

114TH CONGRESS
2D SESSION

S. 3330

To reduce the benefits of employees of the Department of Veterans Affairs who are medical professionals and were convicted of violent crimes against veterans, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2016

Mr. MORAN introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To reduce the benefits of employees of the Department of Veterans Affairs who are medical professionals and were convicted of violent crimes against veterans, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Accountability to Safe-
5 guard Veterans from Violent Crimes Act of 2016”.

1 **SEC. 2. REDUCTION OF BENEFITS FOR MEDICAL PROFES-**
2 **SIONALS OF DEPARTMENT OF VETERANS AF-**
3 **FAIRS CONVICTED OF VIOLENT CRIMES**
4 **AGAINST VETERANS.**

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

8 **“§ 715. Reduction of benefits of medical professionals**
9 **convicted of violent crimes against vet-**
10 **erans**

11 “(a) REDUCTION OF ANNUITY FOR REMOVED EM-
12 PLOYEE.—The covered service of an individual removed
13 from a covered position under section 713 of this title or
14 subchapter V of chapter 74 of this title shall not be taken
15 into account for purposes of calculating an annuity with
16 respect to such individual under chapter 83 or chapter 84
17 of title 5, if the individual is convicted of a crime of vio-
18 lence against a veteran while employed in the covered posi-
19 tion.

20 “(b) REDUCTION OF ANNUITY FOR RETIRED EM-
21 PLOYEE.—(1) The Secretary may order that the covered
22 service of an individual who is subject to a removal or
23 transfer action under section 713 of this title or sub-
24 chapter V of chapter 74 of this title but who leaves em-
25 ployment at the Department prior to the issuance of a
26 final decision with respect to such action shall not be

1 taken into account for purposes of calculating an annuity
2 with respect to such individual under chapter 83 or chap-
3 ter 84 of title 5, if the individual is convicted of a crime
4 of violence against a veteran while employed in the covered
5 position.

6 “(2) The Secretary shall make such an order not
7 later than 7 days after the date on which such individual
8 is convicted of such felony.

9 “(3) Not later than 30 days after the Secretary issues
10 any order with respect to an individual under paragraph
11 (1), the Director of the Office of Personnel Management
12 shall recalculate the annuity of the individual.

13 “(c) LUMP-SUM ANNUITY CREDIT.—Any individual
14 with respect to whom an annuity is reduced under sub-
15 section (a) or (b) shall be entitled to be paid so much of
16 such individual’s lump-sum credit as is attributable to the
17 period of covered service.

18 “(d) DEFINITIONS.—In this section:

19 “(1) The term ‘covered position’ is a position
20 listed in section 7401(1) of this title that is not a
21 senior executive position.

22 “(2) The term ‘covered service’ means, with re-
23 spect to an individual subject to a removal or trans-
24 fer action under section 713 of this title or sub-
25 chapter V of chapter 74 of this title, the period of

1 service beginning on the date that the Secretary de-
2 termines under such section or subchapter that such
3 individual engaged in activity that gave rise to such
4 action and ending on the date that such individual
5 is removed from the civil service or leaves employ-
6 ment at the Department prior to the issuance of a
7 final decision with respect to such action, as the case
8 may be.

9 “(3) The term ‘crime of violence’ has the mean-
10 ing given such term in section 16 of title 18.

11 “(4) The term ‘lump-sum credit’ has the mean-
12 ing given such term in section 8331(8) or section
13 8401(19) of title 5, as the case may be.

14 “(5) The term ‘senior executive position’ has
15 the meaning given such term in section 713(g) of
16 this title.

17 “(6) The term ‘service’ has the meaning given
18 such term in section 8331(12) or section 8401(26)
19 of title 5, as the case may be.”

20 (b) APPLICATION.—Section 715 of such title, as
21 added by subsection (a), shall apply to any action of re-
22 moval or transfer under section 713 of such title or sub-
23 chapter V of chapter 74 of such title commencing on or
24 after the date of the enactment of this Act.

1 (c) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such chapter is amended by adding
3 at the end the following new item:

“715. Reduction of benefits of medical professionals convicted of violent crimes
against veterans.”.

○