

**CHAPTER 3—DEPARTMENT OF VETERANS
AFFAIRS**

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PRIOR PROVISIONS

Prior chapter 3, consisted of sections 201 to 203, 210 to 224, 230, 231, 233 to 236, and 240 to 246, prior to repeal by Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 378.

Section 201, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1114, established Veterans' Administration as an independent agency in executive branch of Government. See section 301 of this title.

Section 202, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1114, related to seal of Veterans' Administration and authentication of records of Veterans' Administration. See section 302 of this title.

Section 203, added Pub. L. 94-424, §2(a), Sept. 28, 1976, 90 Stat. 1332; amended Pub. L. 97-258, §2(j), Sept. 13, 1982, 96 Stat. 1062; Pub. L. 98-160, title VII, §702(1), Nov. 21, 1983, 97 Stat. 1009, related to availability of appropriations. See section 313 of this title.

Section 210, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1114; Pub. L. 88-426, title III, §305(15), Aug. 14, 1964, 78 Stat. 424; Pub. L. 89-361, §1(a), (b), Mar. 7, 1966, 80 Stat. 29; Pub. L. 89-785, title III, §301, Nov. 7, 1966, 80 Stat. 1376; Pub. L. 92-328, title II, §201, June 30, 1972, 86 Stat. 396; Pub. L. 95-202, title III, §301, Nov. 23, 1977, 91 Stat. 1440; Pub. L. 96-22, title V, §502(a), June 13, 1979, 93 Stat. 64; Pub. L. 97-66, title VI, §601(a)(1), Oct. 17, 1981, 95 Stat. 1033; Pub. L. 97-452, §2(e)(1), Jan. 12, 1983, 96 Stat. 2478; Pub. L. 99-166, title IV, §403(a), Dec. 3, 1985, 99 Stat. 957; Pub. L. 99-576, title V, §501, title VII, §701(9), Oct. 28, 1986, 100 Stat. 3285, 3291; Pub. L. 100-527, §15(a), Oct. 5, 1988, 102 Stat. 2644; Pub. L. 102-40, title III, §303, May 7, 1991, 105 Stat. 208, related to appointment and general authority of Administrator and Deputy Administrator. See sections 303, 304, 501, 503, 510, and 711 of this title.

Section 211, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1115; Pub. L. 89-214, §1(b), Sept. 29, 1965, 79 Stat. 886; Pub. L. 89-358, §4(h), Mar. 3, 1966, 80 Stat. 24; Pub. L. 91-376, §8(a), Aug. 12, 1970, 84 Stat. 790; Pub. L. 100-687, div. A, title I, §101(a), Nov. 18, 1988, 102 Stat. 4105, related to decisions of Administrator and opinions of Attorney General. See sections 505 and 511 of this title.

Section 212, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1115; Pub. L. 89-361, §2, Mar. 7, 1966, 80 Stat. 30; Pub. L. 99-576, title VII, §701(10), Oct. 28, 1986, 100 Stat. 3291, related to delegation of authority and assignment of duties. See section 512 of this title.

Section 213, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1115; Pub. L. 89-785, title III, §302, Nov. 7, 1966, 80 Stat. 1376;

Pub. L. 91-24, §2(c), June 11, 1969, 83 Stat. 33; Pub. L. 99-576, title VII, §701(11), Oct. 28, 1986, 100 Stat. 3291, related to contracts and acceptance of personal services. See section 513 of this title.

Section 214, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1115, required an annual report to Congress by Administrator. See section 529 of this title.

Section 215, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1115; Pub. L. 99-576, title VII, §701(10), Oct. 28, 1986, 100 Stat. 3291, related to publication of laws relating to veterans. See section 525 of this title.

Section 216, added Pub. L. 100-322, title I, §132(a), May 20, 1988, 102 Stat. 506; amended Pub. L. 102-40, title IV, §402(d)(1), May 7, 1991, 105 Stat. 239, related to assistance to certain rehabilitation activities. See section 521 of this title.

Another prior section 216, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1116; Pub. L. 87-572, Aug. 6, 1962, 76 Stat. 307; Pub. L. 88-433, §1(a)-(c), Aug. 14, 1964, 78 Stat. 441, 442; Pub. L. 89-705, §1, Nov. 2, 1966, 80 Stat. 1099, which directed Administrator to conduct research in field of prosthetic appliances, prosthesis, orthopedic appliances, and sensory devices, was repealed by Pub. L. 94-581, title II, §205(c)(1), Oct. 21, 1976, 90 Stat. 2859. See section 7303 of this title.

Section 217, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1116; Pub. L. 99-576, title VII, §701(10), Oct. 28, 1986, 100 Stat. 3291, related to studies of rehabilitation of disabled persons. See section 522 of this title.

Section 218, added Pub. L. 93-43, §4(a), June 18, 1973, 87 Stat. 79; amended Pub. L. 98-528, title I, §101(a)(1), Oct. 19, 1984, 98 Stat. 2686; Pub. L. 99-576, title II, §211, Oct. 28, 1986, 100 Stat. 3257, related to security and law enforcement on property under jurisdiction of Veterans' Administration. See section 901 et seq. of this title.

Section 219, added Pub. L. 93-508, title II, §213(a), Dec. 3, 1974, 88 Stat. 1586; amended Pub. L. 99-576, title VII, §701(12), Oct. 28, 1986, 100 Stat. 3291, related to evaluation of programs and collection of data. See section 527 of this title.

Section 220, added Pub. L. 93-508, title II, §213(a), Dec. 3, 1974, 88 Stat. 1587; amended Pub. L. 96-466, title VII, §701(a), (b)(1), Oct. 17, 1980, 94 Stat. 2215; Pub. L. 98-528, title I, §106(a), (b)(1), Oct. 19, 1984, 98 Stat. 2690, related to coordination and promotion of other programs affecting veterans and their dependents. See section 523 of this title.

Section 221, added Pub. L. 97-37, §2(a), Aug. 14, 1981, 95 Stat. 935, established Advisory Committee on Former Prisoners of War. See section 541 of this title.

Section 222, added Pub. L. 98-160, title III, §301(a), Nov. 21, 1983, 97 Stat. 1003, established Advisory Committee on Women Veterans. See section 542 of this title.

Section 223, added Pub. L. 100-687, div. A, title I, §102(a)(1), Nov. 18, 1988, 102 Stat. 4106, related to rule-making procedures and judicial review. See sections 501 and 502 of this title.

Section 224, added Pub. L. 100-322, title II, §203(b)(1), May 20, 1988, 102 Stat. 509, §223; renumbered §224, Pub. L. 101-94, title III, §302(d)(1), Aug. 16, 1989, 103 Stat. 628, related to administrative settlement of tort claims. See section 515 of this title.

Section 230, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1116; Pub. L. 86-103, July 23, 1959, 73 Stat. 224; Pub. L. 87-815, §5, Oct. 15, 1962, 76 Stat. 927; Pub. L. 91-338, July 16, 1970, 84 Stat. 437; Pub. L. 93-82, title IV, §401, Aug. 2, 1973, 87 Stat. 196; Pub. L. 95-520, §2, Oct. 26, 1978, 92 Stat. 1820; Pub. L. 96-22, title V, §503(a), June 13, 1979, 93 Stat. 65; Pub. L. 96-385, title V, §501, Oct. 7, 1980, 94 Stat. 1533; Pub. L. 97-295, §4(6), Oct. 12, 1982, 96 Stat. 1305; Pub. L. 99-108, §1, Sept. 30, 1985, 99 Stat. 481; Pub. L. 99-166, title IV, §402, Dec. 3, 1985, 99 Stat. 957; Pub. L. 99-576, title VII, §701(13), Oct. 28, 1986, 100 Stat. 3291; Pub. L. 100-689, title V, §501(a), Nov. 18, 1988, 102 Stat. 4179; Pub. L. 101-237, title VI, §603(a), Dec. 18, 1989, 103 Stat. 2095, related to Central Office and regional offices. See sections 314 to 316 of this title.

Section 231, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1116, related to placement of employees in military installations. See section 701 of this title.

Section 232, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1116, which authorized Administrator to contract for services of translators without regard to certain provisions of law, was repealed by Pub. L. 91-24, §2(a), June 11, 1969, 83 Stat. 33.

Section 233, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1116; Pub. L. 87-574, §1(1), Aug. 6, 1962, 76 Stat. 308; Pub. L. 89-785, title III, §303(a), (b), Nov. 7, 1966, 80 Stat. 1376, 1377; Pub. L. 99-576, title VII, §§701(14), 702(2), Oct. 28, 1986, 100 Stat. 3291, 3301, related to providing employee's apparel, transportation of employee children, recreational facilities, educational information, reimbursement for personal property, and emergency transportation. See section 703 of this title.

Section 234, Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1117; Pub. L. 93-82, title IV, §402(a), (c), Aug. 2, 1973, 87 Stat. 196, related to telephone service for medical officers and facility directors. See section 705 of this title.

Section 235, added Pub. L. 86-116, §1, July 28, 1959, 73 Stat. 265; amended Pub. L. 87-815, §6, Oct. 15, 1962, 76 Stat. 927; Pub. L. 89-300, §1(c), Oct. 28, 1965, 79 Stat. 1110; Pub. L. 96-22, title V, §503(b), (c)(1), June 13, 1979, 93 Stat. 65; Pub. L. 96-465, title II, §2206(g), Oct. 17, 1980, 94 Stat. 2163; Pub. L. 99-576, title VII, §§701(15), 702(3), Oct. 28, 1986, 100 Stat. 3291, 3301, related to benefits to employees at overseas offices who are United States citizens. See section 707 of this title.

Section 236, added Pub. L. 89-300, §1(a), Oct. 28, 1965, 79 Stat. 1110; amended Pub. L. 99-576, title VII, §701(16), Oct. 28, 1986, 100 Stat. 3292, related to administrative settlement of tort claims arising in foreign countries. See section 515 of this title.

Section 240, added Pub. L. 91-219, title II, §214(a), Mar. 26, 1970, 84 Stat. 84; amended Pub. L. 92-540, title IV, §410(a), Oct. 24, 1972, 86 Stat. 1092, described purpose and defined terms for veterans outreach services program.

Section 241, added Pub. L. 91-219, title II, §214(a), Mar. 26, 1970, 84 Stat. 84; amended Pub. L. 92-540, title IV, §410(b), Oct. 24, 1972, 86 Stat. 1092; Pub. L. 93-508, title II, §214(1), (2), Dec. 3, 1974, 88 Stat. 1587; Pub. L. 99-576, title VII, §§701(17), 702(4), Oct. 28, 1986, 100 Stat. 3292, 3301, related to outreach services.

Section 242, added Pub. L. 91-219, title II, §214(a), Mar. 26, 1970, 84 Stat. 85; amended Pub. L. 93-508, title II, §214(3), Dec. 3, 1974, 88 Stat. 1587; Pub. L. 99-576, title VII, §701(18), Oct. 28, 1986, 100 Stat. 3292, related to veterans assistance offices.

Section 243, added Pub. L. 93-508, title II, §214(4), Dec. 3, 1974, 88 Stat. 1587; amended Pub. L. 97-295, §4(7), Oct. 12, 1982, 96 Stat. 1305; Pub. L. 97-306, title II, §201(a), Oct. 14, 1982, 96 Stat. 1433, related to outstationing of counseling and outreach personnel.

Section 244, added Pub. L. 91-219, title II, §214(a), Mar. 26, 1970, 84 Stat. 85, §243; renumbered §244 and amended Pub. L. 93-508, title II, §214(4), (5), Dec. 3, 1974, 88 Stat. 1587, 1588; Pub. L. 96-466, title V, §501, Oct. 17, 1980, 94 Stat. 2202; Pub. L. 99-576, title VII, §701(19), Oct. 28, 1986, 100 Stat. 3292, related to utilization of other agencies.

Section 245, added Pub. L. 91-219, title II, §214(a), Mar. 26, 1970, 84 Stat. 85, §244; renumbered §245, Pub. L. 93-508, title II, §214(4), Dec. 3, 1974, 88 Stat. 1587, related to an annual report to Congress on the effectiveness of outreach programs.

Section 246, added Pub. L. 95-202, title III, §310(b)(1), Nov. 23, 1977, 91 Stat. 1446; amended Pub. L. 95-336, §6(b), Aug. 4, 1978, 92 Stat. 453; Pub. L. 97-295, §4(8), Oct. 12, 1982, 96 Stat. 1305, related to veterans cost-of-instruction payments to institutions of higher learning.

AMENDMENTS

2008—Pub. L. 110-389, title II, §222(b), title VII, §703(b), Oct. 10, 2008, 122 Stat. 4156, 4184, added items 321 and 322.

2006—Pub. L. 109-461, title VIII, §811(b), Dec. 22, 2006, 120 Stat. 3447, added item 312A.

2003—Pub. L. 108-136, div. A, title V, §583(a)(2), Nov. 24, 2003, 117 Stat. 1491, added item 320.

1998—Pub. L. 105-368, title IV, §403(c)(1)(B), Nov. 11, 1998, 112 Stat. 3338, substituted "Under Secretary for

Memorial Affairs" for "Director of the National Cemetery System" in item 307.

1997—Pub. L. 105-114, title I, §102(a)(2), Nov. 21, 1997, 111 Stat. 2281, added item 319.

1996—Pub. L. 104-106, div. E, title LVI, §5608(b), Feb. 10, 1996, 110 Stat. 702, substituted "Chief Information Officer" for "Chief Information Resources Officer" in item 310.

1994—Pub. L. 103-446, title V, §509(b), Nov. 2, 1994, 108 Stat. 4668, substituted "Center for Minority Veterans" for "Chief Minority Affairs Officer" in item 317 and added item 318.

1992—Pub. L. 102-405, title III, §302(c)(1), Oct. 9, 1992, 106 Stat. 1984, substituted "Under Secretary for Health" for "Chief Medical Director" in item 305 and "Under Secretary for Benefits" for "Chief Benefits Director" in item 306.

1991—Pub. L. 102-218, §1(b), Dec. 11, 1991, 105 Stat. 1672, added item 317.

§ 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 Administration.
- (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).

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 378; amended Pub. L. 105-368, title IV, §403(a)(2), Nov. 11, 1998, 112 Stat. 3338.)

PRIOR PROVISIONS

Prior section 301 was renumbered section 1101 of this title.

Provisions similar to those in subsec. (a) of this section were contained in section 2 of Pub. L. 100-527, known as the Department of Veterans Affairs Act.

Provisions similar to those in subsec. (b) of this section were contained in section 201 of this title prior to repeal by Pub. L. 102-83, §2(a).

AMENDMENTS

1998—Subsec. (c)(4). Pub. L. 105-368 substituted "Administration" for "System".

ORDER OF SUCCESSION

For order of succession during any period when both Secretary and Deputy Secretary of Veterans Affairs are unable to perform functions and duties of office of Secretary, see Ex. Ord. No. 13247, Dec. 18, 2001, 66 F.R. 66271, listed in a table under section 3345 of Title 5, Government Organization and Employees.

DEPARTMENT OF VETERANS AFFAIRS FRANCHISE FUND

Pub. L. 104-204, title I, Sept. 26, 1996, 110 Stat. 2880, as amended by Pub. L. 109-114, title II, §208, Nov. 30, 2005, 119 Stat. 2389, provided in part that: "There is hereby established in the Treasury a Department of Veterans Affairs franchise fund, to be available without fiscal year limitation for expenses and equipment necessary