

date of the enactment of this Act [Aug. 12, 2017], the Secretary of Veterans Affairs shall establish a promotional track system for employees of the Department of Veterans Affairs that the Secretary determines are technical experts pursuant to regulations prescribed by the Secretary for purposes of carrying out this section. Such system shall—

- “(1) provide any such employee the opportunity to advance within the Department without being required to transition to a management position; and
- “(2) for purposes of achieving career advancement—
  - “(A) provide for the establishment of new positions within the Department; and
  - “(B) notwithstanding any other provision of law, provide for increases in pay for any such employee.”

EMPLOYMENT OF STUDENTS AND RECENT GRADUATES BY  
DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 115-46, title II, §206, Aug. 12, 2017, 131 Stat. 963, provided that:

“(a) IN GENERAL.—The Secretary of Veterans Affairs shall prescribe regulations to allow for excepted service appointments of students and recent graduates leading to conversion to career or career conditional employment of a student or recent graduate of a qualifying educational institution, as defined by the Department.

“(b) APPLICABILITY.—The conversion authority described in subsection (a) shall be applicable to individuals in good standing who—

- “(1) are employed in a qualifying internship or fellowship program at the Department;
- “(2) are employed in the Department in a volunteer capacity and performing substantive duties comparable to those of individuals in internship or fellowship programs and meet the required number of hours for conversion;
- “(3) are employed in the Department under a contract or agreement with an external nonprofit organization and performing substantive duties comparable to those of individuals in internship or fellowship programs;
- “(4) have received educational assistance under chapter 33 of title 38, United States Code; or
- “(5) graduated from a qualifying educational institution, as defined by the Department, and have not reached 30 years of age.

“(c) UNIFORMITY.—For the purposes of paragraphs (2) and (3) of subsection (b), hours of work performed by an individual employed shall be considered equal to those performed by an individual employed in a qualifying internship or fellowship program by the Department.”

RECRUITING DATABASE AT DEPARTMENT OF VETERANS  
AFFAIRS

Pub. L. 115-46, title II, §208, Aug. 12, 2017, 131 Stat. 964, provided that:

“(a) ESTABLISHMENT.—The Secretary of Veterans Affairs shall establish a single database that lists—

- “(1) each vacant position in the Department of Veterans Affairs that the Secretary determines is critical to the mission of the Department, difficult to fill, or both; and
- “(2) each vacant position in the Department of Veterans Affairs for a mental health professional.

“(b) QUALIFIED APPLICANT.—If the Secretary determines that an applicant for a vacant position listed in the database established under subsection (a) is qualified for such position but does not select the applicant for such position, the Secretary, at the election of the applicant, may consider the applicant for other similar vacant positions listed in the database for which the applicant is qualified.

“(c) PROLONGED VACANCIES.—If the Secretary does not fill a vacant position listed in the database established under subsection (a) after a period determined appropriate by the Secretary, the Secretary—

- “(1) may ensure that applicants described in subsection (b) are considered for such position; and

“(2) may use the database established under subsection (a) to assist in filling such position.

“(d) REPORT.—Not later than one year after the date of the enactment of this Act [Aug. 12, 2017], the Secretary shall submit to Congress a report on the use and efficacy of the database established under subsection (a).”

EXIT SURVEYS AT DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 115-46, title II, §211, Aug. 12, 2017, 131 Stat. 966, provided that:

“(a) EXIT SURVEYS REQUIRED.—

“(1) IN GENERAL.—The Secretary of Veterans Affairs shall develop and carry out a standardized exit survey to be voluntarily completed by career and non-career employees and executives of the Department of Veterans Affairs who voluntarily separate from the Department.

“(2) CONSULTATION.—Such exit survey shall be developed in consultation with an appropriate non-Department entity with experience developing such surveys.

“(b) SURVEY CONTENT.—The survey shall include, at a minimum, the following:

- “(1) Reasons for leaving the Department.
- “(2) Efforts made by the supervisor of the employee to retain the individual.
- “(3) The extent of job satisfaction and engagement during the employment.
- “(4) The intent of [the] employee to either remain employed within the Federal Government or to leave employment with the Federal Government.
- “(5) Such other matters as the Secretary determines appropriate.

“(c) ANONYMITY OF SURVEY CONTENT.—The Secretary shall ensure that data collected under subsection (a)—

- “(1) is anonymized, including through the use of a location that allows for privacy;
- “(2) is not directly visible by another employee; and
- “(3) does not require the departing employee to input any personally identifiable data.

“(d) SHARING OF SURVEY DATA.—The Secretary shall ensure that the results of the survey required by subsection (a) are—

- “(1) aggregated at the Veterans Integrated Service Network level; and
- “(2) shared on an annual basis with directors and managers of facilities of the Department and the Veterans Integrated Service Networks.

“(e) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act [Aug. 12, 2017] and not less frequently than once each year thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing the aggregate results of the exit survey under subsection (a) covering the year prior to the report.

“(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

- “(A) An analysis of the most common reasons employees choose to leave the Department.
- “(B) The steps the Secretary is taking to improve retention, particularly for mission-critical occupations.
- “(C) The demographic characteristics of employees choosing to leave the Department.
- “(D) Any legislative barriers to improving employee retention.
- “(E) The total number of employees who voluntarily separated from the Department and the number and percentage of whom took the exit survey under subsection (a).”

§ 703. Miscellaneous authorities respecting employees

(a) The Secretary may furnish and launder such wearing apparel as may be prescribed for

employees in the performance of their official duties.

(b) The Secretary may transport children of Department employees located at isolated stations to and from school in available Government-owned automotive equipment.

(c) The Secretary may provide recreational facilities, supplies, and equipment for the use of patients in hospitals and employees in isolated installations.

(d) The Secretary may provide for the preparation, shipment, installation, and display of exhibits, photographic displays, moving pictures, and other visual educational information and descriptive material. For the purposes of the preceding sentence, the Secretary may purchase or rent equipment.

(e) The Secretary may reimburse employees for the cost of repairing or replacing their personal property damaged or destroyed by patients or domiciliary members while such employees are engaged in the performance of their official duties.

(f)(1) The Secretary, upon determining that an emergency situation exists and that such action is necessary for the effective conduct of the affairs of the Department, may use Government-owned, or leased, vehicles to transport employees to and from their place of employment and the nearest adequate public transportation or, if such public transportation is either unavailable or not feasible to use, to and from their place of employment and their home.

(2) The Secretary shall establish reasonable rates to cover the cost of the service rendered under this subsection, and all proceeds collected therefrom shall be applied to the applicable appropriation.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 394.)

#### PRIOR PROVISIONS

Prior sections 703 and 704 were renumbered sections 1903 and 1904 of this title, respectively.

Provisions similar to those in this section were contained in section 233 of this title prior to repeal by Pub. L. 102-83, §2(a).

#### OUTREACH ON AVAILABILITY OF MENTAL HEALTH SERVICES AVAILABLE TO EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 115-73, title II, §202, Oct. 26, 2017, 131 Stat. 1241, provided that: "The Secretary of Veterans Affairs shall conduct a program of outreach to employees of the Department of Veterans Affairs to inform those employees of any mental health services, including telemedicine options, that are available to them."

#### PROTOCOLS TO ADDRESS THREATS AGAINST EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 115-73, title II, §203, Oct. 26, 2017, 131 Stat. 1241, provided that: "The Secretary of Veterans Affairs shall ensure protocols are in effect to address threats from individuals receiving health care from the Department of Veterans Affairs directed towards employees of the Department who are providing such health care."

#### CLINIC MANAGEMENT TRAINING FOR EMPLOYEES AT MEDICAL FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 113-146, title III, §303, Aug. 7, 2014, 128 Stat. 1788, provided that:

"(a) CLINIC MANAGEMENT TRAINING PROGRAM.—

"(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act [Aug. 7, 2014], the Secretary of Veterans Affairs shall commence a role-specific clinic management training program to provide in-person, standardized education on systems and processes for health care practice management and scheduling to all appropriate employees, as determined by the Secretary, at medical facilities of the Department.

"(2) ELEMENTS.—

"(A) IN GENERAL.—The clinic management training program required by paragraph (1) shall include the following:

"(i) Training on how to manage the schedules of health care providers of the Department, including the following:

"(I) Maintaining such schedules in a manner that allows appointments to be booked at least eight weeks in advance.

"(II) Proper planning procedures for vacation, leave, and graduate medical education training schedules.

"(ii) Training on the appropriate number of appointments that a health care provider should conduct on a daily basis, based on specialty.

"(iii) Training on how to determine whether there are enough available appointment slots to manage demand for different appointment types and mechanisms for alerting management of insufficient slots.

"(iv) Training on how to properly use the appointment scheduling system of the Department, including any new scheduling system implemented by the Department.

"(v) Training on how to optimize the use of technology, including the following:

"(I) Telemedicine.

"(II) Electronic mail.

"(III) Text messaging.

"(IV) Such other technologies as specified by the Secretary.

"(vi) Training on how to properly use physical plant space at medical facilities of the Department to ensure efficient flow and privacy for patients and staff.

"(B) ROLE-SPECIFIC.—The Secretary shall ensure that each employee of the Department included in the clinic management training program required by paragraph (1) receives education under such program that is relevant to the responsibilities of such employee.

"(3) SUNSET.—The clinic management training program required by paragraph (1) shall terminate on the date that is 2 years after the date on which the Secretary commences such program.

"(b) TRAINING MATERIALS.—

"(1) IN GENERAL.—After the termination of the clinic management training program required by subsection (a), the Secretary shall provide training materials on health care management to each of the following employees of the Department that are relevant to the position and responsibilities of such employee upon the commencement of employment of such employee:

"(A) Any manager of a medical facility of the Department.

"(B) Any health care provider at a medical facility of the Department.

"(C) Such other employees of the Department as the Secretary considers appropriate.

"(2) UPDATE.—The Secretary shall regularly update the training materials required under paragraph (1)." [For definition of "facility of the Department" as used in section 303 of Pub. L. 113-146, set out above, see section 2 of Pub. L. 113-146, set out as a note under section 1701 of this title.]

#### LIMITATION ON AWARDS AND BONUSES PAID TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 113-146, title VII, §705, Aug. 7, 2014, 128 Stat. 1798, as amended by Pub. L. 114-198, title IX, §951, July

22, 2016, 130 Stat. 778; Pub. L. 115-182, title III, §305, June 6, 2018, 132 Stat. 1469, provided that:

“(a) LIMITATION.—The Secretary of Veterans Affairs shall ensure that the aggregate amount of awards and bonuses paid by the Secretary in a fiscal year under chapter 45 or 53 of title 5, United States Code, or any other awards or bonuses authorized under such title or title 38, United States Code, does not exceed the following amounts:

“(1) With respect to each of fiscal years 2017 through 2018, \$250,000,000, of which not less than \$20,000,000 shall be for recruitment, relocation, and retention bonuses.

“(2) With respect to each of fiscal years 2019 through 2021, \$290,000,000, of which not less than \$20,000,000 shall be for recruitment, relocation, and retention bonuses.

“(3) With respect to each of fiscal years 2022 through 2024, \$360,000,000.

“(b) SENSE OF CONGRESS.—It is the sense of Congress that the limitation under subsection (a) should not disproportionately impact lower-wage employees and that the Department of Veterans Affairs is encouraged to use bonuses to incentivize high-performing employees in areas in which retention is challenging.”

### § 705. Telephone service for medical officers and facility directors

The Secretary may pay for official telephone service and rental in the field whenever incurred in case of official telephones for directors of centers, hospitals, independent clinics, domiciliaries, and medical officers of the Department where such telephones are installed in private residences or private apartments or quarters, when authorized under regulations prescribed by the Secretary.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 395.)

#### PRIOR PROVISIONS

Prior sections 705 and 706 were renumbered sections 1905 and 1906 of this title, respectively.

Provisions similar to those in this section were contained in section 234 of this title prior to repeal by Pub. L. 102-83, §2(a).

### § 707. Benefits for employees at overseas offices who are United States citizens

(a) The Secretary may, under such rules and regulations as may be prescribed by the President or the President's designee, provide to personnel of the Department who are United States citizens and are assigned by the Secretary to the Department offices in the Republic of the Philippines allowances and benefits similar to those provided by the following provisions of law:

(1) Section 905 of the Foreign Service Act of 1980 (relating to allowances to provide for the proper representation of the United States).

(2) Sections 901(1), (2), (3), (4), (7), (8), (9), (11), and (12) of the Foreign Service Act of 1980 (relating to travel expenses).

(3) Section 901(13) of the Foreign Service Act of 1980 (relating to transportation of automobiles).

(4) Section 903 of the Foreign Service Act of 1980 (relating to the return of personnel to the United States on leave of absence).

(5) Section 904(d) of the Foreign Service Act of 1980 (relating to payments by the United States of expenses for treating illness or injury of officers or employees and dependents requiring hospitalization).

(6) Section 5724a(c) of title 5 (relating to subsistence expenses for 60 days in connection with the return to the United States of the employee and such employee's immediate family).

(7) Section 5724a(d) of title 5 (relating to the sale and purchase of the residence or settlement of an unexpired lease of the employee when transferred from one station to another station and both stations are in the United States, its territories or possessions, or the Commonwealth of Puerto Rico).

(b) The authority in subsection (a) supplements, but is not in lieu of, other allowances and benefits for overseas employees of the Department provided by title 5 and the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.).

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 395; amended Pub. L. 104-201, div. A, title XVII, §1723(a)(2), Sept. 23, 1996, 110 Stat. 2759.)

#### REFERENCES IN TEXT

The Foreign Service Act of 1980, referred to in subsecs. (a)(1)–(5) and (b), is Pub. L. 96-465, Oct. 17, 1980, 94 Stat. 2071, as amended, which is classified principally to chapter 52 (§3901 et seq.) of Title 22, Foreign Relations and Intercourse. Sections 901, 903, 904(d), and 905 of the Foreign Service Act of 1980 are classified to sections 4081, 4083, 4084(d), and 4085, respectively of Title 22. For complete classification of this Act to the Code, see Short Title note set out under section 3901 of Title 22 and Tables.

#### PRIOR PROVISIONS

Prior sections 707 and 708 were renumbered sections 1907 and 1908 of this title, respectively.

Provisions similar to those in this section were contained in section 235 of this title prior to repeal by Pub. L. 102-83, §2(a).

#### AMENDMENTS

1996—Subsec. (a)(6). Pub. L. 104-201, §1723(a)(2)(A), substituted “Section 5724a(c)” for “Section 5724a(a)(3)”.

Subsec. (a)(7). Pub. L. 104-201, §1723(a)(2)(B), substituted “Section 5724a(d)” for “Section 5724a(a)(4)”.

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-201 effective 180 days after Sept. 23, 1996, see section 1725(a) of Pub. L. 104-201, set out as a note under section 5722 of Title 5, Government Organization and Employees.

#### EX. ORD. NO. 12228. ALLOWANCES FOR PERSONNEL ON FOREIGN DUTY

Ex. Ord. No. 12228, July 24, 1980, 45 F.R. 49903, as amended by Ex. Ord. No. 12292, Feb. 23, 1981, 46 F.R. 13967, provided:

By the authority vested in me as President of the United States of America by Sections 7 and 8 of the Defense Department Overseas Teachers Pay and Personnel Practices Act of 1959, as amended (20 U.S.C. 905-906), Section 235 [see 707] of Title 38 of the United States Code, and Section 301 of Title 3 of the United States Code, and in order to delegate authority with respect to allowances for Veterans Administration [now Department of Veterans Affairs] personnel and to update existing authorities, it is hereby ordered as follows:

1-101. Payment of the additional compensation authorized by Section 8(a)(2) of the Defense Department Overseas Teachers Pay and Personnel Practices Act of 1959, as amended, shall be governed by the regulations contained in Executive Order No. 10000, as amended [set out as a note under section 5941 of Title 5, Government Organization and Employees], which govern the payment of additional compensation in foreign areas (re-