

108TH CONGRESS  
1ST SESSION

# H. R. 1718

To amend title 38, United States Code, to repeal the four-year terms specified by law for certain officials of the Department of Veterans Affairs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2003

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to repeal the four-year terms specified by law for certain officials of the Department of Veterans Affairs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REPEAL OF FIXED TERMS OF OFFICE FOR CER-**  
4 **TAIN OFFICIALS OF THE DEPARTMENT OF**  
5 **VETERANS AFFAIRS.**

6 (a) UNDER SECRETARY FOR HEALTH.—Section  
7 305(c) of title 38, United States Code, is amended to read  
8 as follows:

1 “(c) Whenever the President removes the Under Sec-  
2 retary for Health, the President shall communicate the  
3 reasons for the removal to Congress.”.

4 (b) UNDER SECRETARY FOR BENEFITS.—Section  
5 306(c) of such title is amended to read as follows:

6 “(c) Whenever the President removes the Under Sec-  
7 retary for Benefits, the President shall communicate the  
8 reasons for the removal to Congress.”.

9 (c) POSITIONS IN THE OFFICE OF THE UNDER SEC-  
10 RETARY FOR HEALTH.—(1) Subsection (d) of section  
11 7306 of such title is amended to read as follows:

12 “(d) Whenever the Secretary removes a person ap-  
13 pointed under this section, the Secretary shall commu-  
14 nicate the reasons for the removal to the Committees on  
15 Veterans’ Affairs of the Senate and House of Representa-  
16 tives.”.

17 (2) Subsection (e)(1) of such section is amended by  
18 striking “Service,” in the first sentence and all that fol-  
19 lows through the second sentence and inserting “Service.”.

20 (d) APPLICABILITY.—(1) The amendment made by  
21 subsection (a) does not apply with respect to the term of  
22 office of the individual who on the date of the enactment  
23 of this Act is serving in the position of Under Secretary  
24 for Health of the Department of Veterans Affairs.

1           (2) The amendment made by subsection (b) does not  
2 apply with respect to the term of office of the individual  
3 who on the date of the enactment of this Act is serving  
4 in the position of Under Secretary for Benefits of the De-  
5 partment of Veterans Affairs.

6           (3) The amendments made by subsection (c) are ap-  
7 plicable with respect to the period of appointment of any  
8 individual who on the day before the date of the enactment  
9 of this Act is serving in a position covered by subsection  
10 (d) or (e) of section 7306 of title 38, United States Code.

11 **SEC. 2. APPOINTMENT OF DIRECTORS OF PRINCIPAL GEO-**  
12 **GRAPHIC SERVICE AREAS.**

13           (a) SECRETARY AUTHORITY.—Chapter 3 of title 38,  
14 United States Code, is amended by adding at the end the  
15 following new section:

16 **“§ 320. Directors of principal geographic service**  
17 **areas**

18           “(a) The directors of the principal geographic service  
19 areas of the Department shall be appointed by the Sec-  
20 retary, and are subject to removal by the Secretary, with-  
21 out regard to any of the provisions of title 5 specified in  
22 section 7425(a) of this title.

23           “(b) Whenever the Secretary removes an employee  
24 from a position as director of one of the principal geo-  
25 graphic service area of the Department, the Secretary

1 shall communicate the reasons for the removal to the  
2 Committees on Veterans' Affairs of the Senate and House  
3 of Representatives.

4 “(c) Whenever the Secretary removes an employee  
5 from a position as director of one of the principal geo-  
6 graphic service area of the Department for any reason  
7 other than cause and the employee, in order to accept the  
8 appointment to that position, had—

9 “(1) relinquished an appointment under section  
10 7401(1) of this title, that employee shall be entitled  
11 to reassignment under that section; or

12 “(2) relinquished a permanent appointment  
13 under title 5, that employee shall be entitled to reas-  
14 signment under that title.”.

15 (b) CLERICAL AMENDMENT.—The table of sections  
16 at the beginning of such chapter is amended by adding  
17 at the end the following new item:

“320. Directors of principal geographic service areas.”.

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