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Public Law 116–146
116th Congress

An Act

July 2, 2020
[S. 3084]

To amend title 38, United States Code, to modify the limitation on pay for certain high-level employees and officers of the Department of Veterans Affairs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MODIFICATION OF PAY LIMITATION FOR CERTAIN HIGH-LEVEL EMPLOYEES AND OFFICERS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) MODIFICATION.—Section 7404(d) of title 38, United States Code, is amended by inserting "and except for individuals appointed under sections 7401(4) and 7306 of this title," after "section 7457 of this title,".

38 USC 7404 note.
Time period.

(b) WAIVERS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs may waive the limitation described in section 7404(d) of such title, as in effect on the day before the date of the enactment of this Act, on the amount of basic pay payable to individuals appointed under section 7401(4) or 7306 of such title for basic pay payable during the period—

(A) beginning on November 1, 2010; and

(B) ending on the day before the date of the enactment of this Act.

(2) FORM.—The Secretary shall prescribe the form for requesting a waiver under paragraph (1).

(3) TREATMENT OF WAIVER.—A decision not to grant a waiver under paragraph (1) shall not be treated as an adverse

action and is not subject to further appeal, third-party review, or judicial review.

Approved July 2, 2020.

LEGISLATIVE HISTORY—S. 3084:

CONGRESSIONAL RECORD, Vol. 166 (2020):
Jan. 16, considered and passed Senate.
May 28, considered and passed House, amended.
June 4, Senate concurred in House amendment; concurrence vitiated.
June 8, Senate concurred in House amendment.