

Prior sections 357 to 363 were renumbered sections 1157 to 1163 of this title, respectively.

Prior sections 401 and 402 were renumbered sections 1301 and 1302 of this title, respectively.

Prior section 403, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1127; Pub. L. 91-96, §2, Oct. 27, 1969, 83 Stat. 144, defined Reserve Officer Training Corps annual training duty and authorized travel to and from such duty as active military service for the purposes of chapter 11 of this title and former section 722 of this title, prior to repeal by Pub. L. 97-306, title I, §113(b)(1), (d), Oct. 14, 1982, 96 Stat. 1432, 1433, effective Oct. 1, 1982, with respect to deaths and disabilities resulting from diseases or injuries incurred or aggravated after Sept. 30, 1982, and Oct. 1, 1983, with respect to deaths and disabilities incurred or aggravated before Oct. 1, 1982.

Prior sections 404, 410 to 418, and 421 to 423 were renumbered sections 1304, 1310 to 1318, and 1321 to 1323 of this title, respectively.

## CHAPTER 5—AUTHORITY AND DUTIES OF THE SECRETARY

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#### AMENDMENTS

1994—Pub. L. 103-446, title V, §510(b), Nov. 2, 1994, 108 Stat. 4670, added item 544.

1992—Pub. L. 102-405, title I, §105(b)(2), Oct. 9, 1992, 106 Stat. 1976, added item 543.

### 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 386.)

#### PRIOR PROVISIONS

Prior section 501 was renumbered section 1501 of this title.

Provisions similar to those in this section were contained in sections 210(c)(1) and 223(a), (b) of this title prior to repeal by Pub. L. 102-83, §2(a).

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1721 of this title.

#### § 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 386.)

#### PRIOR PROVISIONS

Prior section 502 was renumbered section 1502 of this title.

Provisions similar to those in this section were contained in section 223(c) of this title prior to repeal by Pub. L. 102-83, §2(a).

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 511 of this title.

#### § 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 re-

lief 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 386.)

#### PRIOR PROVISIONS

Prior sections 503 and 504 were renumbered sections 1503 and 1504 of this title, respectively.

Provisions similar to those in this section were contained in section 210(c)(2), (3) of this title prior to repeal by Pub. L. 102-83, §2(a).

#### § 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 387.)

#### PRIOR PROVISIONS

Prior sections 505 to 508 were renumbered sections 1505 to 1508 of this title, respectively.

Provisions similar to those in this section were contained in section 211(b) of this title prior to repeal by Pub. L. 102-83, §2(a).

#### § 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 adjourn-

ment 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 387.)

#### PRIOR PROVISIONS

Prior section 510, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1135, provided monthly pension for persons who served in military or naval forces of Confederate States of America, prior to repeal by Pub. L. 94-169, title I, §101(2)(F), Dec. 23, 1975, 89 Stat. 1014, effective Jan. 1, 1976.

Provisions similar to those in this section were contained in section 210(b)(1), (2) of this title prior to repeal by Pub. L. 102-83, §2(a).

#### AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO CARRY OUT SPECIFIED ADMINISTRATIVE REORGANIZATION

Pub. L. 102-54, §12, June 13, 1991, 105 Stat. 273, provided that:

“(a) **AUTHORITY FOR ADMINISTRATIVE REORGANIZATION.**—The Secretary of Veterans Affairs may carry out the administrative reorganization described in subsection (b) without regard to section 210(b)(2) of title 38 [38 U.S.C. 510(b)-(f)], United States Code.

“(b) **SPECIFIED REORGANIZATION.**—Subsection (a) applies to the organizational realignment of management responsibility for the Department of Veterans Affairs Data Processing Centers, together with the corresponding organizational realignment of associated Information Resources Management operational components and functions within the Department of Veterans Affairs central office, as such realignment was described in the detailed plan and justification submitted by the Secretary of Veterans Affairs in [sic] January 4, 1991, letters to the Chairmen of the Committees on Veterans' Affairs of the Senate and the House of Representatives.”

#### INAPPLICABILITY OF RESTRICTIONS

Pub. L. 101-312, June 25, 1990, 104 Stat. 271, provided: “That (a) the Secretary of Veterans Affairs may proceed with the administrative reorganization described in subsection (b) of this Act without regard to section 210(b) [see 303, 510, 711] of title 38, United States Code.

“(b) The administrative reorganization referred to in subsection (a) is the reorganization of the regional field offices of the Veterans Health Services and Research Administration of the Department of Veterans Affairs as that reorganization and related activity are described in (1) letters dated January 22, 1990, and the detailed plan and justification enclosed therewith, submitted by the Secretary to the Committees on Veterans' Affairs of the Senate and the House of Representatives pursuant to such section 210(b) [see 303, 510, 711], and (2) letters dated April 17, 1990, submitted in supplementation thereof by the Secretary to such Committees.”

Section 15(b) of Pub. L. 100-527 provided that: “Section 210(b) [see 303, 510, 711] of title 38, United States Code (as amended by subsection (a)), shall not apply to

a reorganization of a unit of the Central Office of the Department of Veterans' Affairs if the reorganization—

“(1) is necessary in order to carry out the provisions of or amendments made by this Act [see Tables for classification]; and

“(2) is initiated within 6 months after the effective date of this Act [Mar. 15, 1989].”

#### § 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 388.)

#### PRIOR PROVISIONS

Prior section 511 was renumbered section 1511 of this title.

Provisions similar to those in this section were contained in section 211(a) of this title prior to repeal by Pub. L. 102-83, §2(a).

#### FEDERAL RULES OF CIVIL PROCEDURE

Writ of mandamus abolished in United States district courts, but relief available by appropriate action or motion, see rule 81, Title 28, Appendix, Judiciary and Judicial Procedure.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 5104, 7104 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 389.)

#### PRIOR PROVISIONS

Prior section 512 was renumbered section 1512 of this title.

Provisions similar to those in this section were contained in section 212 of this title prior to repeal by Pub. L. 102-83, §2(a).

### § 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 389.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 213 of this title prior to repeal by Pub. L. 102-83, §2(a).

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 8110 of this title.

### § 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 389.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 224 and 236 of this title prior to repeal by Pub. L. 102-83, §2(a).

#### 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 390.)

#### PRIOR PROVISIONS

Prior section 521 was renumbered section 1521 of this title.

Provisions similar to those in this section were contained in section 216 of this title prior to repeal by Pub. L. 102-83, §2(a).

### § 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 390.)

#### PRIOR PROVISIONS

Prior section 522 was renumbered section 1522 of this title.

Provisions similar to those in this section were contained in section 217 of this title prior to repeal by Pub. L. 102-83, §2(a).

**§ 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 390.)

PRIOR PROVISIONS

Prior sections 523 and 524 were renumbered sections 1523 and 1524 of this title, respectively.

Provisions similar to those in this section were contained in section 220 of this title prior to repeal by Pub. L. 102-83, §2(a).

**§ 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 391.)

PRIOR PROVISIONS

Prior section 525 was renumbered section 1525 of this title.

Provisions similar to those in this section were contained in section 215 of this title prior to repeal by Pub. L. 102-83, §2(a).

**§ 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 391.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 219 of this title prior to repeal by Pub. L. 102-83, §2(a).

PERSIAN GULF WAR VETERANS' HEALTH STATUS

Pub. L. 102-585, title VII, Nov. 4, 1992, 106 Stat. 4975, as amended by Pub. L. 103-446, title I, §108, Nov. 2, 1994, 108 Stat. 4653, provided that:

“SEC. 701. SHORT TITLE.

“This title may be cited as the ‘Persian Gulf War Veterans’ Health Status Act’.

“SEC. 702. PERSIAN GULF WAR VETERANS HEALTH REGISTRY.

“(a) ESTABLISHMENT OF REGISTRY.—The Secretary of Veterans Affairs shall establish and maintain a special record to be known as the ‘Persian Gulf War Veterans Health Registry’ (in this section referred to as the ‘Registry’).

“(b) CONTENTS OF REGISTRY.—Except as provided in subsection (c), the Registry shall include the following information:

“(1) A list containing the name of each individual who served as a member of the Armed Forces in the Persian Gulf theater of operations during the Persian Gulf War and who—

“(A) applies for care or services from the Department of Veterans Affairs under chapter 17 of title 38, United States Code;

“(B) files a claim for compensation under chapter 11 of such title on the basis of any disability which may be associated with such service;

“(C) dies and is survived by a spouse, child, or parent who files a claim for dependency and indemnity compensation under chapter 13 of such title on the basis of such service;

“(D) requests from the Department a health examination under section 703; or

“(E) receives from the Department of Defense a health examination similar to the health examination referred to in subparagraph (D) and requests inclusion in the Registry.

“(2) Relevant medical data relating to the health status of, and other information that the Secretary considers relevant and appropriate with respect to, each individual described in paragraph (1) who—

“(A) grants to the Secretary permission to include such information in the Registry; or

“(B) at the time the individual is listed in the Registry, is deceased.

“(c) INDIVIDUALS SUBMITTING CLAIMS OR MAKING REQUESTS BEFORE DATE OF ENACTMENT.—If in the case of an individual described in subsection (b)(1) the application, claim, or request referred to in such subsection was submitted, filed, or made, before the date of the enactment of this Act [Nov. 4, 1992], the Secretary shall, to the extent feasible, include in the Registry such individual's name and the data and information, if any, described in subsection (b)(2) relating to the individual.

“(d) DEPARTMENT OF DEFENSE INFORMATION.—The Secretary of Defense shall furnish to the Secretary of Veterans Affairs such information maintained by the Department of Defense as the Secretary of Veterans Affairs considers necessary to establish and maintain the Registry.

“(e) RELATION TO DEPARTMENT OF DEFENSE REGISTRY.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall ensure that information is collected and maintained in the Registry in a manner that permits effective and efficient cross-reference between the Registry and the registry established under section 734 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190; 105 Stat. 1411; 10 U.S.C. 1074 note), as amended by section 704.

“(f) ONGOING OUTREACH TO INDIVIDUALS LISTED IN REGISTRY.—The Secretary of Veterans Affairs shall, from time to time, notify individuals listed in the Registry of significant developments in research on the health consequences of military service in the Persian Gulf theater of operations during the Persian Gulf War.

“SEC. 703. HEALTH EXAMINATIONS AND COUNSELING FOR VETERANS ELIGIBLE FOR INCLUSION IN CERTAIN HEALTH-RELATED REGISTRIES.

“(a) IN GENERAL.—(1) The Secretary of Veterans Affairs—

“(A) shall, upon the request of a veteran described in subsection (b)(1), provide the veteran with a health examination (including any appropriate diagnostic tests) and consultation and counseling with respect to the results of the examination and the tests; and

“(B) may, upon the request of a veteran described in subsection (b)(2), provide the veteran with such an examination (including diagnostic tests) and such consultation and counseling.

“(2) The Secretary shall carry out appropriate outreach activities with respect to the provision of any health examinations (including any diagnostic tests) and consultation and counseling services under paragraph (1).

“(b) COVERED VETERANS.—(1) In accordance with subsection (a)(1)(A), the Secretary shall provide an examination (including diagnostic tests), consultation, and counseling under that subsection to any veteran who is eligible for listing or inclusion in the Persian Gulf War Veterans Health Registry established by section 702.

“(2) In accordance with subsection (a)(1)(B), the Secretary may provide an examination (including diagnostic tests), consultation, and counseling under that subsection to any veteran who is eligible for listing or inclusion in any other similar health-related registry administered by the Secretary.

“SEC. 704. EXPANSION OF COVERAGE OF PERSIAN GULF REGISTRY.

“[Amended section 734 of Pub. L. 102-190, set out as a note under section 1074 of Title 10, Armed Forces.]

“SEC. 705. STUDY BY OFFICE OF TECHNOLOGY ASSESSMENT OF PERSIAN GULF REGISTRY AND PERSIAN GULF WAR VETERANS HEALTH REGISTRY.

“(a) STUDY.—The Director of the Office of Technology Assessment shall, in a manner consistent with the Technology Assessment Act of 1972 (2 U.S.C. 472(d) [2 U.S.C. 471 et seq.]), assess—

“(1) the potential utility of each of the Persian Gulf Registry and the Persian Gulf War Veterans Health Registry for scientific study and assessment of the intermediate and long-term health consequences of military service in the Persian Gulf theater of operations during the Persian Gulf War;

“(2) the extent to which each registry meets the requirements of the provisions of law under which the registry is established;

“(3) the extent to which data contained in each registry—

“(A) are maintained in a manner that ensures permanent preservation and facilitates the effective, efficient retrieval of information that is potentially relevant to the scientific study of the intermediate and long-term health consequences of military service in the Persian Gulf theater of operations during the Persian Gulf War; and

“(B) would be useful for scientific study regarding such health consequences;

“(4) the adequacy of any plans to update each of the registries;

“(5) the extent to which the Department of Defense or the Department of Veterans Affairs, as the case may be, is assembling and maintaining information on the Persian Gulf theater of operations (including information on troop locations and atmospheric and weather conditions) in a manner that facilitates the usefulness of, maintenance of, and retrieval of information from, the applicable registry; and

“(6) the adequacy and compatibility of protocols for the health examinations and counseling provided under section 703 and health examinations provided by the Department of Defense to members of the Armed Forces for the purpose of assessing the health status of members of the Armed Forces who served in the Persian Gulf theater of operations during the Persian Gulf War.

“(b) ACCESS TO INFORMATION.—The Secretary of Veterans Affairs and the Secretary of Defense shall provide the Director with access to such records and information under the jurisdiction of each such secretary as the Director determines necessary to permit the Director to carry out the study required under this section.

“(c) REPORTS.—The Director shall—

“(1) not later than 270 days after the date of the enactment of this Act [Nov. 4, 1992], submit to Congress a report on the results of the assessment carried out under this section of the Persian Gulf Registry and health-examination protocols; and

“(2) not later than 15 months after such date, submit to Congress a report on the results of the assessment carried out under this section of the Persian Gulf War Veterans Health Registry.

“(d) DEFINITIONS.—For the purposes of this section:

“(1) The term ‘Persian Gulf Registry’ means the registry established under section 734 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190; 105 Stat. 1411; 10 U.S.C. 1074 note), as amended by section 704.

“(2) The term ‘Persian Gulf War Veterans Health Registry’ means the Persian Gulf War Veterans Health Registry established under section 702.

“SEC. 706. AGREEMENT WITH NATIONAL ACADEMY OF SCIENCES FOR REVIEW OF HEALTH CONSEQUENCES OF SERVICE DURING THE PERSIAN GULF WAR.

“(a) AGREEMENT.—(1) The Secretary of Veterans Affairs and Secretary of Defense jointly shall seek to enter into an agreement with the National Academy of Sciences for the Medical Follow-Up Agency (MFUA) of

the Institute of Medicine of the Academy to review existing scientific, medical, and other information on the health consequences of military service in the Persian Gulf theater of operations during the Persian Gulf War.

“(2) The agreement shall require MFUA to provide members of veterans organizations and members of the scientific community (including the Director of the Office of Technology Assessment) with the opportunity to comment on the method or methods MFUA proposes to use in conducting the review.

“(3) The agreement shall permit MFUA, in conducting the review, to examine and evaluate medical records of individuals who are included in the registries referred to in section 705(d) for purposes that MFUA considers appropriate, including the purpose of identifying illnesses of those individuals.

“(4) The Secretary of Veterans Affairs and the Secretary of Defense shall seek to enter into the agreement under this section not later than 180 days after the date of the enactment of this Act [Nov. 4, 1992].

“(b) REPORT.—(1) The agreement under this section shall require the National Academy of Sciences to submit to the committees and secretaries referred to in paragraph (2) a report on the results of the review carried out under the agreement. Such report shall contain the following:

“(A) An assessment of the effectiveness of actions taken by the Secretary of Veterans Affairs and the Secretary of Defense to collect and maintain information that is potentially useful for assessing the health consequences of the military service referred to in subsection (a).

“(B) Recommendations on means of improving the collection and maintenance of such information.

“(C) Recommendations on whether there is sound scientific basis for an epidemiological study or studies on the health consequences of such service, and if the recommendation is that there is sound scientific basis for such a study or studies, the nature of the study or studies.

“(2) The committees and secretaries referred to in paragraph (1) are the following:

“(A) The Committees on Veterans' Affairs of the Senate and House of Representatives.

“(B) The Committees on Armed Services of the Senate and House of Representatives [now Committee on Armed Services of the Senate and Committee on National Security of the House of Representatives].

“(C) The Secretary of Veterans Affairs.

“(D) The Secretary of Defense.

“(c) FUNDING.—(1) The Secretary of Veterans Affairs and the Secretary of Defense shall make available up to a total of \$500,000 in fiscal year 1993, from funds available to the Department of Veterans Affairs and the Department of Defense in that fiscal year, to carry out the review. Any amounts provided by the two departments shall be provided in equal amounts.

“(2) If the Secretary of Veterans Affairs and the Secretary of Defense enter into an agreement under subsection (a) with the National Academy of Sciences—

“(A) the Secretary of Veterans Affairs shall make available \$250,000 in each of fiscal years 1994 through 2003, from amounts available to the Department of Veterans Affairs in each such fiscal year, to the National Academy of Sciences for the general purposes of conducting epidemiological research with respect to military and veterans populations; and

“(B) the Secretary of Defense shall make available \$250,000 in each of fiscal years 1994 through 2003, from amounts available to the Department of Defense in each such fiscal year, to the National Academy of Sciences for the purposes of carrying out the research referred to in subparagraph (A).

“SEC. 707. COORDINATION OF GOVERNMENT ACTIVITIES ON HEALTH-RELATED RESEARCH ON THE PERSIAN GULF WAR.

“(a) DESIGNATION OF COORDINATING ORGANIZATION.—The President shall designate, and may redesignate from time to time, the head of an appropriate depart-

ment or agency of the Federal Government to coordinate all research activities undertaken or funded by the Executive Branch of the Federal Government on the health consequences of military service in the Persian Gulf theater of operations during the Persian Gulf War.

“(b) REPORT.—Not later than March 1 of each year, the head of the department or agency designated under subsection (a) shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the status and results of all such research activities undertaken or by the Executive Branch of the Federal Government during the previous year.

“SEC. 708. DEFINITION.

“For the purposes of this title, the term ‘Persian Gulf War’ has the meaning given such term in section 101(33) of title 38, United States Code.”

#### SERVICES FOR HOMELESS VETERANS

Pub. L. 102-405, title I, §107, Oct. 9, 1992, 106 Stat. 1976, as amended by Pub. L. 103-446, title X, §1002, Nov. 2, 1994, 108 Stat. 4679, provided that:

“(a) PROGRAM DEVELOPMENT.—The Secretary shall assess all programs developed by facilities of the Department of Veterans Affairs which have been designed to assist homeless veterans. To the maximum extent practicable, the Secretary shall seek to replicate at other facilities of the Department those programs that have as a goal the rehabilitation of homeless veterans and which the Secretary has determined to be successful in achieving that goal by fostering reintegration of homeless veterans into the community and employment of such veterans.

“(b) ASSESSMENT AND COORDINATION.—(1) In carrying out subsection (a), the Secretary shall require the director of each medical center or the director of each regional benefits office to make an assessment of the needs of homeless veterans living within the area served by the medical center or regional office, as the case may be.

“(2) Each such assessment shall be made in coordination with representatives of State and local governments, other appropriate departments and agencies of the Federal Government, and nongovernmental organizations that have experience working with homeless persons in that area.

“(3) Each such assessment shall identify the needs of homeless veterans with respect to the following:

“(A) Health care.

“(B) Education and training.

“(C) Employment.

“(D) Shelter.

“(E) Counseling.

“(F) Outreach services.

“(4) Each assessment shall also indicate the extent to which the needs referred to in paragraph (3) are being met adequately by the programs of the Department, of other departments and agencies of the Federal Government, of State and local governments, and of nongovernmental organizations.

“(5) Each assessment shall be carried out in accordance with uniform procedures and guidelines prescribed by the Secretary.

“(6) The Secretary shall require that the directors referred to in paragraph (1) update the assessment required under that paragraph during each of 1995, 1996, and 1997.

“(c) PLANNING.—In furtherance of subsection (a), the Secretary shall require the director of each medical center and the director of each regional benefits office, in coordination with representatives of State and local governments, other Federal officials, and nongovernmental organizations that have experience working with homeless persons in the areas served by such facility, to—

“(1) develop a list of all public and private programs that provide assistance to homeless persons or homeless veterans in the area concerned, together

with a description of the services offered by those programs; and

“(2) seek to encourage the development by the representatives of such entities, in coordination with the director, of a plan to coordinate among such public and private programs the provision of services to homeless veterans.

“(d) SERVICES.—In furtherance of subsection (a), the Secretary shall require the director of each medical center or regional benefits office, in carrying out such director's responsibilities under title 38, United States Code, to take appropriate action to—

“(1) meet, to the maximum extent practicable through existing programs and available resources, the needs of homeless veterans that are identified in the assessment conducted under subsection (b); and

“(2) attempt to inform homeless veterans whose needs the director cannot meet under paragraph (1) of the services available to such veterans within the area served by such center or office.

“(e) AUTHORITY TO ACCEPT DONATIONS FOR CERTAIN PROGRAMS.—The Secretary may accept donations of funds and services for the purposes of providing one-stop, non-residential services and mobile support teams and for expanding the medical services to homeless veterans eligible for such services from the Department of Veterans Affairs.

“(f) DEFINITIONS.—As used in subsections (a) through (e):

“(1) The term ‘medical center’ means a medical center of the Department of Veterans Affairs.

“(2) The term ‘regional benefits office’ means a regional benefits office of the Department of Veterans Affairs.

“(3) The term ‘veteran’ has the meaning given such term in section 101(2) of title 38, United States Code.

“(4) The term ‘homeless’ has the meaning given such term in section 103(a), as limited by section 103(c), of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302(a)).

“(g) [Amended section 801 of Pub. L. 100-628 which is not classified to the Code.]

“(h) [Amended section 115(d) of Pub. L. 100-322, set out as a note under section 1712 of this title.]

“(i) REPORTS.—(1) Not later than February 1, 1993, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report containing an evaluation of the programs referred to in subsections (a) and (e).

“(2) Not later than December 31, 1994, the Secretary shall submit to such committees a report that—

“(A) describes the results of the assessment carried out under subsection (b);

“(B) sets forth the lists developed under paragraph (1) of subsection (c); and

“(C) describes the progress, if any, made by the directors of the medical centers and the directors of the benefits offices referred to in such subsection (c) in developing the plan referred to in paragraph (2) of such subsection (c).

“(3) Not later than December 31 of each of 1995, 1996, and 1997, the Secretary shall submit to such committees a report that describes the update to the assessment that is carried out under subsection (b)(6) in the year preceding the report.”

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 5701 of this title.

### § 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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 391.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 214 of this title prior to repeal by Pub. L. 102-83, §2(a).

Prior section 531, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1137; Pub. L. 90-77, title I, §105, Aug. 31, 1967, 81 Stat. 179, provided for a monthly pension to widows of Mexican War veterans, prior to repeal by Pub. L. 94-169, title I, §101(2)(F), Dec. 23, 1975, 89 Stat. 1014, effective Jan. 1, 1976.

Prior sections 532 to 537 were renumbered sections 1532 to 1537 of this title, respectively.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 541, 542, 544, 1718, 1754, 3121, 3733, 7101, 7726, 8110 of this title.

### SUBCHAPTER III—ADVISORY COMMITTEES

#### § 541. Advisory Committee on Former Prisoners of War

(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 Under Secretary for Health and the Under Secretary for Benefits, 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.

(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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 392; amended Pub. L. 102-405, title III, §302(c)(1), Oct. 9, 1992, 106 Stat. 1984.)

#### PRIOR PROVISIONS

Prior section 541 was renumbered section 1541 of this title.

Provisions similar to those in this section were contained in section 221 of this title prior to repeal by Pub. L. 102-83, §2(a).

#### AMENDMENTS

1992—Subsec. (a)(2)(B). Pub. L. 102-405 substituted “Under Secretary for Health” for “Chief Medical Director” and “Under Secretary for Benefits” for “Chief Benefits Director”.

#### TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

#### § 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”).

(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 Under Secretary for Health and the Under Secretary for Benefits, 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—

(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.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 393; amended Pub. L. 102-405, title III, §302(c)(1), Oct. 9, 1992, 106 Stat. 1984.)

#### PRIOR PROVISIONS

Prior section 542 was renumbered section 1542 of this title.

Provisions similar to those in this section were contained in section 222 of this title prior to repeal by Pub. L. 102-83, §2(a).

#### AMENDMENTS

1992—Subsec. (a)(2)(B)(iii). Pub. L. 102-405 substituted “Under Secretary for Health” for “Chief Medical Director” and “Under Secretary for Benefits” for “Chief Benefits Director”.

#### CHANGE OF NAME

Reference to Assistant Secretary of Labor for Veterans' Employment in any law in force on Nov. 6, 1986, deemed to be a reference to Assistant Secretary of Labor for Veterans' Employment and Training, see section 2(b)(3) of Pub. L. 99-619, set out as a Reference in Other Laws note under section 553 of Title 29, Labor.

#### TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 318 of this title.

### § 543. Advisory Committee on Prosthetics and Special-Disabilities Programs

(a) There is in the Department an advisory committee known as the Advisory Committee on Prosthetics and Special-Disabilities Programs (hereinafter in this section referred to as the “Committee”).

(b) The objectives and scope of activities of the Committee shall relate to—

- (1) prosthetics and special-disabilities programs administered by the Secretary;
- (2) the coordination of programs of the Department for the development and testing of, and for information exchange regarding, prosthetic devices;
- (3) the coordination of Department and non-Department programs that involve the development and testing of prosthetic devices; and
- (4) the adequacy of funding for the prosthetics and special-disabilities programs of the Department.

(c) The Secretary shall, on a regular basis, consult with and seek the advice of the Committee on the matters described in subsection (b).

(d) Not later than January 15 of 1993, 1994, and 1995, the Committee shall submit to the Secretary and the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the effectiveness of the prosthetics and special-disabilities programs administered by the Secretary during the preceding fiscal year. Not more than 60 days after the date on which any such report is received by the Secretary, the Secretary shall submit a report to such committees commenting on the report of the Committee.

(e) As used in this section, the term “special-disabilities programs” includes all programs administered by the Secretary for—

- (1) spinal-cord-injured veterans;
- (2) blind veterans;
- (3) veterans who have lost or lost the use of extremities;
- (4) hearing-impaired veterans; and
- (5) other veterans with serious incapacities in terms of daily life functions.

(Added Pub. L. 102-405, title I, §105(b)(1), Oct. 9, 1992, 106 Stat. 1975.)

#### PRIOR PROVISIONS

Prior section 543 was renumbered section 1543 of this title.

Prior section 544, added Pub. L. 90-77, title I, §108(a), Aug. 31, 1967, 81 Stat. 180; amended Pub. L. 91-588, §3(a), Dec. 24, 1970, 84 Stat. 1583; Pub. L. 93-527, §5, Dec. 21, 1974, 88 Stat. 1704; Pub. L. 94-169, title I, §105, Dec. 23, 1975, 89 Stat. 1017; Pub. L. 94-432, title II, §205, Sept. 30, 1976, 90 Stat. 1371; Pub. L. 95-204, title I, §104, Dec. 2, 1977, 91 Stat. 1457, authorized an increase by \$79 of the monthly rate of pension payable to the surviving spouse if the surviving spouse was entitled to pension under subchapter III of chapter 15 of this title and was in need of regular aid and attendance, prior to repeal by Pub. L. 95-588, title I, §112(a)(1), title IV, §401, Nov. 4, 1978, 92 Stat. 2505, 2511, effective Jan. 1, 1979.

Another prior section 544, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1139, authorized the payment of a pension to children of World War II or Korean conflict veterans, prior to the general amendment of subchapter III of chapter 15 of this title by Pub. L. 86-211, §4, Aug. 29, 1950, 73 Stat. 434. See sections 1542 and 1543 of this title.

Prior section 545 of this title, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1139, authorized the payment of a pension to children of World War II or Korean conflict veterans and prescribed income limitations, prior to the general amendment of subchapter III of chapter 15 of this title by Pub. L. 86-211, §4, Aug. 29, 1959, 73 Stat. 434. See section 1543 of this title.

Prior sections 560 to 562 were renumbered sections 1560 to 1562 of this title, respectively.

Prior sections 601 to 603 and 610 to 613 were renumbered sections 1701 to 1703 and 1710 to 1713 of this title, respectively.

Another prior section 613, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1143, related to fitting and training in use of prosthetic appliances, prior to repeal by section 103(b) of Pub. L. 93-82. See section 1714(a) of this title.

Prior sections 614 to 620C were renumbered sections 1714 to 1720C of this title, respectively.

Another prior section 620C, added Pub. L. 100-6, §2(a), Feb. 12, 1987, 101 Stat. 92, related to community-based psychiatric residential treatment for chronically mentally ill veterans, prior to repeal by Pub. L. 100-322, title I, §115(g)(1), May 20, 1988, 102 Stat. 502. See section 115(a)-(f) of Pub. L. 100-322, set out as a note under section 1712 of this title.

Prior sections 621 to 624 were renumbered sections 1721 to 1724 of this title, respectively.

Prior section 625, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1144; Pub. L. 91-24, §6(a), June 11, 1969, 83 Stat. 34, related to arrests for crimes in hospital and domiciliary reservations, prior to repeal by Pub. L. 93-43, §§4(b), 10(a), June 18, 1973, 87 Stat. 79, 88, effective June 18, 1973.

Prior sections 626 to 631 were renumbered sections 1726 to 1731 of this title, respectively.

Another prior section 631, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1145; Pub. L. 91-24, §6(b), June 11, 1969, 83 Stat. 34, related to grants to the Republic of the Philippines, prior to repeal by section 107(a) of Pub. L. 93-82.

Prior section 632 was renumbered section 1732 of this title.

Another prior section 632, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1146; Pub. L. 88-40, June 13, 1963, 77 Stat. 66; Pub. L. 89-612, §2, Sept. 30, 1966, 80 Stat. 859; Pub. L. 91-24, §6(c), June 11, 1969, 83 Stat. 34, related to modification of agreement with the Republic of the Philippines effectuating the Act of July 1, 1948, prior to repeal by section 107(a) of Pub. L. 93-82.

Prior sections 633 to 635 and 641 to 643 were renumbered sections 1733 to 1735 and 1741 to 1743 of this title, respectively.

Prior section 644, added Pub. L. 91-178, §2(a), Dec. 30, 1969, 83 Stat. 836; amended Pub. L. 93-82, title IV, §403(b), Aug. 2, 1973, 87 Stat. 196, authorized appropriations to be used for making grants to States which had submitted and had approved applications for assistance in remodeling, modification, or alteration of existing hospital or domiciliary facilities in State homes providing care and treatment for veterans, prior to repeal by Pub. L. 95-62, §§2, 5, July 5, 1977, 91 Stat. 262, 263, effective Oct. 1, 1977, but with provision for the continuing force and effect of the terms and conditions of grants made prior to Oct. 1, 1977, under prior section 644 and with additional provision for the modification of the terms and conditions of both grants made under that section prior to Oct. 1, 1977, and of grants made under subchapter III of chapter 81 of this title prior to Oct. 1, 1977.

Prior sections 651 to 654 and 661 to 664 were renumbered sections 1751 to 1754 and 1761 to 1764 of this title, respectively.

#### CHANGE OF NAME

Section 105(a) of Pub. L. 102-405 provided that: "The Federal advisory committee established by the Secretary and known as the Prosthetics Service Advisory Committee shall after the date of the enactment of this Act [Oct. 9, 1992] be known as the Advisory Committee on Prosthetics and Special-Disabilities Programs and shall operate as though such committee had been established by law. Notwithstanding any other provision of law, the Committee may, upon the enactment of this Act, meet and act on any matter covered by subsection (b) of section 543 of title 38, United States Code, as added by subsection (b) of this section."

#### TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by Congress, its duration is otherwise provided by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

#### § 544. Advisory Committee on Minority Veterans

(a)(1) The Secretary shall establish an advisory committee to be known as the Advisory Committee on Minority Veterans (hereinafter in this section referred to as "the Committee").

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

- (i) representatives of veterans who are minority group members;
- (ii) individuals who are recognized authorities in fields pertinent to the needs of veterans who are minority group members;
- (iii) veterans who are minority group members and who have experience in a military theater of operations; and
- (iv) veterans who are minority group members and who do not have such experience.

(B) The Committee shall include, as ex officio members, the following:

- (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).

(iii) The Secretary of the Interior (or a representative of the Secretary of the Interior designated by the Secretary of the Interior).

(iv) The Secretary of Commerce (or a representative of the Secretary of Commerce designated by the Secretary of Commerce).

(v) The Secretary of Health and Human Services (or a representative of the Secretary of Health and Human Services designated by the Secretary of Health and Human Services).

(vi) The Under Secretary for Health and the Under Secretary for Benefits, 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.

(4) The Committee shall meet as often as the Secretary considers necessary or appropriate, but not less often than twice each fiscal year.

(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 veterans who are minority group members, reports and studies pertaining to such veterans and the needs of such 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 year, the Committee shall submit to the Secretary a report on the programs and activities of the Department that pertain to veterans who are minority group members. Each such report shall include—

(A) an assessment of the needs of veterans who are minority group members 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 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.

(d) In this section, the term "minority group member" means an individual who is—

- (1) Asian American;
- (2) Black;
- (3) Hispanic;
- (4) Native American (including American Indian, Alaskan Native, and Native Hawaiian); or
- (5) Pacific-Islander American.

(e) The Committee shall cease to exist December 31, 1997.

(Added Pub. L. 103-446, title V, §510(a), Nov. 2, 1994, 108 Stat. 4668.)

#### 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.
712.	Full-time equivalent positions: limitation on reduction.

#### AMENDMENTS

1994—Pub. L. 103-446, title XI, §1102(b), Nov. 2, 1994, 108 Stat. 4681, added item 712.

#### § 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.

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

#### PRIOR PROVISIONS

Prior sections 701 and 702 were renumbered sections 1901 and 1902 of this title, respectively.

Provisions similar to those in this section were contained in section 231 of this title prior to repeal by Pub. L. 102-83, §2(a).

#### § 703. Miscellaneous authorities respecting employees

(a) The Secretary may furnish and launder such wearing apparel as may be prescribed for employees in the performance of their official duties.

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

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

(d) The Secretary may provide for the preparation, shipment, installation, and display of ex-

hibits, photographic displays, moving pictures, and other visual educational information and descriptive material. For the purposes of the preceding sentence, the Secretary may purchase or rent equipment.

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

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

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

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

#### PRIOR PROVISIONS

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

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

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

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

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

#### PRIOR PROVISIONS

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

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

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

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

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

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