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112TH CONGRESS
2D SESSION

S. 2045

To amend title 38, United States Code, to require judges of the United States Court of Appeals for Veterans Claims to reside within fifty miles of the District of Columbia, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 31, 2012

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

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A BILL

To amend title 38, United States Code, to require judges of the United States Court of Appeals for Veterans Claims to reside within fifty miles of the District of Columbia, 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. REQUIREMENT THAT JUDGES ON UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS RESIDE WITHIN FIFTY MILES OF DISTRICT OF COLUMBIA.

(a) RESIDENCY REQUIREMENT.—

(1) IN GENERAL.—Section 7255 of title 38, United States Code, is amended to read as follows:

"§ 7255. Offices, duty stations, and residences

''(a) PRINCIPAL OFFICE.—The principal office of the Court of Appeals for Veterans Claims shall be in the Washington, D.C., metropolitan area, but the Court may sit at any place within the United States.

''(b) OFFICIAL DUTY STATIONS.—(1) Except as provided in paragraph (2), the official duty station of each judge while in active service shall be the principal office of the Court of Appeals for Veterans Claims.

''(2) The place where a recall-eligible retired judge maintains the actual abode in which such judge customarily lives shall be considered the recall-eligible retired judge's official duty station.

''(c) RESIDENCES.—(1) Except as provided in paragraph (2), after appointment and while in active service, each judge of the Court of Appeals for Veterans Claims shall reside within 50 miles of the District of Columbia.

''(2) Paragraph (1) shall not apply to recall-eligible retired judges of the Court of Appeals for Veterans Claims.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 72 of such title is

amended by striking the item relating to section 7255 and inserting the following new item:

"7255. Offices, duty stations, and residences.".

(b) REMOVAL.—Section 7253(f)(1) of such title is amended by striking "or engaging in the practice of law" and inserting "engaging in the practice of law, or violating section 7255(c) of this title".

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsection (c) of section 7255 of such title, as added by subsection (a), and the amendment made by subsection (b) shall take effect on the date that is 180 days after the date of the enactment of this Act.

(2) APPLICABILITY.—The amendment made by subsection (b) shall apply with respect to judges confirmed on or after January 1, 2012.

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