. 1259 - VA Accountability First Act of 2017

H.R. 1367 - 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

H.R. 1181 - Veterans 2nd Amendment Protection Act

1. Structured rule for H.R. 1259.
2. Provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs.
3. Waives all points of order against consideration of the bill.
4. Makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-7 and provides that it shall be considered as read.
5. Waives all points of order against that amendment in the nature of a substitute.
6. Makes in order only those further amendments printed in part A of the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.
7. Waives all points of order against the amendments printed in part A of the report.
8. Provides one motion to recommit with or without instructions.
9. Structured rule for H.R. 1367.
10. Provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs.
11. Waives all points of order against consideration of the bill.

12. Makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-6 and provides that it shall be considered as read.
13. Waives all points of order against that amendment in the nature of a substitute.
14. Makes in order only those further amendments printed in part B of the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.
15. Waives all points of order against the amendments printed in part B of the report.
16. Provides one motion to recommit with or without instructions.
17. Closed rule for H.R. 1181.
18. Provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs.
19. Waives all points of order against consideration of the bill.
20. Provides that the bill shall be considered as read.
21. Waives all points of order against provisions in the bill.
22. Provides one motion to recommit.

RESOLUTION

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1259) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-7. That amendment in the nature of a substitute shall be

considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Sec. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1367) 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. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-6. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as

may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Sec. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1181) to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs; and (2) one motion to recommit.

**SUMMARY OF AMENDMENTS TO H.R. 1259 IN PART A PROPOSED TO BE
MADE IN ORDER**

(summaries derived from information provided by sponsors)

Sponsor	# Description	Debate Time
1. Roe (TN)	#6 MANAGER'S Inserts "to or" after the word "paid" on page 20, line 15.	(10 minutes)
2. Walz (MN)	#1 Grants the VA Secretary improved authorities to hold VA senior executives and employees accountable, protects employees' constitutionally guaranteed due process rights, and protects employees' collective bargaining rights under federal law.	(10 minutes)
3. Hanabusa, Colleen (HI)	#14 Allows the Secretary to reduce a demoted individual's pay grade by a minimum of a step, depending on the severity of the misconduct.	(10 minutes)
4. Kuster, Ann (NH)	#7 (REVISED) Includes as prohibited personnel practices as described in the whistleblower protection subsection of section 3 with those defined in 38 USC 733(c).	(10 minutes)
5. Duffy (WI)	#11 (REVISED) Directs the Secretary of Veteran Affairs to, at a minimum, suspend an individual who has been charged with the sexual assault of a patient at a Department of Veteran Affairs medical facility.	(10 minutes)
6. Taylor	#12 Requires the Veterans Administration to provide a semi-	(10 minutes)

- (VA) annual report to the House and Senate Committees on Veterans Affairs outlining all instances of Senior Executives who are detailed to a new position within the agency. The report will contain details on the purpose of the reassignment as well as the costs associated with the reassignment.
- 7. Tenney (NY)** #5 Requires that bonuses awarded to senior-level executives within the Department of Veterans Affairs be reported to Congress on an annual basis. (10 minutes)
- 8. Kuster, Ann (NH)** #9 Requires VA supervisors to develop performance plans for employees, to include steps taken to address poor performance. It would also improve training for supervisors. (10 minutes)
- 9. Takano (CA)** #3 **SUBSTITUTE** Provides for the suspension and removal of VA employees for performance or misconduct that is a threat to public health and safety in place of the proposed removal process. (10 minutes)

SUMMARY OF AMENDMENTS TO H.R. 1367 IN PART B PROPOSED TO BE MADE IN ORDER

(summaries derived from information provided by sponsors)

Sponsor	# Description	Debate Time
1. Wenstrup (OH)	#20 MANAGER’S Extends the timeline to implement the fellowship program from 90 days to one year and extends the GAO reporting deadline from one to two years. Additionally, it removes the requirement to track a number of hiring effectiveness metrics, changes the establishment of a recruiting database from a “shall” to “may” authority, and stipulates that HR training be accomplished virtually.	(10 minutes)
2. Meng (NY)	#5 Makes clear that the Inspector General of the VA must report, pursuant to 38 U.S.C. 7412, on at minimum five clinical and five nonclinical VA occupations that have the largest staffing shortages, which then triggers special hiring authorities for the Secretary to address such shortages.	(10 minutes)
3. Sewell (AL)	#10 Allows the Secretary to select eligible employees for the Executive Management Fellowship Program who represent or service rural areas, to whatever extent practicable.	(10 minutes)
4. Hanabusa,	#25 Strikes section 6, “Reemployment of Former	(10 minutes)

- Colleen (HI)** Employees,” which would allow for the Secretary to appoint former employees at one grade higher than when they last separated, without having to go through the usual competitive application process.
- 5. Buck (CO)** #14 Prevents former political appointees at the VA from receiving non-political, competitively selected positions at the VA without having to go through the proper selection process. (10 minutes)
- 6. Shea-Porter (NH)** #19 Requires the Secretary of the Department of Veterans Affairs to list open mental health positions in the database established under the bill. (10 minutes)
- 7. Brownley (CA)** #13 Clarifies that “medical facility” referenced in Sec. 10 includes each medical center, domiciliary facility, outpatient clinic, community-based outpatient clinic, and vet center. (10 minutes)
- 8. Welch (VT)** #30 **(LATE)** Adds an analysis of succession planning and hiring in rural areas, and requires a study on the ability to hire and recruit veterans in rural areas. (10 minutes)
- 9. Gottheimer (NJ)** #28 Adds veterans who are recent graduates and/or recipients of Post-9/11 GI Bill Educational Assistance as a distinct category of individuals who are allowed for excepted service appointments. (10 minutes)
- 10. Herrera-Beutler (WA)** #22 Strengthens anonymity protections for employees filling out exit surveys, and requires exit survey data to be compiled at the VISN level to identify and acknowledge regional differences. (10 minutes)
- 11. Hanabusa, Colleen (HI)** #26 Requires the total number of employees that voluntarily separated and the percentage of those employees that took the voluntary exit survey. (10 minutes)
- 12. Meng (NY)** #3 **(REVISED)** Encourages the transition of military medical professionals into employment with the Veterans Health Administration upon discharge or separation from the Armed Forces. (10 minutes)
- 13. Bost (IL)** #11 Directs the Department of Veterans Affairs to develop and implement a plan to hire a director for each VA medical center without a permanent director. (10 minutes)
- 14. O'Rourke (TX)** #15 Allows the VA to offer physicians conditional job offers two years prior to the completion of their residency program. Requires VA recruiters or similar official to visit each teaching institution with a residency program at least once annually. (10 minutes)