

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 1534**

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**AMENDMENTS**

***In the House of Representatives, U. S.,***

*November 16, 1993.*

*Resolved*, That the bill from the Senate (S. 1534) entitled “An Act to amend title 38, United States Code, to repeal a requirement that the Under Secretary for Health in the Department of Veterans Affairs be a doctor of medicine”, do pass with the following

**AMENDMENTS:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. MODIFICATION TO PHYSICIAN REQUIREMENT***  
2 ***FOR CERTAIN SENIOR VETERANS HEALTH AD-***  
3 ***MINISTRATION OFFICIALS.***

4 *(a) UNDER SECRETARY.—Section 305 of title 38,*  
5 *United States Code, is amended—*

6 *(1) in subsection (a)(2), by striking out “shall be*  
7 *a doctor of medicine and shall be” and inserting in*  
8 *lieu thereof “shall (except as provided in subsection*  
9 *(d)(1)) be a doctor of medicine. The Under Secretary*  
10 *shall be”;*

11 *(2) in subsection (d)—*

12 *(A) by adding at the end of paragraph (1)*  
13 *the following: “If at the time such a commission*  
14 *is established both the position of Deputy Under*  
15 *Secretary for Health and the position of Associ-*

1           ate Deputy Under Secretary for Health are held  
2           by individuals who are doctors of medicine, the  
3           individual appointed by the President as Under  
4           Secretary for Health may be someone who is not  
5           a doctor of medicine. In any case, the Secretary  
6           shall develop, and shall furnish to the commis-  
7           sion, specific criteria which the commission shall  
8           use in evaluating individuals for recommenda-  
9           tions under paragraph (3).”;

10           (B) by redesignating paragraph (4) as  
11           paragraph (5);

12           (C) by inserting after the first sentence of  
13           paragraph (3) the following: “In a case in  
14           which, pursuant to paragraph (1), the individ-  
15           ual to be appointed as Under Secretary does not  
16           have to be a doctor of medicine, the commission  
17           may make recommendations without regard to  
18           the requirement in subsection (a)(2)(A) that the  
19           Under Secretary be appointed on the basis of  
20           demonstrated ability in the medical profession,  
21           but in such a case the commission shall accord  
22           a priority to the selection of a doctor of medicine  
23           over an individual who is not a doctor of medi-  
24           cine.”; and

1           (D) by designating the sentence beginning  
2           “The commission shall submit” as paragraph  
3           (4).

4           (b) *DEPUTY AND ASSOCIATE DEPUTY UNDER SEC-*  
5 *RETARY.*—Section 7306 of such title is amended—

6           (1) in subsection (a), by inserting “(except as  
7           provided in subsection (c))” in paragraphs (1) and  
8           (2) after “and who shall”;

9           (2) in subsection (c)—

10           (A) by inserting “(1)” after “(c)”; and

11           (B) by adding at the end the following:

12           “(2) If at the time of the appointment of the Deputy  
13 Under Secretary for Health under subsection (a)(1), both  
14 the position of Under Secretary for Health and the position  
15 of Associate Deputy Under Secretary for Health are held  
16 by individuals who are doctors of medicine, the individual  
17 appointed as Deputy Under Secretary for Health may be  
18 someone who is not a doctor of medicine.

19           “(3) If at the time of the appointment of the Associate  
20 Deputy Under Secretary for Health under subsection (a)(2),  
21 both the position of Under Secretary for Health and the  
22 position of Deputy Under Secretary for Health are held by  
23 individuals who are doctors of medicine, the individual ap-  
24 pointed as Associate Deputy Under Secretary for Health  
25 may be someone who is not a doctor of medicine.”.

Amend the title so as to read: “An Act to amend title 38, United States Code, to allow one of the three senior officials in the Veterans Health Administration of the Department of Veterans Affairs to be an individual who is not a doctor of medicine.”.

Attest:

*Clerk.*