Suspend the Rules and Pass the Bill, H.R. 5693, with an Amendment
(The amendment strikes all after the enacting clause and inserts a new text)

115TH CONGRESS
2D SESSION

H. R. 5693

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts and agreements for the placement of veterans in non-Department medical foster homes for certain veterans who are unable to live independently, to establish the Veterans Economic Opportunity and Transition Administration and the Under Secretary for Veterans Economic Opportunity and Transition of the Department of Veterans Affairs, to amend the interest rate for certain loans guaranteed under the home loan program of the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2018

Mr. HIGGINS of Louisiana introduced the following bill; which was referred to the Committee on Veterans’ Affairs

A BILL

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts and agreements for the placement of veterans in non-Department medical foster homes for certain veterans who are unable to live independently, to establish the Veterans Economic Opportunity and Transition Administration and the Under Secretary for Veterans Economic Opportunity and Transition of the Department of Vet-
erans Affairs, to amend the interest rate for certain loans guaranteed under the home loan program of the Department of Veterans Affairs, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Long-Term Care Vet-
erans Choice Act”.

SEC. 2. SECRETARY OF VETERANS AFFAIRS CONTRACT AU-
THORITY FOR PLACEMENT OF VETERANS IN
NON-DEPARTMENT MEDICAL FOSTER HOMES.

(a) AUTHORITY.—Section 1720 of title 38, United
States Code, is amended by adding at the end the fol-
lowing new subsection:

“(h) During the three-year period beginning on
October 1, 2019, and subject to paragraph (2), at the re-
quest of a veteran for whom the Secretary is required to
provide nursing home care under section 1710A of this
title, the Secretary may place the veteran in a medical fos-
ter home that meets Department standards, at the ex-

pense of the United States, pursuant to a contract, agree-
ment, or other arrangement entered into between the Sec-
retary and the medical foster home for such purpose. A
veteran who is placed in a medical foster home under this
subsection shall agree, as a condition of such placement,
to accept home health services furnished by the Secretary under section 1717 of this title.

“(2) In any year, not more than a daily average of 900 veterans placed in a medical foster home, whether placed before or after the date of the enactment of this subsection, may have their care covered at the expense of the United States under subsection (a).

“(3) In this subsection, the term ‘medical foster home’ means a home designed to provide non-institutional, long-term, supportive care for veterans who are unable to live independently and prefer a family setting.”.

(b) EFFECTIVE DATE.—Subsection (h) of title 38, United States Code, as added by subsection (a), shall take effect on October 1, 2019.

SEC. 3. ESTABLISHMENT OF VETERANS ECONOMIC OPPORTUNITY AND TRANSITION ADMINISTRATION.

(a) VETERANS ECONOMIC OPPORTUNITY AND TRANSITION ADMINISTRATION.—

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

“CHAPTER 80—VETERANS ECONOMIC OPPORTUNITY AND TRANSITION ADMINISTRATION

8001. Organization of Administration.
8002. Functions of Administration.
8003. Annual report to Congress.
§ 8001. Organization of Administration

(a) Veterans Economic Opportunity and Transition Administration.—There is in the Department of Veterans Affairs a Veterans Economic Opportunity and Transition Administration. The primary function of the Veterans Economic Opportunity and Transition Administration is the administration of the programs of the Department that provide assistance related to economic opportunity to veterans and their dependents and survivors.

(b) Under Secretary for Economic Opportunity and Transition.—The Veterans Economic Opportunity and Transition Administration is under the Under Secretary for Veterans Economic Opportunity and Transition, who is directly responsible to the Secretary for the operations of the Administration.

§ 8002. Functions of Administration

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

(1) Vocational rehabilitation and employment programs.

(2) Educational assistance programs.

(3) Veterans’ housing loan and related programs.
“(4) The verification of small businesses owned and controlled by veterans pursuant to subsection (f) of section 8127 of this title, including the administration of the database of veteran-owned businesses described in such subsection.

“(5) The Transition Assistance Program under section 1144 of title 10.

“(6) Any other program of the Department that the Secretary determines appropriate.

§ 8003. Annual report to Congress

“The Secretary shall include in the annual report to the Congress required by section 529 of this title a report on the programs administered by the Under Secretary for Veterans Economic Opportunity and Transition. Each such report shall include the following with respect to each such program during the fiscal year covered by that report:

“(1) The number of claims received.

“(2) The number of claims decided.

“(3) The average processing time for a claim.

“(4) The number of successful outcomes (as determined by the Secretary).

“(5) The number of full-time equivalent employees.
“(6) The amounts expended for information technology.”.

(2) CLERICAL AMENDMENTS.—The tables of chapters at the beginning of title 38, United States Code, and of part V of title 38, United States Code, are each amended by inserting after the item relating to chapter 79 the following new item:

“80. Veterans Economic Opportunity and Transition Administration ................................................................. 8001”.

(b) EFFECTIVE DATE.—Chapter 80 of title 38, United States Code, as added by subsection (a), shall take effect on October 1, 2019.

(e) FULL-TIME EMPLOYEES.—For fiscal years 2019 and 2020, the total number of full-time equivalent employees authorized for the Veterans Benefits Administration and the Veterans Economic Opportunity and Transition Administration, as established under chapter 80 of title 38, United States Code, as added by subsection (a), may not exceed 23,692.

SEC. 4. UNDER SECRETARY FOR VETERANS ECONOMIC OPPORTUNITY AND TRANSITION.

(a) UNDER SECRETARY.—

(1) IN GENERAL.—Chapter 3 of title 38, United States Code, is amended by inserting after section 306 the following new section:
§ 306A. Under Secretary for Veterans Economic Opportunity and Transition

(a) UNDER SECRETARY.—There is in the Department an Under Secretary for Veterans Economic Opportunity and Transition, who is appointed by the President, by and with the advice and consent of the Senate. The Under Secretary for Veterans Economic Opportunity and Transition shall be appointed without regard to political affiliation or activity and solely on the basis of demonstrated ability in—

“(1) information technology; and

“(2) the administration of programs within the Veterans Economic Opportunity and Transition Administration or programs of similar content and scope.

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

(c) VACANCIES.—(1) Whenever a vacancy in the position of Under Secretary for Veterans Economic Opportunity and Transition occurs or is anticipated, the Secretary shall establish a commission to recommend individuals to the President for appointment to the position.
“(2) A commission established under this subsection shall be composed of the following members appointed by the Secretary:

“(A) Three persons representing education and training, vocational rehabilitation, employment, real estate, mortgage finance and related industries, and survivor benefits activities affected by the Veterans Economic Opportunity and Transition Administration.

“(B) Two persons representing veterans served by the Veterans Economic Opportunity and Transition Administration.

“(C) Two persons who have experience in the management of private sector benefits programs of similar content and scope to the economic opportunity and transition programs of the Department.

“(D) The Deputy Secretary of Veterans Affairs.

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

“(F) One person who has held the position of Under Secretary for Veterans Economic Opportunity and Transition, if the Secretary determines that it is desirable for such person to be a member of the commission.
“(3) A commission established under this subsection shall recommend at least three individuals for appointment to the position of Under Secretary for Veterans Economic Opportunity and Transition. The commission shall submit all recommendations to the Secretary. The Secretary shall forward the recommendations to the President and the Committees on Veterans’ Affairs of the Senate and House of Representatives with any comments the Secretary considers appropriate. Thereafter, the President may request the commission to recommend additional individuals for appointment.

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

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 306 the following new item:

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

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

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

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

(3) in section 318(d)(2), by inserting after “Under Secretary for Benefits,” the following: “the Under Secretary for Veterans Economic Opportunity and Transition,”;

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

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

(6) in section 542(a)(2)(B)(iii), by striking “Health and the Under Secretary for Benefits” and inserting “Health, the Under Secretary for Benefits, and the Under Secretary for Veterans Economic Opportunity and Transition”;
(7) in section 544(a)(2)(B)(vi), by striking “Health and the Under Secretary for Benefits” and inserting “Health, the Under Secretary for Benefits, and the Under Secretary for Veterans Economic Opportunity and Transition”;

(8) in section 709(c)(2)(A), by inserting after “Under Secretary for Benefits,” the following: “the Under Secretary for Veterans Economic Opportunity and Transition,”;

(9) in section 7701(a), by inserting after “assistance” the following: “, other than assistance related to Economic Opportunity and Transition,”; and

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

(c) EFFECTIVE DATE.—Section 306A of title 38, United States Code, as added by subsection (a), and the amendments made by this section, shall take effect on October 1, 2019.

SEC. 5. LOANS GUARANTEED UNDER HOME LOAN PROGRAM OF DEPARTMENT OF VETERANS AFFAIRES.

Section 3729(b)(2)(E) of such title is amended to read as follows:
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<thead>
<tr>
<th>Type of loan</th>
<th>Active duty veteran</th>
<th>Reservist</th>
<th>Other obligor</th>
</tr>
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<tbody>
<tr>
<td>(E)(i) Interest rate reduction refi-nancing loan (closed before January 1, 2019)</td>
<td>0.50</td>
<td>0.50</td>
<td>NA</td>
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<tr>
<td>(E)(ii) Interest rate reduction refi-nancing loan (closed on or after January 1, 2019, but before March 1, 2025)</td>
<td>0.75</td>
<td>0.75</td>
<td>NA</td>
</tr>
<tr>
<td>(E)(iii) Interest rate reduction refi-nancing loan (closed on or after March 1, 2025)</td>
<td>0.50</td>
<td>0.50</td>
<td>NA</td>
</tr>
</tbody>
</table>

"Type of loan"