

114TH CONGRESS
1ST SESSION

H. R. 280

[Report No. 114-]

To authorize the Secretary of Veterans Affairs to recoup bonuses and awards paid to employees of the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2015

Mr. MILLER of Florida 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

FEBRUARY --, 2015

Reported from the Committee on Veterans' Affairs with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on January 12, 2015]

A BILL

To authorize the Secretary of Veterans Affairs to recoup bonuses and awards paid to employees of the Department of Veterans Affairs.

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. AUTHORITY TO RECOUP BONUSES OR AWARDS**

4 **PAID TO EMPLOYEES OF DEPARTMENT OF**

5 **VETERANS AFFAIRS.**

6 *(a) IN GENERAL.—Chapter 7 of title 38, United States*
7 *Code, is amended by adding at the end the following new*
8 *section:*

9 **“§ 715. Recoupment of bonuses or awards paid to em-**
10 **ployees of Department**

11 *“(a) RECOUPMENT.—Notwithstanding any other pro-*
12 *vision of law, the Secretary may issue an order directing*
13 *an employee of the Department to repay the amount, or*
14 *a portion of the amount, of any award or bonus paid to*
15 *the employee under title 5, including under chapters 45 or*
16 *53 of such title, or this title if—*

17 *“(1) the Secretary determines such repayment*
18 *appropriate pursuant to regulations prescribed under*
19 *subsection (c); and*

20 *“(2) before such repayment, the employee is af-*
21 *forded notice and an opportunity for a hearing con-*
22 *ducted by another department or agency of the Fed-*
23 *eral Government.*

1 “(b) *REVIEW.*—A decision regarding a repayment by
2 an employee pursuant to subsection (a)(2) is final and may
3 not be reviewed by any department or agency or any court.

4 “(c) *REGULATIONS.*—The Secretary shall prescribe
5 regulations to carry out this section.”.

6 (b) *CLERICAL AMENDMENT.*—The table of sections at
7 the beginning of such chapter is further amended by adding
8 at the end the following new item:

 “715. Recoupment of bonuses or awards paid to employees of Department.”.

9 (c) *EFFECTIVE DATE.*—Section 715 of title 38, United
10 States Code, as added by subsection (a), shall apply with
11 respect to an award or bonus paid by the Secretary of Vet-
12 erans Affairs to an employee of the Department of Veterans
13 Affairs before, on, or after the date of the enactment of this
14 Act.

15 (d) *CONSTRUCTION.*—Nothing in this Act or the
16 amendments made by this Act may be construed to modify
17 the certification issued by the Office of Personnel Manage-
18 ment and the Office of Management and Budget regarding
19 the performance appraisal system of the Senior Executive
20 Service of the Department of Veterans Affairs.