

ment of a student or recent graduate of a qualifying educational institution, as defined by the Department.

“(b) **APPLICABILITY.**—The conversion authority described in subsection (a) shall be applicable to individuals in good standing who—

“(1) are employed in a qualifying internship or fellowship program at the Department;

“(2) are employed in the Department in a volunteer capacity and performing substantive duties comparable to those of individuals in internship or fellowship programs and meet the required number of hours for conversion;

“(3) are employed in the Department under a contract or agreement with an external nonprofit organization and performing substantive duties comparable to those of individuals in internship or fellowship programs;

“(4) have received educational assistance under chapter 33 of title 38, United States Code; or

“(5) graduated from a qualifying educational institution, as defined by the Department, and have not reached 30 years of age.

“(c) **UNIFORMITY.**—For the purposes of paragraphs (2) and (3) of subsection (b), hours of work performed by an individual employed shall be considered equal to those performed by an individual employed in a qualifying internship or fellowship program by the Department.”

#### RECRUITING DATABASE AT DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 115-46, title II, §208, Aug. 12, 2017, 131 Stat. 964, provided that:

“(a) **ESTABLISHMENT.**—The Secretary of Veterans Affairs shall establish a single database that lists—

“(1) each vacant position in the Department of Veterans Affairs that the Secretary determines is critical to the mission of the Department, difficult to fill, or both; and

“(2) each vacant position in the Department of Veterans Affairs for a mental health professional.

“(b) **QUALIFIED APPLICANT.**—If the Secretary determines that an applicant for a vacant position listed in the database established under subsection (a) is qualified for such position but does not select the applicant for such position, the Secretary, at the election of the applicant, may consider the applicant for other similar vacant positions listed in the database for which the applicant is qualified.

“(c) **PROLONGED VACANCIES.**—If the Secretary does not fill a vacant position listed in the database established under subsection (a) after a period determined appropriate by the Secretary, the Secretary—

“(1) may ensure that applicants described in subsection (b) are considered for such position; and

“(2) may use the database established under subsection (a) to assist in filling such position.

“(d) **REPORT.**—Not later than one year after the date of the enactment of this Act [Aug. 12, 2017], the Secretary shall submit to Congress a report on the use and efficacy of the database established under subsection (a).”

#### EXIT SURVEYS AT DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 115-46, title II, §211, Aug. 12, 2017, 131 Stat. 966, provided that:

“(a) **EXIT SURVEYS REQUIRED.**—

“(1) **IN GENERAL.**—The Secretary of Veterans Affairs shall develop and carry out a standardized exit survey to be voluntarily completed by career and non-career employees and executives of the Department of Veterans Affairs who voluntarily separate from the Department.

“(2) **CONSULTATION.**—Such exit survey shall be developed in consultation with an appropriate non-Department entity with experience developing such surveys.

“(b) **SURVEY CONTENT.**—The survey shall include, at a minimum, the following:

“(1) Reasons for leaving the Department.

“(2) Efforts made by the supervisor of the employee to retain the individual.

“(3) The extent of job satisfaction and engagement during the employment.

“(4) The intent of [the] employee to either remain employed within the Federal Government or to leave employment with the Federal Government.

“(5) Such other matters as the Secretary determines appropriate.

“(c) **ANONYMITY OF SURVEY CONTENT.**—The Secretary shall ensure that data collected under subsection (a)—

“(1) is anonymized, including through the use of a location that allows for privacy;

“(2) is not directly visible by another employee; and

“(3) does not require the departing employee to input any personally identifiable data.

“(d) **SHARING OF SURVEY DATA.**—The Secretary shall ensure that the results of the survey required by subsection (a) are—

“(1) aggregated at the Veterans Integrated Service Network level; and

“(2) shared on an annual basis with directors and managers of facilities of the Department and the Veterans Integrated Service Networks.

“(e) **ANNUAL REPORT.**—

“(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act [Aug. 12, 2017] and not less frequently than once each year thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the aggregate results of the exit survey under subsection (a) covering the year prior to the report.

“(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

“(A) An analysis of the most common reasons employees choose to leave the Department.

“(B) The steps the Secretary is taking to improve retention, particularly for mission-critical occupations.

“(C) The demographic characteristics of employees choosing to leave the Department.

“(D) Any legislative barriers to improving employee retention.

“(E) The total number of employees who voluntarily separated from the Department and the number and percentage of whom took the exit survey under subsection (a).”

#### § 703. Miscellaneous authorities respecting employees

(a) The Secretary may furnish and launder such wearing apparel as may be prescribed for employees in the performance of their official duties.

(b) The Secretary may transport children of Department employees located at isolated stations to and from school in available Government-owned automotive equipment.

(c) The Secretary may provide recreational facilities, supplies, and equipment for the use of patients in hospitals and employees in isolated installations.

(d) The Secretary may provide for the preparation, shipment, installation, and display of exhibits, photographic displays, moving pictures, and other visual educational information and descriptive material. For the purposes of the preceding sentence, the Secretary may purchase or rent equipment.

(e) The Secretary may reimburse employees for the cost of repairing or replacing their personal property damaged or destroyed by patients or domiciliary members while such em-

ployees are engaged in the performance of their official duties.

(f)(1) The Secretary, upon determining that an emergency situation exists and that such action is necessary for the effective conduct of the affairs of the Department, may use Government-owned, or leased, vehicles to transport employees to and from their place of employment and the nearest adequate public transportation or, if such public transportation is either unavailable or not feasible to use, to and from their place of employment and their home.

(2) The Secretary shall establish reasonable rates to cover the cost of the service rendered under this subsection, and all proceeds collected therefrom shall be applied to the applicable appropriation.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 394.)

### Editorial Notes

#### PRIOR PROVISIONS

A prior section 703 was renumbered section 1903 of this title.

Provisions similar to those in this section were contained in section 233 of this title prior to repeal by Pub. L. 102-83, §2(a).

### Statutory Notes and Related Subsidiaries

#### OUTREACH ON AVAILABILITY OF MENTAL HEALTH SERVICES AVAILABLE TO EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 115-73, title II, §202, Oct. 26, 2017, 131 Stat. 1241, provided that: "The Secretary of Veterans Affairs shall conduct a program of outreach to employees of the Department of Veterans Affairs to inform those employees of any mental health services, including telemedicine options, that are available to them."

#### PROTOCOLS TO ADDRESS THREATS AGAINST EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 115-73, title II, §203, Oct. 26, 2017, 131 Stat. 1241, provided that: "The Secretary of Veterans Affairs shall ensure protocols are in effect to address threats from individuals receiving health care from the Department of Veterans Affairs directed towards employees of the Department who are providing such health care."

#### CLINIC MANAGEMENT TRAINING FOR EMPLOYEES AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 113-146, title III, §303, Aug. 7, 2014, 128 Stat. 1788, provided that:

"(a) CLINIC MANAGEMENT TRAINING PROGRAM.—

"(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act [Aug. 7, 2014], the Secretary of Veterans Affairs shall commence a role-specific clinic management training program to provide in-person, standardized education on systems and processes for health care practice management and scheduling to all appropriate employees, as determined by the Secretary, at medical facilities of the Department.

"(2) ELEMENTS.—

"(A) IN GENERAL.—The clinic management training program required by paragraph (1) shall include the following:

"(i) Training on how to manage the schedules of health care providers of the Department, including the following:

"(I) Maintaining such schedules in a manner that allows appointments to be booked at least eight weeks in advance.

"(II) Proper planning procedures for vacation, leave, and graduate medical education training schedules.

"(ii) Training on the appropriate number of appointments that a health care provider should conduct on a daily basis, based on specialty.

"(iii) Training on how to determine whether there are enough available appointment slots to manage demand for different appointment types and mechanisms for alerting management of insufficient slots.

"(iv) Training on how to properly use the appointment scheduling system of the Department, including any new scheduling system implemented by the Department.

"(v) Training on how to optimize the use of technology, including the following:

"(I) Telemedicine.

"(II) Electronic mail.

"(III) Text messaging.

"(IV) Such other technologies as specified by the Secretary.

"(vi) Training on how to properly use physical plant space at medical facilities of the Department to ensure efficient flow and privacy for patients and staff.

"(B) ROLE-SPECIFIC.—The Secretary shall ensure that each employee of the Department included in the clinic management training program required by paragraph (1) receives education under such program that is relevant to the responsibilities of such employee.

"(3) SUNSET.—The clinic management training program required by paragraph (1) shall terminate on the date that is 2 years after the date on which the Secretary commences such program.

"(b) TRAINING MATERIALS.—

"(1) IN GENERAL.—After the termination of the clinic management training program required by subsection (a), the Secretary shall provide training materials on health care management to each of the following employees of the Department that are relevant to the position and responsibilities of such employee upon the commencement of employment of such employee:

"(A) Any manager of a medical facility of the Department.

"(B) Any health care provider at a medical facility of the Department.

"(C) Such other employees of the Department as the Secretary considers appropriate.

"(2) UPDATE.—The Secretary shall regularly update the training materials required under paragraph (1)." [For definition of "facility of the Department" as used in section 303 of Pub. L. 113-146, set out above, see section 2 of Pub. L. 113-146, set out as a note under section 1701 of this title.]

#### LIMITATION ON AWARDS AND BONUSES PAID TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 113-146, title VII, §705, Aug. 7, 2014, 128 Stat. 1798, as amended by Pub. L. 114-198, title IX, §951, July 22, 2016, 130 Stat. 778; Pub. L. 115-182, title III, §305, June 6, 2018, 132 Stat. 1469; Pub. L. 117-168, title IX, §908(a), Aug. 10, 2022, 136 Stat. 1814, provided that:

"(a) LIMITATION.—The Secretary of Veterans Affairs shall ensure that the aggregate amount of awards and bonuses paid by the Secretary in a fiscal year under chapter 45 or 53 of title 5, United States Code, or any other awards or bonuses authorized under such title or title 38, United States Code, does not exceed the following amounts:

"(1) With respect to each of fiscal years 2017 through 2018, \$250,000,000, of which not less than \$20,000,000 shall be for recruitment, relocation, and retention bonuses.

"(2) With respect to each of fiscal years 2019 through 2021, \$290,000,000, of which not less than \$20,000,000 shall be for recruitment, relocation, and retention bonuses.

“(b) SENSE OF CONGRESS.—It is the sense of Congress that the limitation under subsection (a) should not disproportionately impact lower-wage employees and that the Department of Veterans Affairs is encouraged to use bonuses to incentivize high-performing employees in areas in which retention is challenging.”

[Pub. L. 117-168, title IX, §908(b), Aug. 10, 2022, 136 Stat. 1815, provided that: “Subsection (a) [amending section 705 of Pub. L. 113-146, set out above] shall take effect on the date of the enactment of this Act [Aug. 10, 2022] and apply as if such subsection had been enacted on September 30, 2021.”]

#### **§ 704. Waiver of pay limitation for certain employees**

(a) EMPLOYEES OF VETERANS HEALTH ADMINISTRATION IMPACTED BY CLOSURE OR REALIGNMENT.—Notwithstanding any other provision of law, the Secretary may waive any annual premium or aggregate limitation on pay for an employee of the Veterans Health Administration for the calendar year during which—

- (1) the official duty station of the employee is closed; or
- (2) the office, facility, activity, or organization of the employee is realigned.

(b) EMPLOYEES PROVIDING CARE TO VETERANS EXPOSED TO OPEN BURN PITS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may waive any annual premium or aggregate limitation on pay for an employee of the Department whose primary duties include providing expanded care for veterans exposed to open burn pits.

(2) OPEN BURN PIT DEFINED.—In this subsection, the term “open burn pit” has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

(c) COORDINATION WITH OFFICE OF PERSONNEL MANAGEMENT.—In implementing this section, the Secretary shall coordinate with the Director of the Office of Personnel Management.

(d) REPORTS.—

(1) IN GENERAL.—For each quarter that the Secretary waives a limitation under this section, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Office of Personnel Management a report on the waiver or waivers.

(2) CONTENTS.—Each report submitted under paragraph (1) with respect to a waiver or waivers shall include the following:

(A) Where the waiver or waivers were used, including in which component of the Department and, as the case may be, which medical center of the Department.

(B) For how many employees the waiver or waivers were used, disaggregated by component of the Department and, if applicable, medical center of the Department.

(C) The average amount by which each payment exceeded the pay limitation that was waived, disaggregated by component of the Department and, if applicable, medical center of the Department.

(e) EMPLOYEE DEFINED.—In this section, the term “employee” means any employee regard-

less of the authority under which the employee was hired.

(f) TERMINATION.—This section shall terminate on September 30, 2027.

(Added Pub. L. 117-168, title IX, §907, Aug. 10, 2022, 136 Stat. 1814.)

#### **Editorial Notes**

##### **PRIOR PROVISIONS**

A prior section 704 was renumbered section 1904 of this title.

#### **§ 705. Telephone service for medical officers and facility directors**

The Secretary may pay for official telephone service and rental in the field whenever incurred in case of official telephones for directors of centers, hospitals, independent clinics, domiciliarys, and medical officers of the Department where such telephones are installed in private residences or private apartments or quarters, when authorized under regulations prescribed by the Secretary.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 395.)

#### **Editorial Notes**

##### **PRIOR PROVISIONS**

A prior section 705 was renumbered section 1905 of this title.

Provisions similar to those in this section were contained in section 234 of this title prior to repeal by Pub. L. 102-83, §2(a).

#### **§ 706. Additional authority relating to recruitment and retention of personnel**

(a) RECRUITMENT AND RELOCATION BONUSES.—The Secretary may pay a recruitment or relocation bonus under section 5753(e) of title 5 without regard to any requirements for certification or approval under that section.

(b) RETENTION BONUSES.—(1) The Secretary may pay a retention bonus under section 5754(f) of title 5 without regard to any requirement for certification or approval under that subsection.

(2) The Secretary may pay a retention bonus as specified in subsection (e)(2) of section 5754 of title 5 and may pay the bonus as a single lump-sum payment at the beginning of the full period of service required by an agreement under subsection (d) of such section.

(c) MERIT AWARDS.—The Secretary may grant a cash award under section 4502(b) of title 5 without regard to any requirement for certification or approval under that section.

(d) INCENTIVES FOR CRITICAL SKILLS.—(1) Subject to the provisions of this paragraph, the Secretary may provide a critical skill incentive to an employee in a case in which the Secretary determines—

(A) the employee possesses a high-demand skill or skill that is at a shortage;

(B) such skill is directly related to the duties and responsibilities of the employee's position; and

(C) employment of an individual with such skill in such position serves a critical mission-related need of the Department.