

## S 1082

### Department of Veterans Affairs Accountability Act of 2015

**Congress:** 114 (2015–2017, Ended)

**Chamber:** Senate

**Policy Area:** Armed Forces and National Security

**Introduced:** Apr 23, 2015

**Current Status:** By Senator Isakson from Committee on Veterans' Affairs filed written report. Report No. 114-163. Min

**Latest Action:** By Senator Isakson from Committee on Veterans' Affairs filed written report. Report No. 114-163. Minority views filed. (Nov 3, 2015)

**Official Text:** <https://www.congress.gov/bill/114th-congress/senate-bill/1082>

#### Sponsor

**Name:** Sen. Rubio, Marco [R-FL]

**Party:** Republican • **State:** FL • **Chamber:** Senate

#### Cosponsors (21 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Vitter, David [R-LA]	R · LA		May 14, 2015
Sen. Barrasso, John [R-WY]	R · WY		Jun 3, 2015
Sen. Toomey, Patrick [R-PA]	R · PA		Jun 18, 2015
Sen. Cassidy, Bill [R-LA]	R · LA		Jul 16, 2015
Sen. Flake, Jeff [R-AZ]	R · AZ		Jul 16, 2015
Sen. Cornyn, John [R-TX]	R · TX		Jul 22, 2015
Sen. Hatch, Orrin G. [R-UT]	R · UT		Jul 22, 2015
Sen. Johnson, Ron [R-WI]	R · WI		Jul 22, 2015
Sen. McCain, John [R-AZ]	R · AZ		Jul 22, 2015
Sen. Burr, Richard [R-NC]	R · NC		Jul 30, 2015
Sen. Kirk, Mark Steven [R-IL]	R · IL		Sep 10, 2015
Sen. Moran, Jerry [R-KS]	R · KS		Sep 10, 2015
Sen. Tillis, Thomas [R-NC]	R · NC		Sep 10, 2015
Sen. Ayotte, Kelly [R-NH]	R · NH		Sep 22, 2015
Sen. Inhofe, James M. [R-OK]	R · OK		Oct 20, 2015
Sen. Scott, Tim [R-SC]	R · SC		Nov 3, 2015
Sen. Grassley, Chuck [R-IA]	R · IA		Nov 9, 2015
Sen. Ernst, Joni [R-IA]	R · IA		Dec 18, 2015
Sen. Daines, Steve [R-MT]	R · MT		Mar 17, 2016
Sen. Boozman, John [R-AR]	R · AR		May 18, 2016
Sen. Sessions, Jeff [R-AL]	R · AL		Sep 6, 2016

## Committee Activity

Committee	Chamber	Activity	Date
Veterans' Affairs Committee	Senate	Reported By	Oct 19, 2015

## Subjects & Policy Tags

### Policy Area:

Armed Forces and National Security

## Related Bills

Bill	Relationship	Last Action
114 S 2554	Related bill	Feb 11, 2016: Read twice and referred to the Committee on Veterans' Affairs.
114 HR 1994	Related bill	Jul 30, 2015: Received in the Senate and Read twice and referred to the Committee on Veterans' Affairs.

## **Department of Veterans Affairs Accountability Act of 2015**

(Sec. 2) This bill authorizes the Department of Veterans Affairs (VA) to remove or demote a VA employee based on performance or misconduct.

A determination that the performance or misconduct warrants removal or demotion may consist of any of the following:

- neglect of duty;
- malfeasance;
- failure to accept a directed reassignment or transfer of function;
- violation of VA policy;
- violation of law;
- insubordination;
- purposeful omission, including by a supervisor, from an electronic wait list of the name of one or more veterans waiting for VA health care; or
- other performance or misconduct as the VA determines warrants removal or demotion.

The VA may also remove such individual from the civil service or demote the individual through a reduction in grade or annual pay rate.

A demoted individual: (1) shall be paid at the demoted rate as of the date of demotion, (2) may not be placed on administrative leave or any other category of paid leave while an appeal is ongoing, and (3) may only receive pay and other benefits if the individual reports for duty.

The VA shall notify Congress of, and the reason for, any removal or demotion.

An employee shall have the right to an appeal before the Merit Systems Protection Board within seven days of removal or demotion. An administrative law judge shall have to make a final decision within 45 days of such appeal or the original decision becomes final. The Board or an administrative judge may not stay any removal or demotion.

Between the date on which an individual appeals a removal from the civil service and the date on which the administrative judge issues a final decision on the appeal, the individual may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits.

The VA may not remove or demote an employee without the approval of the Special Counsel if the individual seeks corrective action from the Office of Special Counsel based on an alleged prohibited personnel practice.

The Special Counsel may terminate an investigation of a prohibited personnel practice alleged by a VA employee or former employee after it has given the individual a written statement of the reasons for the termination.

(Sec. 3) The appointment of an individual to a permanent position within the competitive service or as a career appointee within the Senior Executive Service shall become final after a 540-day probationary period, which the Secretary may extend. Final appointment to a permanent hire shall be made by the employee's supervisor.

## Actions Timeline

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- **Nov 3, 2015:** By Senator Isakson from Committee on Veterans' Affairs filed written report. Report No. 114-163. Minority views filed.
- **Oct 19, 2015:** Committee on Veterans' Affairs. Reported by Senator Isakson with amendments. Without written report.
- **Oct 19, 2015:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 272.
- **Jul 22, 2015:** Committee on Veterans' Affairs. Ordered to be reported with amendments favorably.
- **Jun 24, 2015:** Committee on Veterans' Affairs. Hearings held. Hearings printed: S.Hrg. 114-186.
- **Apr 23, 2015:** Introduced in Senate
- **Apr 23, 2015:** Read twice and referred to the Committee on Veterans' Affairs.