

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4031

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IN THE SENATE OF THE UNITED STATES

MAY 22, 2014

Received

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## AN ACT

To amend title 38, United States Code, to provide for the removal of Senior Executive Service employees of the Department of Veterans Affairs for performance, and for other purposes.

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. SHORT TITLE.**

2 This Act may be cited as the “Department of Vet-  
3 erans Affairs Management Accountability Act of 2014”.

4 **SEC. 2. REMOVAL OF SENIOR EXECUTIVE SERVICE EM-**  
5 **PLOYEES OF THE DEPARTMENT OF VET-**  
6 **ERANS AFFAIRS FOR PERFORMANCE.**

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

10 **“§ 713. Senior Executive Service: removal based on**  
11 **performance**

12 “(a) IN GENERAL.—Notwithstanding any other pro-  
13 vision of law, the Secretary may remove any individual  
14 from the Senior Executive Service if the Secretary deter-  
15 mines the performance of the individual warrants such re-  
16 moval. If the Secretary so removes such an individual, the  
17 Secretary may—

18 “(1) remove the individual from Federal serv-  
19 ice; or

20 “(2) transfer the individual to a General Sched-  
21 ule position at any grade of the General Schedule  
22 the Secretary determines appropriate.

23 “(b) NOTICE TO CONGRESS.—Not later than 30 days  
24 after removing an individual from the Senior Executive  
25 Service under paragraph (1), the Secretary shall submit  
26 to the Committees on Veterans’ Affairs of the Senate and

1 House of Representatives notice in writing of such removal  
2 and the reason for such removal.

3 “(c) MANNER OF REMOVAL.—A removal under this  
4 section shall be done in the same manner as the removal  
5 of a professional staff member employed by a Member of  
6 Congress.”.

7 (b) CLERICAL AMENDMENT.—The table of sections  
8 at the beginning of such chapter is amended by adding  
9 at the end the following new item:

“713. Senior Executive Service: removal based on performance.”.

Passed the House of Representatives May 21, 2014.

Attest:

KAREN L. HAAS,

*Clerk.*