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(Original Signature of Member)

114TH CONGRESS  
1ST SESSION

# H. R.

To authorize the Secretary of Veterans Affairs to recoup bonuses and awards paid to employees of the Department of Veterans Affairs.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. MILLER of Florida introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

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,*

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

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

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

3 “(a) RECOUPMENT.—Notwithstanding any other pro-  
4 vision of law, the Secretary may issue an order directing  
5 an employee of the Department to repay the amount, or  
6 a portion of the amount, of any award or bonus paid to  
7 the employee under title 5, including under chapters 45  
8 or 53 of such title, or this title if—

9 “(1) the Secretary determines such repayment  
10 appropriate pursuant to regulations prescribed by  
11 the Secretary to carry out this section; and

12 “(2) before a repayment, the employee is af-  
13 farded notice and an opportunity for a hearing con-  
14 ducted by the Secretary.

15 “(b) REVIEW.—The decision of the Secretary regard-  
16 ing a repayment by an employee pursuant to subsection  
17 (a) is final and may not be reviewed by any other agency  
18 or any court.”.

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

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

22 (c) EFFECTIVE DATE.—Section 715 of title 38,  
23 United States Code, as added by subsection (a), shall  
24 apply with respect to an award or bonus paid by the Sec-  
25 retary of Veterans Affairs to an employee of the Depart-

1 ment of Veterans Affairs before, on, or after the date of  
2 the enactment of this Act.

3 (d) CONSTRUCTION.—Nothing in this Act or the  
4 amendments made by this Act may be construed to modify  
5 the certification issued by the Office of Personnel Manage-  
6 ment and the Office of Management and Budget regarding  
7 the performance appraisal system of the Senior Executive  
8 Service of the Department of Veterans Affairs.