

114TH CONGRESS
1ST SESSION

H. R. 280

IN THE SENATE OF THE UNITED STATES

MARCH 3, 2015

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

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,*

1 **SECTION 1. AUTHORITY TO RECOUP BONUSES OR AWARDS**
2 **PAID TO EMPLOYEES OF DEPARTMENT OF**
3 **VETERANS AFFAIRS.**

4 (a) IN GENERAL.—Chapter 7 of title 38, United
5 States Code, is amended by adding at the end the fol-
6 lowing new section:

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

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

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

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

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

1 “(c) REGULATIONS.—The Secretary shall prescribe
2 regulations to carry out this section.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of such chapter is further amended by
5 adding at the end the following new item:

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

6 (c) EFFECTIVE DATE.—Section 715 of title 38,
7 United States Code, as added by subsection (a), shall
8 apply with respect to an award or bonus paid by the Sec-
9 retary of Veterans Affairs to an employee of the Depart-
10 ment of Veterans Affairs before, on, or after the date of
11 the enactment of this Act.

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

Passed the House of Representatives March 2,
2015.

Attest:

KAREN L. HAAS,
Clerk.