

“(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, domiciliaries, 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.

(2) An incentive provided to an employee under paragraph (1) may not to¹ exceed 25 percent of the basic pay of the employee.

(3) Provision of an incentive under paragraph (1) shall be contingent on the employee entering into a written agreement to complete a period of employment with the Department.

(4) An incentive provided under paragraph (1) shall not be considered basic pay for any purpose.

(5) The Secretary may prescribe conditions, including with respect to eligibility, and limitations on provision of incentive² under paragraph (1).

(6) Incentive³ provided under paragraph (1) shall not be included in the calculation of total amount of compensation under section 7431(e)(4) of this title.

(e) STUDENT LOAN REPAYMENTS.—(1) Subject to the provisions of this subsection, the Secretary may repay a student loan pursuant to section 5379(b) of title 5.

(2) Paragraph (2) of such section shall not apply to payment under this subsection.

(3) Payment under this subsection shall be made subject to such terms, limitations, or conditions as may be mutually agreed to by the Secretary and the employee concerned, except that the amount paid by the Secretary under this subsection may not exceed—

(A) \$40,000 for any employee in any calendar year; or

(B) a total of \$100,000 in the case of any employee.

(f) EXPEDITED HIRING AUTHORITY FOR COLLEGE GRADUATES; COMPETITIVE SERVICE.—(1) Subject to paragraph (2) of this subsection, the Secretary may expedite hiring for college graduates under section 3115 of title 5 without regard to subsection (e) of such section or any regulations prescribed by the Office of Personnel Management for administration of such subsection.

(2) The number of employees the Secretary may appoint under section 3115 of title 5 may not exceed the number equal to 25 percent of individuals that the Secretary appointed during the previous fiscal year to a position in the competitive service classified in a professional or administrative occupational category, at the GS-11 level, or an equivalent level, or below, under a competitive examining procedure.

(g) EXPEDITED HIRING AUTHORITY FOR POST-SECONDARY STUDENTS; COMPETITIVE SERVICE.—(1) Subject to paragraph (2) of this subsection, the Secretary may expedite hiring of post-secondary students under section 3116 of title 5, without regard to subsection (d) of such section or any regulations prescribed by the Office of Personnel Management for administration of such subsection.

(2) The number of employees the Secretary may appoint under section 3116 of title 5 may not exceed the number equal to 25 percent of the number of students that the Secretary appointed during the previous fiscal year to a position at the GS-11 level, or an equivalent level, or below.

¹ So in original. The word "to" probably should not appear.

² So in original. Probably should be preceded by "an".

³ So in original. Probably should be "An incentive".