

119TH CONGRESS
1ST SESSION

H. R. 5932

To enhance employee accountability, prevent fraud, strengthen whistleblower protections, and modernize disability rating processes in the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2025

Mr. BIGGS of Arizona introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committees on the Judiciary, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To enhance employee accountability, prevent fraud, strengthen whistleblower protections, and modernize disability rating processes in 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. SHORT TITLE.**

4 This Act may be cited as the “Claims Legitimacy and
5 Evaluation Accountability Nationwide for VA Act” or the
6 “CLEAN VA Act”.

1 **SEC. 2. EXPEDITED PROCEDURES FOR EMPLOYEE AC-**
2 **COUNTABILITY ACTIONS.**

3 (a) MODIFICATION OF DISCIPLINARY PROCEDURES
4 FOR DEPARTMENT OF VETERANS AFFAIRS EMPLOY-
5 EES.—Section 714 of title 38, United States Code, is
6 amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1), by inserting “by sub-
9 stantial evidence” after “the Secretary deter-
10 mines”; and

11 (B) by adding at the end the following new
12 paragraph:

13 “(3)(A) When making an initial decision under this
14 subsection with respect to determining whether a covered
15 individual should be removed, demoted, or suspended, the
16 deciding employee of the Department shall exclusively
17 apply the following factors:

18 “(i) The nature and seriousness of the offense,
19 and its relation to the covered individual’s duties,
20 position, and responsibilities, including whether the
21 offense was intentional or technical or inadvertent,
22 or was committed maliciously or for gain, or was fre-
23 quently repeated.

24 “(ii) The covered individual’s job level and type
25 of employment, including supervisory or fiduciary
26 role, and prominence of the position.

1 “(iii) The covered individual’s past disciplinary
2 record.

3 “(iv) The covered individual’s past work record,
4 including length of service, performance on the job,
5 ability to get along with fellow workers, and depend-
6 ability.

7 “(v) Mitigating circumstances surrounding the
8 offense such as unusual job tensions, personality
9 problems, mental impairment, harassment, or bad
10 faith, malice, or provocation on the part of others in-
11 volved in the matter.

12 “(B) The Secretary shall review the initial decision
13 and uphold such decision if it is supported by substantial
14 evidence.”;

15 (2) in subsection (c)—

16 (A) by striking paragraph (1)(D); and

17 (B) in paragraph (3), by inserting before
18 the period the following: “, and the Secretary
19 may carry out such a removal, demotion, or
20 suspension without first placing a covered indi-
21 vidual on a performance improvement plan”;

22 (3) in subsection (d)—

23 (A) in paragraph (2), by adding at the end
24 the following new subparagraph:

1 “(C) Except to the extent that an appeal under this
 2 subsection presents a constitutional issue, the administra-
 3 tive judge may not review a challenge to the penalty im-
 4 posed against the covered individual.”;

5 (B) in paragraph (3), by adding at the end
 6 the following new subparagraph:

7 “(D) Except to the extent that an appeal under this
 8 subsection presents a constitutional issue, the Merit Sys-
 9 tems Protection Board may not review a challenge to the
 10 penalty imposed against the covered individual.”;

11 (C) in paragraph (5), by adding at the end
 12 the following new subparagraph:

13 “(C) Except to the extent that an appeal under this
 14 subsection presents a constitutional issue, such Court may
 15 not review a challenge to the penalty imposed against the
 16 covered individual or mitigate such penalty.”; and

17 (D) by striking paragraph (10); and

18 (4) by redesignating subsection (h) as sub-
 19 section (j).

20 (b) TIMING OF DISCIPLINARY ACTIONS.—Section
 21 714 of title 38, United States Code, is further amended
 22 by inserting after subsection (a) (as amended by sub-
 23 section (a) of this section) the following new subsection:

24 “(b) TIMING.—

1 “(1) The aggregate period for notice, response,
2 and final decision by the Secretary of an action
3 under this section may not exceed 15 business days.

4 “(2) The period for the response of a covered
5 individual to a notice under subsection (a)(2)(A)
6 shall be 7 business days.

7 “(3) The final decision by the Secretary under
8 subsection (a)(1)(B) shall—

9 “(A) be issued not later than 15 business
10 days after notice is provided under subsection
11 (a)(2)(A); and

12 “(B) be in writing and shall include the
13 specific reasons for the decision.”.

14 **SEC. 3. ENHANCED PENALTIES FOR VA EMPLOYEE FRAUD**
15 **AND MISCONDUCT; WHISTLEBLOWER PRO-**
16 **TECTIONS AND INCENTIVES.**

17 (a) ENHANCED PENALTIES FOR FRAUD AND MIS-
18 CONDUCT.—

19 (1) PUBLIC MONEY, PROPERTY, OR RECORDS.—

20 Section 641 of title 18, United States Code, is
21 amended by adding at the end the following: “If the
22 offense under this section is committed by an em-
23 ployee of the Department of Veterans Affairs, acting
24 in an official capacity or using access to veterans’
25 records or benefits systems, the term of imprison-

1 ment shall be not more than 15 years, and any fine
2 imposed shall be not more than \$500,000. The court
3 shall order mandatory restitution to the Department
4 of Veterans Affairs or the United States Treasury
5 for any loss sustained.”.

6 (2) FALSE STATEMENTS.—Section 1001 of title
7 18, United States Code, is amended by adding at
8 the end the following: “If the offense involves the
9 falsification or concealment of material facts related
10 to a claim for veterans’ benefits or the performance
11 of duties by a Department of Veterans Affairs em-
12 ployee, the term of imprisonment shall be not more
13 than 10 years, and any fine imposed shall be not
14 more than \$250,000.”.

15 (3) BRIBERY OF PUBLIC OFFICIALS AND WIT-
16 NESSES.—Section 201 of title 18, United States
17 Code, is amended by adding at the end the fol-
18 lowing: “If the public official is employed by the De-
19 partment of Veterans Affairs, and the bribe or gra-
20 tuity relates to the processing or awarding of vet-
21 erans’ benefits or contracts, the maximum fine shall
22 be twice the amount of the bribe or thing of value
23 received, and the term of imprisonment shall be not
24 more than 20 years.”.

1 (4) FALSE STATEMENTS OR FRAUD TO OBTAIN
2 FEDERAL EMPLOYEES' COMPENSATION.—Section
3 1920 of title 18, United States Code, is amended by
4 adding at the end the following: “If a person con-
5 victed under this section is an employee of the De-
6 partment of Veterans Affairs and the fraudulent
7 conduct relates to veterans' disability, compensation,
8 or employment benefits, such person shall be fined
9 not more than \$250,000, imprisoned not more than
10 10 years, and shall forfeit any Federal pension or
11 annuity benefits pursuant to section 8312 of title
12 5.”.

13 (5) FORFEITURE OF FEDERAL PENSION AND
14 ANNUITY BENEFITS.—Section 8312 of title 5,
15 United States Code, is amended by adding at the
16 end the following new subsection:

17 “(e) An individual convicted of an offense under sec-
18 tion 641, 1001, 201, or 1920 of title 18, United States
19 Code, as amended by the Claims Legitimacy and Evalua-
20 tion Accountability Nationwide for VA Act, if such indi-
21 vidual is an employee of the Department of Veterans Af-
22 fairs and the offense relates to their duties, shall forfeit
23 any entitlement to annuity or retired pay under this chap-
24 ter or chapter 84 of this title.”.

1 (b) WHISTLEBLOWER PROTECTIONS AND INCEN-
2 TIVES.—

3 (1) EXPEDITED RETALIATION INVESTIGA-
4 TIONS.—Section 2303 of title 5, United States Code,
5 is amended by adding at the end the following new
6 subsection:

7 “(e) In the case of a retaliation claim involving an
8 employee of the Department of Veterans Affairs, the Of-
9 fice of Accountability and Whistleblower Protection shall
10 complete investigations within 60 days of filing. The Office
11 shall provide written justification to Congress for any
12 delay beyond 60 days and shall ensure interim protections
13 against reassignment or adverse personnel actions while
14 claims are pending.”.

15 (2) TRANSPARENCY AND OVERSIGHT OF SET-
16 TLEMENTS.—The Secretary of Veterans Affairs shall
17 report annually to the Inspector General of the De-
18 partment of Veterans Affairs and the Committees on
19 Veterans’ Affairs of the Senate and House of Rep-
20 resentatives on the number of whistleblower retalia-
21 tion claims filed, investigated, and settled; the total
22 settlement amounts; and whether settlement obliga-
23 tions were fulfilled. The Secretary shall publish an
24 anonymized summary of this report on the Depart-
25 ment’s website.

1 (3) INCENTIVE AWARDS FOR VALID DISCLO-
2 SURES.—The Secretary of Veterans Affairs is au-
3 thorized to provide monetary awards up to \$10,000
4 for substantiated internal disclosures that prevent or
5 uncover significant fraud, waste, or abuse valued
6 over \$100,000. Such awards shall be funded from
7 recovered amounts when practicable and shall not be
8 considered compensation for pension or benefit pur-
9 poses.

10 (4) INDEPENDENT REVIEW AND REPORTING.—
11 The Comptroller General of the United States shall
12 review the implementation of the provisions of this
13 subsection within 2 years of the date of enactment
14 of this Act and submit a report to Congress on the
15 timeliness of investigations, settlement compliance,
16 and effectiveness of incentive provisions.

17 **SEC. 4. REVIEW OF THE VA DISABILITY RATING SCHEDULE.**

18 (a) COMPREHENSIVE REVIEW.—The Secretary of
19 Veterans Affairs shall conduct a comprehensive review of
20 the Department of Veterans Affairs schedule for rating
21 disabilities to—

22 (1) identify vulnerabilities to fraudulent, exag-
23 gerated, or duplicative claims;

1 (2) assess whether existing rating criteria accu-
2 rately reflect current medical standards and func-
3 tional impairment measures; and

4 (3) recommend updates to ensure consistency,
5 integrity, and fairness in disability determinations.

6 (b) INTEGRATION OF ARTIFICIAL INTELLIGENCE
7 AND DATA ANALYTICS TOOLS.—

8 (1) The Secretary shall, in consultation with
9 the Inspector General of the Department of Vet-
10 erans Affairs and the Comptroller General of the
11 United States, develop and implement a program
12 utilizing data analytics and artificial intelligence sys-
13 tems to proactively identify irregularities or high-
14 risk indicators within disability claims.

15 (2) Such systems shall be modeled, to the ex-
16 tent practicable, after the Waste, Fraud, and Abuse
17 Identification and Reporting system utilized by the
18 Centers for Medicare & Medicaid Services.

19 (3) All findings generated through automated
20 or algorithmic processes shall be subject to human
21 review and validation before any administrative or
22 disciplinary action may be taken.

23 (4) The Secretary shall ensure that the use of
24 such systems respects all due process protections

1 and privacy safeguards afforded to claimants under
2 Federal law.

3 (c) COORDINATION AND OVERSIGHT.—The Secretary
4 shall coordinate with the Office of Inspector General and
5 the Government Accountability Office to—

6 (1) evaluate the effectiveness of the tools de-
7 scribed in subsection (b);

8 (2) identify risks of over-flagging or under-de-
9 tection of improper claims; and

10 (3) recommend best practices to ensure bal-
11 anced oversight and prevention of misuse.

12 (d) REPORTING REQUIREMENT.—Not later than 180
13 days after the date of enactment of this Act, the Secretary
14 shall submit to the Committees on Veterans' Affairs and
15 Oversight and Accountability of the House of Representa-
16 tives and the Committees on Veterans' Affairs and Home-
17 land Security and Governmental Affairs of the Senate a
18 report detailing—

19 (1) the results of the review conducted under
20 subsection (a);

21 (2) vulnerabilities identified and corrective
22 measures proposed;

23 (3) the status of data analytics and artificial in-
24 telligence integration under subsection (b); and

1 (4) recommendations for further modernization
2 of the disability rating process.

3 **SEC. 5. MANDATORY ETHICS AND FRAUD PREVENTION**
4 **TRAINING.**

5 (a) REQUIREMENT FOR ANNUAL TRAINING.—Sub-
6 chapter II of chapter 77 of title 38, United States Code,
7 is amended by adding at the end the following new section:

8 **“§ 7735. Mandatory ethics and fraud prevention**
9 **training**

10 “(a) REQUIREMENT.—The Secretary shall require all
11 employees of the Department to complete annual training
12 on ethics, fraud prevention, and compliance with applica-
13 ble laws and regulations.

14 “(b) OVERSIGHT.—The Inspector General of the De-
15 partment shall oversee compliance with the training re-
16 quirement under subsection (a) and submit an annual re-
17 port to the Committees on Veterans’ Affairs of the Senate
18 and House of Representatives on training completion rates
19 and any identified deficiencies.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of chapter 77 of title 38, United States
22 Code, is amended by inserting after the item relating to
23 section 7734 the following new item:

“7735. Mandatory ethics and fraud prevention training.”.

1 **SEC. 6. REVIEW OF THE VA DISABILITY RATING SCHEDULE.**

2 (a) COMPREHENSIVE REVIEW.—The Secretary of
3 Veterans Affairs shall conduct a comprehensive review of
4 the Department of Veterans Affairs Schedule for Rating
5 Disabilities to—

6 (1) identify vulnerabilities to fraudulent, exag-
7 gerated, or duplicative claims;

8 (2) assess whether existing rating criteria accu-
9 rately reflect current medical standards and func-
10 tional impairment measures; and

11 (3) recommend updates to ensure consistency,
12 integrity, and fairness in disability determinations.

13 (b) INTEGRATION OF ARTIFICIAL INTELLIGENCE
14 AND DATA ANALYTICS TOOLS.—

15 (1) The Secretary shall, in consultation with
16 the Inspector General of the Department of Vet-
17 erans Affairs and the Comptroller General of the
18 United States, develop and implement a program
19 utilizing data analytics and artificial intelligence sys-
20 tems to proactively identify irregularities or high-
21 risk indicators within disability claims.

22 (2) Such systems shall be modeled, to the ex-
23 tent practicable, after the Waste, Fraud, and Abuse
24 Identification and Reporting system utilized by the
25 Centers for Medicare & Medicaid Services.

1 (3) All findings generated through automated
2 or algorithmic processes shall be subject to human
3 review and validation before any administrative or
4 disciplinary action may be taken.

5 (4) The Secretary shall ensure that the use of
6 such systems respects all due process protections
7 and privacy safeguards afforded to claimants under
8 Federal law.

9 (c) COORDINATION AND OVERSIGHT.—The Secretary
10 shall coordinate with the Office of Inspector General and
11 the Government Accountability Office to—

12 (1) evaluate the effectiveness of the tools de-
13 scribed in subsection (b);

14 (2) identify risks of over-flagging or under-de-
15 tection of improper claims; and

16 (3) recommend best practices to ensure bal-
17 anced oversight and prevention of misuse.

18 (d) REPORTING REQUIREMENT.—Not later than 180
19 days after the date of enactment of this Act, the Secretary
20 shall submit to the Committees on Veterans' Affairs and
21 Oversight and Accountability of the House of Representa-
22 tives and the Committees on Veterans' Affairs and Home-
23 land Security and Governmental Affairs of the Senate a
24 report detailing—

- 1 (1) the results of the review conducted under
- 2 subsection (a);
- 3 (2) vulnerabilities identified and corrective
- 4 measures proposed;
- 5 (3) the status of data analytics and artificial in-
- 6 telligence integration under subsection (b); and
- 7 (4) recommendations for further modernization
- 8 of the disability rating process.

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