

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective 180 days after Feb. 10, 1996, see section 5701 of Pub. L. 104-106, Feb. 10, 1996, 110 Stat. 702.

CREATION OF OFFICE OF RESEARCH REVIEWS WITHIN THE OFFICE OF INFORMATION AND TECHNOLOGY OF THE DEPARTMENT OF VETERANS AFFAIRS

Pub. L. 116-171, title VII, §705, Oct. 17, 2020, 134 Stat. 830, provided that:

“(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act [Oct. 17, 2020], the Secretary of Veterans Affairs shall establish within the Office of Information and Technology of the Department of Veterans Affairs an Office of Research Reviews (in this section referred to as the ‘Office’).

“(b) ELEMENTS.—The Office shall do the following:

“(1) Perform centralized security reviews and complete security processes for approved research sponsored outside the Department, with a focus on multi-site clinical trials.

“(2) Develop and maintain a list of commercially available software preferred for use in sponsored clinical trials of the Department and ensure such list is maintained as part of the official approved software products list of the Department.

“(3) Develop benchmarks for appropriate timelines for security reviews conducted by the Office.

“(c) REPORT.—

“(1) IN GENERAL.—Not later than one year after the establishment of the Office, the Office shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the activity of the Office.

“(2) ELEMENTS.—The report required by paragraph (1) shall include, at a minimum, the following:

“(A) The number of security reviews completed.

“(B) The number of personnel assigned for performing the functions described in subsection (b).”

§ 311. General Counsel

There is in the Department the Office of the General Counsel. There is at the head of the office a General Counsel, who is appointed by the President, by and with the advice and consent of the Senate. The General Counsel is the chief legal officer of the Department and provides legal assistance to the Secretary concerning the programs and policies of the Department.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 383.)

Editorial Notes

PRIOR PROVISIONS

Prior section 311 was renumbered section 1111 of this title.

Provisions similar to those in this section were contained in section 8(a) of Pub. L. 100-527, known as the Department of Veterans Affairs Act, prior to repeal by Pub. L. 102-83, §3(3).

§ 312. Inspector General

(a) There is in the Department an Inspector General, who is appointed by the President, by and with the advice and consent of the Senate, as provided in chapter 4 of title 5. The Inspector General performs the functions, has the responsibilities, and exercises the powers specified in that Act.¹

(b)(1) The Secretary shall provide for not less than 40 full-time positions in the Office of In-

spector General in addition to the number of such positions in that office on March 15, 1989.

(2) The President shall include in the budget transmitted to the Congress for each fiscal year pursuant to section 1105 of title 31 an estimate of the amount for the Office of Inspector General that is sufficient to provide for a number of full-time positions in that office that is not less than the number of full-time positions in that office on March 15, 1989, plus 40.

(c)(1) Whenever the Inspector General, in carrying out the duties and responsibilities established under chapter 4 of title 5, issues a work product the Inspector General shall—

(A) submit the work product to—

(i) the Secretary;

(ii) the Committee on Veterans' Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate;

(iii) the Committee on Veterans' Affairs, the Committee on Oversight and Government Reform, and the Committee on Appropriations of the House of Representatives;

(iv) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and

(v) any Member of Congress upon request; and

(B) the Inspector General shall submit all final work products to—

(i) if the work product was initiated upon request by an individual or entity other than the Inspector General, that individual or entity; and

(ii) any Member of Congress upon request; and

(C) not later than 3 days after the work product is submitted in final form to the Secretary, post the work product on the Internet website of the Inspector General.

(2) Nothing in this subsection shall be construed to authorize the public disclosure of information that is specifically prohibited from disclosure by any other provision of law.

(d)(1)(A) In addition to the authority otherwise provided by the Inspector General Act of 1978 (5 U.S.C. App.)¹ and in accordance with the requirements of this subsection, the Inspector General, in carrying out the provisions of this section, may require by subpoena the attendance and testimony of witnesses as necessary in the performance of the functions assigned to the Inspector General by the Inspector General Act of 1978 (5 U.S.C. App.)¹ and this section, which in the case of contumacy or refusal to obey, such subpoena shall be enforceable by order of any appropriate district court of the United States.

(B) The Inspector General may not require by subpoena the attendance and testimony under subparagraph (A) of—

(i) any current Federal employee; or

(ii) any witness as part of any criminal proceeding.

(2) The authority to issue a subpoena under paragraph (1) may not be delegated.

(3)(A) The Inspector General shall notify the Attorney General of the intent to issue a subpoena under paragraph (1).

¹ See References in Text note below.