

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3016
OFFERED BY MR. WENSTRUP OF OHIO**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Veterans Employment, Education, and Healthcare Im-
4 provement Act”.

5 (b) TABLE OF CONTENTS.—The table of contents for
6 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—VETERANS HEALTH CARE

Sec. 101. Role of podiatrists in Department of Veterans Affairs.

Sec. 102. Priority of medal of honor recipients in health care system of Department of Veterans Affairs.

Sec. 103. Improvement of care provided to newborn children.

Sec. 104. Outreach to veterans regarding effect of certain delayed payments by Department of Veterans Affairs Chief Business Office.

Sec. 105. Department of Veterans Affairs pilot program on dog training therapy.

TITLE II—VETERANS ECONOMIC OPPORTUNITY AND TRANSITION
ADMINISTRATION

Sec. 201. Establishment of Veterans Economic Opportunity and Transition Administration.

Sec. 202. Under Secretary for Veterans Economic Opportunity and Transition.

Sec. 203. Transfer of Department of Labor veterans programs to Department of Veterans Affairs.

Sec. 204. Deputy Under Secretary of Veterans Affairs for Veterans’ Employment, Training, and Transition.

Sec. 205. Additional technical and conforming amendments.

Sec. 206. Use of Federal directory of new hires.

1 (2) CLERICAL AMENDMENT.—The table of sec-
2 tions at the beginning of such chapter is amended
3 by inserting after the item relating to section 7412
4 the following new item:

“7413. Treatment of podiatrists.”.

5 (3) CONFORMING AMENDMENT.—Section
6 7401(1) of such title is amended by striking “Physi-
7 cians, dentists, podiatrists,” and inserting “Physi-
8 cians, dentists,”.

9 (b) QUALIFICATIONS.—Section 7402(b) of such title
10 is amended—

11 (1) in paragraph (1)—

12 (A) in subparagraph (A), by striking “or
13 of doctor of osteopathy” and inserting “, doctor
14 of osteopathy, or doctor of podiatric medicine”;
15 and

16 (B) in subparagraph (C), by inserting “po-
17 diatry,” after “surgery,”;

18 (2) by striking paragraph (5); and

19 (3) by redesignating paragraphs (6) through
20 (14) as paragraphs (5) through (13), respectively.

21 (c) PERIOD OF APPOINTMENT.—Section 7403(a)(2)
22 of such title is amended—

23 (1) by striking subparagraph (C); and

1 (2) by redesignating subparagraphs (D)
2 through (H) as subparagraphs (C) through (G), re-
3 spectively.

4 (d) MODIFICATION OF PAY GRADE.—

5 (1) GRADE.—The list in section 7404(b) of
6 such title is amended by striking “PODIATRIST,”.

7 (2) APPLICATION.—The amendment made by
8 paragraph (1) shall apply with respect to a pay pe-
9 riod of the Department of Veterans Affairs begin-
10 ning on or after the date that is 30 days after the
11 date of the enactment of this Act.

12 (e) CONTRACTS FOR SCARCE SERVICES.—Section
13 7409(a) of such title is amended by striking “podia-
14 trists,”.

15 (f) PERSONNEL ADMINISTRATION.—Section 7421(b)
16 of such title is amended—

17 (1) by striking paragraph (3); and

18 (2) by redesignating paragraphs (4) through
19 (8) as paragraphs (3) through (7), respectively.

20 (g) MEDICAL DIRECTORS.—Section 7306(a)(4) of
21 such title is amended by inserting “, doctor of podiatric
22 medicine,” after “doctor of medicine”.

23 (h) APPLICATION.—The amendments made by this
24 section shall apply with respect to podiatrists employed by
25 the Department of Veterans Affairs as of the date of the

1 enactment of this Act or who are appointed on or after
2 such date.

3 **SEC. 102. PRIORITY OF MEDAL OF HONOR RECIPIENTS IN**
4 **HEALTH CARE SYSTEM OF DEPARTMENT OF**
5 **VETERANS AFFAIRS.**

6 (a) ENROLLMENT PRIORITY.—Section 1705(a) of
7 title 38, United States Code, is amended—

8 (1) in paragraph (1), by striking the period at
9 the end and inserting the following: “and veterans
10 who were awarded the medal of honor under section
11 3741, 6241, or 8741 of title 10 or section 491 of
12 title 14.”; and

13 (2) in paragraph (3), by striking “veterans who
14 were awarded the medal of honor under section
15 3741, 6241, or 8741 of title 10 or section 491 of
16 title 14,”.

17 (b) ELIGIBILITY.—Section 1710(a)(2)(D) of such
18 title is amended by inserting after “war” the following:
19 “, who was awarded the medal of honor under section
20 3741, 6241, or 8741 of title 10 or section 491 of title
21 14,”.

22 (c) EXTENDED CARE SERVICES.—Section
23 1710B(e)(2) of such title is amended—

24 (1) in subparagraph (B), by striking “or”;

1 (2) in subparagraph (C), by striking the period
2 at the end and inserting “; or”; and

3 (3) by adding at the end the following new sub-
4 paragraph:

5 “(D) to a veteran who was awarded the medal
6 of honor under section 3741, 6241, or 8741 of title
7 10 or section 491 of title 14.”.

8 (d) **COPAYMENT FOR MEDICATIONS.**—Section
9 1722A(a)(3) of such title is amended—

10 (1) in subparagraph (B), by striking “or”;

11 (2) in subparagraph (C), by striking the period
12 at the end and inserting “; or”; and

13 (3) by adding at the end the following new sub-
14 paragraph:

15 “(D) to a veteran who was awarded the medal
16 of honor under section 3741, 6241, or 8741 of title
17 10 or section 491 of title 14.”.

18 (e) **APPLICATION.**—The priority of enrollment of
19 medal of honor recipients pursuant to chapter 17 of title
20 38, United States Code, as amended by this section, shall
21 apply to each such recipient, regardless of the date on
22 which the medal is awarded.

1 **SEC. 103. IMPROVEMENT OF CARE PROVIDED TO NEWBORN**
2 **CHILDREN.**

3 Section 1786 of title 38, United States Code, is
4 amended—

5 (1) in subsection (a), by striking “seven days”
6 and inserting “14 days”; and

7 (2) by adding at the end the following new sub-
8 section:

9 “(c) ANNUAL REPORT.—Not later than October 31,
10 2016, and each year thereafter through 2020, the Sec-
11 retary shall submit to the Committees on Veterans’ Affairs
12 of the House of Representatives and the Senate a report
13 on the health care services provided under subsection (a)
14 during the fiscal year preceding the date of the report,
15 including the number of newborn children who received
16 such services during such fiscal year.”.

17 **SEC. 104. OUTREACH TO VETERANS REGARDING EFFECT**
18 **OF CERTAIN DELAYED PAYMENTS BY DE-**
19 **PARTMENT OF VETERANS AFFAIRS CHIEF**
20 **BUSINESS OFFICE.**

21 (a) OUTREACH.—The Secretary of Veterans Affairs
22 shall conduct outreach, including through national and
23 local veterans service organizations, to inform veterans of
24 how to resolve credit issues caused by delayed payment
25 of a claim for emergency hospital care, medical services,
26 or other emergency health care furnished through a non-

1 Department of Veterans Affairs provider. The Secretary
2 shall establish a toll-free telephone number for veterans
3 to report such credit issues to the Chief Business Office
4 of the Department of Veterans Affairs.

5 (b) ANNUAL REPORT.—

6 (1) IN GENERAL.—During the five-year period
7 beginning on the date of the enactment of this Act,
8 the Secretary of Veterans Affairs shall annually sub-
9 mit to Congress a report on the effectiveness of the
10 Chief Business Office in providing timely payment of
11 proper invoices for emergency hospital care, medical
12 services, or other emergency health care furnished
13 through non-Department of Veterans Affairs pro-
14 viders by the required payment date during both the
15 five-year period preceding the date of the report and
16 the one-year period preceding such date. For any
17 part of the period covered by a report under this
18 subsection that occurred before October 1, 2014, the
19 report shall evaluate the provision of such payments
20 by the Veterans Integrated Service Networks.

21 (2) MATTERS INCLUDED.—The reports under
22 paragraph (1) shall include, for each period covered
23 by the report, the following:

24 (A) The number of veterans who contacted
25 the Secretary regarding a delayed payment that

1 negatively affected, or will potentially negatively
2 affect, the credit of the veteran.

3 (B) The total amount of interest penalties
4 paid by the Secretary of Veterans Affairs under
5 section 3902 of title 31, United States Code, by
6 reason of a delayed payment.

7 (C) The number of proper invoices sub-
8 mitted, listed in a table for each quarter and
9 fiscal year of each such period that includes—

10 (i) the total amount owed by the Sec-
11 retary under the proper invoices;

12 (ii) the payment status of each proper
13 invoice, as of the date of the report; and

14 (iii) the period that elapsed until each
15 proper invoice was paid, including an ex-
16 planation of any delayed payment.

17 (D) Any comments regarding delayed pay-
18 ments made by medical providers.

19 (E) A description of the best practices that
20 the Chief Business Office can carry out to pro-
21 vide timely payment of a proper invoice, includ-
22 ing a plan to improve such timely payments.

23 (c) QUARTERLY REPORTS ON PENDING CLAIMS.—
24 During the five-year period beginning on the date of the
25 enactment of this Act, the Chief Business Office of the

1 Department of Veterans Affairs shall submit to Congress
2 quarterly reports on the number of pending claims for re-
3 imbursement for emergency hospital care, medical serv-
4 ices, and other emergency health care furnished through
5 non-Department of Veterans Affairs providers. Each such
6 report shall include each of the following:

7 (1) The total number of such pending claims
8 for each hospital system of the Department, as of
9 the last day of the quarter covered by the report.

10 (2) The total number of veterans who sub-
11 mitted such a pending claim in each State, as of
12 such day.

13 (3) The aggregate amount of all such pending
14 claims in each State, as of such day.

15 (4) As of such day—

16 (A) the number of such pending claims
17 that have been pending for 30 days or longer;

18 (B) the number of such pending claims
19 that have been pending for 90 days or longer;
20 and

21 (C) the number of such pending claims
22 that have been pending for 365 days or longer.

23 (5) For each hospital system, for the quarter
24 covered by the report—

1 (A) the number of claims for reimburse-
2 ment for emergency hospital care, medical serv-
3 ices, and other emergency health care furnished
4 through non-Department of Veterans Affairs
5 providers approved during such quarter;

6 (B) the number of such claims denied dur-
7 ing such quarter; and

8 (C) the number of such claims denied list-
9 ed by each denial reason group.

10 (d) COMPTROLLER GENERAL STUDY.—

11 (1) IN GENERAL.—The Comptroller General of
12 the United States shall conduct a study that evalu-
13 ates the effectiveness of the Chief Business Office in
14 providing timely payment of a proper invoice for
15 emergency hospital care, medical services, or other
16 emergency health care furnished through non-De-
17 partment of Veterans Affairs providers by the re-
18 quired payment date.

19 (2) SUBMITTAL.—The Comptroller General
20 shall submit to Congress a report on the study con-
21 ducted under paragraph (1), including the total
22 amount of interest penalties paid by the Secretary of
23 Veterans Affairs under section 3902 of title 31,
24 United States Code, by reason of a delayed payment.

25 (e) DEFINITIONS.—In this section:

1 (1) The term “delayed payment” means a prop-
2 er invoice that is not paid by the Secretary of Vet-
3 erans Affairs until after the required payment date.

4 (2) The term “proper invoice” has the meaning
5 given that term in section 3901(a) of title 31,
6 United States Code.

7 (3) The term “required payment date” means
8 the date that payment is due for a contract pursu-
9 ant to section 3903(a) of title 31, United States
10 Code.

11 **SEC. 105. DEPARTMENT OF VETERANS AFFAIRS PILOT PRO-**
12 **GRAM ON DOG TRAINING THERAPY.**

13 (a) IN GENERAL.—Commencing not later than 120
14 days after the date of the enactment of the Act, the Sec-
15 retary of Veterans Affairs shall carry out a pilot program
16 under which the Secretary shall enter into a contract with
17 one or more appropriate non-government entities for the
18 purpose of assessing the effectiveness of addressing post-
19 deployment mental health and post-traumatic stress dis-
20 order symptoms through a therapeutic medium of training
21 service dogs for veterans with disabilities.

22 (b) DURATION OF PILOT PROGRAM.—The pilot pro-
23 gram required by subsection (a) shall be carried out dur-
24 ing the five-year period beginning on the date of the com-
25 mencement of the pilot program.

1 (c) LOCATIONS OF PILOT PROGRAM.—In entering
2 into contracts for purposes of the pilot program, the Sec-
3 retary shall seek to enter into contracts with appropriate
4 non-government entities located in close proximity to at
5 least three but not more than five medical centers of the
6 Department.

7 (d) APPROPRIATE NON-GOVERNMENT ENTITIES.—
8 For purposes of the pilot program, an appropriate non-
9 government entity is an entity that is certified in the train-
10 ing and handling of service dogs and that has a training
11 area that would be appropriate for use in educating vet-
12 erans with mental health conditions in the art and science
13 of service dog training and handling. Such training area
14 shall—

15 (1) include a dedicated space that is suitable
16 for grooming and training dogs indoors;

17 (2) be wheelchair accessible;

18 (3) include classroom or lecture space;

19 (4) include office space for staff;

20 (5) include a suitable space for storing training
21 equipment;

22 (6) provide for periodic use of other training
23 areas for training the dogs with wheelchairs and
24 conducting other exercises;

1 (7) include outdoor exercise and toileting space
2 for dogs; and

3 (8) provide transportation for weekly field trips
4 to train dogs in other environments.

5 (e) DESIGN OF PILOT PROGRAM.—Each contract en-
6 tered into under subsection (a) shall provide that the non-
7 government entity shall—

8 (1) ensure that veterans participating in the
9 program receive training from certified service dog
10 training instructors;

11 (2) ensure that in selecting assistance dogs for
12 use in the program, dogs residing in animal shelters
13 or foster homes are looked at as an option, if appro-
14 priate, and ensure that all dogs used in the program
15 have adequate temperament and health clearances;

16 (3) ensure that each service dog in training
17 participating in the pilot program is taught all es-
18 sential commands pertaining to service dog skills;

19 (4) ensure that each service dog in training
20 lives at the pilot program site or a volunteer foster
21 home in the vicinity of such site while receiving
22 training;

23 (5) ensure that the pilot program involves both
24 lecture of service dog training methodologies and

1 practical hands-on training and grooming of service
2 dogs; and

3 (6) ensure that the pilot program is designed
4 to—

5 (A) maximize the therapeutic benefits to
6 veterans participating in the program; and

7 (B) provide well-trained service dogs to
8 veterans with disabilities; and

9 (7) in hiring service dog training instructors to
10 carry out training under the pilot program, give a
11 preference to veterans who have successfully grad-
12 uated from post-traumatic stress disorder or other
13 residential treatment programs and who have re-
14 ceived adequate certification in service dog training.

15 (f) ADMINISTRATION.—In order to carry out the pilot
16 program under section (a), the Secretary of Veterans Af-
17 fairs shall—

18 (1) administer the program through the Recre-
19 ation Therapy Service of the Department of Vet-
20 erans Affairs under the direction of a certified rec-
21 reational therapist with sufficient administrative ex-
22 perience to oversee the pilot program; and

23 (2) establish a director of service dog training
24 with a background working in social services, experi-
25 ence in teaching others to train service dogs in a vo-

1 cational setting, and at least one year of experience
2 working with veterans or active duty service mem-
3 bers with post-traumatic stress disorder in a clinical
4 setting.

5 (g) VETERAN ELIGIBILITY.—The Secretary shall se-
6 lect veterans for participation in the pilot program. A vet-
7 eran with post-traumatic stress disorder or other post-de-
8 ployment mental health condition may volunteer to partici-
9 pate in the pilot program, if the Secretary determines that
10 there are adequate program resources available for such
11 veteran at the pilot program site. Veterans may partici-
12 pate in the pilot program in conjunction with the com-
13 pensated work therapy program of the Department of Vet-
14 erans Affairs.

15 (h) COLLECTION OF DATA.—The Secretary shall col-
16 lect data on the pilot program required under subsection
17 (a) to determine how effective the program is for the vet-
18 erans participating in the program. Such data shall in-
19 clude data to determine how effectively the program as-
20 sists veterans in—

21 (1) reducing stigma associated with post-trau-
22 matic stress disorder or other post-deployment men-
23 tal health condition;

24 (2) improving emotional regulation;

25 (3) improving patience;

1 (4) instilling or re-establishing a sense of pur-
2 pose;

3 (5) providing an opportunity to help fellow vet-
4 erans;

5 (6) reintegrating into the community;

6 (7) exposing the dog to new environments and
7 in doing so, helping the veteran reduce social isola-
8 tion and withdrawal;

9 (8) building relationship skills, including par-
10 enting skills;

11 (9) relaxing the hyper-vigilant survival state;

12 (10) improving sleep patterns; and

13 (11) enabling veterans to decrease the use of
14 pain medication.

15 (i) REPORTS TO CONGRESS.—Not later than one year
16 after the date of the commencement of the pilot program
17 under subsection (a), and each year thereafter for the du-
18 ration of the pilot program, the Secretary shall submit to
19 Congress a report on the pilot program. Each such report
20 shall include—

21 (1) the number of veterans participating in the
22 pilot program;

23 (2) a description of the services carried out
24 under the pilot program;

1 (3) the effects that participating in the pilot
2 program has on the following—

3 (A) symptoms of post-traumatic stress dis-
4 order and post-deployment adjustment difficul-
5 ties, including depression, maintenance of sobri-
6 ety, suicidal ideations, and homelessness;

7 (B) potentially relevant physiological mark-
8 ers that possibly relate to the interactions with
9 the service dogs;

10 (C) family dynamics;

11 (D) insomnia and pain management; and

12 (E) overall well-being; and

13 (4) the recommendations of the Secretary with
14 respect to the extension or expansion of the pilot
15 program.

16 (j) DEFINITION.—For the purposes of this section,
17 the term “service dog training instructor” means an in-
18 structor who provides the direct training of veterans with
19 post-traumatic stress disorder and other post-deployment
20 issues in the art and science of service dog training and
21 handling.

1 **TITLE II—VETERANS ECONOMIC**
2 **OPPORTUNITY AND TRANSI-**
3 **TION ADMINISTRATION**

4 **SEC. 201. ESTABLISHMENT OF VETERANS ECONOMIC OP-**
5 **PORTUNITY AND TRANSITION ADMINISTRA-**
6 **TION.**

7 (a) VETERANS ECONOMIC OPPORTUNITY AND TRAN-
8 SITION ADMINISTRATION.—

9 (1) IN GENERAL.—Part V of title 38, United
10 States Code, is amended by adding at the end the
11 following new chapter:

12 **“CHAPTER 80—VETERANS ECONOMIC OP-**
13 **PORTUNITY AND TRANSITION ADMIN-**
14 **ISTRATION**

“8001. Organization of Administration.

“8002. Functions of Administration.

15 **“§ 8001. Organization of Administration**

16 “(a) VETERANS ECONOMIC OPPORTUNITY AND
17 TRANSITION ADMINISTRATION.—There is in the Depart-
18 ment of Veterans Affairs a Veterans Economic Oppor-
19 tunity and Transition Administration. The primary func-
20 tion of the Veterans Economic Opportunity and Transi-
21 tion Administration is the administration of the programs
22 of the Department that provide assistance related to eco-
23 nomic opportunity to veterans and their dependents and
24 survivors.

1 “(b) UNDER SECRETARY FOR ECONOMIC OPPOR-
2 TUNITY AND TRANSITION.—The Veterans Economic Op-
3 portunity and Transition Administration is under the
4 Under Secretary for Veterans Economic Opportunity and
5 Transition, who is directly responsible to the Secretary for
6 the operations of the Administration.

7 “(c) DEPUTY UNDER SECRETARIES.—The Veterans
8 Economic Opportunity and Transition Administration
9 shall have two Deputy Under Secretaries as follows:

10 “(1) The Deputy Under Secretary for Readjust-
11 ment, who shall be the principal assistant of the
12 Under Secretary for Veterans Economic Opportunity
13 and Transition with respect to the programs speci-
14 fied in paragraphs (1) through (4) of section 8002
15 of this title.

16 “(2) The Deputy Under Secretary for Employ-
17 ment, Training, and Transition, who shall be the
18 principal assistant of the Under Secretary for Vet-
19 erans Economic Opportunity and Transition with re-
20 spect to the programs specified in paragraphs (5)
21 through (9) of section 8002 of this title.

22 **“§ 8002. Functions of Administration**

23 ““The Veterans Economic Opportunity and Transition
24 Administration is responsible for the administration of the
25 following programs of the Department:

1 “(1) Vocational rehabilitation and employment
2 programs.

3 “(2) Educational assistance programs.

4 “(3) Veterans’ housing loan and related pro-
5 grams.

6 “(4) The verification of small businesses owned
7 and controlled by veterans pursuant to subsection (f)
8 of section 8127 of this title, including the adminis-
9 tration of the database of veteran-owned businesses
10 described in such subsection.

11 “(5) Job counseling, training, and placement
12 services for veterans under chapter 41 of this title.

13 “(6) Employment and training of veterans
14 under chapter 42 of this title.

15 “(7) Administration of employment and employ-
16 ment rights of members of the uniformed services
17 under chapter 43 of this title.

18 “(8) Homeless veterans reintegration programs
19 under chapter 20 of this title.

20 “(9) The Transition Assistance Program under
21 section 1144 of title 10.

22 “(10) Any other program of the Department
23 that the Secretary determines appropriate.”.

24 (2) CLERICAL AMENDMENTS.—The tables of
25 chapters at the beginning of title 38, United States

1 Code, and of part V of title 38, United States Code,
2 are each amended by inserting after the item relat-
3 ing to chapter 79 the following new item:

**“80. Veterans Economic Opportunity and Transition Ad-
ministration 8001”.**

4 (b) EFFECTIVE DATE.—Chapter 80 of title 38,
5 United States Code, as added by subsection (a) shall take
6 effect on October 1, 2016.

7 (c) FULL-TIME EMPLOYEES.—For fiscal years 2017
8 and 2018, the total number of full-time equivalent employ-
9 ees authorized for the Veterans Benefits Administration
10 and the Veterans Economic Opportunity and Transition
11 Administration, as established under chapter 80 of title
12 38, United States Code, as added by subsection (a), may
13 not exceed 22,118.

14 (d) HOMELESS VETERANS REINTEGRATION PRO-
15 GRAMS.—Nothing in section 8002 of title 38, United
16 States Code, as added by subsection (a), or in any other
17 amendment made by this title, shall affect the provision
18 of funds to grant recipients under section 2021 or 2021A
19 of title 38, United States Code.

20 **SEC. 202. UNDER SECRETARY FOR VETERANS ECONOMIC**
21 **OPPORTUNITY AND TRANSITION.**

22 (a) UNDER SECRETARY.—

1 (1) IN GENERAL.—Chapter 3 of title 38, United
2 States Code, is amended by inserting after section
3 306 the following new section:

4 **“§ 306A. Under Secretary for Veterans Economic Op-**
5 **portunity and Transition**

6 “(a) UNDER SECRETARY.—There is in the Depart-
7 ment an Under Secretary for Veterans Economic Oppor-
8 tunity and Transition, who is appointed by the President,
9 by and with the advice and consent of the Senate. The
10 Under Secretary for Veterans Economic Opportunity and
11 Transition shall be appointed without regard to political
12 affiliation or activity and solely on the basis of dem-
13 onstrated ability in—

14 “(1) information technology; and

15 “(2) the administration of programs within the
16 Veterans Economic Opportunity and Transition Ad-
17 ministration or programs of similar content and
18 scope.

19 “(b) RESPONSIBILITIES.—The Under Secretary for
20 Veterans Economic Opportunity and Transition is the
21 head of, and is directly responsible to the Secretary for
22 the operations of, the Veterans Economic Opportunity and
23 Transition Administration.

24 “(c) VACANCIES.—(1) Whenever a vacancy in the po-
25 sition of Under Secretary for Veterans Economic Oppor-

1 tunity and Transition occurs or is anticipated, the Sec-
2 retary shall establish a commission to recommend individ-
3 uals to the President for appointment to the position.

4 “(2) A commission established under this subsection
5 shall be composed of the following members appointed by
6 the Secretary:

7 “(A) Three persons representing education and
8 training, vocational rehabilitation, employment, real
9 estate, mortgage finance and related industries, and
10 survivor benefits activities affected by the Veterans
11 Economic Opportunity and Transition Administra-
12 tion.

13 “(B) Two persons representing veterans served
14 by the Veterans Economic Opportunity and Transi-
15 tion Administration.

16 “(C) Two persons who have experience in the
17 management of private sector benefits programs of
18 similar content and scope to the economic oppor-
19 tunity and transition programs of the Department.

20 “(D) The Deputy Secretary of Veterans Affairs.

21 “(E) The chairman of the Veterans’ Advisory
22 Committee on Education formed under section 3692
23 of this title.

24 “(F) One person who has held the position of
25 Under Secretary for Veterans Economic Opportunity

1 and Transition, if the Secretary determines that it
2 is desirable for such person to be a member of the
3 commission.

4 “(3) A commission established under this subsection
5 shall recommend at least three individuals for appoint-
6 ment to the position of Under Secretary for Veterans Eco-
7 nomic Opportunity and Transition. The commission shall
8 submit all recommendations to the Secretary. The Sec-
9 retary shall forward the recommendations to the President
10 and the Committees on Veterans’ Affairs of the Senate
11 and House of Representatives with any comments the Sec-
12 retary considers appropriate. Thereafter, the President
13 may request the commission to recommend additional in-
14 dividuals for appointment.

15 “(4) The Assistant Secretary or Deputy Assistant
16 Secretary of Veterans Affairs who performs personnel
17 management and labor relations functions shall serve as
18 the executive secretary of a commission established under
19 this subsection.

20 “(d) QUALIFICATIONS OF RECOMMENDED INDIVID-
21 UALS.—Each individual recommended to the President by
22 the commission for appointment to the position of Under
23 Secretary for Veterans Economic Opportunity and Transi-
24 tion shall be an individual who has held a senior level posi-

1 tion in the private sector with responsibilities relating to
2 at least one of the following:

3 “(1) Education policy.

4 “(2) Vocational rehabilitation.

5 “(3) Employment.

6 “(4) Job placement.

7 “(5) Home loan finance.

8 “(6) Small business development.”.

9 (2) CLERICAL AMENDMENT.—The table of sec-
10 tions at the beginning of such chapter is amended
11 by inserting after the item relating to section 306
12 the following new item:

“306A. Under Secretary for Veterans Economic Opportunity and Transition.”.

13 (b) CONFORMING AMENDMENTS.—Title 38, United
14 States Code, is further amended—

15 (1) in section 306(c)(2), by striking subpara-
16 graphs (A) and (E) and redesignating subpara-
17 graphs (B), (C), (D), and (F), as subparagraphs (A)
18 through (D), respectively;

19 (2) in section 317(d), by inserting after “Under
20 Secretary for Benefits,” the following: “the Under
21 Secretary for Veterans Economic Opportunity and
22 Transition,”;

23 (3) in section 318(d)(2), by inserting after
24 “Under Secretary for Benefits,” the following: “the

1 Under Secretary for Veterans Economic Opportunity
2 and Transition,”;

3 (4) in section 516(e)(2)(C), by striking “Health
4 and the Under Secretary for Benefits” and inserting
5 “Health, the Under Secretary for Benefits, and the
6 Under Secretary for Veterans Economic Opportunity
7 and Transition”;

8 (5) in section 541(a)(2)(B), by striking “Health
9 and the Under Secretary for Benefits” and inserting
10 “Health, the Under Secretary for Benefits, and the
11 Under Secretary for Veterans Economic Opportunity
12 and Transition”;

13 (6) in section 542(a)(2)(B)(iii), by striking
14 “Health and the Under Secretary for Benefits” and
15 inserting “Health, the Under Secretary for Benefits,
16 and the Under Secretary for Veterans Economic Op-
17 portunity and Transition”;

18 (7) in section 544(a)(2)(B)(vi), by striking
19 “Health and the Under Secretary for Benefits” and
20 inserting “Health, the Under Secretary for Benefits,
21 and the Under Secretary for Veterans Economic Op-
22 portunity and Transition”;

23 (8) in section 709(c)(2)(A), by inserting after
24 “Under Secretary for Benefits,” the following: “the

1 Under Secretary for Veterans Economic Opportunity
2 and Transition,”;

3 (9) in section 7701(a), by inserting after “as-
4 sistance” the following: “, other than assistance re-
5 lated to Economic Opportunity and Transition,”;
6 and

7 (10) in section 7703, by striking paragraphs (2)
8 and (3) and redesignating paragraphs (4) and (5) as
9 paragraphs (2) and (3), respectively.

10 (c) EFFECTIVE DATE.—Section 306A of title 38,
11 United States Code, as added by subsection (a), and the
12 amendments made by this section, shall take effect on Oc-
13 tober 1, 2016.

14 **SEC. 203. TRANSFER OF DEPARTMENT OF LABOR VET-**
15 **ERANS PROGRAMS TO DEPARTMENT OF VET-**
16 **ERANS AFFAIRS.**

17 (a) TRANSFER OF FUNCTIONS.—

18 (1) IN GENERAL.—Effective October 1, 2016,
19 there shall be transferred to the Secretary of Vet-
20 erans Affairs all functions performed under the fol-
21 lowing programs of the Department of Labor, and
22 all personnel, assets, and liabilities pertaining to
23 such programs, immediately before such transfer oc-
24 curs:

1 (A) Job counseling, training, and place-
2 ment services for veterans under chapter 41 of
3 title 38, United States Code.

4 (B) Employment and training of veterans
5 under chapter 42 of such title.

6 (C) Administration of employment and em-
7 ployment rights of members of the uniformed
8 services under chapter 43 of such title.

9 (D) Homeless veterans reintegration pro-
10 grams under chapter 20 of such title.

11 (2) ORGANIZATION.—The programs, and the
12 personnel, assets, and liabilities pertaining to such
13 programs, transferred to the Secretary under para-
14 graph (1) shall be administered as part of the Vet-
15 erans Economic Opportunity and Transition Admin-
16 istration established by section 8001 of title 38,
17 United States Code, as added by section 201.

18 (b) BUDGET REQUEST.—Under section 1105 of title
19 31, United States Code, the President shall include in the
20 President's budget request for the Department of Vet-
21 erans Affairs for fiscal year 2017, and for each subsequent
22 fiscal year, funding requested for the functions referred
23 to in subsection (a)(1).

24 (c) REFERENCES.—Any reference in any other Fed-
25 eral law, Executive order, rule, regulation, or delegation

1 of authority, or any document of or pertaining to a depart-
2 ment or office from which a function is transferred by this
3 section—

4 (1) to the head of such department or office is
5 deemed to refer to the head of the department or of-
6 fice to which such function is transferred; or

7 (2) to such department or office is deemed to
8 refer to the department or office to which such func-
9 tion is transferred.

10 (d) EXERCISE OF AUTHORITIES.—Except as other-
11 wise provided by law, a Federal official to whom a function
12 is transferred by this section may, for purposes of per-
13 forming the function, exercise all authorities under any
14 other provision of law that were available with respect to
15 the performance of that function to the official responsible
16 for the performance of the function immediately before the
17 effective date of the transfer of the function under this
18 section.

19 (e) SAVINGS PROVISIONS.—

20 (1) LEGAL DOCUMENTS.—All orders, deter-
21 minations, rules, regulations, permits, grants, loans,
22 contracts, agreements, certificates, licenses, and
23 privileges—

24 (A) that have been issued, made, granted,
25 or allowed to become effective by the President,

1 the Secretary of Labor, the Secretary of Vet-
2 erans Affairs, any officer or employee of any of-
3 fice transferred by this section, or any other
4 Government official, or by a court of competent
5 jurisdiction, in the performance of any function
6 that is transferred by this section, and

7 (B) that are in effect on the effective date
8 of such transfer (or become effective after such
9 date pursuant to their terms as in effect on
10 such effective date),

11 shall continue in effect according to their terms until
12 modified, terminated, superseded, set aside, or re-
13 voked in accordance with law by the President, any
14 other authorized official, a court of competent juris-
15 diction, or operation of law.

16 (2) PROCEEDINGS.—This section shall not af-
17 fect any proceedings or any application for any bene-
18 fits, service, license, permit, certificate, or financial
19 assistance pending on the date of the enactment of
20 this section before an office transferred by this sec-
21 tion, but such proceedings and applications shall be
22 continued. Orders shall be issued in such pro-
23 ceedings, appeals shall be taken therefrom, and pay-
24 ments shall be made pursuant to such orders, as if
25 this section had not been enacted, and orders issued

1 in any such proceeding shall continue in effect until
2 modified, terminated, superseded, or revoked by a
3 duly authorized official, by a court of competent ju-
4 risdiction, or by operation of law. Nothing in this
5 subsection shall be considered to prohibit the dis-
6 continuance or modification of any such proceeding
7 under the same terms and conditions and to the
8 same extent that such proceeding could have been
9 discontinued or modified if this section had not been
10 enacted.

11 (3) SUITS.—This section shall not affect suits
12 commenced before the date of the enactment of this
13 section, and in all such suits, proceeding shall be
14 had, appeals taken, and judgments rendered in the
15 same manner and with the same effect as if this sec-
16 tion had not been enacted.

17 (4) NONABATEMENT OF ACTIONS.—No suit, ac-
18 tion, or other proceeding commenced by or against
19 the Department of Labor or the Secretary of Labor,
20 or by or against any individual in the official capac-
21 ity of such individual as an officer or employee of an
22 office transferred by this section, shall abate by rea-
23 son of the enactment of this section.

24 (5) CONTINUANCE OF SUITS.—If any Govern-
25 ment officer in the official capacity of such officer

1 is party to a suit with respect to a function of the
2 officer, and under this section such function is
3 transferred to any other officer or office, then such
4 suit shall be continued with the other officer or the
5 head of such other office, as applicable, substituted
6 or added as a party.

7 (6) ADMINISTRATIVE PROCEDURE AND JUDI-
8 CIAL REVIEW.—Except as otherwise provided by this
9 section, any statutory requirements relating to no-
10 tice, hearings, action upon the record, or administra-
11 tive or judicial review that apply to any function
12 transferred by this section shall apply to the exercise
13 of such function by the head of the Federal agency,
14 and other officers of the agency, to which such func-
15 tion is transferred by this section.

16 (f) TRANSFER OF ASSETS.—Except as otherwise pro-
17 vided in this section, so much of the personnel, property,
18 records, and unexpended balances of appropriations, allo-
19 cations, and other funds employed, used, held, available,
20 or to be made available in connection with a function
21 transferred to an official or agency by this section shall
22 be available to the official or the head of that agency, re-
23 spectively, at such time or times as the Director of the
24 Office of Management and Budget directs for use in con-
25 nection with the functions transferred.

1 (g) DELEGATION AND ASSIGNMENT.—Except as oth-
2 erwise expressly prohibited by law or otherwise provided
3 in this section, an official to whom functions are trans-
4 ferred under this section (including the head of any office
5 to which functions are transferred under this section) may
6 delegate any of the functions so transferred to such offi-
7 cers and employees of the office of the official as the offi-
8 cial may designate, and may authorize successive redelega-
9 tions of such functions as may be necessary or appro-
10 priate. No delegation of functions under this section or
11 under any other provision of this section shall relieve the
12 official to whom a function is transferred under this sec-
13 tion of responsibility for the administration of the func-
14 tion.

15 (h) AUTHORITY OF DIRECTOR OF THE OFFICE OF
16 MANAGEMENT AND BUDGET WITH RESPECT TO FUNC-
17 TIONS TRANSFERRED.—

18 (1) DETERMINATIONS.—If necessary, the Di-
19 rector of Management and Budget shall make any
20 determination of the functions that are transferred
21 under this section.

22 (2) INCIDENTAL TRANSFERS.—The Director, at
23 such time or times as the Director shall provide,
24 may make such determinations as may be necessary
25 with regard to the functions transferred by this sec-

1 tion, and to make such additional incidental disposi-
2 tions of personnel, assets, liabilities, grants, con-
3 tracts, property, records, and unexpended balances
4 of appropriations, authorizations, allocations, and
5 other funds held, used, arising from, available to, or
6 to be made available in connection with such func-
7 tions, as may be necessary to carry out the provi-
8 sions of this section. The Director shall provide for
9 the termination of the affairs of all entities termi-
10 nated by this section and for such further measures
11 and dispositions as may be necessary to effectuate
12 the purposes of this section.

13 (i) CERTAIN VESTING OF FUNCTIONS CONSIDERED
14 TRANSFERS.—For purposes of this section, the vesting of
15 a function in a department or office pursuant to reestab-
16 lishment of an office shall be considered to be the transfer
17 of the function.

18 (j) AVAILABILITY OF EXISTING FUNDS.—Existing
19 appropriations and funds available for the performance of
20 functions, programs, and activities terminated pursuant to
21 this section shall remain available, for the duration of
22 their period of availability, for necessary expenses in con-
23 nection with the termination and resolution of such func-
24 tions, programs, and activities.

1 (k) MEMORANDUM OF UNDERSTANDING.—Not later
2 than 180 days after the date of the enactment of this Act,
3 the Secretary of Veterans Affairs and the Secretary of
4 Labor shall—

5 (1) enter into a memorandum of understanding
6 to carry out this section, which shall include—

7 (A) a description of how the Department
8 of Veterans Affairs will coordinate with the
9 Employment and Training Agency at the De-
10 partment of Labor to ensure coordination and
11 avoid duplication among activities authorized
12 the Workforce Innovation and Opportunity Act
13 (Public Law 113–128) and the activities re-
14 ferred to in paragraph (1)(A) through (D); and

15 (B) a description of how the Department
16 of Veterans Affairs will share the performance
17 accountability measures required under sub-
18 section (l)(1) with the Employment and Train-
19 ing Agency of the Department of Labor; and

20 (2) jointly submit to the Committees on Vet-
21 erans' Affairs and the Committee on Education and
22 the Workforce of the House of Representatives and
23 the Committee on Veterans' Affairs and the Com-
24 mittee on Health, Education, Labor, and Pensions
25 of the Senate a copy of such memorandum.

1 (l) COORDINATION WITH REQUIREMENTS UNDER
2 WIOA.—

3 (1) PERFORMANCE ACCOUNTABILITY.—The
4 Secretary of Veterans Affairs shall establish per-
5 formance accountability measures for the activities
6 carried out pursuant to the programs referred to in
7 paragraph (1)(A) through (D), which shall meet or
8 exceed the requirements of section 116(b) of the
9 Workforce Innovation and Opportunity Act (Public
10 Law 113–128; 29 U.S.C. 3141).

11 (2) STATE PLANS.—The Secretary shall ensure
12 that each State develops and submits to the Sec-
13 retary a combined State plan that meets or exceeds
14 the requirements under section 103 of the Workforce
15 Innovation and Opportunity Act (Public Law 113–
16 128; 29 U.S.C. 3113) for activities authorized under
17 chapter 41 of title 38, United States Code.

18 (m) DEFINITIONS.—For purposes of this section—

19 (1) the term “function” includes any duty, obli-
20 gation, power, authority, responsibility, right, privi-
21 lege, activity, or program; and

22 (2) the term “office” includes any office, ad-
23 ministration, agency, bureau, institute, council, unit,
24 organizational entity, or component thereof.

1 **SEC. 204. DEPUTY UNDER SECRETARY OF VETERANS AF-**
2 **FAIRS FOR VETERANS' EMPLOYMENT, TRAIN-**
3 **ING, AND TRANSITION.**

4 (a) IN GENERAL.—Subsection (a) of section 4102A
5 of title 38, United States Code, is amended to read as
6 follows:

7 “(a) DEPUTY UNDER SECRETARY FOR VETERANS’
8 EMPLOYMENT, TRAINING, AND TRANSITION.—(1) The
9 Deputy Under Secretary for Employment, Training, and
10 Transition established by subsection (c)(2) of section 8001
11 of this title shall formulate and implement all depart-
12 mental policies and procedures to carry out this chapter
13 and the other programs described in such subsection.

14 “(2) The employees of the Department administering
15 chapter 43 of this title shall be administratively and func-
16 tionally responsible to the Deputy Under Secretary for
17 Employment, Training, and Transition.”.

18 (b) CLERICAL AMENDMENTS.—Chapter 41 of title
19 38, United States Code, is amended as follows:

20 (1) The section heading of section 4102A of
21 such title is amended to read as follows:

1 **“§ 4102A. Deputy Under Secretary for Veterans’ Em-**
2 **ployment, Training, and Transition; pro-**
3 **gram functions; Regional Administra-**
4 **tors”.**

5 (2) The item relating to such section in the
6 table of sections at the beginning of such chapter is
7 amended to read as follows:

“4102A. Deputy Under Secretary for Veterans’ Employment and Training; pro-
gram functions; Regional Administrators.”.

8 (c) EFFECTIVE DATE.—The amendments made by
9 this section shall take effect on October 1, 2016.

10 **SEC. 205. ADDITIONAL TECHNICAL AND CONFORMING**
11 **AMENDMENTS.**

12 (a) CHAPTER 41.—Chapter 41 of title 38, United
13 States Code, as amended by this title, is further amended
14 as follows:

15 (1) By striking “Assistant Secretary of Labor
16 for Veterans’ Employment and Training” each place
17 it appears and inserting “Deputy Under Secretary
18 for Employment, Training, and Transition”.

19 (2) By striking “Department of Labor” each
20 place it appears and inserting “Department”.

21 (3) By striking “Secretary of Labor” each place
22 it appears and inserting “Secretary”.

23 (4) In section 4101, by striking paragraph (8).

24 (5) In section 4102A(b)—

1 (A) in paragraph (1), by striking “such
2 Assistant Secretary” and inserting “such Dep-
3 uty Under Secretary”; and

4 (B) in paragraph (3), by striking “and
5 consulting with the Secretary of Veterans Af-
6 fairs”.

7 (6) In section 4105(b), by striking “and the
8 Secretary of Veterans Affairs” both places it ap-
9 pears.

10 (7) By striking section 4108.

11 (8) In the table of sections at the beginning of
12 such chapter, by striking the item relating to section
13 4108.

14 (9) In section 4110(d), by striking paragraph
15 (1) and redesignating paragraphs (2) through (6) as
16 paragraphs (1) through (5), respectively.

17 (10) In section 4110A(b), by striking “Con-
18 gress” and inserting “the Committees on Veterans’
19 Affairs of the Senate and House of Representa-
20 tives”.

21 (11) In section 4114—

22 (A) by striking “Assistant Secretary for
23 Veterans’ Employment and Training” each
24 place it appears and inserting “Deputy Under

1 Secretary for Employment, Training, and Tran-
2 sition”; and

3 (B) in paragraphs (2) and (3) of sub-
4 section (b) and in subsections (c) and (d), by
5 striking “Assistant Secretary” each place it ap-
6 pears and inserting “Deputy Under Secretary”.

7 (b) CHAPTER 42.—Chapter 42 of title 38, United
8 States Code, is amended as follows:

9 (1) By striking “Secretary of Labor” each place
10 it appears and inserting “Secretary”.

11 (2) By striking “Department of Labor” each
12 place it appears and inserting “Department”.

13 (c) CHAPTER 43.—Chapter 43 of title 38, United
14 States Code, is amended as follows:

15 (1) In section 4303, by striking paragraph (11).

16 (2) By striking “Secretary of Veterans Affairs”
17 each place it appears and inserting “Secretary”.

18 (3) In section 4321, by striking “(through the
19 Veterans’ Employment and Training Service)”.

20 (4) In section 4332(a)(1), by striking “of
21 Labor”.

22 (5) In section 4333, by striking “, the Sec-
23 retary of Defense, and the Secretary of Veterans Af-
24 fairs” and inserting “and the Secretary of Defense”.

1 (d) CHAPTER 20.—Chapter 20 of title 38, United
2 States Code, is amended as follows:

3 (1) In section 2003(a)(4), by striking “of the
4 Department of Labor”.

5 (2) In section 2011(g)(2), by striking “the De-
6 partment of Labor,”.

7 (3) In section 2021—

8 (A) in subsection (c)—

9 (i) by striking the subsection heading
10 and inserting the following:

11 “(c) ADMINISTRATION THROUGH DEPUTY UNDER
12 SECRETARY FOR VETERANS’ EMPLOYMENT, TRAINING,
13 AND TRANSITION.—”; and

14 (ii) by striking “Assistant Secretary
15 of Labor for Veterans’ Employment and
16 Training” and inserting “Deputy Under
17 Secretary for Employment, Training, and
18 Transition”; and

19 (B) by striking “Secretary of Labor” each
20 place it appears and inserting “Secretary”.

21 (4) In section 2021A—

22 (A) in subsection (d)—

23 (i) by striking the subsection heading
24 and inserting the following:

1 “(d) ADMINISTRATION THROUGH DEPUTY UNDER
2 SECRETARY FOR VETERANS’ EMPLOYMENT, TRAINING,
3 AND TRANSITION.—”; and

4 (ii) by striking “Assistant Secretary
5 of Labor for Veterans’ Employment and
6 Training” and inserting “Deputy Under
7 Secretary for Employment, Training, and
8 Transition”; and

9 (B) by striking “Secretary of Labor” each
10 place it appears and inserting “Secretary”.

11 (5) In section 2023—

12 (A) in subsection (a), by striking “and the
13 Secretary of Labor (hereinafter in this section
14 referred to as the ‘Secretaries’)”; and

15 (B) by striking “Secretaries” each place it
16 appears and inserting “Secretary”.

17 (6) In section 2065(b)(5), by striking subpara-
18 graph (E) and redesignating subparagraphs (F)
19 through (H) as subparagraphs (E) through (G), re-
20 spectively.

21 (7) In section 2066(a)(3), by striking subpara-
22 graph (A) and redesignating subparagraphs (B)
23 through (G) as subparagraphs (A) through (F), re-
24 spectively.

1 (e) OTHER PROVISIONS OF TITLE 38.—Title 38,
2 United States Code, is further amended as follows:

3 (1) In section 542(a)(2)(B), by striking clause
4 (i) and redesignating clauses (ii) and (iii) as clauses
5 (i) and (ii), respectively.

6 (2) In section 544(a)(2)(B), by striking clause
7 (i) and redesignating clauses (ii) through (vi) as
8 clauses (i) through (v), respectively.

9 (3) In section 3118(b), by striking “and the As-
10 sistant Secretary for Veterans’ Employment in the
11 Department of Labor”.

12 (4) In section 3119(c), by striking “Education,
13 the Assistant Secretary for Veterans’ Employment
14 in the Department of Labor,”.

15 (5) In section 3121(a)(3), by striking “the As-
16 sistant Secretary of Labor for Veterans’ Employ-
17 ment and Training of the Department of Labor”
18 and inserting “the Under Secretary for Veterans
19 Economic Opportunity and Transition”.

20 (6) In section 3692(a), by striking “and the As-
21 sistant Secretary of Labor for Veterans’ Employ-
22 ment and Training shall be ex officio members” and
23 inserting “an ex officio member”.

24 (7) In section 6306—

1 (A) in subsection (a), by striking “shall ar-
2 range with the Secretary of Labor for the State
3 employment service to match” and inserting
4 “shall ensure that the State employment service
5 matches”; and

6 (B) in subsection (b), by striking “, in con-
7 sultation with the Secretary of Labor,”.

8 (f) EFFECTIVE DATE.—The amendments made by
9 this section shall take effect on October 1, 2016.

10 **SEC. 206. USE OF FEDERAL DIRECTORY OF NEW HIRES.**

11 Section 453A(h) of the Social Security Act (42
12 U.S.C. 653a(h)) is amended by adding at the end the fol-
13 lowing new paragraph:

14 “(4) SECRETARY OF VETERANS AFFAIRS.—The
15 Secretary of Veterans Affairs shall have access to in-
16 formation reported by employers pursuant to sub-
17 section (b) of this section.”.

1 **TITLE III—EDUCATION ASSIST-**
2 **ANCE AND VOCATIONAL RE-**
3 **HABILITATION**

4 **SECTION 301. MODIFICATION AND IMPROVEMENT OF**
5 **TRANSFER OF UNUSED EDUCATION BENE-**
6 **FITS TO FAMILY MEMBERS UNDER DEPART-**
7 **MENT OF VETERANS AFFAIRS POST-9/11 EDU-**
8 **CATIONAL ASSISTANCE PROGRAM.**

9 (a) **ELIGIBILITY REQUIREMENTS.**—Subsection (b)(1)
10 of section 3319 of title 38, United States Code, is amend-
11 ed—

12 (1) by striking “six years” and inserting “ten
13 years”; and

14 (2) by striking “four more years” and inserting
15 “two more years”.

16 (b) **COMMENCEMENT OF USE.**—Subsection (g)(1)(A)
17 of such section is amended by striking “six years” and
18 inserting “ten years”.

19 (c) **RATE OF PAYMENT.**—Subsection (h)(3)(B) of
20 such section is amended by inserting before the period at
21 the end the following: “, except that the amount of the
22 monthly stipend described in subsection (c)(1)(B) or
23 (g)(3)(A)(ii) of section 3313, as the case may be, shall
24 be payable in an amount equal to 50 percent of the

1 amount of such stipend that would otherwise be payable
2 under this chapter to the individual making the transfer”.

3 (d) CLERICAL AMENDMENT.—Such section is further
4 amended by striking “armed forces” each place it appears
5 and inserting “Armed Forces”.

6 (e) APPLICABILITY.—The amendments made by this
7 section shall apply with respect to an election to transfer
8 entitlement under section 3319 of title 38, United States
9 Code, that is made on or after the date that is 180 days
10 after the date of the enactment of this Act.

11 **SEC. 302. CLARIFICATION OF ELIGIBILITY FOR MARINE**
12 **GUNNERY SERGEANT JOHN DAVID FRY**
13 **SCHOLARSHIP.**

14 (a) IN GENERAL.—Section 701(d) of the Veterans
15 Access, Choice, and Accountability Act of 2014 (Public
16 Law 113–146; 128 Stat. 1796; 38 U.S.C. 3311 note) is
17 amended to read as follows:

18 “(d) APPLICABILITY.—

19 “(1) IN GENERAL.—The amendments made by
20 this section shall apply with respect to a quarter, se-
21 mester, or term, as applicable, commencing on or
22 after January 1, 2015.

23 “(2) DEATHS THAT OCCURRED BETWEEN SEP-
24 TEMBER 11, 2001, AND DECEMBER 31, 2005.—For
25 purposes of section 3311(f)(2) of title 38, United

1 States Code, any member of the Armed Forces who
2 died during the period beginning on September 11,
3 2001, and ending on December 31, 2005, is deemed
4 to have died on January 1, 2006.”.

5 (b) ELECTION ON RECEIPT OF CERTAIN BENE-
6 FITS.—Section 3311(f) of title 38, United States Code,
7 is amended—

8 (1) in paragraph (3), by striking “A surviving
9 spouse” and inserting, “Except as provided in para-
10 graph (4), a surviving spouse”;

11 (2) by redesignating paragraph (4) as para-
12 graph (5); and

13 (3) by inserting after paragraph (3) the fol-
14 lowing new paragraph (4):

15 “(4) EXCEPTION FOR CERTAIN ELECTIONS.—

16 “(A) IN GENERAL.—An election made
17 under paragraph (3) by a spouse described in
18 subparagraph (B) may not be treated as irrev-
19 ovable if such election occurred before the date
20 of the enactment of this paragraph.

21 “(B) ELIGIBLE SURVIVING SPOUSE.—A
22 spouse described in this subparagraph is an in-
23 dividual—

1 “(i) who is entitled to assistance
2 under subsection (a) pursuant to para-
3 graph (9) of subsection (b); and

4 “(ii) who was the spouse of a member
5 of the Armed Forces who died during the
6 period beginning on September 11, 2001,
7 and ending on December 31, 2005.”.

8 (c) **YELLOW RIBBON G.I. EDUCATION ENHANCE-**
9 **MENT PROGRAM.**—Section 3317(a) of such title is amend-
10 ed by striking “paragraphs (1) and (2) of section
11 3311(b)” and inserting “paragraphs (1), (2), and (9) of
12 section 3311(b) of this title”.

13 **SEC. 303. WORK-STUDY ALLOWANCE.**

14 Section 3485(a)(4) of title 38, United States Code,
15 is amended by striking “June 30, 2013” each place it ap-
16 pears and inserting “June 30, 2020”.

17 **SEC. 304. APPROVAL OF COURSES OF EDUCATION AND**
18 **TRAINING FOR PURPOSES OF THE VOCA-**
19 **TIONAL REHABILITATION PROGRAM OF THE**
20 **DEPARTMENT OF VETERANS AFFAIRS.**

21 (a) **IN GENERAL.**—Section 3104(b) of title 38,
22 United States Code, is amended by adding at the end the
23 following new sentence: “To the maximum extent prac-
24 ticable, a course of education or training may be pursued
25 by a veteran as part of a rehabilitation program under

1 this chapter only if the course is approved for purposes
2 of chapter 30 or 33 of this title. The Secretary may waive
3 the requirement under the preceding sentence to the ex-
4 tent the Secretary determines appropriate.”.

5 (b) EFFECTIVE DATE.—The amendment made by
6 subsection (a) shall apply with respect to a course of edu-
7 cation or training pursued by a veteran who first begins
8 a program of rehabilitation under chapter 31 of title 38,
9 United States Code, on or after the date that is one year
10 after the date of the enactment of this Act.

11 **SEC. 305. AUTHORITY TO PRIORITIZE VOCATIONAL REHA-**
12 **BILITATION SERVICES BASED ON NEED.**

13 Section 3104 of title 38, United States Code, as
14 amended by section 304, is further amended by adding
15 at the end the following new subsection:

16 “(d)(1) The Secretary shall have the authority to ad-
17 minister this chapter by prioritizing the provision of serv-
18 ices under this chapter based on need, as determined by
19 the Secretary. In evaluating need for purposes of this sub-
20 section, the Secretary shall consider disability ratings, the
21 severity of employment handicaps, qualification for a pro-
22 gram of independent living, income, and any other factor
23 the Secretary determines appropriate.

24 “(2) Not later than 90 days before making any
25 changes to the prioritization of the provision of services

1 under this chapter as authorized under paragraph (1), the
2 Secretary shall submit to Congress a plan describing such
3 changes.”.

4 **SEC. 306. REDUCTION IN REDUNDANCY AND INEFFICIEN-**
5 **CIES IN VOCATIONAL REHABILITATION**
6 **CLAIMS PROCESSING.**

7 (a) VOCATIONAL REHABILITATION CLAIMS.—The
8 Secretary of Veterans Affairs shall reduce redundancy and
9 inefficiencies in the use of information technology to proc-
10 ess claims for rehabilitation programs under chapter 31
11 of title 38, United States Code, by—

12 (1) ensuring that all payments for and on be-
13 half of veterans participating in a rehabilitation pro-
14 gram under such chapter are only processed and
15 paid out of one corporate information technology
16 system, in order to eliminate the redundancy of mul-
17 tiple information technology payment systems; and

18 (2) enhancing the information technology sys-
19 tem supporting veterans participating in such a pro-
20 gram to support more accurate accounting of serv-
21 ices and outcomes for such veterans.

22 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to the Secretary of Veterans
24 Affairs for fiscal year 2016 \$10,000,000 to carry out this
25 section.

1 (c) REPORT.—Not later than 180 days after the date
2 of the enactment of this Act, the Secretary of Veterans
3 Affairs shall submit to Congress a report on the changes
4 made pursuant to subsection (a).

5 **SEC. 307. VOCATIONAL REHABILITATION AND EDUCATION**
6 **ACTION PLAN.**

7 Not later than 270 days after the date of the enact-
8 ment of this Act, the Secretary of Veterans Affairs shall
9 develop and publish an action plan for improving the serv-
10 ices and assistance provided under chapter 31 of title 38,
11 United States Code. Such plan shall include each of the
12 following:

13 (1) A comprehensive analysis of, and rec-
14 ommendations and a proposed implementation plan
15 for remedying workload management challenges at
16 regional offices of the Department of Veterans Af-
17 fairs, including steps to reduce counselor caseloads
18 of veterans participating in a rehabilitation program
19 under such chapter, particularly for counselors who
20 are assisting veterans with traumatic brain injury
21 and post-traumatic stress disorder and counselors
22 with educational and vocational counseling work-
23 loads.

24 (2) A comprehensive analysis of the reasons for
25 the disproportionately low percentage of veterans

1 with service-connected disabilities who served in the
2 Armed Forces after September 11, 2001, who opt to
3 participate in a rehabilitation program under such
4 chapter relative to the percentage of such veterans
5 who use their entitlement to educational assistance
6 under chapter 33 of title 38, United States Code, in-
7 cluding an analysis of barriers to timely enrollment
8 in rehabilitation programs under chapter 31 of such
9 title and of any barriers to a veteran enrolling in the
10 program of that veteran's choice.

11 (3) Recommendations and a proposed imple-
12 mentation plan for encouraging more veterans with
13 service-connected disabilities who served in the
14 Armed Forces after September 11, 2001, to partici-
15 pate in rehabilitation programs under chapter 31 of
16 such title.

17 (4) A national staff training program for voca-
18 tional rehabilitation counselors of the Department
19 that includes the provision of—

20 (A) training to assist counselors in under-
21 standing the very profound disorientation expe-
22 rienced by warriors whose lives and life-plans
23 have been upended and out of their control be-
24 cause of their injury;

1 (B) training to assist counselors in work-
2 ing in partnership with veterans on individual
3 rehabilitation plans; and

4 (C) training on post-traumatic stress dis-
5 order and other mental health conditions and
6 on moderate to severe traumatic brain injury
7 that is designed to improve the ability of such
8 counselors to assist veterans with these condi-
9 tions, including by providing information on the
10 broad spectrum of such conditions and the ef-
11 fect of such conditions on an individual's abili-
12 ties and functional limitations.

13 **TITLE IV—OTHER MATTERS**

14 **SEC. 401. LONGITUDINAL STUDY OF JOB COUNSELING,** 15 **TRAINING, AND PLACEMENT SERVICE FOR** 16 **VETERANS.**

17 (a) IN GENERAL.—Chapter 41 of title 38, United
18 States Code, is amended by adding at the end the fol-
19 lowing new section:

20 **“§ 4115. Longitudinal study of job counseling, train-** 21 **ing, and placement service for veterans**

22 “(a) STUDY REQUIRED.—(1) The Secretary shall
23 enter into a contract with a non-government entity to con-
24 duct a longitudinal study of a statistically valid sample
25 of each of the groups of individuals described in paragraph

1 (2). The contract shall provide for the study of each such
2 group over a period of at least five years.

3 “(2) The groups of individuals described in this para-
4 graph are the following:

5 “(A) Veterans who have received intensive serv-
6 ices.

7 “(B) Veterans who did not receive intensive
8 services but who otherwise received services under
9 this chapter.

10 “(C) Veterans who did not seek or receive serv-
11 ices under this chapter.

12 “(3) The study required by this subsection shall in-
13 clude the collection of the following information for each
14 individual who participates in the study:

15 “(A) The average number of months such indi-
16 vidual served on active duty.

17 “(B) The distribution of disability ratings of
18 such individual.

19 “(C) Any unemployment benefits received by
20 such individual.

21 “(D) The average number of months such indi-
22 vidual was employed during the year covered by the
23 report.

1 “(E) The average annual starting and ending
2 salaries of any such individual who was employed
3 during the year covered by the report.

4 “(F) The average annual income of such indi-
5 vidual.

6 “(G) The average total household income of
7 such individual for the year covered by the report.

8 “(H) The percentage of such individuals who
9 own their principal residences.

10 “(I) The employment status of such individual.

11 “(J) In the case of such an individual who re-
12 ceived services under this chapter, whether the indi-
13 vidual believes that any service provided by a dis-
14 abled veterans’ outreach specialist or local veterans’
15 employment representative helped the individual to
16 become employed.

17 “(K) In the case of such an individual who be-
18 lieves such a service helped the individual to become
19 employed, whether—

20 “(i) the individual retained the position of
21 employment for a period of one year or longer;
22 and

23 “(ii) the individual believes such a service
24 helped the individual to secure a higher wage or
25 salary.

1 “(L) The conditions under which such indi-
2 vidual was discharged or released from the Armed
3 Forces.

4 “(M) Whether such individual has used any
5 educational assistance to which the individual is en-
6 titled under this title.

7 “(N) Whether such individual has participated
8 in a rehabilitation program under chapter 31 of this
9 title.

10 “(O) Demographic information about such indi-
11 vidual.

12 “(P) Such other information as the Secretary
13 determines appropriate.

14 “(b) ANNUAL REPORTS.—(1) By not later than July
15 1 of each year covered by the study required under sub-
16 section (a), the Secretary shall submit to the Committees
17 on Veterans’ Affairs of the Senate and House of Rep-
18 resentatives a report on the outcomes of the study during
19 the preceding year.

20 “(2) The Secretary shall include in each annual re-
21 port submitted under paragraph (1) any information the
22 Secretary determines is necessary to determine the long-
23 term outcomes of the individuals in the groups described
24 in subsection (a)(2).”.

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

“4115. Longitudinal study of job counseling, training, and placement service for
veterans.”.

4 **SEC. 402. ELIGIBILITY OF VETERANS ENTITLED TO REHA-**
5 **BILITATION PROGRAM FOR ADAPTIVE HOUS-**
6 **ING ASSISTANCE.**

7 (a) ADAPTIVE HOUSING AUTHORIZED.—

8 (1) IN GENERAL.—Chapter 21 of title 38,
9 United States Code is amended by adding at the end
10 the following new section:

11 **“§ 2110. Adaptation of housing: veterans entitled to**
12 **rehabilitation program**

13 “(a) ASSISTANCE AUTHORIZED.—The Secretary may
14 assist a veteran who is entitled to a rehabilitation program
15 under chapter 31 of this title in acquiring such adapta-
16 tions to such veteran’s residence as are determined by the
17 Secretary to be reasonably necessary to accomplish the
18 purposes of such veteran’s rehabilitation program.

19 “(b) AMOUNT OF ASSISTANCE.—(1) The assistance
20 authorized by subsection (a) shall be limited to \$70,465.

21 “(2) The amount under paragraph (1) shall be ad-
22 justed under section 2102(e) of this title.”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
2 tions at the beginning of such chapter is amended
3 by adding at the end the following new item:

“2110. Adaptation of housing: veterans eligible for rehabilitation program.”.

4 (3) REGULATIONS.—The Secretary of Veterans
5 Affairs may provide assistance under section 2110 of
6 title 38, United States Code, as added by paragraph
7 (1), before prescribing final regulations carrying out
8 such section if the Secretary issues notice, proce-
9 dural notice, or administrative notice of the Sec-
10 retary’s decision to provide such assistance that
11 specifies the criteria for the application, approval,
12 and oversight processes the Secretary intends to use
13 in determining how to provide assistance under such
14 section.

15 (b) CONFORMING AMENDMENTS.—Such title is fur-
16 ther amended—

17 (1) in section 2101A—

18 (A) by redesignating subsection (c) as sub-
19 section (d); and

20 (B) by inserting after subsection (b) the
21 following new subsection (c):

22 “(c) EXCEPTION.—This section shall not apply to as-
23 sistance provided under section 2110 of this title.”;

1 (2) in section 2102(e)(1), by inserting after
2 “subsection (d)” the following: “and the amount de-
3 scribed in section 2110(b) of this title”;

4 (3) in section 2106(a), by inserting “section
5 2101 of” before “this chapter”; and

6 (4) in section 3104, by adding at the end the
7 following new subsection:

8 “(c) If the Secretary determines that adaptations to
9 the residence of a veteran entitled to a rehabilitation pro-
10 gram under this chapter are necessary in order to accom-
11 plish the purposes of that rehabilitation program, the Sec-
12 retary may only provide assistance in acquiring such adap-
13 tations under section 2110 of this title.”.

14 **SEC. 403. PROCEDURES FOR PROVISION OF CERTAIN IN-**
15 **FORMATION TO STATE VETERANS AGENCIES**
16 **TO FACILITATE THE FURNISHING OF ASSIST-**
17 **ANCE AND BENEFITS TO VETERANS.**

18 (a) PROCEDURES REQUIRED.—The Secretary of Vet-
19 erans Affairs shall develop procedures to share the infor-
20 mation described in subsection (b) regarding veterans with
21 State veterans agencies in electronic data format as a
22 means of facilitating the furnishing of assistance and ben-
23 efits to veterans.

1 (b) COVERED INFORMATION.—The information
2 shared with State veterans agencies under subsection (a)
3 regarding a veteran shall include the following:

4 (1) Military service and separation data.

5 (2) A personal email address.

6 (3) A personal telephone number.

7 (4) A mailing address.

8 (c) OPT-OUT ELECTION.—A veteran may elect to
9 prevent their information from being shared with State
10 veterans agencies under subsection (a) pursuant to a proc-
11 ess that the Secretary shall establish for purposes of this
12 subsection.

13 (d) USE OF INFORMATION.—The Secretary shall en-
14 sure that the information shared with State veterans agen-
15 cies in accordance with the procedures developed under
16 subsection (a) is only shared by such agencies with county
17 government veterans service offices for such purposes as
18 the Secretary shall specify for the administration and de-
19 livery of assistance and benefits.

20 **SEC. 404. ACCOUNTABILITY OF SECRETARY OF VETERANS**
21 **AFFAIRS TO INSPECTOR GENERAL OF THE**
22 **DEPARTMENT OF VETERANS AFFAIRS.**

23 (a) IN GENERAL.—Chapter 7 of title 38, United
24 States Code, is amended by adding at the end the fol-
25 lowing new section:

1 **“§ 712. Accountability of Secretary to Inspector Gen-**
2 **eral**

3 “(a) SUBMISSION OF REPORTS.—(1) At the same
4 time as the Inspector General of the Department submits
5 to the Secretary a report, the Inspector General shall sub-
6 mit to the Committees on Veterans’ Affairs of the Senate
7 and House of Representatives a copy of such report.

8 “(2) In carrying out paragraph (1), the Inspector
9 General shall include—

10 “(A) with respect to each report submitted, an
11 explanation of any changes to the report rec-
12 ommended by the Secretary during the period in
13 which the Inspector General was preparing the re-
14 port; and

15 “(B) with respect to each covered report, a list
16 of the names of each responsible manager.

17 “(3) The Inspector General may not make public the
18 names of responsible managers submitted under para-
19 graph (2)(B).

20 “(b) PERFORMANCE OF RESPONSIBLE MANAGERS.—
21 (1) The Secretary shall—

22 “(A) promptly notify each responsible manager
23 of a covered issue by not later than seven days after
24 the date on which the Inspector General submits a
25 covered report to the Secretary;

1 “(B) direct such manager to resolve such issue;
2 and

3 “(C) provide such manager with appropriate
4 counseling and a mitigation plan with respect to re-
5 solving such issue.

6 “(2) The Secretary shall ensure that any performance
7 review of a responsible manager includes an evaluation of
8 whether the manager took appropriate actions during the
9 period covered by the review to respond to a covered issue.

10 “(3) The Secretary may not pay to a responsible
11 manager any bonus or award under chapter 45 or 53 of
12 title 5 or any other bonus or award authorized under such
13 title or this title if a covered issue is unresolved.

14 “(c) ROLE OF INSPECTOR GENERAL.—Any authority
15 of the Inspector General provided under this section is in
16 addition to any responsibility or authority provided to the
17 Inspector General in the Inspector General Act of 1978
18 (5 U.S.C. App.).

19 “(d) DEFINITIONS.—In this section:

20 “(1) The term ‘covered issue’ means, with re-
21 spect to a responsible manager, an issue described in
22 a covered report for which the manager is or was re-
23 sponsible.

24 “(2) The term ‘covered report’ means a report
25 by the Inspector General of the Department of Vet-

1 erans Affairs that recommends actions to the Sec-
2 retary of Veterans Affairs (or other official or em-
3 ployee of the Department) to address an issue in the
4 Department with respect to public health or safety.

5 “(3) The term ‘responsible manager’ means an
6 individual who—

7 “(A) is an employee of the Department;

8 “(B) is or was responsible for an issue in-
9 cluded in a covered report; and

10 “(C) in being so responsible, is or was em-
11 ployed in a management position, regardless of
12 whether the employee is in the competitive civil
13 service, Senior Executive Service, or other type
14 of civil service.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 at the beginning of such chapter is amended by inserting
17 after the item relating to section 711 the following new
18 item:

“712. Accountability of Secretary to Inspector General.”.

Amend the title so as to read: “A bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to health care, educational assistance, and vocational rehabilitation, to establish the Veterans Economic Opportunity and Transition Administration, and for other purposes.”.

