

Public Law 102-83
102d Congress

An Act

Aug. 6, 1991
[H.R. 2525]

Department of
Veterans Affairs
Codification Act.
Government
organization.
38 USC 101 note.

To amend title 38, United States Code, to codify the provisions of law relating to the establishment of the Department of Veterans Affairs, to restate and reorganize certain provisions of that title, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38, UNITED STATES CODE.

(a) **SHORT TITLE.**—This Act may be cited as the “Department of Veterans Affairs Codification Act”.

(b) **REFERENCES.**—Except in sections 3 and 6 and as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 2. CODIFICATION, REORGANIZATION, AND REVISION OF LAWS RELATING TO ESTABLISHMENT, ORGANIZATION, AND AUTHORITY OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—Part I is amended by striking out chapter 3 and inserting in lieu thereof the following:

“CHAPTER 3—DEPARTMENT OF VETERANS AFFAIRS

- “Sec.
“301. Department.
“302. Seal.
“303. Secretary of Veterans Affairs.
“304. Deputy Secretary of Veterans Affairs.
“305. Chief Medical Director.
“306. Chief Benefits Director.
“307. Director of the National Cemetery System.
“308. Assistant Secretaries; Deputy Assistant Secretaries.
“309. Chief Financial Officer.
“310. Chief Information Resources Officer.
“311. General Counsel.
“312. Inspector General.
“313. Availability of appropriations.
“314. Central Office.
“315. Regional offices.
“316. Colocation of regional offices and medical centers.

“§ 301. Department

“(a) The Department of Veterans Affairs is an executive department of the United States.

“(b) The purpose of the Department is to administer the laws providing benefits and other services to veterans and the dependents and the beneficiaries of veterans.

“(c) The Department is composed of the following:

- “(1) The Office of the Secretary.

- “(2) The Veterans Health Administration.
- “(3) The Veterans Benefits Administration.
- “(4) The National Cemetery System.
- “(5) The Board of Veterans’ Appeals.
- “(6) The Veterans’ Canteen Service.
- “(7) The Board of Contract Appeals.
- “(8) Such other offices and agencies as are established or designated by law or by the President or the Secretary.
- “(9) Any office, agency, or activity under the control or supervision of any element named in paragraphs (1) through (8).

“§ 302. Seal

“(a) The Secretary of Veterans Affairs shall cause a seal of office to be made for the Department of such device as the President shall approve. Judicial notice shall be taken of the seal.

“(b) Copies of any public document, record, or paper belonging to or in the files of the Department, when authenticated by the seal and certified by the Secretary (or by an officer or employee of the Department to whom authority has been delegated in writing by the Secretary), shall be evidence equal with the original thereof.

“§ 303. Secretary of Veterans Affairs

“There is a Secretary of Veterans Affairs, who is the head of the Department and is appointed by the President, by and with the advice and consent of the Senate. The Secretary is responsible for the proper execution and administration of all laws administered by the Department and for the control, direction, and management of the Department.

“§ 304. Deputy Secretary of Veterans Affairs

“There is in the Department a Deputy Secretary of Veterans Affairs, who is appointed by the President, by and with the advice and consent of the Senate. The Deputy Secretary shall perform such functions as the Secretary shall prescribe. Unless the President designates another officer of the Government, the Deputy Secretary shall be Acting Secretary of Veterans Affairs during the absence or disability of the Secretary or in the event of a vacancy in the office of Secretary.

“§ 305. Chief Medical Director

“(a)(1) There is in the Department a Chief Medical Director, who is appointed by the President, by and with the advice and consent of the Senate.

“(2) The Chief Medical Director shall be a doctor of medicine and shall be appointed without regard to political affiliation or activity and solely—

“(A) on the basis of demonstrated ability in the medical profession, in health-care administration and policy formulation, and in health-care fiscal management; and

“(B) on the basis of substantial experience in connection with the programs of the Veterans Health Administration or programs of similar content and scope.

“(b) The Chief Medical Director is the head of, and is directly responsible to the Secretary for the operation of, the Veterans Health Administration.

“(c) The Chief Medical Director shall be appointed for a period of four years, with reappointment permissible for successive like peri-

ods. If the President removes the Chief Medical Director before the completion of the term for which the Chief Medical Director was appointed, the President shall communicate the reasons for the removal to Congress.

“(d)(1) Whenever a vacancy in the position of Chief Medical Director occurs or is anticipated, the Secretary shall establish a commission to recommend individuals to the President for appointment to the position.

“(2) A commission established under this subsection shall be composed of the following members appointed by the Secretary:

“(A) Three persons representing clinical care and medical research and education activities affected by the Veterans Health Administration.

“(B) Two persons representing veterans served by the Veterans Health Administration.

“(C) Two persons who have experience in the management of veterans health services and research programs, or programs of similar content and scope.

“(D) The Deputy Secretary of Veterans Affairs.

“(E) The Chairman of the Special Medical Advisory Group established under section 7312 of this title.

“(F) One person who has held the position of Chief Medical Director (including service as Chief Medical Director of the Veterans' Administration), if the Secretary determines that it is desirable for such person to be a member of the Commission.

“(3) A commission established under this subsection shall recommend at least three individuals for appointment to the position of Chief Medical Director. The commission shall submit all recommendations to the Secretary. The Secretary shall forward the recommendations to the President with any comments the Secretary considers appropriate. Thereafter, the President may request the commission to recommend additional individuals for appointment.

“(4) The Assistant Secretary or Deputy Assistant Secretary of Veterans Affairs who performs personnel management and labor relations functions shall serve as the executive secretary of a commission established under this subsection.

“§ 306. Chief Benefits Director

“(a) There is in the Department a Chief Benefits Director, who is appointed by the President, by and with the advice and consent of the Senate. The Chief Benefits Director shall be appointed without regard to political affiliation or activity and solely on the basis of demonstrated ability in—

“(1) fiscal management; and

“(2) the administration of programs within the Veterans Benefits Administration or programs of similar content and scope.

“(b) The Chief Benefits Director is the head of, and is directly responsible to the Secretary for the operations of, the Veterans Benefits Administration.

“(c) The Chief Benefits Director shall be appointed for a period of four years, with reappointment permissible for successive like periods. If the President removes the Chief Benefits Director before the completion of the term for which the Chief Benefits Director was appointed, the President shall communicate the reasons for the removal to Congress.

“(d)(1) Whenever a vacancy in the position of Chief Benefits Director occurs or is anticipated, the Secretary shall establish a commission to recommend individuals to the President for appointment to the position.

“(2) A commission established under this subsection shall be composed of the following members appointed by the Secretary:

“(A) Three persons representing education and training, real estate, mortgage finance, and related industries, and survivor benefits activities affected by the Veterans Benefits Administration.

“(B) Two persons representing veterans served by the Veterans Benefits Administration.

“(C) Two persons who have experience in the management of veterans benefits programs or programs of similar content and scope.

“(D) The Deputy Secretary of Veterans Affairs.

“(E) The chairman of the Veterans' Advisory Committee on Education formed under section 3692 of this title.

“(F) One person who has held the position of Chief Benefits Director (including service as Chief Benefits Director of the Veterans' Administration), if the Secretary determines that it is desirable for such person to be a member of the Commission.

“(3) A commission established under this subsection shall recommend at least three individuals for appointment to the position of Chief Benefits Director. The commission shall submit all recommendations to the Secretary. The Secretary shall forward the recommendations to the President with any comments the Secretary considers appropriate. Thereafter, the President may request the commission to recommend additional individuals for appointment.

“(4) The Assistant Secretary or Deputy Assistant Secretary of Veterans Affairs who performs personnel management and labor relations functions shall serve as the executive secretary of a commission established under this subsection.

“§ 307. Director of the National Cemetery System

“There is in the Department a Director of the National Cemetery System, who is appointed by the President, by and with the advice and consent of the Senate. The Director is the head of the National Cemetery System as established in section 2400 of this title and shall perform such functions as may be assigned by the Secretary.

“§ 308. Assistant Secretaries; Deputy Assistant Secretaries

“(a) There shall be in the Department not more than six Assistant Secretaries. Each Assistant Secretary shall be appointed by the President, by and with the advice and consent of the Senate.

“(b) The Secretary shall assign to the Assistant Secretaries responsibility for the administration of such functions and duties as the Secretary considers appropriate, including the following functions:

“(1) Budgetary and financial functions.

“(2) Personnel management and labor relations functions.

“(3) Planning, studies, and evaluations.

“(4) Management, productivity, and logistic support functions.

“(5) Information management functions as required by section 3506 of title 44.

“(6) Capital facilities and real property program functions.

“(7) Equal opportunity functions.

“(8) Functions regarding the investigation of complaints of employment discrimination within the Department.

“(9) Functions regarding intergovernmental, public, and consumer information and affairs.

“(10) Procurement functions.

President.

“(c) Whenever the President nominates an individual for appointment as an Assistant Secretary, the President shall include in the communication to the Senate of the nomination a statement of the particular functions of the Department specified in subsection (b), and any other functions of the Department, the individual will exercise upon taking office.

“(d)(1) There shall be in the Department such number of Deputy Assistant Secretaries, not exceeding 18, as the Secretary may determine. Each Deputy Assistant Secretary shall be appointed by the Secretary and shall perform such functions as the Secretary prescribes.

“(2) At least two-thirds of the number of positions established and filled under paragraph (1) shall be filled by individuals who have at least five years of continuous service in the Federal civil service in the executive branch immediately preceding their appointment as a Deputy Assistant Secretary. For purposes of determining such continuous service of an individual, there shall be excluded any service by such individual in a position—

“(A) of a confidential, policy-determining, policy-making, or policy-advocating character;

“(B) in which such individual served as a noncareer appointee in the Senior Executive Service, as such term is defined in section 3132(a)(7) of title 5; or

“(C) to which such individual was appointed by the President.

“§ 309. Chief Financial Officer

“The Secretary shall designate the Assistant Secretary whose functions include budgetary and financial functions as the Chief Financial Officer of the Department. The Chief Financial Officer shall advise the Secretary on financial management of the Department and shall exercise the authority and carry out the functions specified in section 902 of title 31.

“§ 310. Chief Information Resources Officer

“(a) The Secretary shall designate the Assistant Secretary whose functions include information management functions (as required by section 3506 of title 44) as the Chief Information Resources Officer of the Department.

“(b) The Chief Information Resources Officer shall advise the Secretary on information and management activities of the Department as required by section 3506 of title 44.

“(c) The Chief Information Resources Officer shall develop and maintain an information resources management system for the Department that provides for—

“(1) the conduct of, and accountability for, any acquisitions made pursuant to a delegation of authority under section 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759);

“(2) the implementation of all applicable Governmentwide and Department information policies, principles, standards, and guidelines with respect to information collection, paperwork

reduction, privacy and security of records, sharing and dissemination of information, acquisition and use of information technology, and other information resources management functions;

“(3) the periodic evaluation of and (as needed) the planning and implementation of improvements in the accuracy, completeness, and reliability of data and records contained within Department information systems; and

“(4) the development and annual revision of a five-year plan for meeting the Department’s information technology needs.

“(d) The Chief Information Resources Officer shall report directly to the Secretary in carrying out the duties of the Chief Information Resources Officer under this section and under chapter 35 of title 44.

“§ 311. General Counsel

“There is in the Department the Office of the General Counsel. There is at the head of the office a General Counsel, who is appointed by the President, by and with the advice and consent of the Senate. The General Counsel is the chief legal officer of the Department and provides legal assistance to the Secretary concerning the programs and policies of the Department.

“§ 312. Inspector General

“(a) There is in the Department an Inspector General, who is appointed by the President, by and with the advice and consent of the Senate, as provided in the Inspector General Act of 1978 (5 U.S.C. App. 3). The Inspector General performs the functions, has the responsibilities, and exercises the powers specified in that Act.

“(b)(1) The Secretary shall provide for not less than 40 full-time positions in the Office of Inspector General in addition to the number of such positions in that office on March 15, 1989.

“(2) The President shall include in the budget transmitted to the Congress for each fiscal year pursuant to section 1105 of title 31 an estimate of the amount for the Office of Inspector General that is sufficient to provide for a number of full-time positions in that office that is not less than the number of full-time positions in that office on March 15, 1989, plus 40.

“(3) The Secretary shall provide the number of additional full-time positions in the Office of Inspector General required by paragraph (1) not later than September 30, 1991.

“§ 313. Availability of appropriations

“(a) Funds appropriated to the Department may remain available until expended.

“(b) Funds appropriated to the Department may not be used for a settlement of more than \$1,000,000 on a construction contract unless—

“(1) the settlement is audited by an entity outside the Department for reasonableness and appropriateness of expenditures; and

“(2) the settlement is provided for specifically in an appropriation law.

“§ 314. Central Office

“The Central Office of the Department shall be in the District of Columbia.

“§ 315. Regional offices

“(a) The Secretary may establish such regional offices and such other field offices within the United States, its Territories, Commonwealths, and possessions, as the Secretary considers necessary.

“(b) The Secretary may maintain a regional office in the Republic of the Philippines until September 30, 1991.

“§ 316. Colocation of regional offices and medical centers

“(a) To provide for a more economical, efficient, and effective operation of such regional offices, the Secretary shall provide for the colocation of at least three regional offices with medical centers of the Department—

“(1) on real property under the jurisdiction of the Department of Veterans Affairs at such medical centers; or

“(2) on real property that is adjacent to such a medical center and is under the jurisdiction of the Department as a result of being conveyed to the United States for the purpose of such colocation.

“(b)(1) In carrying out this section and notwithstanding any other provision of law, the Secretary may lease, with or without compensation and for a period of not to exceed 35 years, to another party at not more than seven locations any of the real property described in paragraph (1) or (2) of subsection (a).

“(2) Such real property shall be used as the site of a facility—

“(A) constructed and owned by the lessee of such real property; and

“(B) leased under subsection (c)(1) to the Department for such use and such other activities as the Secretary determines are appropriate.

“(c)(1) The Secretary may enter into a lease for the use of any facility described in subsection (b)(2) for not more than 35 years under such terms and conditions as may be in the best interests of the Department.

“(2) Each agreement for such a lease shall provide—

“(A) that the obligation of the United States to make payments under the agreement is subject to the availability of appropriations for that purpose; and

“(B) that the ownership of the facility shall vest in the United States at the end of such lease.

“(d)(1) The Secretary may sublease any space in such a facility to another party at a rate not less than—

“(A) the rental rate paid by the Secretary for such space under subsection (c); plus

“(B) the amount the Secretary pays for the costs of administering such facility (including operation, maintenance, utility, and rehabilitation costs) which are attributable to such space.

“(2) In any such sublease, the Secretary shall include such terms relating to default and nonperformance as the Secretary considers appropriate to protect the interests of the United States.

“(e) The Secretary shall use the receipts of any payment for the lease of real property under subsection (b) for the payment of the lease of a facility under subsection (c).

“(f)(1) Subject to paragraph (3)(A), the Secretary shall, not later than April 18, 1990, issue an invitation for offers with respect to three colocations to be carried out under this section. The invitation

shall include, with respect to each such colocation, at least the following:

“(A) Identification of the site to be developed.

“(B) Minimum office space requirements for regional office activities.

“(C) Design criteria of the facility to be constructed.

“(D) A plan for meeting the security and parking needs for the facility and its occupants and visitors.

“(E) A statement of current and projected rents and other costs for regional office activities.

“(F) The estimated cost of construction of the facility concerned, the estimated annual cost of leasing space for regional office activities in the facility, and the estimated total annual cost of leasing all space in such facility.

“(G) A plan for securing appropriate licenses, easements, and rights-of-way.

“(H) A list of terms and conditions the Secretary has approved for inclusion in the lease agreement for the facility concerned.

“(2) Subject to paragraph (3)(B), the Secretary shall—

“(A) not later than one year after the date on which the invitation is issued under paragraph (1), enter into an agreement to carry out one colocation under this subsection; and

“(B) within 180 days after entering into the agreement referred to in subparagraph (A), enter into agreements to carry out two additional colocations,

unless the Secretary determines that it is not economically feasible for the Department to undertake them, taking into consideration all of the tangible and intangible benefits associated with such colocations.

“(3) The Secretary shall—

“(A) at least 10 days before the issuance or other publication of the invitation referred to in paragraph (1), submit a copy of the invitation to the Committees on Veterans' Affairs of the Senate and House of Representatives; and

“(B) at least 30 days before entering into an agreement under paragraph (2), submit a copy to the Committees on Veterans' Affairs of the Senate and House of Representatives of the proposals selected by the Secretary from those received in response to the invitation issued under paragraph (1).

“(g) The authority to enter into an agreement under this section shall expire on September 30, 1992.

“CHAPTER 5—AUTHORITY AND DUTIES OF THE SECRETARY

“SUBCHAPTER I—GENERAL AUTHORITIES

“Sec.

“501. Rules and regulations.

“502. Judicial review of rules and regulations.

“503. Administrative error; equitable relief.

“505. Opinions of Attorney General.

“510. Authority to reorganize offices.

“511. Decisions of the Secretary; finality.

“512. Delegation of authority; assignment of functions and duties.

“513. Contracts and personal services.

“515. Administrative settlement of tort claims.

"SUBCHAPTER II—SPECIFIED FUNCTIONS

- "521. Assistance to certain rehabilitation activities.
- "522. Studies of rehabilitation of disabled persons.
- "523. Coordination and promotion of other programs affecting veterans and their dependents.
- "525. Publication of laws relating to veterans.
- "527. Evaluation and data collection.
- "529. Annual report to Congress.

"SUBCHAPTER III—ADVISORY COMMITTEES

- "541. Advisory Committee on Former Prisoners of War.
- "542. Advisory Committee on Women Veterans.

"SUBCHAPTER I—GENERAL AUTHORITIES

"§ 501. Rules and regulations

"(a) The Secretary has authority to prescribe all rules and regulations which are necessary or appropriate to carry out the laws administered by the Department and are consistent with those laws, including—

"(1) regulations with respect to the nature and extent of proof and evidence and the method of taking and furnishing them in order to establish the right to benefits under such laws;

"(2) the forms of application by claimants under such laws;

"(3) the methods of making investigations and medical examinations; and

"(4) the manner and form of adjudications and awards.

"(b) Any rule, regulation, guideline, or other published interpretation or order (and any amendment thereto) issued pursuant to the authority granted by this section or any other provision of this title shall contain citations to the particular section or sections of statutory law or other legal authority upon which such issuance is based. The citation to the authority shall appear immediately following each substantive provision of the issuance.

"(c) In applying section 552(a)(1) of title 5 to the Department, the Secretary shall ensure that subparagraphs (C), (D), and (E) of that section are complied with, particularly with respect to opinions and interpretations of the General Counsel.

"(d) The provisions of section 553 of title 5 shall apply, without regard to subsection (a)(2) of that section, to matters relating to loans, grants, or benefits under a law administered by the Secretary.

"§ 502. Judicial review of rules and regulations

"An action of the Secretary to which section 552(a)(1) or 553 of title 5 (or both) refers (other than an action relating to the adoption or revision of the schedule of ratings for disabilities adopted under section 1155 of this title) is subject to judicial review. Such review shall be in accordance with chapter 7 of title 5 and may be sought only in the United States Court of Appeals for the Federal Circuit. However, if such review is sought in connection with an appeal brought under the provisions of chapter 72 of this title, the provisions of that chapter shall apply rather than the provisions of chapter 7 of title 5.

"§ 503. Administrative error; equitable relief

"(a) If the Secretary determines that benefits administered by the Department have not been provided by reason of administrative error on the part of the Federal Government or any of its employees,

the Secretary may provide such relief on account of such error as the Secretary determines equitable, including the payment of moneys to any person whom the Secretary determines is equitably entitled to such moneys.

“(b) If the Secretary determines that a veteran, surviving spouse, child of a veteran, or other person has suffered loss as a consequence of reliance upon a determination by the Department of eligibility or entitlement to benefits, without knowledge that it was erroneously made, the Secretary may provide such relief on account of such error as the Secretary determines is equitable, including the payment of moneys to any person whom the Secretary determines is equitably entitled to such moneys.

“(c) Not later than April 1 of each year, the Secretary shall submit to Congress a report containing a statement as to the disposition of each case recommended to the Secretary for equitable relief under this section during the preceding calendar year.

Reports.

“§ 505. Opinions of Attorney General

“The Secretary may require the opinion of the Attorney General on any question of law arising in the administration of the Department.

“§ 510. Authority to reorganize offices

“(a) Except to the extent inconsistent with law, the Secretary may—

“(1) consolidate, eliminate, abolish, or redistribute the functions of the Administrations, offices, facilities, or activities in the Department;

“(2) create new Administrations, offices, facilities, or activities in the Department; and

“(3) fix the functions of any such Administration, office, facility, or activity and the duties and powers of their respective executive heads.

“(b) The Secretary may not in any fiscal year implement an administrative reorganization described in subsection (c) unless the Secretary first submits to the appropriate committees of the Congress a report containing a detailed plan and justification for the administrative reorganization. No action to carry out such reorganization may be taken after the submission of such report until the end of a 90-day period of continuous session of Congress following the date of the submission of the report. For purposes of the preceding sentence, continuity of a session of Congress is broken only by adjournment sine die, and there shall be excluded from the computation of such 90-day period any day during which either House of Congress is not in session during an adjournment of more than three days to a day certain.

“(c) An administrative reorganization described in this subsection is an administrative reorganization of a covered field office or facility that involves a reduction during any fiscal year in the number of full-time equivalent employees with permanent duty stations at such office or facility—

“(1) by 15 percent or more; or

“(2) by a percent which, when added to the percent reduction made in the number of such employees with permanent duty stations at such office or facility during the preceding fiscal year, is 25 percent or more.

“(d)(1) Not less than 30 days before the date on which the implementation of any administrative reorganization described in paragraph (2) of a unit in the Central Office is to begin, the Secretary shall transmit to the Committees on Veterans’ Affairs of the Senate and the House of Representatives a notification regarding the reorganization.

“(2) Paragraph (1) applies to an administrative reorganization of any unit of the Central Office that is the duty station for 30 or more employees if the reorganization involves a reduction in any fiscal year in the number of full-time equivalent employees with permanent duty station in such unit by 50 percent or more.

“(e) For purposes of this section, the term ‘administrative reorganization’ does not include a consolidation or redistribution of functions at a covered field office or facility, or between components of the Veterans Benefits Administration and the Veterans Health Administration at a Department medical and regional office center, if after the consolidation or redistribution the same number of full-time equivalent employees continues to perform the affected functions at that field office, facility, or center.

“(f) For purposes of this section:

“(1) The term ‘covered field office or facility’ means a Department office or facility outside the Central Office that is the permanent duty station for 25 or more employees or that is a free-standing outpatient clinic.

“(2) The term ‘detailed plan and justification’ means, with respect to an administrative reorganization, a written report that, at a minimum, includes the following:

“(A) Specification of the number of employees by which each covered office or facility affected is to be reduced, the responsibilities of those employees, and the means by which the reduction is to be accomplished.

“(B) Identification of any existing or planned office or facility at which the number of employees is to be increased and specification of the number and responsibilities of the additional employees at each such office or facility.

“(C) A description of the changes in the functions carried out at any existing office or facility and the functions to be assigned to an office or facility not in existence on the date that the plan and justification are submitted pursuant to subsection (b).

“(D) An explanation of the reasons for the determination that the reorganization is appropriate and advisable in terms of the statutory missions and long-term goals of the Department.

“(E) A description of the effects that the reorganization may have on the provision of benefits and services to veterans and dependents of veterans (including the provision of benefits and services through offices and facilities of the Department not directly affected by the reorganization).

“(F) Estimates of the costs of the reorganization and of the cost impact of the reorganization, together with analyses supporting those estimates.

“§ 511. Decisions of the Secretary; finality

“(a) The Secretary shall decide all questions of law and fact necessary to a decision by the Secretary under a law that affects the provision of benefits by the Secretary to veterans or the dependents

or survivors of veterans. Subject to subsection (b), the decision of the Secretary as to any such question shall be final and conclusive and may not be reviewed by any other official or by any court, whether by an action in the nature of mandamus or otherwise.

“(b) The second sentence of subsection (a) does not apply to—

- “(1) matters subject to section 502 of this title;
- “(2) matters covered by sections 1975 and 1984 of this title;
- “(3) matters arising under chapter 37 of this title; and
- “(4) matters covered by chapter 72 of this title.

“§ 512. Delegation of authority; assignment of functions and duties

“(a) Except as otherwise provided by law, the Secretary may assign functions and duties, and delegate, or authorize successive redelegation of, authority to act and to render decisions, with respect to all laws administered by the Department, to such officers and employees as the Secretary may find necessary. Within the limitations of such delegations, redelegations, or assignments, all official acts and decisions of such officers and employees shall have the same force and effect as though performed or rendered by the Secretary.

“(b) There shall be included on the technical and administrative staff of the Secretary such staff officers, experts, inspectors, and assistants (including legal assistants) as the Secretary may prescribe.

“§ 513. Contracts and personal services

“The Secretary may, for purposes of all laws administered by the Department, accept uncompensated services, and enter into contracts or agreements with private or public agencies or persons (including contracts for services of translators without regard to any other law), for such necessary services (including personal services) as the Secretary may consider practicable. The Secretary may also enter into contracts or agreements with private concerns or public agencies for the hiring of passenger motor vehicles or aircraft for official travel whenever, in the Secretary's judgment, such arrangements are in the interest of efficiency or economy.

“§ 515. Administrative settlement of tort claims

“(a)(1) Notwithstanding the limitations contained in section 2672 of title 28, the Secretary may settle a claim for money damages against the United States cognizable under section 1346(b) or 2672 of title 28 or section 7316 of this title to the extent the authority to do so is delegated to the Secretary by the Attorney General. Such delegation may not exceed the authority delegated by the Attorney General to United States attorneys to settle claims for money damages against the United States.

“(2) For purposes of this subsection, the term ‘settle’, with respect to a claim, means consider, ascertain, adjust, determine, and dispose of the claim, whether by full or partial allowance or by disallowance.

“(b) The Secretary may pay tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, when such claims arise in foreign countries in connection with Department operations abroad. A claim may not be allowed under this subsection unless it is presented in writing to the Secretary within two years after the claim accrues.

"SUBCHAPTER II—SPECIFIED FUNCTIONS

"§ 521. Assistance to certain rehabilitation activities

"(a) The Secretary may assist any organization named in or approved under section 5902 of this title in providing recreational activities which would further the rehabilitation of disabled veterans. Such assistance may be provided only if—

"(1) the activities are available to disabled veterans on a national basis; and

"(2) a significant percentage of the individuals participating in the activities are eligible for rehabilitative services under chapter 17 of this title.

"(b) The Secretary may accept from any appropriate source contributions of funds and of other assistance to support the Secretary's provision of assistance for such activities.

"(c)(1) Subject to paragraph (2), the Secretary may authorize the use, for purposes approved by the Secretary in connection with the activity involved, of the seal and other official symbols of the Department and the name 'Department of Veterans Affairs' by—

"(A) any organization which provides an activity described in subsection (a) with assistance from the Secretary; and

"(B) any individual or entity from which the Secretary accepts a significant contribution under subsection (b) or an offer of such a contribution.

"(2) The use of such seal or name of any official symbol of the Department in an advertisement may be authorized by the Secretary under this subsection only if—

"(A) the Secretary has approved the advertisement; and

"(B) the advertisement contains a clear statement that no product, project, or commercial line of endeavor referred to in the advertisement is endorsed by the Department of Veterans Affairs.

"§ 522. Studies of rehabilitation of disabled persons

"(a) The Secretary may conduct studies and investigations, and prepare reports, relative to the rehabilitation of disabled persons, the relative abilities, aptitudes, and capacities of the several groups of the variously handicapped, and how their potentialities can best be developed and their services best used in gainful and suitable employment including the rehabilitation programs of foreign nations.

"(b) In carrying out this section, the Secretary (1) may cooperate with such public and private agencies as the Secretary considers advisable; and (2) may employ consultants who shall receive a reasonable per diem, as prescribed by the Secretary, for each day actually employed, plus necessary travel and other expenses.

"§ 523. Coordination and promotion of other programs affecting veterans and their dependents

"(a) The Secretary shall seek to achieve (1) the maximum feasible effectiveness, coordination, and interrelationship of services among all programs and activities affecting veterans and their dependents carried out by and under all other departments, agencies, and instrumentalities of the executive branch, and (2) the maximum feasible coordination of such programs with programs carried out under this title. The Secretary shall actively promote the effective

implementation, enforcement, and application of all provisions of law and regulations providing for special consideration, emphasis, or preference for veterans.

“(b) The Secretary shall seek to achieve the effective coordination of the provision, under laws administered by the Department, of benefits and services (and information about such benefits and services) with appropriate programs (and information about such programs) conducted by State and local governmental agencies and by private entities at the State and local level. In carrying out this subsection, the Secretary shall place special emphasis on veterans who are 65 years of age or older.

“§ 525. Publication of laws relating to veterans

“(a) The Secretary may compile and publish all Federal laws relating to veterans’ relief, including laws administered by the Department as well as by other agencies of the Government. Such compilation and publication shall be in such form as the Secretary considers advisable for the purpose of making currently available in convenient form for the use of the Department and full-time representatives of the several service organizations an annotated, indexed, and cross-referenced statement of the laws providing veterans’ relief.

“(b) The Secretary may maintain such compilation on a current basis either by the publication, from time to time, of supplementary documents or by complete revision of the compilation.

“(c) The distribution of the compilation to the representatives of the several service organizations shall be as determined by the Secretary.

“§ 527. Evaluation and data collection

“(a) The Secretary, pursuant to general standards which the Secretary shall prescribe in regulations, shall measure and evaluate on a continuing basis the effect of all programs authorized under this title, in order to determine their effectiveness in achieving stated goals in general, and in achieving such goals in relation to their cost, their effect on related programs, and their structure and mechanisms for delivery of services. Such information as the Secretary may consider necessary for purposes of such evaluations shall be made available to the Secretary, upon request, by all departments, agencies, and instrumentalities of the executive branch.

“(b) In carrying out this section, the Secretary shall collect, collate, and analyze on a continuing basis full statistical data regarding participation (including the duration thereof), provision of services, categories of beneficiaries, planning and construction of facilities, acquisition of real property, proposed excessing of land, accretion and attrition of personnel, and categorized expenditures attributable thereto, under all programs carried out under this title.

“(c) The Secretary shall make available to the public, and on a regular basis provide to the appropriate committees of the Congress, copies of all completed evaluative research studies and summaries of evaluations of program impact and effectiveness carried out, and tabulations and analyses of all data collected, under this section.

Public
information.

“§ 529. Annual report to Congress

“The Secretary shall submit annually, at the close of each fiscal year, a report in writing to Congress. Each such report shall—

- “(1) give an account of all moneys received and disbursed by the Department for such fiscal year;
- “(2) describe the work done during such fiscal year; and
- “(3) state the activities of the Department for such fiscal year.

“SUBCHAPTER III—ADVISORY COMMITTEES

“§ 541. Advisory Committee on Former Prisoners of War

Establishment.

“(a)(1) The Secretary shall establish an advisory committee to be known as the Advisory Committee on Former Prisoners of War (hereinafter in this section referred to as the ‘Committee’).

“(2)(A) The members of the Committee shall be appointed by the Secretary from the general public and shall include—

“(i) appropriate representatives of veterans who are former prisoners of war;

“(ii) individuals who are recognized authorities in fields pertinent to disabilities prevalent among former prisoners of war, including authorities in epidemiology, mental health, nutrition, geriatrics, and internal medicine; and

“(iii) appropriate representatives of disabled veterans.

“(B) The Committee shall also include, as ex officio members, the Chief Medical Director and the Chief Benefits Director, or their designees.

“(3) The Secretary shall determine the number, terms of service, and pay and allowances of members of the Committee appointed by the Secretary, except that the term of service of any such member may not exceed three years.

“(b) The Secretary shall, on a regular basis, consult with and seek the advice of the Committee with respect to the administration of benefits under this title for veterans who are former prisoners of war and the needs of such veterans with respect to compensation, health care, and rehabilitation.

Reports.

“(c)(1) Not later than July 1 of each odd-numbered year, the Committee shall submit to the Secretary a report on the programs and activities of the Department that pertain to veterans who are former prisoners of war. Each such report shall include—

“(A) an assessment of the needs of such veterans with respect to compensation, health care, and rehabilitation;

“(B) a review of the programs and activities of the Department designed to meet such needs; and

“(C) such recommendations (including recommendations for administrative and legislative action) as the Committee considers to be appropriate.

“(2) The Secretary shall, within 60 days after receiving each report under paragraph (1), submit to the Congress a copy of the report, together with any comments concerning the report that the Secretary considers appropriate.

“(3) The Committee may also submit to the Secretary such other reports and recommendations as the Committee considers appropriate.

“(4) The Secretary shall submit with each annual report submitted to the Congress pursuant to section 529 of this title a summary of all reports and recommendations of the Committee submitted to the Secretary since the previous annual report of the Secretary submitted to the Congress pursuant to that section.

“§ 542. Advisory Committee on Women Veterans

“(a)(1) The Secretary shall establish an advisory committee to be known as the Advisory Committee on Women Veterans (hereinafter in this section referred to as ‘the Committee’). Establishment.

“(2)(A) The Committee shall consist of members appointed by the Secretary from the general public, including—

“(i) representatives of women veterans;

“(ii) individuals who are recognized authorities in fields pertinent to the needs of women veterans, including the gender-specific health-care needs of women; and

“(iii) representatives of both female and male veterans with service-connected disabilities, including at least one female veteran with a service-connected disability and at least one male veteran with a service-connected disability.

“(B) The Committee shall include, as ex officio members—

“(i) the Secretary of Labor (or a representative of the Secretary of Labor designated by the Secretary after consultation with the Assistant Secretary of Labor for Veterans’ Employment);

“(ii) the Secretary of Defense (or a representative of the Secretary of Defense designated by the Secretary of Defense after consultation with the Defense Advisory Committee on Women in the Services); and

“(iii) the Chief Medical Director and the Chief Benefits Director, or their designees.

“(C) The Secretary may invite representatives of other departments and agencies of the United States to participate in the meetings and other activities of the Committee.

“(3) The Secretary shall determine the number, terms of service, and pay and allowances of members of the Committee appointed by the Secretary, except that a term of service of any such member may not exceed three years. The Secretary may reappoint any such member for additional terms of service.

“(b) The Secretary shall, on a regular basis, consult with and seek the advice of the Committee with respect to the administration of benefits by the Department for women veterans, reports and studies pertaining to women veterans and the needs of women veterans with respect to compensation, health care, rehabilitation, outreach, and other benefits and programs administered by the Department.

“(c)(1) Not later than July 1 of each even-numbered year, the Committee shall submit to the Secretary a report on the programs and activities of the Department that pertain to women veterans. Each such report shall include— Reports.

“(A) an assessment of the needs of women veterans with respect to compensation, health care, rehabilitation, outreach, and other benefits and programs administered by the Department;

“(B) a review of the programs and activities of the Department designed to meet such needs; and

“(C) such recommendations (including recommendations for administrative and legislative action) as the Committee considers appropriate.

“(2) The Secretary shall, within 60 days after receiving each report under paragraph (1), submit to the Congress a copy of the report, together with any comments concerning the report that the Secretary considers appropriate.

“(3) The Committee may also submit to the Secretary such other reports and recommendations as the Committee considers appropriate.

“(4) The Secretary shall submit with each annual report submitted to the Congress pursuant to section 529 of this title a summary of all reports and recommendations of the Committee submitted to the Secretary since the previous annual report of the Secretary submitted pursuant to such section.

“CHAPTER 7—EMPLOYEES

“Sec.

“701. Placement of employees in military installations.

“703. Miscellaneous authorities respecting employees.

“705. Telephone service for medical officers and facility directors.

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

“709. Employment restrictions.

“711. Grade reductions.

“§ 701. Placement of employees in military installations

“The Secretary may place employees of the Department in such Army, Navy, and Air Force installations as may be considered advisable for the purpose of adjudicating disability claims of, and giving aid and advice to, members of the Armed Forces who are about to be discharged or released from active military, naval, or air service.

“§ 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.

“§ 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.

“§ 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(a)(3) 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(a)(4) 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.).

“§ 709. Employment restrictions

“(a)(1) Notwithstanding section 3134(d) of title 5, the number of Senior Executive Service positions in the Department which are filled by noncareer appointees in any fiscal year may not at any time exceed 5 percent of the average number of senior executives employed in Senior Executive Service positions in the Department during the preceding fiscal year.

“(2) For purposes of this subsection, the average number of senior executives employed in Senior Executive Service positions in the Department during a fiscal year shall be equal to 25 percent of the sum of the total number of senior executives employed in Senior Executive Service positions in the Department on the last day of each quarter of such fiscal year.

“(b) The number of positions in the Department which may be excepted from the competitive service, on a temporary or permanent basis, because of their confidential or policy-determining character may not at any time exceed the equivalent of 15 positions.

“(c)(1) Political affiliation or activity may not be taken into account in connection with the appointment of any person to any position in or to perform any service for the Department or in the assignment or advancement of any employee in the Department.

“(2) Paragraph (1) shall not apply—

“(A) to the appointment of any person by the President under this title, other than the appointment of the Chief Medical Director, the Chief Benefits Director, and the Inspector General; or

“(B) to the appointment of any person to (i) a Senior Executive Service position as a noncareer appointee, or (ii) a position that is excepted from the competitive service, on a temporary or permanent basis, because of the confidential or policy-determining character of the position.

“§ 711. Grade reductions

Reports.

“(a) The Secretary may not implement a grade reduction described in subsection (b) unless the Secretary first submits to the Committees on Veterans' Affairs of the Senate and House of Representatives a report containing a detailed plan for such reduction and a detailed justification for the plan. The report shall include a determination by the Secretary (together with data supporting such determination) that, in the personnel area concerned, the Department has a disproportionate number of employees at the salary grade or grades selected for reduction in comparison to the number of such employees at the salary levels involved who perform comparable functions in other departments and agencies of the Federal Government and in non-Federal entities. Any grade reduction described in such report may not take effect until the end of a period of 90 calendar days (not including any day on which either House of Congress is not in session) after the report is received by the committees.

“(b) A grade reduction referred to in subsection (a) is a systematic reduction, for the purpose of reducing the average salary cost for Department employees described in subsection (c), in the number of such Department employees at a specific grade level.

“(c) The employees referred to in subsection (b) are—

“(1) health-care personnel who are determined by the Secretary to be providing either direct patient-care services or services incident to direct patient-care services;

“(2) individuals who meet the definition of professional employee as set forth in section 7103(a)(15) of title 5; and

“(3) individuals who are employed as computer specialists.

Reports.

“(d) Not later than the 45th day after the Secretary submits a report under subsection (a), the Comptroller General shall submit to such Committees a report on the Secretary's compliance with such subsection. The Comptroller General shall include in the report the Comptroller General's opinion as to the accuracy of the Secretary's determination (and of the data supporting such determination) made under such subsection.

“(e) In the case of Department employees not described in subsection (c), the Secretary may not in any fiscal year implement a systematic reduction for the purpose of reducing the average salary

cost for such Department employees that will result in a reduction in the number of such Department employees at any specific grade level at a rate greater than the rate of the reductions systematically being made in the numbers of employees at such grade level in all other agencies and departments of the Federal Government combined.

“CHAPTER 9—SECURITY AND LAW ENFORCEMENT ON PROPERTY UNDER THE JURISDICTION OF THE DEPARTMENT

“Sec.

“901. Authority to prescribe rules for conduct and penalties for violations.

“902. Enforcement and arrest authority of Department police officers.

“903. Uniform allowance.

“904. Equipment and weapons.

“905. Use of facilities and services of other law enforcement agencies.

“§ 901. Authority to prescribe rules for conduct and penalties for violations

“(a)(1) The Secretary shall prescribe regulations to provide for the maintenance of law and order and the protection of persons and property on Department property.

“(2) In this chapter, the term ‘Department property’ means land and buildings that are under the jurisdiction of the Department and are not under control of the Administrator of General Services.

“(b) Regulations under subsection (a) shall include—

“(1) rules for conduct on Department property; and

“(2) the penalties, within the limits specified in subsection (c), for violations of such rules.

“(c) Whoever violates any rule prescribed by regulation under subsection (b)(1) shall be fined in accordance with title 18 or imprisoned not more than six months, or both. The Secretary may prescribe by regulation a maximum fine less than that which would otherwise apply under the preceding sentence or a maximum term of imprisonment of a shorter period than that which would otherwise apply under the preceding sentence, or both. Any such regulation shall apply notwithstanding any provision of title 18 or any other law to the contrary.

“(d) The rules prescribed under subsection (a), together with the penalties for violations of such rules, shall be posted conspicuously on property to which they apply.

“(e) The Secretary shall consult with the Attorney General before prescribing regulations under this section.

“§ 902. Enforcement and arrest authority of Department police officers

“(a)(1) Employees of the Department who are Department police officers shall, with respect to acts occurring on Department property, enforce—

“(A) Federal laws;

“(B) the rules prescribed under section 901 of this title; and

“(C) subject to paragraph (2), traffic and motor vehicle laws of a State or local government within the jurisdiction of which such Department property is located.

“(2) A law described in subparagraph (C) of paragraph (1) may be enforced under such subparagraph only as authorized by an express

grant of authority under applicable State or local law. Any such enforcement shall be by the issuance of a citation for violation of such law.

“(3) Subject to regulations prescribed under subsection (b), a Department police officer may make arrests on Department property for a violation of a Federal law or any rule prescribed under section 901(a) of this title.

Regulations.

“(b) The Secretary shall prescribe regulations with respect to Department police officers. Such regulations shall include—

“(1) policies with respect to the exercise by Department police officers of the enforcement and arrest authorities provided by this section;

“(2) the scope and duration of training that is required for Department police officers, with particular emphasis on dealing with situations involving patients; and

“(3) rules limiting the carrying and use of weapons by Department police officers.

“(c) The Secretary shall consult with the Attorney General before prescribing regulations under paragraph (1) of subsection (b).

“(d) Rates of basic pay for Department police officers may be increased by the Secretary under section 7455 of this title.

“§ 903. Uniform allowance

“(a) The Secretary may pay an allowance under this section for the purchase of uniforms to any Department police officer who is required to wear a prescribed uniform in the performance of official duties.

“(b) The amount of the allowance that the Secretary may pay under this section—

“(1) may be based on estimated average costs or actual costs;

“(2) may vary by geographic regions; and

“(3) except as provided in subsection (c), may not exceed \$200 in a fiscal year for any police officer.

“(c) The amount of an allowance under this section may be increased to an amount up to \$400 for not more than one fiscal year in the case of any Department police officer. In the case of a person who is appointed as a Department police officer on or after January 1, 1990, an allowance in an amount established under this subsection shall be paid at the beginning of such person's employment as such an officer. In the case of any other Department police officer, an allowance in an amount established under this subsection shall be paid upon the request of the officer.

“(d) A police officer who resigns as a police officer less than one year after receiving an allowance in an amount established under this section shall repay to the Department a pro rata share of the amount paid, based on the number of months the officer was actually employed as such an officer during the twelve-month period following the date on which such officer began such employment or the date on which the officer submitted a request for such an allowance, as the case may be.

“(e) An allowance may not be paid to a Department police officer under this section and under section 5901 of title 5 for the same fiscal year.

“§ 904. Equipment and weapons

“The Secretary shall furnish Department police officers with such weapons and related equipment as the Secretary determines to be necessary and appropriate.

“§ 905. Use of facilities and services of other law enforcement agencies

“With the permission of the head of the agency concerned, the Secretary may use the facilities and services of Federal, State, and local law enforcement agencies when it is economical and in the public interest to do so.”

(b) VETERANS BENEFITS ADMINISTRATION.—Part V of title 38, United States Code, is amended by inserting after chapter 76 the following new chapter:

**“CHAPTER 77—VETERANS BENEFITS
ADMINISTRATION**

“SUBCHAPTER I—ORGANIZATION; GENERAL

“Sec.

“7701. Organization of the Administration.

“7703. Functions of the Administration.

“SUBCHAPTER II—VETERANS OUTREACH SERVICES PROGRAM

“7721. Purpose; definitions.

“7722. Outreach services.

“7723. Veterans assistance offices.

“7724. Outstationing of counseling and outreach personnel.

“7725. Use of other agencies.

“7726. Annual report to Congress.

“SUBCHAPTER I—ORGANIZATION; GENERAL

“§ 7701. Organization of the Administration

“(a) There is in the Department of Veterans Affairs a Veterans Benefits Administration. The primary function of the Veterans Benefits Administration is the administration of nonmedical benefits programs of the Department which provide assistance to veterans and their dependents and survivors.

“(b) The Veterans Benefits Administration is under the Chief Benefits Director, who is directly responsible to the Secretary for the operations of the Administration.

“§ 7703. Functions of the Administration

“The Veterans Benefits Administration is responsible for the administration of the following programs of the Department:

“(1) Compensation and pension programs.

“(2) Vocational rehabilitation and educational assistance programs.

“(3) Veterans' housing loan programs.

“(4) Veterans' and servicemembers' life insurance programs.

“(5) Outreach programs and other veterans' services programs.

"SUBCHAPTER II—VETERANS OUTREACH SERVICES
PROGRAM

"§ 7721. Purpose; definitions

"(a) The Congress declares that the outreach services program authorized by this subchapter is for the purpose of ensuring that all veterans (especially those who have been recently discharged or released from active military, naval, or air service and those who are eligible for readjustment or other benefits and services under laws administered by the Department) are provided timely and appropriate assistance to aid and encourage them in applying for and obtaining such benefits and services in order that they may achieve a rapid social and economic readjustment to civilian life and obtain a higher standard of living for themselves and their dependents. The Congress further declares that the outreach services program authorized by this subchapter is for the purpose of charging the Department with the affirmative duty of seeking out eligible veterans and eligible dependents and providing them with such services.

"(b) For the purposes of this subchapter—

"(1) the term 'other governmental programs' includes all programs under State or local laws as well as all programs under Federal law other than those authorized by this title; and

"(2) the term 'eligible dependent' means an 'eligible person' as defined in section 3501(a)(1) of this title.

"§ 7722. Outreach services

"(a) In carrying out the purposes of this subchapter, the Secretary shall provide the outreach services specified in subsections (b) through (d). In areas where a significant number of eligible veterans and eligible dependents speak a language other than English as their principal language, such services shall, to the maximum feasible extent, be provided in the principal language of such persons.

"(b) The Secretary shall by letter advise each veteran at the time of the veteran's discharge or release from active military, naval, or air service (or as soon as possible after such discharge or release) of all benefits and services under laws administered by the Department for which the veteran may be eligible. In carrying out this subsection, the Secretary shall ensure, through the use of veteran-student services under section 3485 of this title, that contact, in person or by telephone, is made with those veterans who, on the basis of their military service records, do not have a high school education or equivalent at the time of discharge or release.

"(c) The Secretary shall distribute full information to eligible veterans and eligible dependents regarding all benefits and services to which they may be entitled under laws administered by the Department and may, to the extent feasible, distribute information on other governmental programs (including manpower and training programs) which the Secretary determines would be beneficial to veterans.

"(d) The Secretary shall provide, to the maximum extent possible, aid and assistance (including personal interviews) to members of the Armed Forces, veterans, and eligible dependents with respect to subsections (b) and (c) and in the preparation and presentation of claims under laws administered by the Department.

“§ 7723. Veterans assistance offices

“(a) The Secretary shall establish and maintain veterans assistance offices at such places throughout the United States and its territories and possessions, and in the Commonwealth of Puerto Rico, as the Secretary determines to be necessary to carry out the purposes of this subchapter. In establishing and maintaining such offices, the Secretary shall give due regard to—

“(1) the geographical distribution of veterans recently discharged or released from active military, naval, or air service;

“(2) the special needs of educationally disadvantaged veterans (including their need for accessibility of outreach services); and

“(3) the necessity of providing appropriate outreach services in less populated areas.

“(b) The Secretary shall establish and carry out all possible programs and services, including special telephone facilities, as may be necessary to make the outreach services provided for under this subchapter as widely available as possible.

“§ 7724. Outstationing of counseling and outreach personnel

“The Secretary may station employees of the Department at locations other than Department offices, including educational institutions, to provide counseling and other assistance regarding benefits under this title to veterans and other persons eligible for benefits under this title and to provide outreach services under this subchapter.

“§ 7725. Use of other agencies

“In carrying out this subchapter, the Secretary shall do the following:

“(1) Arrange with the Secretary of Labor for the State employment service to match the particular qualifications of an eligible veteran or eligible dependent with an appropriate job or job training opportunity, including, where possible, arrangements for outstationing the State employment personnel who provide such assistance at appropriate facilities of the Department.

“(2) In consultation with the Secretary of Labor, actively seek to promote the development and establishment of employment opportunities, training opportunities, and other opportunities for veterans, with particular emphasis on the needs of veterans with service-connected disabilities and other eligible veterans, taking into account applicable rates of unemployment and the employment emphases set forth in chapter 42 of this title.

“(3) Cooperate with and use the services of any Federal department or agency or any State or local governmental agency or recognized national or other organization.

“(4) Where appropriate, make referrals to any Federal department or agency or State or local governmental unit or recognized national or other organization.

“(5) At the Secretary of Veterans Affairs discretion, furnish available space and office facilities for the use of authorized representatives of such governmental unit or other organization providing services.

“(6) Conduct and provide for studies in consultation with appropriate Federal departments and agencies to determine the

most effective program design to carry out the purposes of this subchapter.

“§ 7726. Annual report to Congress

“The Secretary shall include in the annual report to the Congress required by section 529 of this title a report on the activities carried out under this subchapter. Each such report shall include an appraisal of the effectiveness of the programs authorized in this subchapter and recommendations for the improvement or more effective administration of those programs.”

(c) CROSS-REFERENCES TO PREVIOUS CHAPTER 3 SECTIONS.—

(1) Section 621 is amended by striking out “section 210(c)(1)” and inserting in lieu thereof “section 501(a)”.

(2) Section 1685(a)(1) is amended by striking out “subchapter IV of chapter 3” and inserting in lieu thereof “subchapter II of chapter 77”.

(3) The following sections are amended by striking out “section 214” and inserting in lieu thereof “section 529”: sections 618(c)(3), 654, 1521(c), 1833(c)(2), and 7101(c)(3).

(4) Section 2003A(b)(2) is amended by striking out “section 242” and inserting in lieu thereof “section 7723”.

(5) Section 2014(g) is amended by striking out “section 241” and “section 243” and inserting in lieu thereof “section 7722” and “section 7724”, respectively.

(6) Section 5701(g)(2)(A)(ii) is amended by striking out “section 219” and inserting in lieu thereof “section 527”.

(7) Section 7455(a)(2)(C) is amended by striking out “section 218” and inserting in lieu thereof “section 902”.

(d) TABLES OF CHAPTERS.—

(1) The table of chapters before part I is amended—

(A) by striking out the item relating to chapter 3 and inserting in lieu thereof the following:

“3. Department of Veterans Affairs.....	301
“5. Authority and Duties of the Secretary.....	501
“7. Employees.....	701
“9. Security and Law Enforcement on Property Under the Jurisdiction of the Department.....	901”;

and

(B) by inserting after the item relating to chapter 76 the following new item:

“77. Veterans Benefits Administration.....	7701”.
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(2) The table of chapters at the beginning of part I is amended by striking out the item relating to chapter 3 and inserting in lieu thereof the following:

“3. Department of Veterans Affairs.....	301
“5. Authority and Duties of the Secretary.....	501
“7. Employees.....	701
“9. Security and Law Enforcement on Property Under the Jurisdiction of the Department.....	901”.

(3) The table of chapters at the beginning of part V is amended by inserting after the item relating to chapter 76 the following new item:

“77. Veterans Benefits Administration.....	7701”.
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SEC. 3. CONFORMING REPEALS TO DEPARTMENT OF VETERANS AFFAIRS ACT.

The following provisions of the Department of Veterans Affairs Act (Public Law 100-527) are repealed:

- (1) The second and third sentences of section 2.
- (2) The second sentence of section 7.
- (3) Sections 3, 4, 5, 8(a), 9(b), 12, and 16.

38 USC 201 note.
38 USC 201 note.
38 USC 201 note.

SEC. 4. ADDITIONAL CONFORMING AMENDMENTS TO TITLE 38, UNITED STATES CODE, TO REFLECT THE ESTABLISHMENT OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) REFERENCES TO VETERANS' ADMINISTRATION.—

(1) Title 38 is amended by striking out "administered by the Veterans' Administration" each place it appears and inserting in lieu thereof "administered by the Secretary".

(2)(A) The following provisions are amended by striking out "Veterans' Administration" and inserting in lieu thereof "Secretary":

- (i) Subsections (d) and (e) of section 103.
- (ii) Section 620(f)(1)(B) (in the second sentence).
- (iii) In chapter 19—
 - (I) subsection (a) and the first sentence of subsection (b) of section 707;
 - (II) section 710;
 - (III) section 718(a);
 - (IV) subsections (a) and (b) (in two places) of section 722;
 - (V) section 746;
 - (VI) section 747 (in the last sentence);
 - (VII) section 784(a) (in each of the four places "Veterans' Administration" appears); and
 - (VIII) section 784(b) (in the sixth sentence).
- (iv) Section 1810(e)(2).
- (v) Paragraphs (4)(B) and (5)(B) of section 1812(a).
- (vi) Section 5110(n).
- (vii) Section 5301(e)(2).
- (viii) Section 5305 (in the last sentence).
- (ix) Subsection (a)(2) (in the first place "Veterans' Administration" appears), subsection (d) (in the last sentence), and subsection (e) (in the first place "Veterans' Administration" appears) of section 5502.
- (x) Section 5503(b)(1)(A).
- (xi) Paragraph (1) (in the first place "Veterans' Administration" appears), paragraph (2), and paragraph (3) of section 5701(c).
- (xii) Section 5702(a) (in two places).
- (xiii) Section 5703 (in each place "Veterans' Administration" appears).
- (xiv) Section 6105(a) (in the second sentence).

(B) The following provisions are amended by striking out "Veterans' Administration" and inserting in lieu thereof "Department of Veterans Affairs":

- (i) Section 113(b)(2)(A).
- (ii) Section 725(d)(3) (the second place "Veterans' Administration" appears).
- (iii) Section 777(g).
- (iv) Section 1814(d).
- (v) Section 1849(a).
- (vi) Sections 7601(a), 7611, and 7621.

(C) The following provisions of chapter 19 are amended by striking out "in the Veterans' Administration" and inserting in lieu thereof "by the Secretary":

- (i) The second sentence of section 707(b).
- (ii) Section 712(b).
- (iii) Section 742(c).
- (D) The following provisions of chapter 19 are amended by striking out “in the Veterans’ Administration” and inserting in lieu thereof “with the Secretary”:
 - (i) Section 722(b)(3).
 - (ii) Section 784(b) (in the third sentence).
- (E) Section 601(4) is amended by striking out “Veterans’ Administration facilities” and inserting in lieu thereof “facilities of the Department”.
- (F) Section 5705(b) is amended—
 - (i) by striking out “Veterans’ Administration patient or employee,” in paragraph (2) and inserting in lieu thereof “patient or employee of the Department,”; and
 - (ii) by striking out “Veterans’ Administration patients or employees” in paragraph (6) and inserting in lieu thereof “patients or employees of the Department.”
- (3) Such title is further amended by striking out “Veterans’ Administration” each place it appears (other than as amended under paragraphs (1) and (2) and as specified in paragraph (4)) and inserting in lieu thereof “Department”.
- (4) Paragraph (3) does not apply to the following provisions:
 - (A) Section 532(c).
 - (B) Section 1000(b) (each place the term “Veterans’ Administration” appears).
 - (C) Section 1004(c)(2)(A).
 - (D) Section 5311.
- (5) Such title is further amended by striking out “non-Veterans’ Administration” each place it appears and inserting in lieu thereof “non-Department”.
- (6) Section 111(b)(3)(B) is amended by striking out “Veteran’s Administration facility” and inserting in lieu thereof “Department facility”.
- (b) REFERENCES TO ADMINISTRATOR.—
 - (1) Title 38 is further amended by striking out “Administrator” and “Administrator’s” each place they appear (except as provided in paragraphs (2) and (9) and including where they appear in section headings and tables of sections) and inserting in lieu thereof “Secretary” and “Secretary’s”, respectively.
 - (2)(A) Section 422 is amended—
 - (i) in subsection (a), by striking out “Administrator” both places it appears and inserting in lieu thereof “Secretary of Veterans Affairs”; and
 - (ii) in subsection (b)—
 - (I) by striking out “Upon the basis of” and all that follows through “shall pay to the Secretary” and inserting in lieu thereof “The Secretary shall pay to the Secretary of Health and Human Services”; and
 - (II) by striking out “as the Secretary and the Administrator may prescribe” and inserting in lieu thereof “as the two Secretaries may prescribe, with the amount of such payments to be made on the basis of estimates made by the Secretary of Health and Human Services after consultation with the Secretary”.
 - (B) Section 613(b)(1) is amended—

(i) by striking out “Administrator” and inserting in lieu thereof “Secretary of Veterans Affairs”;

(ii) by striking out “the Secretary” the second and third places it appears and inserting in lieu thereof “that Secretary”; and

(iii) by striking out “the Secretary” the last place it appears and inserting in lieu thereof “the Secretary of Defense”.

(C) Section 723(c) is amended by striking out “the Administrator and Secretary” at the end of the first sentence and inserting in lieu thereof “the two Secretaries”.

(D) Section 8153(d)(2) is amended by striking out “the Secretary and the Administrator” and inserting in lieu thereof “the two Secretaries”.

(E) Paragraph (1) does not apply to the following provisions:

(i) Section 101(1).

(ii) Section 111 the second place “Administrator” appears in subsection (g)(1) of that section.

(iii) Section 1652(b).

(iv) Section 5105.

(v) Section 7267(e) the second place “Administrator” appears.

(vi) Section 8111A(d).

(3)(A) The heading of section 423 is amended to read as follows:

“§ 423. Certifications with respect to circumstances of death”.

(B) The item relating to that section in the table of sections at the beginning of chapter 13 is amended to read as follows:

“423. Certifications with respect to circumstances of death.”.

(4) The following provisions are amended by striking out “the Secretary” and inserting in lieu thereof “that Secretary”:

(A) Section 560(b) (the second place “the Secretary” appears).

(B) Section 5110(j) (the second place “the Secretary” appears).

(C) Section 5301(c)(2) (the second, third, and fourth place “the Secretary” appears).

(5) Section 612(j) is amended by striking out “the Secretary” in the second and third sentences and inserting in lieu thereof “the Secretary of Health and Human Services”.

(6) Section 612A(h) is repealed.

(7) Section 1004(c)(2)(A) is amended by striking out “Secretary” the first place it appears and inserting in lieu thereof “Administrator of Veterans Affairs”.

(8) Section 2012 is amended by striking out “Secretary” each place it appears in subsections (c) and (d) and inserting in lieu thereof “Secretary of Labor”.

(9) Section 5105 is amended—

(A) by inserting “(a)” at the beginning of the text of the section;

(B) by striking out “Administrator” in the first sentence and inserting in lieu thereof “Secretary”;

(C) by striking out “; and” in the second sentence and inserting in lieu thereof a period;

(D) by striking out “when an application on such form has been filed with either the Administrator” and inserting in lieu thereof the following (indented so as to make the following text a new subsection):

“(b) When an application on such a form is filed with either the Secretary”;

(E) by striking out “filed with the Administrator” and inserting in lieu thereof “filed with either Secretary”;

(F) by striking out “received by the Administrator” and inserting in lieu thereof “received by that Secretary”;

(G) by striking out “needed by the Secretary” and inserting in lieu thereof “needed by the other Secretary”;

(H) by striking out “by the Administrator to the Secretary;” and inserting in lieu thereof “by the Secretary receiving the application to the other Secretary.”;

(I) by striking out “and a copy” and all that follows through “to the Administrator.”; and

(J) by striking out “the Secretary and the Administrator” in the last sentence and inserting in lieu thereof “the Secretary and the Secretary of Health and Human Services”.

(c) REFERENCES TO CHIEF LAW OFFICER.—Section 7104(c) is amended by striking out “chief law officer” and inserting in lieu thereof “chief legal officer of the Department”.

SEC. 5. REDESIGNATION OF SECTIONS OF CHAPTERS 11 THROUGH 42.

(a) REDESIGNATION OF SECTIONS TO CONFORM TO CHAPTER NUMBERS.—Each section contained in any of chapters 11 through 23 is redesignated by replacing the first digit of the section number with the number of the chapter containing that section. Each section contained in any of chapters 24 through 42 is redesignated so that the first two digits of the section number of that section are the same as the chapter number of the chapter containing that section.

(b) TABLES OF SECTIONS AND CHAPTERS.—(1) The tables of sections at the beginning of the chapters referred to in subsection (a) are revised so as to conform the section references in those tables to the redesignations made by that subsection.

(2) The table of chapters before part I and the tables of chapters at the beginning of parts I, II, and III are revised so as to conform the section references in those tables to the redesignations made by subsection (a).

(c) CROSS-REFERENCES.—(1) Each provision of title 38, United States Code, that contains a reference to a section redesignated by subsection (a) is amended so that the reference refers to the section as redesignated.

(2) Any reference in a provision of law other than title 38, United States Code, to a section redesignated by subsection (a) shall be deemed to refer to the section as so redesignated.

(d) RULE FOR EXECUTION.—The redesignations made by subsection (a) and the amendments made by subsections (b) and (c) shall be executed after any other amendments made by this Act.

SEC. 6. CONFORMING AMENDMENTS TO OTHER VETERANS LAWS TO REFLECT THE ESTABLISHMENT OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) PUBLIC LAW 94-581.—Section 105(b) of the Veterans Omnibus Health Care Act of 1976 (Public Law 94-581; 38 U.S.C. 619 note) is amended—

38 USC 618 note.

(1) by striking out “Administrator is authorized to” and inserting in lieu thereof “Secretary of Veterans Affairs may”;

(2) by striking out “Veterans’ Administration” the first place it appears and inserting in lieu thereof “Department of Veterans Affairs”;

(3) by striking out “Veterans’ Administration facilities and personnel” and inserting in lieu thereof “facilities and personnel of the Department”;

(4) by striking out “Veterans’ Administration health care facilities” and inserting in lieu thereof “health care facilities of the Department”;

(5) by striking out “Administrator deems” and inserting in lieu thereof “Secretary considers”; and

(6) by striking out “Administrator” both places it appears in paragraph (2) and inserting in lieu thereof “Secretary”.

(b) PUBLIC LAW 95-202.—Section 401 of the GI Bill Improvement Act of 1977 (38 U.S.C. 106 note) is amended by striking out “laws administered by the Veterans’ Administration” in subsections (a)(1) and (b)(2) and inserting in lieu thereof “laws administered by the Secretary of Veterans Affairs”.

(c) PUBLIC LAW 95-588.—Section 306 of the Veterans’ and Survivors’ Pension Improvement Act of 1978 (38 U.S.C. 521 note) is amended—

(1) by striking out “Administrator” in subsection (a)(1)(A) and inserting in lieu thereof “Secretary of Veterans Affairs (hereinafter in this section referred to as the ‘Secretary’)”;

(2) by striking out “Administrator of Veterans’ Affairs” in subsections (a)(3), (b)(2)(A), and (e) and inserting in lieu thereof “Secretary”; and

(3) by striking out “Administrator” in subsection (b)(4) and inserting in lieu thereof “Secretary”.

(d) PUBLIC LAW 96-22.—Section 103(b) of the Veterans’ Health Care Amendments of 1979 (Public Law 96-22; 38 U.S.C. 612A note) is amended by striking out “the date of the enactment of this Act, the Administrator of Veterans’ Affairs” and inserting in lieu thereof “June 13, 1979, the Secretary of Veterans Affairs”.

(e) PUBLIC LAW 96-128.—Section 502 of the Veterans’ Disability Compensation and Survivors’ Benefits Amendments of 1979 (Public Law 96-128; 93 Stat. 987) is amended—

26 USC 6103 note.

(1) by striking out “Administrator of Veterans’ Affairs” and inserting in lieu thereof “Secretary of Veterans Affairs”;

(2) by striking out “such Administrator” both places it appears and inserting in lieu thereof “such Secretary”; and

(3) by striking out “Veterans’ Administration” and inserting in lieu thereof “Department of Veterans Affairs”.

(f) PUBLIC LAW 98-160.—Section 302 of the Veterans Health Care Amendments of 1983 (Public Law 98-160; 38 U.S.C. 601 note) is amended—

(1) by striking out "The Administrator of Veterans' Affairs" and inserting in lieu thereof "The Secretary of Veterans Affairs";

(2) by striking out "the Administrator" and inserting in lieu thereof "the Secretary"; and

(3) by striking out "Department of Medicine and Surgery" and inserting in lieu thereof "Veterans Health Administration".

(g) PUBLIC LAW 99-238.—Section 202 of the Veterans' Compensation Rate Increase and Job Training Amendments of 1985 (38 U.S.C. 1516 note) is amended—

(1) by striking out "Administrator of Veterans' Affairs" in subsection (a) and inserting in lieu thereof "Secretary of Veterans Affairs"; and

(2) by striking out "Administrator" in subsection (b) and inserting in lieu thereof "Secretary of Veterans Affairs".

(h) PUBLIC LAW 99-576.—Section 232 of the Veterans' Benefits Improvement and Health-Care Authorization Act of 1986 (38 U.S.C. 354 note) is amended as follows:

(1) Subsection (a) is amended by striking out "Administrator of Veterans' Affairs" and inserting in lieu thereof "Secretary of Veterans Affairs".

(2) Subsection (b) is amended by striking out "Veterans' Administration" each place it appears and inserting in lieu thereof "Department of Veterans Affairs".

(3) Subsection (c) is amended by striking out "before the date of the enactment of this Act, the Administrator" and inserting in lieu thereof "before October 28, 1986, the Secretary".

(4) Subsection (d) is amended—

(A) by striking out "Administrator" both places it appears and inserting in lieu thereof "Secretary of Veterans Affairs";

(B) by striking out "Veterans' Administration" each place it appears and inserting in lieu thereof "Department of Veterans Affairs";

(C) by striking out "the Department of Veterans' Benefits and the Department of Medicine and Surgery" in paragraph (1)(A) and inserting in lieu thereof "the Veterans Benefits Administration and the Veterans Health Administration"; and

(D) by striking out "after the enactment of this Act" and inserting in lieu thereof "after October 28, 1986".

(5) Subsection (e) is amended by striking out "Administrator" both places it appears and inserting in lieu thereof "Secretary of Veterans Affairs".

(i) PUBLIC LAW 100-198.—Section 9 of the Veterans' Home Loan Program Improvements and Property Rehabilitation Act of 1987 (38 U.S.C. 1823 note) is amended—

(1) by striking out "Administrator of Veterans' Affairs" in subsections (a)(1) and (b)(1) and inserting in lieu thereof "Secretary of Veterans Affairs";

(2) by striking out "Administrator" each additional place it appears in subsections (a) and (b) and inserting in lieu thereof "Secretary of Veterans Affairs";

(3) by striking out "Veterans' Administration's ability" in subsection (a)(3)(A) and inserting in lieu thereof "ability of the Department of Veterans Affairs"; and

(4) by striking out "Veterans' Administration" in subsections (a)(3)(A)(i) and (a)(3)(C) and inserting in lieu thereof "Department of Veterans Affairs".

(j) PUBLIC LAW 100-322.—The Veterans' Benefits and Services Act of 1988 (Public Law 100-322) is amended as follows:

(1) Section 115 (38 U.S.C. 612 note) is amended—

(A) by striking out "Administrator" in subsection (a)(1) and inserting in lieu thereof "Secretary of Veterans Affairs";

(B) by striking out "Administrator" each place it appears in subsections (a)(2), (b), and (c) and inserting in lieu thereof "Secretary"; and

(C) by striking out "Veterans' Administration" each place it appears (other than in subsection (e)) and inserting in lieu thereof "Department of Veterans Affairs".

(2) Section 123 (38 U.S.C. 210 note) is amended—

(A) by striking out "Administrator" in subsection (a) and inserting in lieu thereof "Secretary of Veterans Affairs";

(B) by striking out "Administrator" each place it appears in subsections (b) and (c) and inserting in lieu thereof "Secretary"; and

(C) by striking out "Veterans' Administration" each place it appears and inserting in lieu thereof "Department of Veterans Affairs".

(3) Section 124 (38 U.S.C. 4133 note) is amended—

(A) by striking out "Administrator" in subsection (a) and inserting in lieu thereof "Secretary of Veterans Affairs";

(B) by striking out "Administrator" each place it appears in subsection (b) and inserting in lieu thereof "Secretary";

(C) by striking out "Veterans' Administration" the first two places it appears and inserting in lieu thereof "Department of Veterans Affairs"; and

(D) by striking out "Veterans' Administration" the last place it appears and inserting in lieu thereof "Department".

(k) PUBLIC LAW 100-687.—The Veterans' Benefits Improvement Act of 1988 (division B of Public Law 100-687) is amended as follows:

(1) Section 1203 (102 Stat. 4125) is amended by striking out "laws administered by the Veterans' Administration" and inserting in lieu thereof "laws administered by the Secretary of Veterans Affairs".

(2) Section 1204 (102 Stat. 4125; 38 U.S.C. 241 note) is amended—

(A) by striking out "The Administrator" in subsections (a) and (b) and inserting in lieu thereof "The Secretary of Veterans Affairs";

(B) by striking out "Veterans' Administration" in subsection (b) and inserting in lieu thereof "Department of Veterans Affairs"; and

(C) by striking out "the Administrator" both places it appears in subsection (b) and inserting in lieu thereof "the Secretary".

(3) Section 1404 (102 Stat. 4131; 38 U.S.C. 210 note) is amended—

(A) by striking out "Veterans' Administration" both places it appears in subsection (a) and inserting in lieu thereof "Department of Veterans Affairs";

38 USC 7333
note.

(B) by striking out “the Administrator” the first place it appears in subsection (a) and inserting in lieu thereof “the Secretary of Veterans Affairs”;

(C) by striking out “the Administrator and the Secretary” in subsections (a) and (b) and inserting in lieu thereof “the Secretary of Veterans Affairs and the Secretary of Labor”;

(D) by striking out “the Administrator” the first place it appears in subsection (b) and inserting in lieu thereof “the Secretary of Veterans Affairs”; and

(E) by striking out “the Administrator or the Secretary” in the third sentence of subsection (b) and inserting in lieu thereof “the Secretary of Veterans Affairs or the Secretary of Labor”.

SEC. 7. GENERAL SAVINGS PROVISIONS.

38 USC prec. 101
note.

(a) **REFERENCES TO REPLACED LAWS.**—A reference to a provision of title 38, United States Code, replaced by a provision of that title enacted by section 2 (including a reference in a regulation, order, or other law) shall be treated as referring to the corresponding provision enacted by this Act.

(b) **SAVINGS PROVISION FOR REGULATIONS.**—A regulation, rule, or order in effect under a provision of title 38, United States Code, replaced by a provision of that title enacted by section 2 shall continue in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

(c) **GENERAL SAVINGS PROVISION.**—An action taken or an offense committed under a provision of title 38, United States Code, replaced by a provision of that title enacted by section 2 shall be treated as having been taken or committed under the corresponding provision enacted by this Act.

Approved August 6, 1991.

LEGISLATIVE HISTORY—H.R. 2525:

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