

The corporation shall include the most recent such audit in the corporation's report to the Secretary for that year."

Subsec. (c). Pub. L. 111-163, § 806(b), amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows:

"(c)(1) Each member of the board of directors of a corporation established under this subchapter, each employee of such a corporation, and each employee of the Department who is involved in the functions of the corporation during any year shall be subject to Federal laws and regulations applicable to Federal employees with respect to conflicts of interest in the performance of official functions.

"(2) Each corporation established under this subchapter shall each year submit to the Secretary a statement signed by the executive director of the corporation verifying that each director and employee has certified awareness of the laws and regulations referred to in paragraph (1) and of the consequences of violations of those laws and regulations in the same manner as Federal employees are required to so certify."

Subsec. (d)(3)(C). Pub. L. 111-163, § 806(c), substituted "\$50,000" for "\$35,000".

2003—Subsec. (c). Pub. L. 108-170 inserted "(1)" after "(c)", substituted "any year shall be subject" for "any year—(1) shall be subject" and "functions." for "functions; and", added par. (2), and struck out former par. (2) which read as follows: "shall submit to the Secretary a statement signed by the executive director of the corporation certifying that each director and employee is aware of, and has complied with, such laws and regulations in the same manner as Federal employees are required to."

2001—Subsec. (d)(2)(D). Pub. L. 107-103 made technical correction to directory language of Pub. L. 106-117, § 204(e)(3). See 1999 Amendment note below.

1999—Subsec. (d)(2)(B). Pub. L. 106-117, § 204(e)(1), inserted "for research and the amount received from governmental entities for education" before the semicolon at end.

Subsec. (d)(2)(C). Pub. L. 106-117, § 204(e)(2), inserted "for research and the amount received from all other sources for education" before "; and".

Subsec. (d)(2)(D). Pub. L. 106-117, § 204(e)(3), as amended by Pub. L. 107-103, § 509(f), substituted "an amount received" for "the amount received".

Subsec. (d)(3)(A). Pub. L. 106-117, § 204(e)(4), substituted ", the amount expended for salary for education staff, and the amount expended" for "and".

Subsec. (d)(3)(B). Pub. L. 106-117, § 204(e)(5), inserted "and the amount expended for direct support of education" after "research".

Subsec. (d)(4). Pub. L. 106-117, § 204(e)(6), added par. (4).

1996—Subsec. (b). Pub. L. 104-262, § 343(c), substituted "A corporation with revenues in excess of \$300,000 for any year shall obtain an audit of the corporation for that year. A corporation with annual revenues between \$10,000 and \$300,000 shall obtain an independent audit of the corporation at least once every three years. Any audit under the preceding sentences shall be performed by an independent auditor. The corporation shall include the most recent such audit" for "The corporation shall obtain a report of independent auditors concerning the receipts and expenditures of funds by the corporation during that year and shall include that report".

Subsec. (c)(2). Pub. L. 104-262, § 343(d), substituted "a statement signed by the executive director of the corporation certifying that each director and" for "an annual statement signed by the director or employee certifying that the director or".

Subsec. (d). Pub. L. 104-262, § 343(e), amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: "The Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives an annual report on the number and location of corporations established and the amount of the contributions made to each such corporation."

1991—Pub. L. 102-40, § 401(a)(4)(B), renumbered section 4166 of this title as this section.

Subsec. (a)(1)(A). Pub. L. 102-40, § 403(a)(1), substituted "Secretary" for "Administrator".

Subsec. (a)(1)(B). Pub. L. 102-40, § 403(a)(2), substituted "Department" for "Veterans' Administration" in two places.

Subsec. (b). Pub. L. 102-40, § 403(a)(1), substituted "Secretary" for "Administrator" in two places.

Subsec. (c). Pub. L. 102-40, § 403(a)(2), substituted "Department" for "Veterans' Administration" in introductory provisions.

Subsec. (c)(2). Pub. L. 102-40, § 403(a)(1), substituted "Secretary" for "Administrator".

Subsec. (d). Pub. L. 102-40, § 403(a)(1), substituted "Secretary" for "Administrator".

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-103, title V, § 509(f), Dec. 27, 2001, 115 Stat. 997, provided that the amendment made by section 509(f) is effective Nov. 30, 1999, and as if included in Pub. L. 106-117 as originally enacted.

#### [§ 7367. Repealed. Pub. L. 107-14, § 8(a)(14)(A), June 5, 2001, 115 Stat. 35]

Section, added Pub. L. 100-322, title II, § 204(a), May 20, 1988, 102 Stat. 512, § 4167; renumbered § 7367 and amended Pub. L. 102-40, title IV, §§ 401(a)(4)(B), 403(a)(1), May 7, 1991, 105 Stat. 221, 239, required a report to Congress on the experience through the end of fiscal year 1990 under this subchapter.

#### [§ 7368. Repealed. Pub. L. 110-387, title VIII, § 806(a), Oct. 10, 2008, 122 Stat. 4141]

Section, added Pub. L. 100-322, title II, § 204(a), May 20, 1988, 102 Stat. 512, § 4168; renumbered § 7368, Pub. L. 102-40, title IV, § 401(a)(4)(B), May 7, 1991, 105 Stat. 221; amended Pub. L. 102-291, § 3(b), May 20, 1992, 106 Stat. 179; Pub. L. 104-262, title III, § 343(a), Oct. 9, 1996, 110 Stat. 3207; Pub. L. 106-419, title IV, § 402(g), Nov. 1, 2000, 114 Stat. 1863; Pub. L. 108-170, title IV, § 402(c), Dec. 6, 2003, 117 Stat. 2062, related to the expiration of authority for corporations to be established under this subchapter.

### SUBCHAPTER V—RESEARCH AND DEVELOPMENT

#### Editorial Notes

##### PRIOR PROVISIONS

A prior subchapter V of this chapter consisting of sections 4151 and 4152, related to quality assurance, prior to repeal by Pub. L. 102-40, title IV, § 401(a)(2)(A), May 7, 1991, 105 Stat. 210. See Prior Provisions notes set out under section 4114 of this title.

A prior subchapter VI of this chapter was redesignated as subchapter V.

##### AMENDMENTS

2022—Pub. L. 117-328, div. U, title I, § 182(a), Dec. 29, 2022, 136 Stat. 5436, added subchapter V.

#### § 7381. Office of Research and Development

(a) OFFICE OF RESEARCH AND DEVELOPMENT.—There is in the Veterans Health Administration an Office of Research and Development (in this section referred to as the "Office").

(b) PURPOSES.—The function of the Office is to serve veterans through a full spectrum of research (including pre-clinical, clinical, and health systems science), technology transfer, and application.

(c) CHIEF RESEARCH AND DEVELOPMENT OFFICER.—The head of the Office is the Chief Research and Development Officer.

(d) ORGANIZATION AND PERSONNEL.—The Office shall be organized in such manner, and its personnel shall perform such duties and have such titles, as the Secretary may prescribe.

(Added Pub. L. 117-328, div. U, title I, §182(a), Dec. 29, 2022, 136 Stat. 5436.)

**§ 7382. Research personnel**

(a) WAIVER OF INTERGOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM LIMITS.—The Secretary may waive the limit on the period and number of assignments required under section 3372(a) of title 5 with respect to an individual who performs research for the Department under the mobility program under subchapter VI of chapter 33 of such title (commonly referred to as the ‘‘Intergovernmental Personnel Act Mobility Program’’).

(b) OUTSIDE EARNED INCOME FOR RESEARCH FOR THE DEPARTMENT.—(1) Compensation from a nonprofit corporation established under subchapter IV of this chapter, or a university affiliated with the Department, may be paid, without regard to section 209 of title 18, to an employee described in paragraph (2), for research conducted pursuant to section 7303 of this title if—

(A) the research has been approved in accordance with procedures prescribed by the Under Secretary for Health;

(B) the employee conducts research under the supervision of personnel of the Department; and

(C) the Secretary agreed to the terms of such compensation in writing.

(2) An employee described in this subsection is an employee who has an appointment within the Department, whether with or without compensation, and without regard to the source of such compensation.

(Added Pub. L. 117-328, div. U, title I, §182(a), Dec. 29, 2022, 136 Stat. 5436.)

**CHAPTER 74—VETERANS HEALTH ADMINISTRATION—PERSONNEL**

**SUBCHAPTER I—APPOINTMENTS**

- Sec. 7401. Appointments in Veterans Health Administration.
- 7402. Qualifications of appointees.
- 7403. Period of appointments; promotions.
- 7404. Grades and pay scales.
- 7404A. Awards.
- 7405. Temporary full-time appointments, part-time appointments, and without-compensation appointments.
- 7406. Residencies and internships.
- 7407. Administrative provisions for section 7405 and 7406 appointments.
- 7408. Appointment of additional employees.
- 7409. Contracts for scarce medical specialist services.
- 7410. Additional pay authorities.
- 7411. Full-time board-certified physicians and dentists: reimbursement of continuing professional education expenses.
- 7412. Annual determination of staffing shortages; recruitment and appointment for needed occupations.

- Sec. 7413. Treatment of podiatrists; clinical oversight standards.
- 7414. Compliance with requirements for examining qualifications and clinical abilities of health care professionals.

**SUBCHAPTER II—COLLECTIVE BARGAINING AND PERSONNEL ADMINISTRATION**

- 7421. Personnel administration: in general.
- 7422. Collective bargaining.
- 7423. Personnel administration: full-time employees.
- 7424. Travel expenses of certain employees.
- 7425. Employees: laws not applicable.
- 7426. Retirement rights.

**SUBCHAPTER III—PAY FOR PHYSICIANS AND OTHER HEALTH-CARE PERSONNEL<sup>1</sup>**

- 7431. Pay.
- 7432. Pay of Under Secretary for Health.
- 7433. Administrative matters.

**SUBCHAPTER IV—PAY FOR NURSES AND OTHER HEALTH-CARE PERSONNEL**

- 7451. Nurses and other health-care personnel: competitive pay.
- 7452. Nurses and other health-care personnel: administration of pay.
- 7453. Nurses: additional pay.
- 7454. Physician assistants and other health care professionals: additional pay.
- 7455. Increases in rates of basic pay.
- 7456. Nurses: special rules for weekend duty.
- 7456A. Nurses: alternate work schedules.
- 7457. On-call pay.
- 7458. Recruitment and retention bonus pay.
- 7459. Nursing staff: special rules for overtime duty.

**SUBCHAPTER V—DISCIPLINARY AND GRIEVANCE PROCEDURES**

- 7461. Adverse actions: section 7401(1) employees.
- 7462. Major adverse actions involving professional conduct or competence.
- 7463. Other adverse actions.
- 7464. Disciplinary Appeals Boards.

**SUBCHAPTER VI—REGIONAL MEDICAL EDUCATION CENTERS**

- 7471. Designation of Regional Medical Education Centers.
- 7472. Supervision and staffing of Centers.
- 7473. Personnel eligible for training.
- 7474. Consultation.

**APPLICABILITY OF AMENDMENT**

*Amendment of analysis by Pub. L. 118-210 applicable to any pay period of the Department of Veterans Affairs beginning on or after the date that is 180 days after Jan. 2, 2025. See 2025 Amendment note below.*

**Editorial Notes**

**AMENDMENTS**

2025—Pub. L. 118-210, title I, §142(a)(4)(B), Jan. 2, 2025, 138 Stat. 2746, substituted ‘‘PAY FOR PHYSICIANS AND OTHER HEALTH-CARE PERSONNEL’’ for ‘‘PAY FOR PHYSICIANS, PODIATRISTS, AND DENTISTS’’ in item for subchapter III.

2022—Pub. L. 117-328, div. U, title I, §112(b), Dec. 29, 2022, 136 Stat. 5414, added item 7414.

Pub. L. 117-168, §1(b)(2), title IX, §906(b)(1), Aug. 10, 2022, 136 Stat. 1759, 1812, added item 7404A.

2019—Pub. L. 116-12, §1(b)(4), Apr. 8, 2019, 133 Stat. 845, substituted ‘‘PAY FOR PHYSICIANS, PODIATRISTS,

<sup>1</sup> So in original. Does not conform to subchapter heading.