

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 7734
OFFERED BY Mr. Takano**

Page 2, line 16, strike “the Secretary shall” and all that follows through line 23 and insert “the Secretary shall, not later than 40 days after the date such eligible personnel investigation is completed, make a permanent notation of such eligible personnel investigation in the official personnel record file of such covered employee.”.

In section 3, in the matter proposed to be inserted as section 729 of title 38, United States Code, strike subsection (b) (and redesignate accordingly).

In section 3, in the matter proposed to be inserted as section 729(e) of such title (as so redesignated), amend paragraph (2) to read as follows:

- 1 “(2) The term ‘eligible personnel investigation’
2 includes—
3 “(A) an investigation by an Inspector Gen-
4 eral;
5 “(B) an adverse personnel action as a re-
6 sult of performance, misconduct, or for such

1 cause as will promote the efficiency of the serv-
2 ice under—

3 “(i) chapter 43 of title 5;

4 “(ii) chapter 75 of such title;

5 “(iii) chapter 74 of this title; or

6 “(iv) section 501 of this title;

7 “(C) an internal investigation carried out
8 by the Secretary, including through—

9 “(i) the Office of Accountability and
10 Whistleblower Protection of the Depart-
11 ment;

12 “(ii) the Office of the Medical Inspec-
13 tor of the Veterans Health Administration;
14 and

15 “(iii) the General Counsel of the De-
16 partment; and

17 “(D) an investigation carried out by the
18 head of any other Federal agency responsible
19 for investigating allegations of employee mis-
20 conduct, including the head of the Office of the
21 Special Counsel.”.

Strike section 2 (and redesignate accordingly).

