

115TH CONGRESS
2D SESSION

S. 2768

To amend title 38, United States Code, to establish the Veterans Economic Opportunity and Transition Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 26, 2018

Mr. RUBIO (for himself and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to establish the Veterans Economic Opportunity and Transition Administration, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans’ Education,
5 Transition, and Opportunity Prioritization Plan Act of
6 2018” or the “VET OPP Act of 2018”.

7 **SEC. 2. ESTABLISHMENT OF VETERANS ECONOMIC OPPOR-**
8 **TUNITY AND TRANSITION ADMINISTRATION.**

9 (a) VETERANS ECONOMIC OPPORTUNITY AND TRAN-
10 SITION ADMINISTRATION.—

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

4 **“CHAPTER 80—VETERANS ECONOMIC OP-**
 5 **PORTUNITY AND TRANSITION ADMIN-**
 6 **ISTRATION**

“Sec.

“8001. Organization of Administration.

“8002. Functions of Administration.

7 **“§ 8001. Organization of Administration**

8 “(a) VETERANS ECONOMIC OPPORTUNITY AND
 9 TRANSITION ADMINISTRATION.—(1) There is in the De-
 10 partment of Veterans Affairs a Veterans Economic Oppor-
 11 tunity and Transition Administration.

12 “(2) The primary function of the Veterans Economic
 13 Opportunity and Transition Administration is the admin-
 14 istration of the programs of the Department that provide
 15 assistance related to economic opportunity to veterans and
 16 their dependents and survivors.

17 “(b) UNDER SECRETARY FOR ECONOMIC OPPOR-
 18 TUNITY AND TRANSITION.—The Veterans Economic Op-
 19 portunity and Transition Administration is under the
 20 Under Secretary for Veterans Economic Opportunity and
 21 Transition, who is directly responsible to the Secretary for
 22 the operations of the Administration.

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 adminis-
13 tration of the database of veteran-owned businesses
14 described in such subsection.

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

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

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

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

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

4 (c) FULL-TIME EMPLOYEES.—For fiscal years 2019
 5 and 2020, the total number of full-time equivalent employ-
 6 ees authorized for the Veterans Benefits Administration
 7 and the Veterans Economic Opportunity and Transition
 8 Administration, as established under chapter 80 of title
 9 38, United States Code, as added by subsection (a), may
 10 not exceed 21,543.

11 **SEC. 3. UNDER SECRETARY FOR VETERANS ECONOMIC OP-**
 12 **PORTUNITY AND TRANSITION.**

13 (a) UNDER SECRETARY.—

14 (1) IN GENERAL.—Chapter 3 of title 38, United
 15 States Code, is amended by inserting after section
 16 306 the following new section:

17 **“§ 306A. Under Secretary for Veterans Economic Op-**
 18 **portunity and Transition**

19 “(a) UNDER SECRETARY.—(1) There is in the De-
 20 partment an Under Secretary for Veterans Economic Op-
 21 portunity and Transition, who is appointed by the Presi-
 22 dent, by and with the advice and consent of the Senate.

23 “(2) The Under Secretary for Veterans Economic
 24 Opportunity and Transition shall be appointed without re-

1 gard to political affiliation or activity and solely on the
2 basis of demonstrated ability in—

3 “(A) information technology; and

4 “(B) the administration of programs within the
5 Veterans Economic Opportunity and Transition Ad-
6 ministration or programs of similar content and
7 scope.

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

13 “(c) VACANCIES.—(1) Whenever a vacancy in the po-
14 sition of Under Secretary for Veterans Economic Oppor-
15 tunity and Transition occurs or is anticipated, the Sec-
16 retary shall establish a commission to recommend individ-
17 uals to the President for appointment to the position.

18 “(2) A commission established under this subsection
19 shall be composed of the following members appointed by
20 the Secretary:

21 “(A) Three persons representing education and
22 training, vocational rehabilitation, employment, real
23 estate, mortgage finance and related industries, and
24 survivor benefits activities affected by the Veterans

1 Economic Opportunity and Transition Administra-
2 tion.

3 “(B) Two persons representing veterans served
4 by the Veterans Economic Opportunity and Transi-
5 tion Administration.

6 “(C) Two persons who have experience in the
7 management of private sector benefits programs of
8 similar content and scope to the economic oppor-
9 tunity and transition programs of the Department.

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

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

14 “(F) One person who has held the position of
15 Under Secretary for Veterans Economic Opportunity
16 and Transition, if the Secretary determines that it
17 is desirable for such person to be a member of the
18 commission.

19 “(3)(A) A commission established under this sub-
20 section shall recommend at least three individuals for ap-
21 pointment to the position of Under Secretary for Veterans
22 Economic Opportunity and Transition.

23 “(B) The commission shall submit all recommenda-
24 tions to the Secretary.

1 “(C) The Secretary shall forward the recommenda-
 2 tions to the President and the Committee on Veterans’
 3 Affairs of the Senate and Committee on Veterans’ Affairs
 4 of the House of Representatives with any comments the
 5 Secretary considers appropriate.

6 “(D) After receiving recommendations under sub-
 7 paragraph (C), the President may request the commission
 8 to recommend additional individuals for appointment.

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

14 (2) CLERICAL AMENDMENT.—The table of sec-
 15 tions at the beginning of such chapter is amended
 16 by inserting after the item relating to section 306
 17 the following new item:

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

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

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

24 (2) in section 317(d)(2), by inserting after
 25 “Under Secretary for Benefits,” the following: “the

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

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

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

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

17 (6) in section 542(a)(2)(B)(iii), by striking
18 “Health and the Under Secretary for Benefits” and
19 inserting “Health, the Under Secretary for Benefits,
20 and the Under Secretary for Veterans Economic Op-
21 portunity and Transition”;

22 (7) in section 544(a)(2)(B)(vi), by striking
23 “Health and the Under Secretary for Benefits” and
24 inserting “Health, the Under Secretary for Benefits,

1 and the Under Secretary for Veterans Economic Op-
2 portunity and Transition”;

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

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

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

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

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