

116TH CONGRESS  
2D SESSION

# S. 3084

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## AN ACT

To amend title 38, United States Code, to modify the limitation on pay for certain high-level employees and officers 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,*

1 **SECTION 1. MODIFICATION OF PAY LIMITATION FOR CER-**  
2 **TAIN HIGH-LEVEL EMPLOYEES AND OFFI-**  
3 **CERS OF THE DEPARTMENT OF VETERANS**  
4 **AFFAIRS.**

5 (a) **MODIFICATION.**—Section 7404(d) of title 38,  
6 United States Code, is amended by inserting “and except  
7 for individuals appointed under 7401(4) and 7306 of this  
8 title,” after “section 7457 of this title,”.

9 (b) **WAIVERS.**—

10 (1) **IN GENERAL.**—The Secretary of Veterans  
11 Affairs may waive the limitation described in section  
12 7404(d) of such title, as in effect on the day before  
13 the date of the enactment of this Act, on the amount  
14 of basic pay payable to individuals appointed under  
15 section 7401(4) or 7306 of such title for basic pay  
16 payable during the period—

17 (A) beginning on November 1, 2010; and

18 (B) ending on the day before the date of  
19 the enactment of this Act.

20 (2) **FORM.**—The Secretary shall prescribe the  
21 form for requesting a waiver under paragraph (1).

22 (3) **TREATMENT OF WAIVER.**—A decision not to  
23 grant a waiver under paragraph (1) shall not be

1 treated as an adverse action and is not subject to  
2 further appeal, third-party review, or judicial review.

Passed the Senate January 16, 2020.

Attest:

*Secretary.*

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