

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.
516. Equal employment responsibilities.
517. Quarterly reports to Congress on conferences sponsored by the Department.

SUBCHAPTER II—SPECIFIED FUNCTIONS

521. Assistance to certain rehabilitation activities.
512A.¹ Adaptive sports programs for disabled veterans and members of the Armed Forces.
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.
530. Annual report on program and expenditures for domestic response to weapons of mass destruction.
531. Requirement relating to naming of Department property.
532. Authority to advertise in national media; VetStar Award Program.

SUBCHAPTER III—ADVISORY COMMITTEES

541. Advisory Committee on Former Prisoners of War.
542. Advisory Committee on Women Veterans.
543. Advisory Committee on Prosthetics and Special-Disabilities Programs.
544. Advisory Committee on Minority Veterans.
545. Advisory Committee on the Readjustment of Veterans.
546. Advisory Committee on Disability Compensation.

AMENDMENTS

2013—Pub. L. 113-59, §5(h)(2), Dec. 20, 2013, 127 Stat. 662, which directed amendment of this analysis by striking item 521A and adding item “512A”, was executed by striking item 521A “Assistance for United States Olympic Committee” and adding item 512A in the position for item 521A, to reflect the probable intent of Congress.

Pub. L. 113-37, §2(b)(3), Sept. 30, 2013, 127 Stat. 524, added item 521A and struck out former item 521A “Assistance for United States Paralympics, Inc.”

2012—Pub. L. 112-154, title VII, §§707(b), 709(b)(2), Aug. 6, 2012, 126 Stat. 1207, 1208, added item 517 and substituted “Authority to advertise in national media; VetStar Award Program” for “Authority to advertise in national media” in item 532.

2008—Pub. L. 110-389, title II, §214(b), title VII, §702(b), title VIII, §809(b), Oct. 10, 2008, 122 Stat. 4154, 4183, 4190, added items 521A, 532, and 546.

1998—Pub. L. 105-368, title IX, §906(b), title X, §1001(a)(2), Nov. 11, 1998, 112 Stat. 3362, 3363, added items 530 and 531.

1997—Pub. L. 105-114, title I, §101(a)(2), Nov. 21, 1997, 111 Stat. 2279, added item 516.

1996—Pub. L. 104-262, title III, §333(a)(2), Oct. 9, 1996, 110 Stat. 3200, added item 545.

¹ So in original. Probably should be “521A.” See 2013 Amendment note below.

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).

§ 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 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; amended Pub. L. 110-389, title I, §102, Oct. 10, 2008, 122 Stat. 4148.)