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114TH CONGRESS
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H. R. 3016

[Report No. 114-358]

To amend title 38, United States Code, to clarify the role of podiatrists
in the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2015

Mr. WENSTRUP (for himself, Mr. BENISHEK, Mr. ROE of Tennessee, Mr. ABRAHAM, Mr. RUIZ, and Ms. BROWNLEY of California) introduced the following bill; which was referred to the Committee on Veterans' Affairs

DECEMBER 1, 2015

Additional sponsors: Mr. WILSON of South Carolina, Mr. COSTELLO of Pennsylvania, Mrs. RADEWAGEN, Mr. COFFMAN, Mr. SCHIFF, Mrs. NAPOLITANO, Mr. SMITH of Texas, Mr. BLUMENAUER, Mr. YOUNG of Iowa, and Mr. ISRAEL

DECEMBER 1, 2015

Reported with amendments, committed to the Committee of the Whole House
on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on July 9, 2015]

A BILL

To amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs.

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. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the “Vet-*
 5 *erans Employment, Education, and Healthcare Improve-*
 6 *ment Act”.*

7 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 8 *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 Depart-
ment of Veterans Affairs.

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

Sec. 104. Comptroller General audit of budget of Veterans Health Administration.

Sec. 105. Outreach to veterans regarding effect of certain delayed payments by
Department of Veterans Affairs Chief Business Office.

Sec. 106. 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 Ad-
ministration.

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.

**TITLE III—EDUCATION ASSISTANCE AND VOCATIONAL
 REHABILITATION**

Sec. 301. Modification and improvement of transfer of unused education benefits
to family members under Department of Veterans Affairs Post-
9/11 Educational Assistance Program.

Sec. 302. Clarification of eligibility for Marine Gunnery Sergeant John David
Fry Scholarship.

Sec. 303. Approval of courses of education and training for purposes of the voca-
tional rehabilitation program of the Department of Veterans Af-
airs.

Sec. 304. Authority to prioritize vocational rehabilitation services based on need.

1 (1) *IN GENERAL.*—Subchapter I of chapter 74 of
2 title 38, United States Code, is amended by adding
3 at the end the following new section:

4 **“§ 7413. Treatment of podiatrists**

5 “For purposes of this chapter, the term ‘physician’ in-
6 cludes a podiatrist.”.

7 (2) *CLERICAL AMENDMENT.*—The table of sec-
8 tions at the beginning of such chapter is amended by
9 inserting after the item relating to section 7412 the
10 following new item:

 “7413. Treatment of podiatrists.”.

11 (3) *CONFORMING AMENDMENT.*—Section 7401(1)
12 of such title is amended by striking “Physicians, den-
13 tists, podiatrists,” and inserting “Physicians, den-
14 tists,”.

15 (b) *QUALIFICATIONS.*—Section 7402(b) of such title is
16 amended—

17 (1) in paragraph (1)—

18 (A) in subparagraph (A), by striking “or of
19 doctor of osteopathy” and inserting “, doctor of
20 osteopathy, or doctor of podiatric medicine”; and

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

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

24 (3) by redesignating paragraphs (6) through (14)
25 as paragraphs (5) through (13), respectively.

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

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

4 (2) by redesignating subparagraphs (D) through
5 (H) as subparagraphs (C) through (G), respectively.

6 (d) *MODIFICATION OF PAY GRADE.*—

7 (1) *GRADE.*—The list in section 7404(b) of such
8 title is amended by striking “CLINICAL PODIA-
9 TRIST, CHIROPRACTOR, AND OPTOMETRIST
10 SCHEDULE” and inserting “CLINICAL CHIRO-
11 PRACTOR AND OPTOMETRIST SCHEDULE”.

12 (2) *APPLICATION.*—The amendment made by
13 paragraph (1) shall apply with respect to a pay pe-
14 riod of the Department of Veterans Affairs beginning
15 on or after the date that is 30 days after the date of
16 the enactment of this Act.

17 (e) *CONTRACTS FOR SCARCE SERVICES.*—Section
18 7409(a) of such title is amended by striking “podiatrists,”.

19 (f) *PERSONNEL ADMINISTRATION.*—Section 7421(b) of
20 such title is amended—

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

22 (2) by redesignating paragraphs (4) through (8)
23 as paragraphs (3) through (7), respectively.

1 (g) *MEDICAL DIRECTORS*.—Section 7306(a)(4) of such
2 title is amended by inserting “, doctor of podiatric medi-
3 cine,” after “doctor of medicine”.

4 (h) *APPLICATION*.—The amendments made by this sec-
5 tion shall apply with respect to podiatrists employed by the
6 Department of Veterans Affairs as of the date of the enact-
7 ment of this Act or who are appointed on or after such date.

8 **SEC. 102. PRIORITY OF MEDAL OF HONOR RECIPIENTS IN**
9 **HEALTH CARE SYSTEM OF DEPARTMENT OF**
10 **VETERANS AFFAIRS.**

11 (a) *ENROLLMENT PRIORITY*.—Section 1705(a) of title
12 38, United States Code, is amended—

13 (1) in paragraph (1), by striking the period at
14 the end and inserting the following: “and veterans
15 who were awarded the medal of honor under section
16 3741, 6241, or 8741 of title 10 or section 491 of title
17 14.”; and

18 (2) in paragraph (3), by striking “veterans who
19 were awarded the medal of honor under section 3741,
20 6241, or 8741 of title 10 or section 491 of title 14,”.

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

1 (c) *EXTENDED CARE SERVICES.*—Section 1710B(c)(2)
2 *of such title is amended—*

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

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

6 (3) *by adding at the end the following new sub-*
7 *paragraph:*

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

11 (d) *COPAYMENT FOR MEDICATIONS.*—Section
12 *1722A(a)(3) of such title is amended—*

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

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

16 (3) *by adding at the end the following new sub-*
17 *paragraph:*

18 “(D) *to a veteran who was awarded the medal*
19 *of honor under section 3741, 6241, or 8741 of title 10*
20 *or section 491 of title 14.”*

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

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

3 *Section 1786 of title 38, United States Code, is amend-*
4 *ed—*

5 *(1) in subsection (a), by striking “seven days”*
6 *and inserting “42 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 Secretary*
11 *shall submit to the Committees on Veterans’ Affairs of the*
12 *House of Representatives and the Senate a report on the*
13 *health care services provided under subsection (a) during*
14 *the fiscal year preceding the date of the report, including*
15 *the number of newborn children who received such services*
16 *during such fiscal year.”.*

17 **SEC. 104. COMPTROLLER GENERAL AUDIT OF BUDGET OF**
18 **VETERANS HEALTH ADMINISTRATION.**

19 *(a) IN GENERAL.—Subchapter II of chapter 73 of title*
20 *38, United States Code, is amended by adding at the end*
21 *the following new section:*

22 **“§ 7330B. Comptroller General audit of VHA budget**

23 *“(a) IN GENERAL.—The Comptroller General of the*
24 *United States shall periodically conduct an audit of ele-*
25 *ments of the budget of the Veterans Health Administration,*

1 *including the budget formulation, execution, allocation, and*
2 *use of funds.*

3 “(b) *SELECTION OF ELEMENTS.—(1) In selecting ele-*
4 *ments of the budget of the Veterans Health Administration*
5 *for purposes of an audit under subsection (a), the Comp-*
6 *troller General shall take into consideration—*

7 “(A) *knowledge of the programs of the Veterans*
8 *Health Administration;*

9 “(B) *current issues;*

10 “(C) *national priorities; and*

11 “(D) *priorities expressed by the appropriate con-*
12 *gressional committees.*

13 “(2) *Not later than 30 days before conducting an audit*
14 *under subsection (a), the Comptroller General shall submit*
15 *to the appropriate congressional committees notice of the*
16 *elements selected by the Comptroller General for purposes*
17 *of the audit.*

18 “(c) *APPROPRIATE CONGRESSIONAL COMMITTEES.—*
19 *In this section, the term ‘appropriate congressional commit-*
20 *tees’ means—*

21 “(1) *the Committee on Veterans’ Affairs, the*
22 *Committee on Appropriations, and the Committee on*
23 *the Budget of the Senate; and*

1 “(2) *the Committee on Veterans’ Affairs, the*
2 *Committee on Appropriations, and the Committee on*
3 *the Budget of the House of Representatives.*”.

4 **(b) CLERICAL AMENDMENT.**—*The table of sections at*
5 *the beginning of such chapter is amended by inserting after*
6 *the item relating to section 7330A the following new item:*
 “7330B. *Comptroller General audit of VHA budget.*”.

7 **SEC. 105. OUTREACH TO VETERANS REGARDING EFFECT OF**
8 **CERTAIN DELAYED PAYMENTS BY DEPART-**
9 **MENT OF VETERANS AFFAIRS CHIEF BUSI-**
10 **NESS OFFICE.**

11 **(a) OUTREACH.**—*The Secretary of Veterans Affairs*
12 *shall conduct outreach, including through national and*
13 *local veterans service organizations, to inform veterans of*
14 *how to resolve credit issues caused by delayed payment of*
15 *a claim for emergency hospital care, medical services, or*
16 *other emergency health care furnished through a non-De-*
17 *partment of Veterans Affairs provider. The Secretary shall*
18 *establish a toll-free telephone number for veterans to report*
19 *such credit issues to the Chief Business Office of the Depart-*
20 *ment of Veterans Affairs.*

21 **(b) ANNUAL REPORT.**—

22 **(1) IN GENERAL.**—*During the five-year period*
23 *beginning on the date of the enactment of this Act, the*
24 *Secretary of Veterans Affairs shall annually submit to*
25 *Congress a report on the effectiveness of the Chief*

1 *Business Office in providing timely payment of prop-*
2 *er invoices for emergency hospital care, medical serv-*
3 *ices, or other emergency health care furnished through*
4 *non-Department of Veterans Affairs providers by the*
5 *required payment date during both the five-year pe-*
6 *riod preceding the date of the report and the one-year*
7 *period preceding such date. For any part of the pe-*
8 *riod covered by a report under this subsection that oc-*
9 *curred before October 1, 2014, the report shall evalu-*
10 *ate the provision of such payments by the Veterans*
11 *Integrated Service Networks.*

12 (2) *MATTERS INCLUDED.—The reports under*
13 *paragraph (1) shall include, for each period covered*
14 *by the report, the following:*

15 (A) *The number of veterans who contacted*
16 *the Secretary regarding a delayed payment that*
17 *negatively affected, or will potentially negatively*
18 *affect, the credit of the veteran.*

19 (B) *The total amount of interest penalties*
20 *paid by the Secretary of Veterans Affairs under*
21 *section 3902 of title 31, United States Code, by*
22 *reason of a delayed payment.*

23 (C) *The number of proper invoices sub-*
24 *mitted, listed in a table for each quarter and fis-*
25 *cal year of each such period that includes—*

1 (i) the total amount owed by the Sec-
2 retary under the proper invoices;

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

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

8 (D) Any comments regarding delayed pay-
9 ments made by medical providers.

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

14 (c) QUARTERLY REPORTS ON PENDING CLAIMS.—

15 During the five-year period beginning on the date of the
16 enactment of this Act, the Chief Business Office of the De-
17 partment of Veterans Affairs shall submit to Congress quar-
18 terly reports on the number of pending claims for reim-
19 bursement for emergency hospital care, medical services,
20 and other emergency health care furnished through non-De-
21 partment of Veterans Affairs providers. Each such report
22 shall include each of the following:

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

1 (2) *The total number of veterans who submitted*
2 *such a pending claim in each State, as of such day.*

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

5 (4) *As of such day—*

6 (A) *the number of such pending claims that*
7 *have been pending for 30 days or longer;*

8 (B) *the number of such pending claims that*
9 *have been pending for 90 days or longer; and*

10 (C) *the number of such pending claims that*
11 *have been pending for 365 days or longer.*

12 (5) *For each hospital system, for the quarter cov-*
13 *ered by the report—*

14 (A) *the number of claims for reimbursement*
15 *for emergency hospital care, medical services,*
16 *and other emergency health care furnished*
17 *through non-Department of Veterans Affairs pro-*
18 *viders approved during such quarter;*

19 (B) *the number of such claims denied dur-*
20 *ing such quarter; and*

21 (C) *the number of such claims denied listed*
22 *by each denial reason group.*

23 (d) *COMPTROLLER GENERAL STUDY.—*

24 (1) *IN GENERAL.—The Comptroller General of*
25 *the United States shall conduct a study that evaluates*

1 *the effectiveness of the Chief Business Office in pro-*
2 *viding timely payment of a proper invoice for emer-*
3 *gency hospital care, medical services, or other emer-*
4 *gency health care furnished through non-Department*
5 *of Veterans Affairs providers by the required payment*
6 *date.*

7 (2) *SUBMITTAL.—The Comptroller General shall*
8 *submit to Congress a report on the study conducted*
9 *under paragraph (1), including the total amount of*
10 *interest penalties paid by the Secretary of Veterans*
11 *Affairs under section 3902 of title 31, United States*
12 *Code, by reason of a delayed payment.*

13 (e) *DEFINITIONS.—In this section:*

14 (1) *The term “delayed payment” means a proper*
15 *invoice that is not paid by the Secretary of Veterans*
16 *Affairs until after the required payment date.*

17 (2) *The term “proper invoice” has the meaning*
18 *given that term in section 3901(a) of title 31, United*
19 *States Code.*

20 (3) *The term “required payment date” means the*
21 *date that payment is due for a contract pursuant to*
22 *section 3903(a) of title 31, United States Code.*

1 **SEC. 106. DEPARTMENT OF VETERANS AFFAIRS PILOT PRO-**
2 **GRAM ON DOG TRAINING THERAPY.**

3 (a) *IN GENERAL.*—Commencing not later than 120
4 days after the date of the enactment of the Act, the Secretary
5 of Veterans Affairs shall carry out a pilot program under
6 which the Secretary shall enter into a contract with one
7 or more appropriate non-government entities for the pur-
8 pose of assessing the effectiveness of addressing post-deploy-
9 ment mental health and post-traumatic stress disorder
10 symptoms through a therapeutic medium of training service
11 dogs for veterans with disabilities.

12 (b) *DURATION OF PILOT PROGRAM.*—The pilot pro-
13 gram required by subsection (a) shall be carried out during
14 the five-year period beginning on the date of the commence-
15 ment of the pilot program.

16 (c) *LOCATIONS OF PILOT PROGRAM.*—In entering into
17 contracts for purposes of the pilot program, the Secretary
18 shall seek to enter into contracts with appropriate non-gov-
19 ernment entities located in close proximity to at least three
20 but not more than five medical centers of the Department.

21 (d) *APPROPRIATE NON-GOVERNMENT ENTITIES.*—For
22 purposes of the pilot program, an appropriate non-govern-
23 ment entity is an entity that is certified in the training
24 and handling of service dogs and that has a training area
25 that would be appropriate for use in educating veterans

1 *with mental health conditions in the art and science of serv-*
2 *ice dog training and handling. Such training area shall—*

3 *(1) include a dedicated space that is suitable for*
4 *grooming and training dogs indoors;*

5 *(2) be wheelchair accessible;*

6 *(3) include classroom or lecture space;*

7 *(4) include office space for staff;*

8 *(5) include a suitable space for storing training*
9 *equipment;*

10 *(6) provide for periodic use of other training*
11 *areas for training the dogs with wheelchairs and con-*
12 *ducting other exercises;*

13 *(7) include outdoor exercise and toileting space*
14 *for dogs; and*

15 *(8) provide transportation for weekly field trips*
16 *to train dogs in other environments.*

17 *(e) DESIGN OF PILOT PROGRAM.—Each contract en-*
18 *tered into under subsection (a) shall provide that the non-*
19 *government entity shall—*

20 *(1) ensure that veterans participating in the*
21 *program receive training from certified service dog*
22 *training instructors;*

23 *(2) ensure that in selecting assistance dogs for*
24 *use in the program, dogs residing in animal shelters*
25 *or foster homes are looked at as an option, if appro-*

1 *appropriate, and ensure that all dogs used in the program*
2 *have adequate temperament and health clearances;*

3 *(3) ensure that each service dog in training par-*
4 *ticipating in the pilot program is taught all essential*
5 *commands pertaining to service dog skills;*

6 *(4) ensure that each service dog in training lives*
7 *at the pilot program site or a volunteer foster home*
8 *in the vicinity of such site while receiving training;*

9 *(5) ensure that the pilot program involves both*
10 *lecture of service dog training methodologies and*
11 *practical hands-on training and grooming of service*
12 *dogs; and*

13 *(6) ensure that the pilot program is designed*
14 *to—*

15 *(A) maximize the therapeutic benefits to*
16 *veterans participating in the program; and*

17 *(B) provide well-trained service dogs to vet-*
18 *erans with disabilities; and*

19 *(7) in hiring service dog training instructors to*
20 *carry out training under the pilot program, give a*
21 *preference to veterans who have successfully graduated*
22 *from post-traumatic stress disorder or other residen-*
23 *tial treatment programs and who have received ade-*
24 *quate certification in service dog training.*

1 (f) *ADMINISTRATION.*—*In order to carry out the pilot*
2 *program under section (a), the Secretary of Veterans Affairs*
3 *shall—*

4 (1) *administer the program through the Recre-*
5 *ation Therapy Service of the Department of Veterans*
6 *Affairs under the direction of a certified recreational*
7 *therapist with sufficient administrative experience to*
8 *oversee the pilot program; and*

9 (2) *establish a director of service dog training*
10 *with a background working in social services, experi-*
11 *ence in teaching others to train service dogs in a vo-*
12 *catiional setting, and at least one year of experience*
13 *working with veterans or active duty service members*
14 *with post-traumatic stress disorder in a clinical set-*
15 *ting.*

16 (g) *VETERAN ELIGIBILITY.*—*The Secretary shall select*
17 *veterans for participation in the pilot program. A veteran*
18 *with post-traumatic stress disorder or other post-deploy-*
19 *ment mental health condition may volunteer to participate*
20 *in the pilot program, if the Secretary determines that there*
21 *are adequate program resources available for such veteran*
22 *at the pilot program site. Veterans may participate in the*
23 *pilot program in conjunction with the compensated work*
24 *therapy program of the Department of Veterans Affairs.*

1 (h) *COLLECTION OF DATA.*—*The Secretary shall collect*
2 *data on the pilot program required under subsection (a)*
3 *to determine how effective the program is for the veterans*
4 *participating in the program. Such data shall include data*
5 *to determine how effectively the program assists veterans*
6 *in—*

7 (1) *reducing stigma associated with post-trau-*
8 *matic stress disorder or other post-deployment mental*
9 *health condition;*

10 (2) *improving emotional regulation;*

11 (3) *improving patience;*

12 (4) *instilling or re-establishing a sense of pur-*
13 *pose;*

14 (5) *providing an opportunity to help fellow vet-*
15 *erans;*

16 (6) *reintegrating into the community;*

17 (7) *exposing the dog to new environments and in*
18 *doing so, helping the veteran reduce social isolation*
19 *and withdrawal;*

20 (8) *building relationship skills, including par-*
21 *enting skills;*

22 (9) *relaxing the hyper-vigilant survival state;*

23 (10) *improving sleep patterns; and*

24 (11) *enabling veterans to decrease the use of pain*
25 *medication.*

1 (i) *REPORTS TO CONGRESS.*—Not later than one year
2 after the date of the commencement of the pilot program
3 under subsection (a), and each year thereafter for the dura-
4 tion of the pilot program, the Secretary shall submit to Con-
5 gress a report on the pilot program. Each such report shall
6 include—

7 (1) the number of veterans participating in the
8 pilot program;

9 (2) a description of the services carried out
10 under the pilot program;

11 (3) the effects that participating in the pilot pro-
12 gram has on the following—

13 (A) symptoms of post-traumatic stress dis-
14 order and post-deployment adjustment difficul-
15 ties, including depression, maintenance of sobri-
16 ety, suicidal ideations, and homelessness;

17 (B) potentially relevant physiological mark-
18 ers that possibly relate to the interactions with
19 the service dogs;

20 (C) family dynamics;

21 (D) insomnia and pain management; and

22 (E) overall well-being; and

23 (4) the recommendations of the Secretary with
24 respect to the extension or expansion of the pilot pro-
25 gram.

1 (j) *DEFINITION.*—For the purposes of this section, the
 2 term “service dog training instructor” means an instructor
 3 who provides the direct training of veterans with post-trau-
 4 matic stress disorder and other post-deployment issues in
 5 the art and science of service dog training and handling.

6 **TITLE II—VETERANS ECONOMIC**
 7 **OPPORTUNITY AND TRANSI-**
 8 **TION ADMINISTRATION**

9 **SEC. 201. ESTABLISHMENT OF VETERANS ECONOMIC OP-**
 10 **PORTUNITY AND TRANSITION ADMINISTRA-**
 11 **TION.**

12 (a) *VETERANS ECONOMIC OPPORTUNITY AND TRANSI-*
 13 *TION ADMINISTRATION.*—

14 (1) *IN GENERAL.*—Part V of title 38, United
 15 States Code, is amended by adding at the end the fol-
 16 lowing new chapter:

17 **“CHAPTER 80—VETERANS ECONOMIC OP-**
 18 **PORTUNITY AND TRANSITION ADMIN-**
 19 **ISTRATION**

“Sec.

“8001. *Organization of Administration.*

“8002. *Functions of Administration.*

20 **“§ 8001. Organization of Administration**

21 “(a) *VETERANS ECONOMIC OPPORTUNITY AND TRAN-*
 22 *SITION ADMINISTRATION.*—There is in the Department of
 23 Veterans Affairs a Veterans Economic Opportunity and
 24 Transition Administration. The primary function of the

1 *Veterans Economic Opportunity and Transition Adminis-*
2 *tration is the administration of the programs of the Depart-*
3 *ment that provide assistance related to economic oppor-*
4 *tunity to veterans and their dependents and survivors.*

5 “(b) *UNDER SECRETARY FOR ECONOMIC OPPOR-*
6 *TUNITY AND TRANSITION.—The Veterans Economic Oppor-*
7 *tunity and Transition Administration is under the Under*
8 *Secretary for Veterans Economic Opportunity and Transi-*
9 *tion, who is directly responsible to the Secretary for the op-*
10 *erations of the Administration.*

11 “(c) *DEPUTY UNDER SECRETARIES.—The Veterans*
12 *Economic Opportunity and Transition Administration*
13 *shall have two Deputy Under Secretaries as follows:*

14 “(1) *The Deputy Under Secretary for Readjust-*
15 *ment, who shall be the principal assistant of the*
16 *Under Secretary for Veterans Economic Opportunity*
17 *and Transition with respect to the programs specified*
18 *in paragraphs (1) through (4) of section 8002 of this*
19 *title.*

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

1 **“§ 8002. Functions of Administration**

2 *“The Veterans Economic Opportunity and Transition*
3 *Administration is responsible for the administration of the*
4 *following programs of the Department:*

5 *“(1) Vocational rehabilitation and employment*
6 *programs.*

7 *“(2) Educational assistance programs.*

8 *“(3) Veterans’ housing loan and related pro-*
9 *grams.*

10 *“(4) The verification of small businesses owned*
11 *and controlled by veterans pursuant to subsection (f)*
12 *of section 8127 of this title, including the administra-*
13 *tion of the database of veteran-owned businesses de-*
14 *scribed in such subsection.*

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

17 *“(6) Employment and training of veterans under*
18 *chapter 42 of this title.*

19 *“(7) Administration of employment and employ-*
20 *ment rights of members of the uniformed services*
21 *under chapter 43 of this title.*

22 *“(8) Homeless veterans reintegration programs*
23 *under chapter 20 of this title.*

24 *“(9) The Transition Assistance Program under*
25 *section 1144 of title 10.*

1 **SEC. 202. UNDER SECRETARY FOR VETERANS ECONOMIC**
2 **OPPORTUNITY AND TRANSITION.**

3 (a) *UNDER SECRETARY.*—

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

7 **“§ 306A. Under Secretary for Veterans Economic Op-**
8 **portunity and Transition**

9 “(a) *UNDER SECRETARY.*—There is in the Department
10 an Under Secretary for Veterans Economic Opportunity
11 and Transition, who is appointed by the President, by and
12 with the advice and consent of the Senate. The Under Sec-
13 retary for Veterans Economic Opportunity and Transition
14 shall be appointed without regard to political affiliation or
15 activity and solely on the basis of demonstrated ability in—

16 “(1) *information technology; and*

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

21 “(b) *RESPONSIBILITIES.*—The Under Secretary for
22 Veterans Economic Opportunity and Transition is the head
23 of, and is directly responsible to the Secretary for the oper-
24 ations of, the Veterans Economic Opportunity and Transi-
25 tion Administration.

1 “(c) *VACANCIES.—(1) Whenever a vacancy in the posi-*
2 *tion of Under Secretary for Veterans Economic Oppor-*
3 *tunity and Transition occurs or is anticipated, the Sec-*
4 *retary shall establish a commission to recommend individ-*
5 *uals to the President for appointment to the position.*

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

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

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

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

22 “(D) *The Deputy Secretary of Veterans Affairs.*

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

1 “(F) One person who has held the position of
2 Under Secretary for Veterans Economic Opportunity
3 and Transition, if the Secretary determines that it is
4 desirable for such person to be a member of the com-
5 mission.

6 “(3) A commission established under this subsection
7 shall recommend at least three individuals for appointment
8 to the position of Under Secretary for Veterans Economic
9 Opportunity and Transition. The commission shall submit
10 all recommendations to the Secretary. The Secretary shall
11 forward the recommendations to the President and the Com-
12 mittees on Veterans’ Affairs of the Senate and House of
13 Representatives with any comments the Secretary considers
14 appropriate. Thereafter, the President may request the com-
15 mission to recommend additional individuals for appoint-
16 ment.

17 “(4) The Assistant Secretary or Deputy Assistant Sec-
18 retary of Veterans Affairs who performs personnel manage-
19 ment and labor relations functions shall serve as the execu-
20 tive secretary of a commission established under this sub-
21 section.

22 “(d) QUALIFICATIONS OF RECOMMENDED INDIVID-
23 UALS.—Each individual recommended to the President by
24 the commission for appointment to the position of Under
25 Secretary for Veterans Economic Opportunity and Transi-

1 *tion shall be an individual who has held a senior level posi-*
 2 *tion in the private sector with responsibilities relating to*
 3 *at least one of the following:*

- 4 “(1) *Education policy.*
 5 “(2) *Vocational rehabilitation.*
 6 “(3) *Employment.*
 7 “(4) *Job placement.*
 8 “(5) *Home loan finance.*
 9 “(6) *Small business development.*”.

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

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

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

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

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

24 (3) *in section 318(d)(2), by inserting after*
 25 *“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 “assist-*
4 *ance” the following: “, other than assistance related to*
5 *Economic Opportunity and Transition,”; and*

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

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

13 **SEC. 203. TRANSFER OF DEPARTMENT OF LABOR VETERANS**
14 **PROGRAMS TO DEPARTMENT OF VETERANS**
15 **AFFAIRS.**

16 (a) *TRANSFER OF FUNCTIONS.*—

17 (1) *IN GENERAL.*—*Effective October 1, 2016,*
18 *there shall be transferred to the Secretary of Veterans*
19 *Affairs all functions performed under the following*
20 *programs of the Department of Labor, and all per-*
21 *sonnel, assets, and liabilities pertaining to such pro-*
22 *grams, immediately before such transfer occurs:*

23 (A) *Job counseling, training, and placement*
24 *services for veterans under chapter 41 of title 38,*
25 *United States Code.*

1 (B) *Employment and training of veterans*
2 *under chapter 42 of such title.*

3 (C) *Administration of employment and em-*
4 *ployment rights of members of the uniformed*
5 *services under chapter 43 of such title.*

6 (D) *Homeless veterans reintegration pro-*
7 *grams under chapter 20 of such title.*

8 (2) *ORGANIZATION.*—*The programs, and the per-*
9 *sonnel, assets, and liabilities pertaining to such pro-*
10 *grams, transferred to the Secretary under paragraph*
11 *(1) shall be administered as part of the Veterans Eco-*
12 *nomie Opportunity and Transition Administration*
13 *established by section 8001 of title 38, United States*
14 *Code, as added by section 201.*

15 (b) *BUDGET REQUEST.*—*Under section 1105 of title*
16 *31, United States Code, the President shall include in the*
17 *President’s budget request for the Department of Veterans*
18 *Affairs for fiscal year 2017, and for each subsequent fiscal*
19 *year, funding requested for the functions referred to in sub-*
20 *section (a)(1).*

21 (c) *REFERENCES.*—*Any reference in any other Federal*
22 *law, Executive order, rule, regulation, or delegation of au-*
23 *thority, or any document of or pertaining to a department*
24 *or office from which a function is transferred by this sec-*
25 *tion—*

1 (1) *to the head of such department or office is*
2 *deemed to refer to the head of the department or office*
3 *to which such function is transferred; or*

4 (2) *to such department or office is deemed to*
5 *refer to the department or office to which such func-*
6 *tion is transferred.*

7 (d) *EXERCISE OF AUTHORITIES.—Except as otherwise*
8 *provided by law, a Federal official to whom a function is*
9 *transferred by this section may, for purposes of performing*
10 *the function, exercise all authorities under any other provi-*
11 *sion of law that were available with respect to the perform-*
12 *ance of that function to the official responsible for the per-*
13 *formance of the function immediately before the effective*
14 *date of the transfer of the function under this section.*

15 (e) *SAVINGS PROVISIONS.—*

16 (1) *LEGAL DOCUMENTS.—All orders, determina-*
17 *tions, rules, regulations, permits, grants, loans, con-*
18 *tracts, agreements, certificates, licenses, and privi-*
19 *leges—*

20 (A) *that have been issued, made, granted, or*
21 *allowed to become effective by the President, the*
22 *Secretary of Labor, the Secretary of Veterans Af-*
23 *airs, any officer or employee of any office trans-*
24 *ferred by this section, or any other Government*
25 *official, or by a court of competent jurisdiction,*

1 *in the performance of any function that is trans-*
2 *ferred by this section, and*

3 *(B) that are in effect on the effective date of*
4 *such transfer (or become effective after such date*
5 *pursuant to their terms as in effect on such effec-*
6 *tive date),*

7 *shall continue in effect according to their terms until*
8 *modified, terminated, superseded, set aside, or revoked*
9 *in accordance with law by the President, any other*
10 *authorized official, a court of competent jurisdiction,*
11 *or operation of law.*

12 *(2) PROCEEDINGS.—This section shall not affect*
13 *any proceedings or any application for any benefits,*
14 *service, license, permit, certificate, or financial assist-*
15 *ance pending on the date of the enactment of this sec-*
16 *tion before an office transferred by this section, but*
17 *such proceedings and applications shall be continued.*
18 *Orders shall be issued in such proceedings, appeals*
19 *shall be taken therefrom, and payments shall be made*
20 *pursuant to such orders, as if this section had not*
21 *been enacted, and orders issued in any such pro-*
22 *ceeding shall continue in effect until modified, termi-*
23 *nated, superseded, or revoked by a duly authorized of-*
24 *ficial, by a court of competent jurisdiction, or by op-*
25 *eration of law. Nothing in this subsection shall be*

1 *considered to prohibit the discontinuance or modifica-*
2 *tion of any such proceeding under the same terms and*
3 *conditions and to the same extent that such pro-*
4 *ceeding could have been discontinued or modified if*
5 *this section had not been enacted.*

6 (3) *SUITS.—This section shall not affect suits*
7 *commenced before the date of the enactment of this*
8 *section, and in all such suits, proceeding shall be had,*
9 *appeals taken, and judgments rendered in the same*
10 *manner and with the same effect as if this section had*
11 *not been enacted.*

12 (4) *NONABATEMENT OF ACTIONS.—No suit, ac-*
13 *tion, or other proceeding commenced by or against the*
14 *Department of Labor or the Secretary of Labor, or by*
15 *or against any individual in the official capacity of*
16 *such individual as an officer or employee of an office*
17 *transferred by this section, shall abate by reason of*
18 *the enactment of this section.*

19 (5) *CONTINUANCE OF SUITS.—If any Govern-*
20 *ment officer in the official capacity of such officer is*
21 *party to a suit with respect to a function of the offi-*
22 *cer, and under this section such function is trans-*
23 *ferred to any other officer or office, then such suit*
24 *shall be continued with the other officer or the head*

1 of such other office, as applicable, substituted or
2 added as a party.

3 (6) *ADMINISTRATIVE PROCEDURE AND JUDICIAL*
4 *REVIEW.*—*Except as otherwise provided by this sec-*
5 *tion, any statutory requirements relating to notice,*
6 *hearings, action upon the record, or administrative or*
7 *judicial review that apply to any function transferred*
8 *by this section shall apply to the exercise of such func-*
9 *tion by the head of the Federal agency, and other offi-*
10 *cers of the agency, to which such function is trans-*
11 *ferred by this section.*

12 (f) *TRANSFER OF ASSETS.*—*Except as otherwise pro-*
13 *vided in this section, so much of the personnel, property,*
14 *records, and unexpended balances of appropriations, alloca-*
15 *tions, and other funds employed, used, held, available, or*
16 *to be made available in connection with a function trans-*
17 *ferred to an official or agency by this section shall be avail-*
18 *able to the official or the head of that agency, respectively,*
19 *at such time or times as the Director of the Office of Man-*
20 *agement and Budget directs for use in connection with the*
21 *functions transferred.*

22 (g) *DELEGATION AND ASSIGNMENT.*—*Except as other-*
23 *wise expressly prohibited by law or otherwise provided in*
24 *this section, an official to whom functions are transferred*
25 *under this section (including the head of any office to which*

1 *functions are transferred under this section) may delegate*
2 *any of the functions so transferred to such officers and em-*
3 *ployees of the office of the official as the official may des-*
4 *ignate, and may authorize successive redelegations of such*
5 *functions as may be necessary or appropriate. No delega-*
6 *tion of functions under this section or under any other pro-*
7 *vision of this section shall relieve the official to whom a*
8 *function is transferred under this section of responsibility*
9 *for the administration of the function.*

10 *(h) AUTHORITY OF DIRECTOR OF THE OFFICE OF*
11 *MANAGEMENT AND BUDGET WITH RESPECT TO FUNCTIONS*
12 *TRANSFERRED.—*

13 *(1) DETERMINATIONS.—If necessary, the Direc-*
14 *tor of Management and Budget shall make any deter-*
15 *mination of the functions that are transferred under*
16 *this section.*

17 *(2) INCIDENTAL TRANSFERS.—The Director, at*
18 *such time or times as the Director shall provide, may*
19 *make such determinations as may be necessary with*
20 *regard to the functions transferred by this section,*
21 *and to make such additional incidental dispositions*
22 *of personnel, assets, liabilities, grants, contracts,*
23 *property, records, and unexpended balances of appro-*
24 *priations, authorizations, allocations, and other funds*
25 *held, used, arising from, available to, or to be made*

1 *available in connection with such functions, as may*
2 *be necessary to carry out the provisions of this sec-*
3 *tion. The Director shall provide for the termination*
4 *of the affairs of all entities terminated by this section*
5 *and for such further measures and dispositions as*
6 *may be necessary to effectuate the purposes of this sec-*
7 *tion.*

8 *(i) CERTAIN VESTING OF FUNCTIONS CONSIDERED*
9 *TRANSFERS.—For purposes of this section, the vesting of*
10 *a function in a department or office pursuant to reestablish-*
11 *ment of an office shall be considered to be the transfer of*
12 *the function.*

13 *(j) AVAILABILITY OF EXISTING FUNDS.—Existing ap-*
14 *propriations and funds available for the performance of*
15 *functions, programs, and activities terminated pursuant to*
16 *this section shall remain available, for the duration of their*
17 *period of availability, for necessary expenses in connection*
18 *with the termination and resolution of such functions, pro-*
19 *grams, and activities.*

20 *(k) MEMORANDUM OF UNDERSTANDING.—Not later*
21 *than 180 days after the date of the enactment of this Act,*
22 *the Secretary of Veterans Affairs and the Secretary of Labor*
23 *shall—*

24 *(1) enter into a memorandum of understanding*
25 *to carry out this section, which shall include—*

1 (A) a description of how the Department of
2 Veterans Affairs will coordinate with the Em-
3 ployment and Training Agency at the Depart-
4 ment of Labor to ensure coordination and avoid
5 duplication among activities authorized the
6 Workforce Innovation and Opportunity Act
7 (Public Law 113–128) and the activities referred
8 to in subsection (a)(1)(A) through (D); and

9 (B) a description of how the Department of
10 Veterans Affairs will share the performance ac-
11 countability measures required under subsection
12 (l)(1) with the Employment and Training Agen-
13 cy of the Department of Labor; and

14 (2) jointly submit to the Committee on Veterans’
15 Affairs and the Committee on Education and the
16 Workforce of the House of Representatives and the
17 Committee on Veterans’ Affairs and the Committee on
18 Health, Education, Labor, and Pensions of the Senate
19 a copy of such memorandum.

20 (l) COORDINATION WITH REQUIREMENTS UNDER
21 WIOA.—

22 (1) PERFORMANCE ACCOUNTABILITY.—The Sec-
23 retary of Veterans Affairs shall establish performance
24 accountability measures for the activities carried out
25 pursuant to the programs referred to in sub-

1 *section(a)(1)(A) through (D), which shall meet or ex-*
 2 *ceed the requirements of section 116(b) of the Work-*
 3 *force Innovation and Opportunity Act (Public Law*
 4 *113–128; 29 U.S.C. 3141).*

5 (2) *STATE PLANS.*—*The Secretary shall ensure*
 6 *that each State develops and submits to the Secretary*
 7 *a combined State plan that meets or exceeds the re-*
 8 *quirements under section 103 of the Workforce Inno-*
 9 *vation and Opportunity Act (Public Law 113–128;*
 10 *29 U.S.C. 3113) for activities authorized under chap-*
 11 *ter 41 of title 38, United States Code.*

12 (m) *DEFINITIONS.*—*For purposes of this section—*

13 (1) *the term “function” includes any duty, obli-*
 14 *gation, power, authority, responsibility, right, privi-*
 15 *lege, activity, or program; and*

16 (2) *the term “office” includes any office, admin-*
 17 *istration, agency, bureau, institute, council, unit, or-*
 18 *ganizational entity, or component thereof.*

19 **SEC. 204. DEPUTY UNDER SECRETARY OF VETERANS AF-**
 20 **FAIRS FOR VETERANS’ EMPLOYMENT, TRAIN-**
 21 **ING, AND TRANSITION.**

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

24 “(a) *DEPUTY UNDER SECRETARY FOR VETERANS’ EM-*
 25 *PLOYMENT, TRAINING, AND TRANSITION.*—(1) *The Deputy*

1 *Under Secretary for Employment, Training, and Transi-*
2 *tion established by subsection (c)(2) of section 8001 of this*
3 *title shall formulate and implement all departmental poli-*
4 *cies and procedures to carry out this chapter and the other*
5 *programs described in such subsection.*

6 “(2) *The employees of the Department administering*
7 *chapter 43 of this title shall be administratively and func-*
8 *tionally responsible to the Deputy Under Secretary for Em-*
9 *ployment, Training, and Transition.*”.

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

12 (1) *The section heading of section 4102A of such*
13 *title is amended to read as follows:*

14 “**§ 4102A. Deputy Under Secretary for Veterans’ Em-**
15 **ployment, Training, and Transition; pro-**
16 **gram functions; Regional Administra-**
17 **tors**”.

18 (2) *The item relating to such section in the table*
19 *of sections at the beginning of such chapter is amend-*
20 *ed to read as follows:*

“4102A. Deputy Under Secretary for Veterans’ Employment, Training, and Tran-
sition; program functions; Regional Administrators.”.

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

1 **SEC. 205. ADDITIONAL TECHNICAL AND CONFORMING**
2 **AMENDMENTS.**

3 (a) *CHAPTER 41.*—Chapter 41 of title 38, United
4 States Code, as amended by this title, is further amended
5 as follows:

6 (1) *By striking “Assistant Secretary of Labor for*
7 *Veterans’ Employment and Training” each place it*
8 *appears and inserting “Deputy Under Secretary for*
9 *Employment, Training, and Transition”.*

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

12 (3) *By striking “Secretary of Labor” each place*
13 *it appears and inserting “Secretary”.*

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

15 (5) *In section 4102A(b)—*

16 (A) *in paragraph (1), by striking “such As-*
17 *stant Secretary” and inserting “such Deputy*
18 *Under Secretary”; and*

19 (B) *in paragraph (3), by striking “and con-*
20 *sulting with the Secretary of Veterans Affairs”.*

21 (6) *In section 4105(b), by striking “and the Sec-*
22 *retary of Veterans Affairs” both places it appears.*

23 (7) *By striking section 4108.*

24 (8) *In the table of sections at the beginning of*
25 *such chapter, by striking the item relating to section*
26 *4108.*

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

4 (10) *In section 4110A(b), by striking “Congress”*
5 *and inserting “the Committees on Veterans’ Affairs of*
6 *the Senate and House of Representatives”.*

7 (11) *In section 4114—*

8 (A) *by striking “Assistant Secretary for*
9 *Veterans’ Employment and Training” each place*
10 *it appears and inserting “Deputy Under Sec-*
11 *retary for Employment, Training, and Transi-*
12 *tion”;* and

13 (B) *in paragraphs (2) and (3) of subsection*
14 *(b) and in subsections (c) and (d), by striking*
15 *“Assistant Secretary” each place it appears and*
16 *inserting “Deputy Under Secretary”.*

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

19 (1) *By striking “Secretary of Labor” each place*
20 *it appears and inserting “Secretary”.*

21 (2) *By striking “Department of Labor” each*
22 *place it appears and inserting “Department”.*

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

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

1 (2) *In section 4317(b)(2), by striking “Secretary*
2 *of Veterans Affairs” and inserting “Secretary”.*

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

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

6 (5) *In section 4333, by striking “, the Secretary*
7 *of Defense, and the Secretary of Veterans Affairs” and*
8 *inserting “and the Secretary of Defense”.*

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

11 (1) *In section 2003(a)(4), by striking “of the De-*
12 *partment of Labor”.*

13 (2) *In section 2011(g)(2), by striking “the De-*
14 *partment of Labor,”.*

15 (3) *In section 2021—*

16 (A) *in subsection (b), by striking “that Sec-*
17 *retary” and inserting “the Secretary”;*

18 (B) *in subsection (c)—*

19 (i) *by striking the subsection heading*
20 *and inserting the following:*

21 “(c) *ADMINISTRATION THROUGH DEPUTY UNDER*
22 *SECRETARY FOR VETERANS’ EMPLOYMENT, TRAINING, AND*
23 *TRANSITION.—*”; *and*

24 (ii) *by striking “Assistant Secretary of*
25 *Labor for Veterans’ Employment and*

1 *Training*” and inserting “Deputy Under
2 *Secretary for Employment, Training, and*
3 *Transition*”; and

4 (C) by striking “Secretary of Labor” each
5 place it appears and inserting “Secretary”.

6 (4) In section 2021A—

7 (A) in subsection (c), by striking “that Sec-
8 retary” and inserting “the Secretary”;

9 (B) in subsection (d)—

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

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

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

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

22 (5) In section 2023—

23 (A) in subsection (a), by striking “and the
24 Secretary of Labor (hereinafter in this section re-
25 ferred to as the ‘Secretaries’)”;

1 (B) by striking “Secretaries” each place it
2 appears and inserting “Secretary”; and

3 (C) in subsection (c)(4), by striking “deter-
4 mine” and inserting “determines”.

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

9 (7) In section 2066(a)(3), by striking subpara-
10 graph (A) and redesignating subparagraphs (B)
11 through (G) as subparagraphs (A) through (F), re-
12 spectively.

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

15 (1) In section 542(a)(2)(B), by striking clause
16 (i) and redesignating clauses (ii) and (iii) as clauses
17 (i) and (ii), respectively.

18 (2) In section 544(a)(2)(B), by striking clause
19 (i) and redesignating clauses (ii) through (vi) as
20 clauses (i) through (v), respectively.

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

1 (4) *In section 3119(c), by striking “the Assistant*
2 *Secretary for Veterans’ Employment in the Depart-*
3 *ment of Labor,”.*

4 (5) *In section 3121(a)(3), by striking “the As-*
5 *stant Secretary of Labor for Veterans’ Employment*
6 *and Training of the Department of Labor” and in-*
7 *serting “the Under Secretary for Veterans Economic*
8 *Opportunity and Transition”.*

9 (6) *In section 3692(a), by striking “and the As-*
10 *stant Secretary of Labor for Veterans’ Employment*
11 *and Training shall be ex officio members” and insert-*
12 *ing “an ex officio member”.*

13 (7) *In section 6306—*

14 (A) *in subsection (a), by striking “shall ar-*
15 *range with the Secretary of Labor for the State*
16 *employment service to match” and inserting*
17 *“shall ensure that the State employment service*
18 *matches”;* and

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

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

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

2 *Section 453A(h) of the Social Security Act (42 U.S.C.*
 3 *653a(h)) is amended by adding at the end the following*
 4 *new paragraph:*

5 *“(4) SECRETARY OF VETERANS AFFAIRS.—The*
 6 *Secretary of Veterans Affairs shall have access to in-*
 7 *formation reported by employers pursuant to sub-*
 8 *section (b) of this section.”.*

9 **TITLE III—EDUCATION ASSIST-**
 10 **ANCE AND VOCATIONAL RE-**
 11 **HABILITATION**

12 **SEC. 301. MODIFICATION AND IMPROVEMENT OF TRANSFER**
 13 **OF UNUSED EDUCATION BENEFITS TO FAM-**
 14 **ILY MEMBERS UNDER DEPARTMENT OF VET-**
 15 **ERANS AFFAIRS POST-9/11 EDUCATIONAL AS-**
 16 **SISTANCE PROGRAM.**

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

20 *(1) by striking “six years” and inserting “ten*
 21 *years”; and*

22 *(2) by striking “four more years” and inserting*
 23 *“two more years”.*

24 *(b) COMMENCEMENT OF USE.—Subsection (g)(1)(A) of*
 25 *such section is amended by striking “six years” and insert-*
 26 *ing “ten years”.*

1 (c) *RATE OF PAYMENT.*—Subsection (h)(3)(B) of such
2 section is amended by inserting before the period at the end
3 the following: “, except that the amount of the monthly sti-
4 pend described in subsection (c)(1)(B) or (g)(3)(A)(ii) of
5 section 3313, as the case may be, shall be payable in an
6 amount equal to 50 percent of the amount of such stipend
7 that would otherwise be payable under this chapter to the
8 individual making the transfer”.

9 (d) *CLERICAL AMENDMENT.*—Such section is further
10 amended by striking “armed forces” each place it appears
11 and inserting “Armed Forces”.

12 (e) *APPLICABILITY.*—The amendments made by this
13 section shall apply with respect to an election to transfer
14 entitlement under section 3319 of title 38, United States
15 Code, that is made on or after the date that is 180 days
16 after the date of the enactment of this Act.

17 **SEC. 302. CLARIFICATION OF ELIGIBILITY FOR MARINE**
18 **GUNNERY SERGEANT JOHN DAVID FRY**
19 **SCHOLARSHIP.**

20 (a) *IN GENERAL.*—Section 701(d) of the Veterans Ac-
21 cess, Choice, and Accountability Act of 2014 (Public Law
22 113–146; 128 Stat. 1796; 38 U.S.C. 3311 note) is amended
23 to read as follows:

24 “(d) *APPLICABILITY.*—

1 “(1) *IN GENERAL.*—*The amendments made by*
2 *this section shall apply with respect to a quarter, se-*
3 *mester, or term, as applicable, commencing on or*
4 *after January 1, 2015.*”

5 “(2) *DEATHS THAT OCCURRED BETWEEN SEP-*
6 *TEMBER 11, 2001, AND DECEMBER 31, 2005.*—*For pur-*
7 *poses of section 3311(f)(2) of title 38, United States*
8 *Code, any member of the Armed Forces who died dur-*
9 *ing the period beginning on September 11, 2001, and*
10 *ending on December 31, 2005, is deemed to have died*
11 *on January 1, 2006.*”

12 **(b) *ELECTION ON RECEIPT OF CERTAIN BENEFITS.***—
13 *Section 3311(f) of title 38, United States Code, is amend-*
14 *ed—*

15 (1) *in paragraph (3), by striking “A surviving*
16 *spouse” and inserting “Except as provided in para-*
17 *graph (4), a surviving spouse”;*

18 (2) *by redesignating paragraph (4) as para-*
19 *graph (5); and*

20 (3) *by inserting after paragraph (3) the fol-*
21 *lowing new paragraph (4):*

22 “(4) *EXCEPTION FOR CERTAIN ELECTIONS.*—

23 “(A) *IN GENERAL.*—*An election made under*
24 *paragraph (3) by a spouse described in subpara-*
25 *graph (B) may not be treated as irrevocable if*

1 *such election occurred before the date of the en-*
2 *actment of this paragraph.*

3 “(B) *ELIGIBLE SURVIVING SPOUSE.—A*
4 *spouse described in this subparagraph is an in-*
5 *dividual—*

6 *“(i) who is entitled to assistance under*
7 *subsection (a) pursuant to paragraph (9) of*
8 *subsection (b); and*

9 *“(ii) who was the spouse of a member*
10 *of the Armed Forces who died during the*
11 *period beginning on September 11, 2001,*
12 *and ending on December 31, 2005.”.*

13 (c) *TECHNICAL AMENDMENT.—Paragraph (5) of sub-*
14 *section (f) of section 3311 of title 38, United States Code,*
15 *as redesignated by subsection (b)(2), is amended by striking*
16 *“that paragraph” and inserting “paragraph (9) of sub-*
17 *section (b)”.*

18 (d) *YELLOW RIBBON G.I. EDUCATION ENHANCEMENT*
19 *PROGRAM.—Section 3317(a) of such title is amended by*
20 *striking “paragraphs (1) and (2) of section 3311(b)” and*
21 *inserting “paragraphs (1), (2), and (9) of section 3311(b)*
22 *of this title”.*

1 **SEC. 303. APPROVAL OF COURSES OF EDUCATION AND**
2 **TRAINING FOR PURPOSES OF THE VOCA-**
3 **TIONAL REHABILITATION PROGRAM OF THE**
4 **DEPARTMENT OF VETERANS AFFAIRS.**

5 (a) *IN GENERAL.*—Section 3104(b) of title 38, United
6 States Code, is amended by adding at the end the following
7 new sentence: “To the maximum extent practicable, a course
8 of education or training may be pursued by a veteran as
9 part of a rehabilitation program under this chapter only
10 if the course is approved for purposes of chapter 30 or 33
11 of this title. The Secretary may waive the requirement
12 under the preceding sentence to the extent the Secretary de-
13 termines appropriate.”.

14 (b) *EFFECTIVE DATE.*—The amendment made by sub-
15 section (a) shall apply with respect to a course of education
16 or training pursued by a veteran who first begins a pro-
17 gram of rehabilitation under chapter 31 of title 38, United
18 States Code, on or after the date that is one year after the
19 date of the enactment of this Act.

20 **SEC. 304. AUTHORITY TO PRIORITIZE VOCATIONAL REHA-**
21 **BILITATION SERVICES BASED ON NEED.**

22 Section 3104 of title 38, United States Code, as amend-
23 ed by section 303, is further amended by adding at the end
24 the following new subsection:

25 “(c)(1) The Secretary shall have the authority to ad-
26 minister this chapter by prioritizing the provision of serv-

1 ices under this chapter based on need, as determined by the
 2 Secretary. In evaluating need for purposes of this sub-
 3 section, the Secretary shall consider disability ratings, the
 4 severity of employment handicaps, qualification for a pro-
 5 gram of independent living, income, and any other factor
 6 the Secretary determines appropriate.

7 “(2) Not later than 90 days before making any changes
 8 to the prioritization of the provision of services under this
 9 chapter as authorized under paragraph (1), the Secretary
 10 shall submit to Congress a plan describing such changes.”.

11 **SEC. 305. RECODIFICATION AND IMPROVEMENT OF ELEC-**
 12 **TION PROCESS FOR POST-9/11 EDUCATIONAL**
 13 **ASSISTANCE PROGRAM.**

14 (a) *IN GENERAL.*—Subchapter III of chapter 33 of
 15 title 38, United States Code, is amended by adding at the
 16 end the following new section:

17 **“§ 3326. Election to receive educational assistance**

18 **“(a) INDIVIDUALS ELIGIBLE TO ELECT PARTICIPA-**
 19 **TION IN POST-9/11 EDUCATIONAL ASSISTANCE.**—An indi-
 20 vidual may elect to receive educational assistance under
 21 this chapter if such individual—

22 “(1) as of August 1, 2009—

23 “(A) is entitled to basic educational assist-
 24 ance under chapter 30 of the title and has used,

1 *but retains unused, entitlement under that chap-*
2 *ter;*

3 *“(B) is entitled to educational assistance*
4 *under chapter 107, 1606, or 1607 of title 10 and*
5 *has used, but retains unused, entitlement under*
6 *the applicable chapter;*

7 *“(C) is entitled to basic educational assist-*
8 *ance under chapter 30 of this title but has not*
9 *used any entitlement under that chapter;*

10 *“(D) is entitled to educational assistance*
11 *under chapter 107, 1606, or 1607 of title 10 but*
12 *has not used any entitlement under such chapter;*

13 *“(E) is a member of the Armed Forces who*
14 *is eligible for receipt of basic educational assist-*
15 *ance under chapter 30 this title and is making*
16 *contributions toward such assistance under sec-*
17 *tion 3011(b) or 3012(c) of this title; or*

18 *“(F) is a member of the Armed Forces who*
19 *is not entitled to basic educational assistance*
20 *under chapter 30 of this title by reason of an*
21 *election under section 3011(c)(1) or 3012(d)(1) of*
22 *this title; and*

23 *“(2) as of the date of the individual’s election*
24 *under this paragraph, meets the requirements for en-*
25 *titlement to educational assistance under this chapter.*

1 “(b) *CESSATION OF CONTRIBUTIONS TOWARD GI*
2 *BILL.—Effective as of the first month beginning on or after*
3 *the date of an election under subsection (a) of an individual*
4 *described by paragraph (1)(E) of that subsection, the obliga-*
5 *tion of the individual to make contributions under section*
6 *3011(b) or 3012(c) of this title, as applicable, shall cease,*
7 *and the requirements of such section shall be deemed to be*
8 *no longer applicable to the individual.*

9 “(c) *REVOCATION OF REMAINING TRANSFERRED ENTI-*
10 *TLEMENT.—*

11 “(1) *ELECTION TO REVOKE.—If, on the date an*
12 *individual described in paragraph (1)(A) or (1)(C) of*
13 *subsection (a) makes an election under that sub-*
14 *section, a transfer of the entitlement of the individual*
15 *to basic educational assistance under section 3020 of*
16 *this title is in effect and a number of months of the*
17 *entitlement so transferred remain unutilized, the in-*
18 *dividual may elect to revoke all or a portion of the*
19 *entitlement so transferred that remains unutilized.*

20 “(2) *AVAILABILITY OF REVOKED ENTITLE-*
21 *MENT.—Any entitlement revoked by an individual*
22 *under this paragraph shall no longer be available to*
23 *the dependent to whom transferred, but shall be avail-*
24 *able to the individual instead for educational assist-*

1 *ance under chapter 33 of this title in accordance with*
2 *the provisions of this section.*

3 “(3) *AVAILABILITY OF UNREVOKED ENTITLE-*
4 *MENT.—Any entitlement described in paragraph (1)*
5 *that is not revoked by an individual in accordance*
6 *with that paragraph shall remain available to the de-*
7 *pendent or dependents concerned in accordance with*
8 *the current transfer of such entitlement under section*
9 *3020 of this title.*

10 “(d) *POST-9/11 EDUCATIONAL ASSISTANCE.—*

11 “(1) *IN GENERAL.—Subject to paragraph (2)*
12 *and except as provided in subsection (e), an indi-*
13 *vidual making an election under subsection (a) shall*
14 *be entitled to educational assistance under this chap-*
15 *ter in accordance with the provisions of this chapter,*
16 *instead of basic educational assistance under chapter*
17 *30 this title, or educational assistance under chapter*
18 *107, 1606, or 1607 of title 10, as applicable.*

19 “(2) *LIMITATION ON ENTITLEMENT FOR CERTAIN*
20 *INDIVIDUALS.—In the case of an individual making*
21 *an election under subsection (a) who is described by*
22 *paragraph (1)(A) of that subsection, the number of*
23 *months of entitlement of the individual to educational*
24 *assistance under this chapter 33 shall be the number*
25 *of months equal to—*

1 “(A) *the number of months of unused enti-*
2 *tlement of the individual under chapter 30 of*
3 *this title, as of the date of the election, plus*

4 “(B) *the number of months, if any, of enti-*
5 *tlement revoked by the individual under sub-*
6 *section (c)(1).*

7 “(e) *CONTINUING ENTITLEMENT TO EDUCATIONAL AS-*
8 *SISTANCE NOT AVAILABLE UNDER 9/11 ASSISTANCE PRO-*
9 *GRAM.—*

10 “(1) *IN GENERAL.—In the event educational as-*
11 *istance to which an individual making an election*
12 *under subsection (a) would be entitled under chapter*
13 *30 of this title, or chapter 107, 1606, or 1607 of title*
14 *10, as applicable, is not authorized to be available to*
15 *the individual under the provisions of this chapter the*
16 *individual shall remain entitled to such educational*
17 *assistance in accordance with the provisions of the*
18 *applicable chapter.*

19 “(2) *CHARGE FOR USE OF ENTITLEMENT.—The*
20 *utilization by an individual of entitlement under*
21 *paragraph (1) shall be chargeable against the entitle-*
22 *ment of the individual to educational assistance*
23 *under this chapter at the rate of one month of entitle-*
24 *ment under this chapter for each month of entitlement*
25 *utilized by the individual under paragraph (1) (as*

1 *determined as if such entitlement were utilized under*
2 *the provisions of chapter 30 of this title, or chapter*
3 *107, 1606, or 1607 of title 10, as applicable).*

4 *“(f) ADDITIONAL POST-9/11 ASSISTANCE FOR MEM-*
5 *BERS HAVING MADE CONTRIBUTIONS TOWARD GI BILL.—*

6 *“(1) ADDITIONAL ASSISTANCE.—In the case of*
7 *an individual making an election under subsection*
8 *(a) who is described by subparagraph (A), (C), or (E)*
9 *of paragraph (1) of that subsection, the amount of*
10 *educational assistance payable to the individual*
11 *under this chapter 33 as a monthly stipend payable*
12 *under paragraph (1)(B) of section 3313(c) of this*
13 *title, or under paragraphs (2) through (7) of that sec-*
14 *tion (as applicable), shall be the amount otherwise*
15 *payable as a monthly stipend under the applicable*
16 *paragraph increased by the amount equal to—*

17 *“(A) the total amount of contributions to-*
18 *ward basic educational assistance made by the*
19 *individual under section 3011(b) or 3012(c) of*
20 *this title, as of the date of the election, multiplied*
21 *by*

22 *“(B) the fraction—*

23 *“(i) the numerator of which is—*

24 *“(I) the number of months of enti-*
25 *tlement to basic educational assistance*

1 under chapter 30 of this title remain-
2 ing to the individual at the time of the
3 election; plus

4 “*(II) the number of months, if*
5 *any, of entitlement under such chapter*
6 *30 revoked by the individual under*
7 *subsection (c)(1); and*

8 “*(ii) the denominator of which is 36*
9 *months.*

10 “(2) *MONTHS OF REMAINING ENTITLEMENT FOR*
11 *CERTAIN INDIVIDUALS.—In the case of an individual*
12 *covered by paragraph (1) who is described by sub-*
13 *section (a)(1)(E), the number of months of entitlement*
14 *to basic educational assistance remaining to the indi-*
15 *vidual for purposes of paragraph (1)(B)(i)(II) shall*
16 *be 36 months.*

17 “(3) *TIMING OF PAYMENT.—The amount payable*
18 *with respect to an individual under paragraph (1)*
19 *shall be paid to the individual together with the last*
20 *payment of the monthly stipend payable to the indi-*
21 *vidual under paragraph (1)(B) of section 3313(c) of*
22 *this title, or under subsections (b) through (g) of that*
23 *section (as applicable), before the exhaustion of the in-*
24 *dividual’s entitlement to educational assistance under*
25 *this chapter.*

1 “(g) *CONTINUING ENTITLEMENT TO ADDITIONAL AS-*
2 *SISTANCE FOR CRITICAL SKILLS OR SPECIALITY AND ADDI-*
3 *TIONAL SERVICE.*—*An individual making an election*
4 *under subsection (a)(1) who, at the time of the election, is*
5 *entitled to increased educational assistance under section*
6 *3015(d) of this title, or section 16131(i) of title 10, or sup-*
7 *plemental educational assistance under subchapter III of*
8 *chapter 30 of this title, shall remain entitled to such in-*
9 *creased educational assistance or supplemental educational*
10 *assistance in the utilization of entitlement to educational*
11 *assistance under this chapter, in an amount equal to the*
12 *quarter, semester, or term, as applicable, equivalent of the*
13 *monthly amount of such increased educational assistance*
14 *or supplemental educational assistance payable with respect*
15 *to the individual at the time of the election.*

16 “(h) *ALTERNATIVE ELECTION BY SECRETARY.*—

17 “(1) *IN GENERAL.*—*In the case of an individual*
18 *who, on or after January 1, 2016, submits to the Sec-*
19 *retary an election under this section that the Sec-*
20 *retary determines is clearly against the interests of*
21 *the individual, or who fails to make an election under*
22 *this section, the Secretary may make an alternative*
23 *election on behalf of the individual that the Secretary*
24 *determines is in the best interests of the individual.*

1 “(2) *NOTICE.*—*If the Secretary makes an elec-*
2 *tion on behalf of an individual under this subsection,*
3 *the Secretary shall notify the individual by not later*
4 *than seven days after making such election and shall*
5 *provide the individual with a 30-day period, begin-*
6 *ning on the date of the individual’s receipt of such*
7 *notice, during which the individual may modify or*
8 *revoke the election made by the Secretary on the indi-*
9 *vidual’s behalf. The Secretary shall include, as part*
10 *of such notice, a clear statement of why the alter-*
11 *native election made by the Secretary is in the best*
12 *interests of the individual as compared to the election*
13 *submitted by the individual. The Secretary shall pro-*
14 *vide the notice required under this paragraph by elec-*
15 *tronic means whenever possible.*

16 “(i) *IRREVOCABILITY OF ELECTIONS.*—*An election*
17 *under subsection (a) or (c)(1) is irrevocable.”.*

18 “(b) *CLERICAL AMENDMENT.*—*The table of sections at*
19 *the beginning of such chapter is amended by adding at the*
20 *end the following new item:*

 “3326. *Election to receive educational assistance.*”.

21 “(c) *CONFORMING REPEAL.*—*Subsection (c) of section*
22 *5003 of the Post-9/11 Veterans Educational Assistance Act*
23 *of 2008 (Public Law 110–252; 38 U.S.C. 3301 note) is here-*
24 *by repealed.*

1 **SEC. 306. CLARIFICATION OF ASSISTANCE PROVIDED FOR**
2 **CERTAIN FLIGHT TRAINING AND OTHER PRO-**
3 **GRAMS OF EDUCATION.**

4 (a) *FLIGHT TRAINING.*—Subsection (c)(1)(A) of sec-
5 tion 3313 of title 38, United States Code, is amended—

6 (1) in clause (i)—

7 (A) by redesignating subclauses (I) and (II)
8 as items (aa) and (bb), respectively;

9 (B) by striking “In the case of a program
10 of education pursued at a public institution of
11 higher learning” and inserting “(I) Subject to
12 subclause (II), in the case of a program of edu-
13 cation pursued at a public institution of higher
14 learning not described in clause (ii)(II)(bb)”;
15 and

16 (C) by adding at the end the following new
17 subclause:

18 “(II) In determining the actual net
19 cost for in-State tuition and fees pursuant
20 to subclause (I), the Secretary may not pay
21 for tuition and fees relating to flight train-
22 ing.”; and

23 (2) in clause (ii)—

24 (A) in subclause (I), by redesignating items
25 (aa) and (bb) as subitems (AA) and (BB), re-
26 spectively;

1 (B) in subclause (II), by redesignating
2 items (aa) and (bb) as subitems (AA) and (BB),
3 respectively;

4 (C) by redesignating subclauses (I) and (II)
5 as items (aa) and (bb), respectively;

6 (D) by striking “In the case of a program
7 of education pursued at a non-public or foreign
8 institution of higher learning” and inserting
9 “(I) In the case of a program of education de-
10 scribed in subclause (II)”;

11 (E) by adding at the end the following new
12 subclause:

13 “(II) A program of education described
14 in this subclause is any of the following:

15 “(aa) A program of education
16 pursued at a non-public or foreign in-
17 stitution of higher learning.

18 “(bb) A program of education
19 pursued at a public institution of high-
20 er learning in which flight training is
21 required to earn the degree being pur-
22 sued (including with respect to a dual
23 major, concentration, or other element
24 of such a degree).”.

1 **(b) CERTAIN PROGRAMS OF EDUCATION CARRIED OUT**
2 **UNDER CONTRACT.**—*Section 3313(c)(1)(A)(ii)(II) of title*
3 *38, United States Code, as added by subsection (a)(2)(E),*
4 *is amended by adding at the end the following new item:*

5 *“(cc) A program of education pur-*
6 *sued at a public institution of higher*
7 *learning in which the public institu-*
8 *tion of higher learning enters into a*
9 *contract or agreement with an entity*
10 *(other than another public institution*
11 *of higher learning) to provide such pro-*
12 *gram of education or a portion of such*
13 *program of education.”.*

14 **(c) APPLICATION.**—

15 **(1) IN GENERAL.**—*Except as provided by para-*
16 *graph (2), the amendments made by subsection (a)*
17 *and (b) shall apply with respect to a quarter, semes-*
18 *ter, or term, as applicable, commencing on or after*
19 *the date of the enactment of this Act.*

20 **(2) SPECIAL RULE FOR CURRENT STUDENTS.**—
21 *In the case of an individual who, as of the date of the*
22 *enactment of this Act, is using educational assistance*
23 *under chapter 33 of title 38, United States Code, to*
24 *pursue a course of education that includes a program*
25 *of education described in item (bb) or (cc) of section*

1 3313(c)(1)(A)(ii)(II) of title 38, United States Code,
2 as added by subsections (a) and (b), respectively, the
3 amendment made by such subsection shall apply with
4 respect to a quarter, semester, or term, as applicable,
5 commencing on or after the date that is two years
6 after the date of the enactment of this Act.

7 **SEC. 307. CONSIDERATION OF CERTAIN TIME SPENT RE-**
8 **CEIVING MEDICAL CARE FROM SECRETARY**
9 **OF DEFENSE AS ACTIVE DUTY FOR PURPOSES**
10 **OF ELIGIBILITY FOR POST-9/11 EDUCATIONAL**
11 **ASSISTANCE.**

12 (a) *IN GENERAL.*—Section 3301(1)(B) of title 38,
13 United States Code, is amended by inserting “12301(h),”
14 after “12301(g).”

15 (b) *APPLICATION.*—The amendment made by sub-
16 section (a) shall apply with respect to active duty service
17 by a member of a reserve component covered by section
18 12301(h) of title 10, United States, beginning on or after
19 the date that is 180 days after the date of the enactment
20 of this Act.

21 **SEC. 308. WORK-STUDY ALLOWANCE.**

22 Section 3485(a)(4) of title 38, United States Code, is
23 amended by striking “June 30, 2013” each place it appears
24 and inserting “June 30, 2013, or the period beginning on
25 June 30, 2016, and ending on June 30, 2021”.

1 **SEC. 309. VOCATIONAL REHABILITATION AND EDUCATION**

2 **ACTION PLAN.**

3 *Not later than 270 days after the date of the enactment*
4 *of this Act, the Secretary of Veterans Affairs shall develop*
5 *and publish an action plan for improving the services and*
6 *assistance provided under chapter 31 of title 38, United*
7 *States Code. Such plan shall include each of the following:*

8 (1) *A comprehensive analysis of, and rec-*
9 *ommendations and a proposed implementation plan*
10 *for remedying workload management challenges at re-*
11 *gional offices of the Department of Veterans Affairs,*
12 *including steps to reduce counselor caseloads of vet-*
13 *erans participating in a rehabilitation program*
14 *under such chapter, particularly for counselors who*
15 *are assisting veterans with traumatic brain injury*
16 *and post-traumatic stress disorder and counselors*
17 *with educational and vocational counseling work-*
18 *loads.*

19 (2) *A comprehensive analysis of the reasons for*
20 *the disproportionately low percentage of veterans with*
21 *service-connected disabilities who served in the Armed*
22 *Forces after September 11, 2001, who opt to partici-*
23 *pate in a rehabilitation program under such chapter*
24 *relative to the percentage of such veterans who use*
25 *their entitlement to educational assistance under*
26 *chapter 33 of title 38, United States Code, including*

1 *an analysis of barriers to timely enrollment in reha-*
2 *ilitation programs under chapter 31 of such title*
3 *and of any barriers to a veteran enrolling in the pro-*
4 *gram of that veteran's choice.*

5 *(3) Recommendations and a proposed implemen-*
6 *tation plan for encouraging more veterans with serv-*
7 *ice-connected disabilities who served in the Armed*
8 *Forces after September 11, 2001, to participate in re-*
9 *habilitation programs under chapter 31 of such title.*

10 *(4) A national staff training program for voca-*
11 *tional rehabilitation counselors of the Department*
12 *that includes the provision of—*

13 *(A) training to assist counselors in under-*
14 *standing the very profound disorientation expe-*
15 *rienced by warriors whose lives and life-plans*
16 *have been upended and out of their control be-*
17 *cause of their injury;*

18 *(B) training to assist counselors in working*
19 *in partnership with veterans on individual reha-*
20 *ilitation plans; and*

21 *(C) training on post-traumatic stress dis-*
22 *order and other mental health conditions and on*
23 *moderate to severe traumatic brain injury that*
24 *is designed to improve the ability of such coun-*
25 *selors to assist veterans with these conditions, in-*

1 cluding by providing information on the broad
2 spectrum of such conditions and the effect of such
3 conditions on an individual's abilities and func-
4 tional limitations.

5 **SEC. 310. REDUCTION IN REDUNDANCY AND INEFFICIEN-**
6 **CIES IN VOCATIONAL REHABILITATION**
7 **CLAIMS PROCESSING.**

8 (a) *VOCATIONAL REHABILITATION CLAIMS.*—The Sec-
9 retary of Veterans Affairs shall reduce redundancy and in-
10 efficiencies in the use of information technology to process
11 claims for rehabilitation programs under chapter 31 of title
12 38, United States Code, by—

13 (1) *ensuring that all payments for and on behalf*
14 *of veterans participating in a rehabilitation program*
15 *under such chapter are only processed and paid out*
16 *of one corporate information technology system, in*
17 *order to eliminate the redundancy of multiple infor-*
18 *mation technology payment systems; and*

19 (2) *enhancing the information technology system*
20 *supporting veterans participating in such a program*
21 *to support more accurate accounting of services and*
22 *outcomes for such veterans.*

23 (b) *AUTHORIZATION OF APPROPRIATIONS.*—There is
24 authorized to be appropriated to the Secretary of Veterans

1 *Affairs for fiscal year 2016 \$10,000,000 to carry out this*
2 *section.*

3 *(c) REPORT.—Not later than 180 days after the date*
4 *of the enactment of this Act, the Secretary of Veterans Af-*
5 *fairs shall submit to Congress a report on the changes made*
6 *pursuant to subsection (a).*

7 ***TITLE IV—ADMINISTRATION OF***
8 ***EDUCATIONAL ASSISTANCE***

9 ***SEC. 401. CENTRALIZED REPORTING OF VETERAN ENROLL-***
10 ***MENT BY CERTAIN GROUPS, DISTRICTS, AND***
11 ***CONSORTIUMS OF EDUCATIONAL INSTITU-***
12 ***TIONS.***

13 *(a) IN GENERAL.—Section 3684(a) of title 38, United*
14 *States Code, is amended—*

15 *(1) in paragraph (1), by inserting “32, 33,”*
16 *after “31,”; and*

17 *(2) by adding at the end the following new para-*
18 *graph:*

19 *“(4) For purposes of this subsection, the term ‘edu-*
20 *cational institution’ may include a group, district, or con-*
21 *sortium of separately accredited educational institutions lo-*
22 *cated in the same State that are organized in a manner*
23 *that facilitates the centralized reporting of the enrollments*
24 *in such group, district, or consortium of institutions.”.*

1 (b) *EFFECTIVE DATE.*—The amendments made by sub-
2 section (a) shall apply with respect to reports submitted on
3 or after the date of the enactment of this Act.

4 **SEC. 402. PROVISION OF INFORMATION REGARDING VET-**
5 **ERAN ENTITLEMENT TO EDUCATIONAL AS-**
6 **SISTANCE.**

7 (a) *IN GENERAL.*—Subchapter II of chapter 36 of title
8 38, United States Code, is amended by adding at the end
9 the following new section:

10 **“§3699. Provision of certain information to edu-**
11 **cational institutions**

12 “*For each veteran or other individual pursuing a*
13 *course of education that has been approved under this chap-*
14 *ter using educational assistance to which the veteran or*
15 *other individual is entitled under chapter 30, 32, 33, or*
16 *35 of this title, the Secretary shall make available to the*
17 *educational institution offering the course information*
18 *about the amount of such educational assistance to which*
19 *the veteran or other individual is entitled. Such informa-*
20 *tion shall be provided to such educational institution*
21 *through a secure information technology system accessible*
22 *by the educational institution and shall be regularly up-*
23 *dated to reflect any amounts used by the veteran or other*
24 *individual.”.*

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
2 *the beginning of such chapter is amended by inserting after*
3 *the item relating to section 3698 the following new item:*

“3699. Provision of certain information to educational institutions.”.

4 **SEC. 403. ROLE OF STATE APPROVING AGENCIES.**

5 (a) *APPROVAL OF CERTAIN COURSES.*—*Section*
6 *3672(b)(2)(A) of title 38, United States Code, is amended*
7 *by striking “the following” and all that follows through the*
8 *colon and inserting the following: “a program of education*
9 *is deemed to be approved for purposes of this chapter if a*
10 *State approving agency determines that the program is one*
11 *of the following programs:”.*

12 (b) *APPROVAL OF OTHER COURSES.*—*Section 3675 of*
13 *such title is amended—*

14 (1) *in subsection (a)(1)—*

15 (A) *by striking “The Secretary or a State*
16 *approving agency” and inserting “A State ap-*
17 *proving agency, or the Secretary when acting in*
18 *the role of a State approving agency,”; and*

19 (B) *by striking “offered by proprietary for-*
20 *profit educational institutions” and inserting*
21 *“not covered by section 3672 of this title”; and*

22 (2) *in subsection (b), by striking “the Secretary*
23 *or the State approving agency” each place it appears*
24 *and inserting “the State approving agency, or the*

1 *Secretary when acting in the role of a State approv-*
2 *ing agency,”.*

3 **SEC. 404. CRITERIA USED TO APPROVE COURSES.**

4 (a) *NONACCREDITED COURSES.*—Section 3676(c)(14)
5 *of title 38, United States Code, is amended by inserting*
6 *before the period the following: “if the Secretary, in con-*
7 *sultation with the State approving agency and pursuant*
8 *to regulations prescribed to carry out this paragraph, deter-*
9 *mines such criteria are necessary and treat public, private,*
10 *and proprietary for-profit educational institutions equi-*
11 *tably”.*

12 (b) *ACCREDITED COURSES.*—Section 3675(b)(3) of
13 *such title is amended by striking “and (3)” and inserting*
14 *“(3), and (14)”.*

15 (c) *APPLICATION.*—The amendment made by sub-
16 *section (a) shall apply with respect to—*

17 (1) *criteria developed pursuant to paragraph*
18 (14) *of subsection (c) of section 3676 of title 38,*
19 *United States Code, on or after January 1, 2013; and*

20 (2) *an investigation conducted under such sub-*
21 *section that is covered by a reimbursement of expenses*
22 *paid by the Secretary of Veterans Affairs to a State*
23 *pursuant to section 3674 of such title on or after Oc-*
24 *tober 1, 2015.*

1 **SEC. 405. COMPLIANCE SURVEYS.**

2 (a) *IN GENERAL.*—Section 3693 of such title is amend-
3 ed—

4 (1) *by striking subsection (a) and inserting the*
5 *following new subsection (a):*

6 “(a)(1) *Except as provided in subsection (b), the Sec-*
7 *retary shall conduct an annual compliance survey of edu-*
8 *cational institutions and training establishments offering*
9 *one or more courses approved for the enrollment of eligible*
10 *veterans or persons if at least 20 such veterans or persons*
11 *are enrolled in any such course. The Secretary shall—*

12 “(A) *design the compliance surveys to ensure*
13 *that such institutions or establishments, as the case*
14 *may be, and approved courses are in compliance with*
15 *all applicable provisions of chapters 30 through 36 of*
16 *this title;*

17 “(B) *survey each such educational institution*
18 *and training establishment not less than once during*
19 *every two-year period; and*

20 “(C) *assign not fewer than one education compli-*
21 *ance specialist to work on compliance surveys in any*
22 *year for each 40 compliance surveys required to be*
23 *made under this section for such year.*

24 “(2) *The Secretary, in consultation with the State ap-*
25 *proving agencies, shall—*

1 “(A) annually determine the parameters of the
2 surveys required under paragraph (1); and

3 “(B) not later than September 1 of each year,
4 make available to the State approving agencies a list
5 of the educational institutions and training establish-
6 ments that will be surveyed during the fiscal year fol-
7 lowing the date of making such list available.”; and

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

10 “(c) In this section, the terms ‘educational institution’
11 and ‘training establishment’ have the meaning given such
12 terms in section 3452 of this title.”.

13 (b) CONFORMING AMENDMENTS.—Subsection (b) of
14 such section is amended—

15 (1) by striking “subsection (a) of this section for
16 an annual compliance survey” and inserting “sub-
17 section (a)(1) for a compliance survey”;

18 (2) by striking “institution” and inserting “edu-
19 cational institution or training establishment”; and

20 (3) by striking “institution’s demonstrated
21 record of compliance” and inserting “record of com-
22 pliance of such institution or establishment”.

1 **SEC. 406. SURVEY OF INDIVIDUALS USING THEIR ENTITLE-**
2 **MENT TO EDUCATIONAL ASSISTANCE UNDER**
3 **THE EDUCATIONAL ASSISTANCE PROGRAMS**
4 **ADMINISTERED BY THE SECRETARY OF VET-**
5 **ERANS AFFAIRS.**

6 (a) *SURVEY REQUIRED.*—By not later than 270 days
7 after the date of the enactment of this Act, the Secretary
8 of Veterans Affairs shall enter into a contract with a non-
9 government entity for the conduct of a survey of a statis-
10 tically valid sample of individuals who have used or are
11 using their entitlement to educational assistance under
12 chapters 30, 32, 33, and 35 of title 38, United States Code,
13 to pursue a program of education or training. The contract
14 shall provide that—

15 (1) not later than one month before the collection
16 of data under the survey begins, the survey shall be
17 submitted to the Committees on Veterans' Affairs of
18 the Senate and House of Representatives;

19 (2) the non-government entity shall complete the
20 survey and submit to the Secretary the results of the
21 survey by not later than 180 days after entering into
22 the contract; and

23 (3) the survey shall be conducted by electronic
24 means and by any other means the non-government
25 entity determines appropriate.

1 **(b) INFORMATION TO BE COLLECTED.**—*The contract*
2 *under subsection (a) shall provide that the survey shall be*
3 *designed to collect the following types of information about*
4 *each individual surveyed, where applicable:*

5 (1) *Demographic information, including the*
6 *highest level of education completed by the individual,*
7 *the military occupational specialty or specialties of*
8 *the individual while serving on active duty as a*
9 *member of the Armed Forces or as a member of the*
10 *National Guard or of a Reserve Component of the*
11 *Armed Forces, and whether the individual has a serv-*
12 *ice-connected disability.*

13 (2) *The opinion of the individual regarding par-*
14 *ticipation in the transition assistance program under*
15 *section 1144 of title 10, United States Code, and the*
16 *effectiveness of the program, including instruction on*
17 *the use of the benefits under laws administered by the*
18 *Secretary of Veterans Affairs.*

19 (3) *The resources the individual used to help the*
20 *individual—*

21 (A) *decide to use the individual's entitle-*
22 *ment to educational assistance to enroll in a*
23 *program of education or training; and*

24 (B) *choose the program of education or*
25 *training the individual pursued.*

1 (4) *The individual's goal when the individual*
2 *enrolled in the program of education or training.*

3 (5) *The nature of the individual's experience*
4 *with the education benefits processing system of the*
5 *Department of Veterans Affairs.*

6 (6) *The nature of the individual's experience*
7 *with the school certifying official of the educational*
8 *institution where the individual pursued the program*
9 *of education or training who processed the individ-*
10 *ual's claim.*

11 (7) *Any services or benefits the educational insti-*
12 *tution or program of education or training provided*
13 *to veterans while the individual pursued the program*
14 *of education or training.*

15 (8) *The type of educational institution at which*
16 *the individual pursued the program of education or*
17 *training.*

18 (9) *Whether the individual completed the pro-*
19 *gram of education or training or the number of credit*
20 *hours completed by the individual as of the time of*
21 *the survey, and, if applicable, any degree or certifi-*
22 *cate obtained by the individual for completing the*
23 *program.*

24 (10) *The employment status of the individual*
25 *and whether such employment status differs from the*

1 *employment status of the individual prior to enrolling*
2 *in the program of education or training.*

3 (11) *Whether the individual is or was enrolled in*
4 *a program of education on a full-time or part-time*
5 *basis.*

6 (12) *The opinion of the individual on the effec-*
7 *tiveness of the educational assistance program of the*
8 *Department of Veterans Affairs under which the indi-*
9 *vidual was entitled to educational assistance.*

10 (13) *Whether the individual was ever entitled to*
11 *a rehabilitation under chapter 31 of title 38, United*
12 *States Code, and whether the individual participated*
13 *in such a program.*

14 (14) *A description of any circumstances that*
15 *prevented the individual from using the individual's*
16 *entitlement to educational assistance to pursue a de-*
17 *sired career path or degree.*

18 (15) *Whether the individual is using the individ-*
19 *ual's entitlement to educational assistance to pursue*
20 *a program of education or training or has transferred*
21 *such an entitlement to a dependent.*

22 (16) *Such other matters as the Secretary deter-*
23 *mines appropriate.*

24 (c) *REPORT.—Not later than 90 days after receiving*
25 *the results of the survey required under this section, the Sec-*

1 *retary shall submit to the Committees on Veterans' Affairs*
2 *of the Senate and House of Representatives a report on the*
3 *results of the survey and any recommendations of the Sec-*
4 *retary relating to such results. Such report shall also in-*
5 *clude an unedited version of the results of the survey sub-*
6 *mitted by the non-government entity that conducted the*
7 *study.*

8 **SEC. 407. IMPROVEMENT OF INFORMATION TECHNOLOGY**
9 **OF THE VETERANS BENEFITS ADMINISTRA-**
10 **TION OF THE DEPARTMENT OF VETERANS AF-**
11 **FAIRS.**

12 *(a) PROCESSING OF CERTAIN EDUCATIONAL ASSIST-*
13 *ANCE CLAIMS.—The Secretary of Veterans Affairs shall, to*
14 *the maximum extent possible, make such changes and im-*
15 *provements to the information technology system of the Vet-*
16 *erans Benefits Administration of the Department of Vet-*
17 *erans Affairs to ensure that—*

18 *(1) to the maximum extent possible, all original*
19 *and supplemental claims for educational assistance*
20 *under chapter 33 of title 38, United States Code, are*
21 *adjudicated electronically; and*

22 *(2) rules-based processing is used to make deci-*
23 *sions with respect to such claims with little human*
24 *intervention.*

1 (b) *IMPLEMENTATION PLAN.*—Not later than 180 days
2 after the date of the enactment of this Act, the Secretary
3 of Veterans Affairs shall submit to Congress a plan to im-
4 plement the changes and improvements described in sub-
5 section (a).

6 (c) *REPORT.*—Not later than one year after the date
7 of the enactment of this Act, the Secretary of Veterans Af-
8 fairs shall submit to Congress a report on the implementa-
9 tion of the changes and improvements described in sub-
10 section (a).

11 (d) *AUTHORIZATION OF APPROPRIATIONS.*—There is
12 authorized to be appropriated to the Secretary of Veterans
13 Affairs \$30,000,000 to carry out this section during fiscal
14 years 2016 and 2017.

15 **SEC. 408. TECHNICAL AMENDMENT RELATING TO IN-STATE**
16 **TUITION RATE FOR INDIVIDUALS TO WHOM**
17 **ENTITLEMENT IS TRANSFERRED UNDER ALL-**
18 **VOLUNTEER FORCE EDUCATIONAL ASSIST-**
19 **ANCE PROGRAM AND POST-9/11 EDU-**
20 **CATIONAL ASSISTANCE.**

21 (a) *TECHNICAL AMENDMENT.*—Section 3679(c)(2)(B)
22 of title 38, United States Code, is amended by striking “or
23 3319 of this title” and all that follows and inserting “of
24 this title or to whom educational assistance is transferred
25 under section 3319 of this title.”.

1 (b) *APPLICABILITY.*—*The amendment made by sub-*
2 *section (a) shall apply with respect to a course, semester,*
3 *or term that begins after July 1, 2016.*

4 ***TITLE V—OTHER MATTERS***

5 ***SEC. 501. AMOUNT OF LOAN GUARANTEED UNDER HOME***
6 ***LOAN PROGRAM OF DEPARTMENT OF VET-***
7 ***ERANS AFFAIRS.***

8 (a) *ADJUSTMENT OF LOAN LIMIT.*—*Section*
9 *3703(a)(1) of title 38, United States Code, is amended—*
10 (1) *in subparagraph (A)(i)(IV)—*
11 (A) *by striking “the lesser of”; and*
12 (B) *by striking “or 25 percent of the loan”;*
13 *and*
14 (2) *in subparagraph (C), by striking “Freddie*
15 *Mac” and all that follows through the period at the*
16 *end and inserting “amount of the loan.”.*

17 (b) *EFFECTIVE DATE.*—*The amendments made by this*
18 *section shall apply with respect to a loan guaranteed under*
19 *section 3710 of title 38, United States Code, on or after*
20 *the date that is 30 days after the date of the enactment*
21 *of this Act.*

1 **SEC. 502. LONGITUDINAL STUDY OF JOB COUNSELING,**
2 **TRAINING, AND PLACEMENT SERVICE FOR**
3 **VETERANS.**

4 (a) *IN GENERAL.*—Chapter 41 of title 38, United
5 States Code, is amended by adding at the end the following
6 new section:

7 **“§4115. Longitudinal study of job counseling, train-**
8 **ing, and placement service for veterans**

9 “(a) *STUDY REQUIRED.*—(1) *The Secretary shall enter*
10 *into a contract with a non-government entity to conduct*
11 *a longitudinal study of a statistically valid sample of each*
12 *of the groups of individuals described in paragraph (2). The*
13 *contract shall provide for the study of each such group over*
14 *a period of at least five years.*

15 “(2) *The groups of individuals described in this para-*
16 *graph are the following:*

17 “(A) *Veterans who have received intensive serv-*
18 *ices.*

19 “(B) *Veterans who did not receive intensive serv-*
20 *ices but who otherwise received services under this*
21 *chapter.*

22 “(C) *Veterans who did not seek or receive services*
23 *under this chapter.*

24 “(3) *The study required by this subsection shall in-*
25 *clude the collection of the following information for each*
26 *individual who participates in the study:*

1 “(A) *The average number of months such indi-*
2 *vidual served on active duty.*

3 “(B) *The distribution of disability ratings of*
4 *such individual.*

5 “(C) *Any unemployment benefits received by*
6 *such individual.*

7 “(D) *The average number of months such indi-*
8 *vidual was employed during the year covered by the*
9 *report.*

10 “(E) *The average annual starting and ending*
11 *salaries of any such individual who was employed*
12 *during the year covered by the report.*

13 “(F) *The average annual income of such indi-*
14 *vidual.*

15 “(G) *The average total household income of such*
16 *individual for the year covered by the report.*

17 “(H) *The percentage of such individuals who*
18 *own their principal residences.*

19 “(I) *The employment status of such individual.*

20 “(J) *In the case of such an individual who re-*
21 *ceived services under this chapter, whether the indi-*
22 *vidual believes that any service provided by a dis-*
23 *abled veterans’ outreach specialist or local veterans’*
24 *employment representative helped the individual to*
25 *become employed.*

1 “(K) *In the case of such an individual who be-*
2 *lieves such a service helped the individual to become*
3 *employed, whether—*

4 “(i) *the individual retained the position of*
5 *employment for a period of one year or longer;*
6 *and*

7 “(ii) *the individual believes such a service*
8 *helped the individual to secure a higher wage or*
9 *salary.*

10 “(L) *The conditions under which such individual*
11 *was discharged or released from the Armed Forces.*

12 “(M) *Whether such individual has used any edu-*
13 *cational assistance to which the individual is entitled*
14 *under this title.*

15 “(N) *Whether such individual has participated*
16 *in a rehabilitation program under chapter 31 of this*
17 *title.*

18 “(O) *Demographic information about such indi-*
19 *vidual.*

20 “(P) *Such other information as the Secretary de-*
21 *termines appropriate.*

22 “(b) *ANNUAL REPORTS.—(1) By not later than July*
23 *1 of each year covered by the study required under sub-*
24 *section (a), the Secretary shall submit to the Committees*
25 *on Veterans’ Affairs of the Senate and House of Representa-*

1 *tives a report on the outcomes of the study during the pre-*
 2 *ceding year.*

3 “(2) *The Secretary shall include in each annual report*
 4 *submitted under paragraph (1) any information the Sec-*
 5 *retary determines is necessary to determine the long-term*
 6 *outcomes of the individuals in the groups described in sub-*
 7 *section (a)(2).”.*

8 **(b) CLERICAL AMENDMENT.**—*The table of sections at*
 9 *the beginning of such chapter is amended by adding at the*
 10 *end the following new item:*

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

11 **SEC. 503. LIMITATIONS ON SUBCONTRACTS UNDER CON-**
 12 **TRACTS WITH SMALL BUSINESS CONCERNS**
 13 **OWNED AND CONTROLLED BY VETERANS.**

14 **(a) IN GENERAL.**—*Section 8127 of title 38, United*
 15 *States Code, is amended—*

16 (1) *by redesignating subsection (l) as subsection*
 17 *(m); and*

18 (2) *by inserting after subsection (k) the following*
 19 *new subsection (l):*

20 “(l) **LIMITATIONS ON SUBCONTRACTING.**—(1)(A) *The*
 21 *requirements applicable to a covered small business concern*
 22 *under section 46 of the Small Business Act (15 U.S.C. 657s)*
 23 *shall apply with respect to a small business concern owned*
 24 *and controlled by a veteran with a service-connected dis-*

1 *ability or a small business concern owned and controlled*
2 *by a veteran that is awarded a contract that is counted*
3 *for purposes of meeting the goals under subsection (a).*

4 “(B) *For purposes of applying the requirements of sec-*
5 *tion 46 of the Small Business Act (15 U.S.C. 657s) pursu-*
6 *ant to subparagraph (A), the term ‘similarly situated enti-*
7 *ty’ used in such section 46 includes a subcontractor for a*
8 *small business concern owned and controlled by a veteran*
9 *with a service-connected disability or a small business con-*
10 *cern owned and controlled by a veteran described in such*
11 *subparagraph (A).*

12 “(2) *Before awarding a contract that is counted for*
13 *purposes of meeting the goals under subsection (a), the Sec-*
14 *retary shall obtain from an offeror a certification that the*
15 *offeror will comply with the requirements described in para-*
16 *graph (1)(A) if awarded the contract. Such certification*
17 *shall—*

18 “(A) *specify the exact performance requirements*
19 *applicable under such paragraph; and*

20 “(B) *explicitly acknowledge that the certification*
21 *is subject to section 1001 of title 18.*

22 “(3) *If the Secretary determines that a small business*
23 *concern that is awarded a contract that is counted for pur-*
24 *poses of meeting the goals under subsection (a) did not act*
25 *in good faith with respect to the requirements described in*

1 *paragraph (1)(A), the small business concern shall be sub-*
2 *ject to the penalties specified in—*

3 *“(A) section 16(g)(1) of the Small Business Act*
4 *(15 U.S.C. 645(g)(1)); and*

5 *“(B) section 1001 of title 18.*

6 *“(4)(A) The Director of Small and Disadvantaged*
7 *Business Utilization for the Department, established pursu-*
8 *ant to section 15(k) of the Small Business Act (15 U.S.C.*
9 *644(k)), and the Chief Acquisition Officer of the Depart-*
10 *ment, established pursuant to section 1702 of title 41, shall*
11 *jointly implement a process using the systems described in*
12 *section 16(g)(2) of the Small Business Act (15 U.S.C.*
13 *645(g)(2)), or any other systems available, to monitor com-*
14 *pliance with this subsection. The Chief Acquisition Officer*
15 *shall refer any violations of this subsection to the Inspector*
16 *General of the Department.*

17 *“(B) Not later than November 30 of each year, the In-*
18 *spector General shall submit to the Committees on Veterans’*
19 *Affairs of the Senate and House of Representatives a report*
20 *for the fiscal year preceding the fiscal year during which*
21 *the report is submitted that includes, for the fiscal year cov-*
22 *ered by the report—*

23 *“(i) the number of referred violations received*
24 *under subparagraph (A); and*

1 “(ii) the disposition of such referred violations,
2 including the number of small business concerns sus-
3 pended or debarred from Federal contracting or re-
4 ferred to the Attorney General for prosecution.”.

5 (b) *EFFECTIVE DATE.*—Subsection (l) of section 8127
6 of title 38, United States Code, as added by subsection (a)
7 shall apply with respect to a contract entered into after the
8 date of the enactment of this Act.

9 **SEC. 504. PROCEDURES FOR PROVISION OF CERTAIN IN-**
10 **FORMATION TO STATE VETERANS AGENCIES**
11 **TO FACILITATE THE FURNISHING OF ASSIST-**
12 **ANCE AND BENEFITS TO VETERANS.**

13 (a) *PROCEDURES REQUIRED.*—The Secretary of Vet-
14 erans Affairs shall develop procedures to share the informa-
15 tion described in subsection (b) regarding veterans with
16 State veterans agencies in electronic data format as a
17 means of facilitating the furnishing of assistance and bene-
18 fits to veterans.

19 (b) *COVERED INFORMATION.*—The information shared
20 with State veterans agencies under subsection (a) regarding
21 a veteran shall include the following:

- 22 (1) Military service and separation data.
- 23 (2) A personal email address.
- 24 (3) A personal telephone number.
- 25 (4) A mailing address.

1 (c) *OPT-OUT ELECTION.*—*A veteran may elect to pre-*
2 *vent their information from being shared with State vet-*
3 *erans agencies under subsection (a) pursuant to a process*
4 *that the Secretary shall establish for purposes of this sub-*
5 *section.*

6 (d) *USE OF INFORMATION.*—*The Secretary shall en-*
7 *sure that the information shared with State veterans agen-*
8 *cies in accordance with the procedures developed under sub-*
9 *section (a) is only shared by such agencies with county gov-*
10 *ernment veterans service offices for such purposes as the*
11 *Secretary shall specify for the administration and delivery*
12 *of assistance and benefits.*

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.”.

Union Calendar No. 274

114TH CONGRESS
1ST Session

H. R. 3016

[Report No. 114-358]

A BILL

To amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs.

DECEMBER 1, 2015

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed