



March 7, 2017

The Honorable Phil Roe
Chairman
335 Cannon House Office Building
Washington, DC 20515

The Honorable Tim Waltz
Ranking Member
333 Cannon House Office Building
Washington, DC 20515

Dear Chairman Roe, Ranking Member Waltz and Members of the Committee:

On behalf of the Senior Executives Association (SEA) and its members, who are career federal executives in the Senior Executive Service (SES), and those in Senior Level (SL), Scientific and Professional (ST), and equivalent positions, including those serving at the Department of Veterans Affairs (VA), I write in **opposition to H.R. 1259**, which takes an unnecessarily punitive and disruptive approach to what we all agree is an important issue: accountability.

The fatal flaw with this legislation is its exclusive focus on negative and punitive actions. This has resulted in a proposal that does not address positive or incentivizing measures designed to improve the performance of VA employees. As Chairman Roe stated upon introduction of this legislation, “the vast majority of the employees at the VA are hardworking and have the best interests of our veterans at heart.” With that in mind, it is imperative that Congress not only seek to penalize wrongdoers, but to also pursue avenues to create a productive and constructive environment at the VA that will enable all employees to best serve our nation’s veterans.

SEA would appreciate an opportunity to work with the Committee to develop a forward-thinking accountability framework that accomplishes both goals: holding all civil servants accountable for misconduct or poor performance, while incentivizing civil servants to achieve an agency’s mission in the most effective and efficient manner possible. We believe developing such a framework is possible and would have many positive effects.

For example, the VA has struggled to fill critical positions due to systemic issues that have plagued the agency and created a toxic and unmanageable environment. A 2016 [survey](#) of VA senior executives, conducted by SEA, unveiled the most significant threats to retention among career senior executive leaders, with nearly three in four respondents saying that unfair media and congressional scrutiny, lack of agency leadership support, and diminished or complete inability to be considered for performance-based awards were causing them to consider leaving the VA. Those same factors continue to obstruct the VA’s ability to attract and retain the best career senior leaders, with 97% of respondents saying they were concerned about the ability of the agency to fill crucial roles.

Due to these dynamics, SEA is particularly concerned with the provision in H.R. 1259 that would provide for a “temporary exemption from certain limitations on initiation from removal” for SES members. SEA is alarmed by this provision, which could facilitate a politically driven purge of dedicated career leaders from the VA and could jeopardize the integrity and apolitical nature of the federal workforce.

While this legislation does not fully address a comprehensive strategy to ensuring the long term success of the VA, we are pleased to see that it includes a repeal of the harmful and likely unconstitutional SES removal provision (Section 713 of Title 38) that was authorized under the Choice Act.

SEA welcomes the opportunity to discuss with the Committee meaningful reforms that will both ensure accountability and promote excellence at the VA. We are committed to the continued improvement of the federal government and the services we provide to the American people. We understand there are serious challenges facing the VA, and the need to address those problems is immediate. Unfortunately, this legislation is not the solution.

Thank you for considering SEA's views. If you have any questions or comments regarding this request, please contact SEA's Legislative & Media Coordinator Nikki Cannon at 202-463-8400; ncannon@shawbransford.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Valdez". The signature is written in a cursive, flowing style.

BILL VALDEZ
President