



July 21, 2015

The Honorable Johnny Isakson
Chairman
Senate Committee on Veterans Affairs
412 Russell Senate Office Building
Washington, DC 20510

The Honorable Richard Blumenthal
Ranking Member
Senate Committee on Veterans Affairs
825A Hart Senate Office Building
Washington, DC 20510

Dear Chairman Isakson, Ranking Member Blumenthal, and Members of the Committee:

As you know, the Senior Executives Association (SEA) represents the interests of career federal executives in the Senior Executive Service (SES), and those in Senior Level (SL), Scientific and Professional (ST), and equivalent positions. On behalf of the Association, and of the SEA members who serve at the Department of Veterans Affairs (VA), I write to share the Association's perspective on S. 627. The bill would prohibit the VA Secretary from awarding bonuses to VA employees who have been subject to an adverse finding by the Secretary.

While SEA commends the committee for listening to stakeholder input and making amendments to the legislative text since its first iteration was discussed in May, this remains an ill-conceived and poorly crafted bill that is more smoke and mirrors than real reform, and SEA cannot support it.

We still believe that Congress' focus on barring eligibility for bonuses or revoking them fails to address the underlying processes by which performance is assessed and award determinations for VA employees are made in the first place.

With regard to Senior Executives, the VA has already taken the extraordinary step of voluntarily banning performance awards for Senior Executives this year. Investigations by the IG, GAO, or other senior ethics officials are already taken into account for SES performance awards, and the Secretary already has ultimate sign-off authority on those awards.

Additionally, we are concerned that this bill would provide unmitigated authority to the Secretary to disregard all laws, including those protecting whistleblowers and against all forms of discrimination, in employing the new authority afforded by the legislation.

On the section of the bill pertaining to previously awarded bonuses and the ability of the Secretary to issue an order to an employee directing repayment of such a bonus, our concerns about the constitutionality of that action remains.

With S. 627, Congress is proving once again that it has no idea what it is doing with regards to workforce policy and is more interested in pursuing lazy, talking point legislation and rhetorical attacks against the VA workforce, rather than addressing the real issues at the VA. SEA stands ready to work with Members to pursue meaningful, constitutional reforms to improve the VA and its workforce.

Sincerely,

CAROL A. BONOSARO
President