

11, 1998, see section 513 of Pub. L. 105-368, set out as a note under section 7251 of this title.

### § 7287. Administration

Notwithstanding any other provision of law, the Court of Appeals for Veterans Claims may exercise, for purposes of management, administration, and expenditure of funds of the Court, the authorities provided for such purposes by any provision of law (including any limitation with respect to such provision of law) applicable to a court of the United States (as that term is defined in section 451 of title 28), except to the extent that such provision of law is inconsistent with a provision of this chapter.

(Added Pub. L. 107-103, title VI, § 605(a), Dec. 27, 2001, 115 Stat. 1000.)

### § 7288. Annual report

(a) IN GENERAL.—The chief judge of the Court shall submit to the appropriate committees of Congress each year a report summarizing the workload of the Court for the fiscal year ending during the preceding year.

(b) ELEMENTS.—Each report under subsection (a) shall include, with respect to the fiscal year covered by such report, the following information:

- (1) The number of appeals filed with the Court.
- (2) The number of petitions filed with the Court.
- (3) The number of applications filed with the Court under section 2412 of title 28.
- (4) The total number of dispositions by each of the following:
  - (A) The Court as a whole.
  - (B) The Clerk of the Court.
  - (C) A single judge of the Court.
  - (D) A multi-judge panel of the Court.
  - (E) The full Court.
- (5) The number of each type of disposition by the Court, including settlement, affirmation, remand, vacation, dismissal, reversal, grant, and denial.
- (6) The median time from filing an appeal to disposition by each of the following:
  - (A) The Court as a whole.
  - (B) The Clerk of the Court.
  - (C) A single judge of the Court.
  - (D) Multiple judges of the Court (including a multi-judge panel of the Court or the full Court).
- (7) The median time from filing a petition to disposition by the Court.
- (8) The median time from filing an application under section 2412 of title 28 to disposition by the Court.
- (9) The median time from the completion of briefing requirements by the parties to disposition by the Court.
- (10) The number of oral arguments before the Court.
- (11) The number of cases appealed to the United States Court of Appeals for the Federal Circuit.
- (12) The number and status of appeals and petitions pending with the Court and of applications described in paragraph (3) as of the end of such fiscal year.

(13) The number of cases pending with the Court more than 18 months as of the end of such fiscal year.

(14) A summary of any service performed for the Court by a recalled retired judge of the Court.

(15) An assessment of the workload of each judge of the Court, including consideration of the following:

- (A) The time required of each judge for disposition of each type of case.
- (B) The number of cases reviewed by the Court.
- (C) The average workload of other Federal judges.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

- (1) the Committee on Veterans' Affairs of the Senate; and
- (2) the Committee on Veterans' Affairs of the House of Representatives.

(Added Pub. L. 110-389, title VI, § 604(a), Oct. 10, 2008, 122 Stat. 4178.)

## SUBCHAPTER IV—DECISIONS AND REVIEW

### § 7291. Date when Court decision becomes final

(a) A decision of the United States Court of Appeals for Veterans Claims shall become final upon the expiration of the time allowed for filing, under section 7292 of this title, a notice of appeal from such decision, if no such notice is duly filed within such time. If such a notice is filed within such time, such a decision shall become final—

- (1) upon the expiration of the time allowed for filing a petition for certiorari with the Supreme Court of the United States, if the decision of the Court of Appeals for Veterans Claims is affirmed or the appeal is dismissed by the United States Court of Appeals for the Federal Circuit and no petition for certiorari is duly filed;
- (2) upon the denial of a petition for certiorari, if the decision of the Court of Appeals for Veterans Claims is affirmed or the appeal is dismissed by the United States Court of Appeals for the Federal Circuit; or
- (3) upon the expiration of 30 days from the date of issuance of the mandate of the Supreme Court, if that Court directs that the decision of the Court of Appeals for Veterans Claims be affirmed or the appeal dismissed.

(b)(1) If the Supreme Court directs that the decision of the Court of Appeals for Veterans Claims be modified or reversed, the decision of the Court of Appeals for Veterans Claims rendered in accordance with the mandate of the Supreme Court shall become final upon the expiration of 30 days from the time it was rendered, unless within such 30 days either the Secretary or the petitioner has instituted proceedings to have such decision corrected to accord with the mandate, in which event the decision of the Court of Appeals for Veterans Claims shall become final when so corrected.

(2) If the decision of the Court of Appeals for Veterans Claims is modified or reversed by the United States Court of Appeals for the Federal Circuit and if—