

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).

#### AMENDMENTS

1996—Subsec. (b). Pub. L. 104-262 substituted “a 45-day period following the date of the submission of the report, not less than 30 days of which shall be days during which Congress shall have been in continuous session” for “a 90-day period of continuous session of Congress following the date of the submission of the report” in second sentence and “any period of continuity of session” for “such 90-day period” in third sentence.

#### Statutory Notes and Related Subsidiaries

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 de-

pendents 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.)

#### Editorial Notes

##### 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).

#### Court Rules

##### 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.

#### § 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.)

#### Editorial Notes

##### 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