

114TH CONGRESS
2^D SESSION

H. R. 3016

AN ACT

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.

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
 5 “Veterans Employment, Education, and Healthcare Im-
 6 provement 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 Department 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 Administration.

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

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 vocational rehabilitation program of the Department of Veterans Affairs.

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

Sec. 305. Recodification and improvement of election process for Post-9/11 Educational Assistance Program.

Sec. 306. Clarification of assistance provided for certain flight training and other programs of education.

- Sec. 307. Consideration of certain time spent receiving medical care from Secretary of Defense as active duty for purposes of eligibility for post-9/11 educational assistance.
- Sec. 308. Work-study allowance.
- Sec. 309. Vocational rehabilitation and education action plan.
- Sec. 310. Reduction in redundancy and inefficiencies in vocational rehabilitation claims processing.

TITLE IV—ADMINISTRATION OF EDUCATIONAL ASSISTANCE

- Sec. 401. Centralized reporting of veteran enrollment by certain groups, districts, and consortiums of educational institutions.
- Sec. 402. Provision of information regarding veteran entitlement to educational assistance.
- Sec. 403. Role of State approving agencies.
- Sec. 404. Criteria used to approve courses.
- Sec. 405. Compliance surveys.
- Sec. 406. Survey of individuals using their entitlement to educational assistance under the educational assistance programs administered by the Secretary of Veterans Affairs.
- Sec. 407. Improvement of information technology of the Veterans Benefits Administration of the Department of Veterans Affairs.
- Sec. 408. Technical amendment relating to in-State tuition rate for individuals to whom entitlement is transferred under All-Volunteer Force Educational Assistance Program and Post-9/11 Educational Assistance.

TITLE V—OTHER MATTERS

- Sec. 501. Amount of loan guaranteed under home loan program of Department of Veterans Affairs.
- Sec. 502. Longitudinal study of job counseling, training, and placement service for veterans.
- Sec. 503. Limitations on subcontracts under contracts with small business concerns owned and controlled by veterans.
- Sec. 504. Procedures for provision of certain information to State veterans agencies to facilitate the furnishing of assistance and benefits to veterans.

1 **TITLE I—VETERANS HEALTH**
 2 **CARE**
 3 **SEC. 101. ROLE OF PODIATRISTS IN DEPARTMENT OF VET-**
 4 **ERANS AFFAIRS.**

5 (a) INCLUSION AS PHYSICIAN.—

6 (1) IN GENERAL.—Subchapter I of chapter 74
 7 of title 38, United States Code, is amended by add-
 8 ing at the end the following new section:

1 **“§ 7413. Treatment of podiatrists**

2 “For purposes of this chapter, the term ‘physician’
3 includes a podiatrist.”.

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

“7413. Treatment of podiatrists.”.

8 (3) CONFORMING AMENDMENT.—Section
9 7401(1) of such title is amended by striking “Physi-
10 cians, dentists, podiatrists,” and inserting “Physi-
11 cians, dentists,”.

12 (b) QUALIFICATIONS.—Section 7402(b) of such title
13 is amended—

14 (1) in paragraph (1)—

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

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

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

22 (3) by redesignating paragraphs (6) through
23 (14) as paragraphs (5) through (13), respectively.

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

1 (1) by striking subparagraph (C); and
2 (2) by redesignating subparagraphs (D)
3 through (H) as subparagraphs (C) through (G), re-
4 spectively.

5 (d) MODIFICATION OF PAY GRADE.—

6 (1) GRADE.—The list in section 7404(b) of
7 such title is amended by striking “CLINICAL PO-
8 DIATRIST, CHIROPRACTOR, AND OPTOM-
9 ETRIST SCHEDULE” and inserting “CLINICAL
10 CHIROPRACTOR AND OPTOMETRIST SCHED-
11 ULE”.

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 begin-
15 ning on or after the date that is 30 days after the
16 date of the enactment of this Act.

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

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

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

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

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

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

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

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

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

19 (2) in paragraph (3), by striking “veterans who
20 were awarded the medal of honor under section
21 3741, 6241, or 8741 of title 10 or section 491 of
22 title 14,”.

23 (b) ELIGIBILITY.—Section 1710(a)(2)(D) of such
24 title is amended by inserting after “war” the following:
25 “, who was awarded the medal of honor under section

1 3741, 6241, or 8741 of title 10 or section 491 of title
2 14.”.

3 (c) EXTENDED CARE SERVICES.—Section
4 1710B(e)(2) of such title is amended—

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

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

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

10 “(D) to a veteran who was awarded the medal
11 of honor under section 3741, 6241, or 8741 of title
12 10 or section 491 of title 14.”.

13 (d) COPAYMENT FOR MEDICATIONS.—Section
14 1722A(a)(3) of such title is amended—

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

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

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

20 “(D) to a veteran who was awarded the medal
21 of honor under section 3741, 6241, or 8741 of title
22 10 or section 491 of title 14.”.

23 (e) APPLICATION.—The priority of enrollment of
24 medal of honor recipients pursuant to chapter 17 of title
25 38, United States Code, as amended by this section, shall

1 apply to each such recipient, regardless of the date on
2 which the medal is awarded.

3 **SEC. 103. IMPROVEMENT OF CARE PROVIDED TO NEWBORN**
4 **CHILDREN.**

5 Section 1786 of title 38, United States Code, is
6 amended—

7 (1) in subsection (a), by striking “seven days”
8 and inserting “42 days”; and

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

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

19 **SEC. 104. COMPTROLLER GENERAL AUDIT OF BUDGET OF**
20 **VETERANS HEALTH ADMINISTRATION.**

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

1 **“§ 7330B. Comptroller General audit of VHA budget**

2 “(a) IN GENERAL.—The Comptroller General of the
3 United States shall periodically conduct an audit of ele-
4 ments of the budget of the Veterans Health Administra-
5 tion, including the budget formulation, execution, alloca-
6 tion, and use of funds.

7 “(b) SELECTION OF ELEMENTS.—(1) In selecting
8 elements of the budget of the Veterans Health Administra-
9 tion for purposes of an audit under subsection (a), the
10 Comptroller General shall take into consideration—

11 “(A) knowledge of the programs of the Vet-
12 erans Health Administration;

13 “(B) current issues;

14 “(C) national priorities; and

15 “(D) priorities expressed by the appropriate
16 congressional committees.

17 “(2) Not later than 30 days before conducting an
18 audit under subsection (a), the Comptroller General shall
19 submit to the appropriate congressional committees notice
20 of the elements selected by the Comptroller General for
21 purposes of the audit.

22 “(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—

23 In this section, the term ‘appropriate congressional com-
24 mittees’ means—

1 “(1) the Committee on Veterans’ Affairs, the
2 Committee on Appropriations, and the Committee on
3 the Budget of the Senate; and

4 “(2) the Committee on Veterans’ Affairs, the
5 Committee on Appropriations, and the Committee on
6 the Budget of the House of Representatives.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of such chapter is amended by inserting
9 after the item relating to section 7330A the following new
10 item:

 “7330B. Comptroller General audit of VHA budget.”.

11 **SEC. 105. OUTREACH TO VETERANS REGARDING EFFECT**
12 **OF CERTAIN DELAYED PAYMENTS BY DE-**
13 **PARTMENT OF VETERANS AFFAIRS CHIEF**
14 **BUSINESS OFFICE.**

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

25 (b) ANNUAL REPORT.—

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

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

19 (A) The number of veterans who contacted
20 the Secretary regarding a delayed payment that
21 negatively affected, or will potentially negatively
22 affect, the credit of the veteran.

23 (B) The total amount of interest penalties
24 paid by the Secretary of Veterans Affairs under

1 section 3902 of title 31, United States Code, by
2 reason of a delayed payment.

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

6 (i) the total amount owed by the Sec-
7 retary under the proper invoices;

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

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

13 (D) Any comments regarding delayed pay-
14 ments made by medical providers.

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

19 (c) QUARTERLY REPORTS ON PENDING CLAIMS.—
20 During the five-year period beginning on the date of the
21 enactment of this Act, the Chief Business Office of the
22 Department of Veterans Affairs shall submit to Congress
23 quarterly reports on the number of pending claims for re-
24 imbursement for emergency hospital care, medical serv-
25 ices, and other emergency health care furnished through

1 non-Department of Veterans Affairs providers. Each such
2 report shall include each of the following:

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

6 (2) The total number of veterans who sub-
7 mitted such a pending claim in each State, as of
8 such day.

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

11 (4) As of such day—

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

14 (B) the number of such pending claims
15 that have been pending for 90 days or longer;
16 and

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

19 (5) For each hospital system, for the quarter
20 covered by the report—

21 (A) the number of claims for reimburse-
22 ment for emergency hospital care, medical serv-
23 ices, and other emergency health care furnished
24 through non-Department of Veterans Affairs
25 providers approved during such quarter;

1 (B) the number of such claims denied dur-
2 ing such quarter; and

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

5 (d) COMPTROLLER GENERAL STUDY.—

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

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

20 (e) DEFINITIONS.—In this section:

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

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

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

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

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

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

23 (c) **LOCATIONS OF PILOT PROGRAM.**—In entering
24 into contracts for purposes of the pilot program, the Sec-
25 retary shall seek to enter into contracts with appropriate

1 non-government entities located in close proximity to at
2 least three but not more than five medical centers of the
3 Department.

4 (d) APPROPRIATE NON-GOVERNMENT ENTITIES.—

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

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

14 (2) be wheelchair accessible;

15 (3) include classroom or lecture space;

16 (4) include office space for staff;

17 (5) include a suitable space for storing training
18 equipment;

19 (6) provide for periodic use of other training
20 areas for training the dogs with wheelchairs and
21 conducting other exercises;

22 (7) include outdoor exercise and toileting space
23 for dogs; and

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

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

4 (1) ensure that veterans participating in the
5 program receive training from certified service dog
6 training instructors;

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

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

15 (4) ensure that each service dog in training
16 lives at the pilot program site or a volunteer foster
17 home in the vicinity of such site while receiving
18 training;

19 (5) ensure that the pilot program involves both
20 lecture of service dog training methodologies and
21 practical hands-on training and grooming of service
22 dogs; and

23 (6) ensure that the pilot program is designed
24 to—

1 (A) maximize the therapeutic benefits to
2 veterans participating in the program; and

3 (B) provide well-trained service dogs to
4 veterans with disabilities; and

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

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

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

19 (2) establish a director of service dog training
20 with a background working in social services, experi-
21 ence in teaching others to train service dogs in a vo-
22 cational setting, and at least one year of experience
23 working with veterans or active duty service mem-
24 bers with post-traumatic stress disorder in a clinical
25 setting.

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

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

17 (1) reducing stigma associated with post-trau-
18 matic stress disorder or other post-deployment men-
19 tal health condition;

20 (2) improving emotional regulation;

21 (3) improving patience;

22 (4) instilling or re-establishing a sense of pur-
23 pose;

24 (5) providing an opportunity to help fellow vet-
25 erans;

1 (6) reintegrating into the community;

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

5 (8) building relationship skills, including par-
6 enting skills;

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

8 (10) improving sleep patterns; and

9 (11) enabling veterans to decrease the use of
10 pain medication.

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

17 (1) the number of veterans participating in the
18 pilot program;

19 (2) a description of the services carried out
20 under the pilot program;

21 (3) the effects that participating in the pilot
22 program has on the following—

23 (A) symptoms of post-traumatic stress dis-
24 order and post-deployment adjustment difficul-

1 ties, including depression, maintenance of sobri-
2 ety, suicidal ideations, and homelessness;

3 (B) potentially relevant physiological mark-
4 ers that possibly relate to the interactions with
5 the service dogs;

6 (C) family dynamics;

7 (D) insomnia and pain management; and

8 (E) overall well-being; and

9 (4) the recommendations of the Secretary with
10 respect to the extension or expansion of the pilot
11 program.

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

18 **TITLE II—VETERANS ECONOMIC**
19 **OPPORTUNITY AND TRANSI-**
20 **TION ADMINISTRATION**

21 **SEC. 201. ESTABLISHMENT OF VETERANS ECONOMIC OP-**
22 **PORTUNITY AND TRANSITION ADMINISTRA-**
23 **TION.**

24 (a) VETERANS ECONOMIC OPPORTUNITY AND TRAN-
25 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.—There is in the Depart-
10 ment of Veterans Affairs a Veterans Economic Oppor-
11 tunity and Transition Administration. The primary func-
12 tion of the Veterans Economic Opportunity and Transi-
13 tion Administration is the administration of the programs
14 of the Department that provide assistance related to eco-
15 nomic opportunity to veterans and their dependents and
16 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, 2017.

4 (c) FULL-TIME EMPLOYEES.—For fiscal years 2017
5 and 2018, 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 21,913.

11 **SEC. 202. UNDER SECRETARY FOR VETERANS ECONOMIC**
12 **OPPORTUNITY 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.—There is in the Depart-
20 ment an Under Secretary for Veterans Economic Oppor-
21 tunity and Transition, who is appointed by the President,
22 by and with the advice and consent of the Senate. The
23 Under Secretary for Veterans Economic Opportunity and
24 Transition shall be appointed without regard to political

1 affiliation or activity and solely on the basis of dem-
2 onstrated ability in—

3 “(1) information technology; and

4 “(2) 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 commission established under this subsection
20 shall recommend at least three individuals for appoint-
21 ment to the position of Under Secretary for Veterans Eco-
22 nomic Opportunity and Transition. The commission shall
23 submit all recommendations to the Secretary. The Sec-
24 retary shall forward the recommendations to the President
25 and the Committees on Veterans’ Affairs of the Senate

1 and House of Representatives with any comments the Sec-
2 retary considers appropriate. Thereafter, the President
3 may request the commission to recommend additional in-
4 dividuals for appointment.

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

10 “(d) QUALIFICATIONS OF RECOMMENDED INDIVID-
11 UALS.—Each individual recommended to the President by
12 the commission for appointment to the position of Under
13 Secretary for Veterans Economic Opportunity and Transi-
14 tion shall be an individual who has held a senior level posi-
15 tion in the private sector with responsibilities relating to
16 at least one of the following:

17 “(1) Education policy.

18 “(2) Vocational rehabilitation.

19 “(3) Employment.

20 “(4) Job placement.

21 “(5) Home loan finance.

22 “(6) Small business development.”.

23 (2) CLERICAL AMENDMENT.—The table of sec-
24 tions at the beginning of such chapter is amended

1 by inserting after the item relating to section 306
2 the following new item:

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

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

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

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

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

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

22 (5) in section 541(a)(2)(B), by striking “Health
23 and the Under Secretary for Benefits” and inserting
24 “Health, the Under Secretary for Benefits, and the

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

3 (6) in section 542(a)(2)(B)(iii), by striking
4 “Health and the Under Secretary for Benefits” and
5 inserting “Health, the Under Secretary for Benefits,
6 and the Under Secretary for Veterans Economic Op-
7 portunity and Transition”;

8 (7) in section 544(a)(2)(B)(vi), by striking
9 “Health and the Under Secretary for Benefits” and
10 inserting “Health, the Under Secretary for Benefits,
11 and the Under Secretary for Veterans Economic Op-
12 portunity and Transition”;

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

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

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

24 (c) EFFECTIVE DATE.—Section 306A of title 38,
25 United States Code, as added by subsection (a), and the

1 amendments made by this section, shall take effect on Oc-
2 tober 1, 2017.

3 **TITLE III—EDUCATION ASSIST-**
4 **ANCE AND VOCATIONAL RE-**
5 **HABILITATION**

6 **SEC. 301. MODIFICATION AND IMPROVEMENT OF TRANS-**
7 **FER OF UNUSED EDUCATION BENEFITS TO**
8 **FAMILY MEMBERS UNDER DEPARTMENT OF**
9 **VETERANS AFFAIRS POST-9/11 EDUCATIONAL**
10 **ASSISTANCE PROGRAM.**

11 (a) **RATE OF PAYMENT.**—Subsection (h)(3)(B) of
12 section 3319 of title 38, United States Code, is amended
13 by inserting before the period at the end the following:
14 “, except that the amount of the monthly stipend de-
15 scribed in subsection (c)(1)(B) or (g)(3)(A)(ii) of section
16 3313, as the case may be, shall be payable in an amount
17 equal to 50 percent of the amount of such stipend that
18 would otherwise be payable under this chapter to the indi-
19 vidual making the transfer”.

20 (b) **APPLICABILITY.**—The amendment made by this
21 section shall apply with respect to an election to transfer
22 entitlement under section 3319 of title 38, United States
23 Code, that is made on or after the date that is 180 days
24 after the date of the enactment of this Act.

1 **SEC. 302. CLARIFICATION OF ELIGIBILITY FOR MARINE**
2 **GUNNERY SERGEANT JOHN DAVID FRY**
3 **SCHOLARSHIP.**

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

8 “(d) **APPLICABILITY.**—

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

13 “(2) **DEATHS THAT OCCURRED BETWEEN SEP-**
14 **TEMBER 11, 2001, AND DECEMBER 31, 2005.**—For
15 purposes of section 3311(f)(2) of title 38, United
16 States Code, any member of the Armed Forces who
17 died during the period beginning on September 11,
18 2001, and ending on December 31, 2005, is deemed
19 to have died on January 1, 2006.”.

20 (b) **ELECTION ON RECEIPT OF CERTAIN BENE-**
21 **FITS.**—Section 3311(f) of title 38, United States Code,
22 is amended—

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

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

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

5 “(4) EXCEPTION FOR CERTAIN ELECTIONS.—

6 “(A) IN GENERAL.—An election made
7 under paragraph (3) by a spouse described in
8 subparagraph (B) may not be treated as irrev-
9 ocable if such election occurred before the date
10 of the enactment of this paragraph.

11 “(B) ELIGIBLE SURVIVING SPOUSE.—A
12 spouse described in this subparagraph is an in-
13 dividual—

14 “(i) who is entitled to assistance
15 under subsection (a) pursuant to para-
16 graph (9) of subsection (b); and

17 “(ii) who was the spouse of a member
18 of the Armed Forces who died during the
19 period beginning on September 11, 2001,
20 and ending on December 31, 2005.”.

21 (c) TECHNICAL AMENDMENT.—Paragraph (5) of
22 subsection (f) of section 3311 of title 38, United States
23 Code, as redesignated by subsection (b)(2), is amended by
24 striking “that paragraph” and inserting “paragraph (9)
25 of subsection (b)”.

1 (d) YELLOW RIBBON G.I. EDUCATION ENHANCE-
2 MENT PROGRAM.—Section 3317(a) of such title is amend-
3 ed by striking “paragraphs (1) and (2) of section
4 3311(b)” and inserting “paragraphs (1), (2), and (9) of
5 section 3311(b) of this title”.

6 **SEC. 303. APPROVAL OF COURSES OF EDUCATION AND**
7 **TRAINING FOR PURPOSES OF THE VOCA-**
8 **TIONAL REHABILITATION PROGRAM OF THE**
9 **DEPARTMENT OF VETERANS AFFAIRS.**

10 (a) IN GENERAL.—Section 3104(b) of title 38,
11 United States Code, is amended by adding at the end the
12 following new sentence: “To the maximum extent prac-
13 ticable, a course of education or training may be pursued
14 by a veteran as part of a rehabilitation program under
15 this chapter only if the course is approved for purposes
16 of chapter 30 or 33 of this title. The Secretary may waive
17 the requirement under the preceding sentence to the ex-
18 tent the Secretary determines appropriate.”.

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

1 **SEC. 304. AUTHORITY TO PRIORITIZE VOCATIONAL REHA-**
2 **BILITATION SERVICES BASED ON NEED.**

3 Section 3104 of title 38, United States Code, as
4 amended by section 303, is further amended by adding
5 at the end the following new subsection:

6 “(c)(1) The Secretary shall have the authority to ad-
7 minister this chapter by prioritizing the provision of serv-
8 ices under this chapter based on need, as determined by
9 the Secretary. In evaluating need for purposes of this sub-
10 section, the Secretary shall consider disability ratings, the
11 severity of employment handicaps, qualification for a pro-
12 gram of independent living, income, and any other factor
13 the Secretary determines appropriate.

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

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

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

1 **“§ 3326. Election to receive educational assistance**

2 “(a) INDIVIDUALS ELIGIBLE TO ELECT PARTICIPA-
3 TION IN POST-9/11 EDUCATIONAL ASSISTANCE.—An indi-
4 vidual may elect to receive educational assistance under
5 this chapter if such individual—

6 “(1) as of August 1, 2009—

7 “(A) is entitled to basic educational assist-
8 ance under chapter 30 of the title and has used,
9 but retains unused, entitlement under that
10 chapter;

11 “(B) is entitled to educational assistance
12 under chapter 107, 1606, or 1607 of title 10
13 and has used, but retains unused, entitlement
14 under the applicable chapter;

15 “(C) is entitled to basic educational assist-
16 ance under chapter 30 of this title but has not
17 used any entitlement under that chapter;

18 “(D) is entitled to educational assistance
19 under chapter 107, 1606, or 1607 of title 10
20 but has not used any entitlement under such
21 chapter;

22 “(E) is a member of the Armed Forces
23 who is eligible for receipt of basic educational
24 assistance under chapter 30 this title and is
25 making contributions toward such assistance

1 under section 3011(b) or 3012(c) of this title;
2 or

3 “(F) is a member of the Armed Forces
4 who is not entitled to basic educational assist-
5 ance under chapter 30 of this title by reason of
6 an election under section 3011(c)(1) or
7 3012(d)(1) of this title; and

8 “(2) as of the date of the individual’s election
9 under this paragraph, meets the requirements for
10 entitlement to educational assistance under this
11 chapter.

12 “(b) CESSATION OF CONTRIBUTIONS TOWARD GI
13 BILL.—Effective as of the first month beginning on or
14 after the date of an election under subsection (a) of an
15 individual described by paragraph (1)(E) of that sub-
16 section, the obligation of the individual to make contribu-
17 tions under section 3011(b) or 3012(c) of this title, as
18 applicable, shall cease, and the requirements of such sec-
19 tion shall be deemed to be no longer applicable to the indi-
20 vidual.

21 “(c) REVOCATION OF REMAINING TRANSFERRED
22 ENTITLEMENT.—

23 “(1) ELECTION TO REVOKE.—If, on the date an
24 individual described in paragraph (1)(A) or (1)(C) of
25 subsection (a) makes an election under that sub-

1 section, a transfer of the entitlement of the indi-
2 vidual to basic educational assistance under section
3 3020 of this title is in effect and a number of
4 months of the entitlement so transferred remain un-
5 utilized, the individual may elect to revoke all or a
6 portion of the entitlement so transferred that re-
7 mains unutilized.

8 “(2) AVAILABILITY OF REVOKED ENTITLE-
9 MENT.—Any entitlement revoked by an individual
10 under this paragraph shall no longer be available to
11 the dependent to whom transferred, but shall be
12 available to the individual instead for educational as-
13 sistance under chapter 33 of this title in accordance
14 with the provisions of this section.

15 “(3) AVAILABILITY OF UNREVOKED ENTITLE-
16 MENT.—Any entitlement described in paragraph (1)
17 that is not revoked by an individual in accordance
18 with that paragraph shall remain available to the de-
19 pendent or dependents concerned in accordance with
20 the current transfer of such entitlement under sec-
21 tion 3020 of this title.

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

23 “(1) IN GENERAL.—Subject to paragraph (2)
24 and except as provided in subsection (e), an indi-
25 vidual making an election under subsection (a) shall

1 be entitled to educational assistance under this chap-
2 ter in accordance with the provisions of this chapter,
3 instead of basic educational assistance under chapter
4 30 this title, or educational assistance under chapter
5 107, 1606, or 1607 of title 10, as applicable.

6 “(2) LIMITATION ON ENTITLEMENT FOR CER-
7 TAIN INDIVIDUALS.—In the case of an individual
8 making an election under subsection (a) who is de-
9 scribed by paragraph (1)(A) of that subsection, the
10 number of months of entitlement of the individual to
11 educational assistance under this chapter 33 shall be
12 the number of months equal to—

13 “(A) the number of months of unused enti-
14 tlement of the individual under chapter 30 of
15 this title, as of the date of the election, plus

16 “(B) the number of months, if any, of enti-
17 tlement revoked by the individual under sub-
18 section (c)(1).

19 “(e) CONTINUING ENTITLEMENT TO EDUCATIONAL
20 ASSISTANCE NOT AVAILABLE UNDER 9/11 ASSISTANCE
21 PROGRAM.—

22 “(1) IN GENERAL.—In the event educational
23 assistance to which an individual making an election
24 under subsection (a) would be entitled under chapter
25 30 of this title, or chapter 107, 1606, or 1607 of

1 title 10, as applicable, is not authorized to be avail-
2 able to the individual under the provisions of this
3 chapter the individual shall remain entitled to such
4 educational assistance in accordance with the provi-
5 sions of the applicable chapter.

6 “(2) CHARGE FOR USE OF ENTITLEMENT.—
7 The utilization by an individual of entitlement under
8 paragraph (1) shall be chargeable against the enti-
9 tlement of the individual to educational assistance
10 under this chapter at the rate of one month of enti-
11 tlement under this chapter for each month of entitle-
12 ment utilized by the individual under paragraph (1)
13 (as determined as if such entitlement were utilized
14 under the provisions of chapter 30 of this title, or
15 chapter 107, 1606, or 1607 of title 10, as applica-
16 ble).

17 “(f) ADDITIONAL POST-9/11 ASSISTANCE FOR MEM-
18 BERS HAVING MADE CONTRIBUTIONS TOWARD GI
19 BILL.—

20 “(1) ADDITIONAL ASSISTANCE.—In the case of
21 an individual making an election under subsection
22 (a) who is described by subparagraph (A), (C), or
23 (E) of paragraph (1) of that subsection, the amount
24 of educational assistance payable to the individual
25 under this chapter 33 as a monthly stipend payable

1 under paragraph (1)(B) of section 3313(c) of this
2 title, or under paragraphs (2) through (7) of that
3 section (as applicable), shall be the amount other-
4 wise payable as a monthly stipend under the applica-
5 ble paragraph increased by the amount equal to—

6 “(A) the total amount of contributions to-
7 ward basic educational assistance made by the
8 individual under section 3011(b) or 3012(e) of
9 this title, as of the date of the election, multi-
10 plied by

11 “(B) the fraction—

12 “(i) the numerator of which is—

13 “(I) the number of months of en-
14 titlement to basic educational assist-
15 ance under chapter 30 of this title re-
16 maining to the individual at the time
17 of the election; plus

18 “(II) the number of months, if
19 any, of entitlement under such chap-
20 ter 30 revoked by the individual under
21 subsection (c)(1); and

22 “(ii) the denominator of which is 36
23 months.

24 “(2) MONTHS OF REMAINING ENTITLEMENT
25 FOR CERTAIN INDIVIDUALS.—In the case of an indi-

1 vidual covered by paragraph (1) who is described by
2 subsection (a)(1)(E), the number of months of enti-
3 tlement to basic educational assistance remaining to
4 the individual for purposes of paragraph
5 (1)(B)(i)(II) shall be 36 months.

6 “(3) TIMING OF PAYMENT.—The amount pay-
7 able with respect to an individual under paragraph
8 (1) shall be paid to the individual together with the
9 last payment of the monthly stipend payable to the
10 individual under paragraph (1)(B) of section
11 3313(e) of this title, or under subsections (b)
12 through (g) of that section (as applicable), before
13 the exhaustion of the individual’s entitlement to edu-
14 cational assistance under this chapter.

15 “(g) CONTINUING ENTITLEMENT TO ADDITIONAL
16 ASSISTANCE FOR CRITICAL SKILLS OR SPECIALITY AND
17 ADDITIONAL SERVICE.—An individual making an election
18 under subsection (a)(1) who, at the time of the election,
19 is entitled to increased educational assistance under sec-
20 tion 3015(d) of this title, or section 16131(i) of title 10,
21 or supplemental educational assistance under subchapter
22 III of chapter 30 of this title, shall remain entitled to such
23 increased educational assistance or supplemental edu-
24 cational assistance in the utilization of entitlement to edu-
25 cational assistance under this chapter, in an amount equal

1 to the quarter, semester, or term, as applicable, equivalent
2 of the monthly amount of such increased educational as-
3 sistance or supplemental educational assistance payable
4 with respect to the individual at the time of the election.

5 “(h) ALTERNATIVE ELECTION BY SECRETARY.—

6 “(1) IN GENERAL.—In the case of an individual
7 who, on or after January 1, 2016, submits to the
8 Secretary an election under this section that the
9 Secretary determines is clearly against the interests
10 of the individual, or who fails to make an election
11 under this section, the Secretary may make an alter-
12 native election on behalf of the individual that the
13 Secretary determines is in the best interests of the
14 individual.

15 “(2) NOTICE.—If the Secretary makes an elec-
16 tion on behalf of an individual under this subsection,
17 the Secretary shall notify the individual by not later
18 than seven days after making such election and shall
19 provide the individual with a 30-day period, begin-
20 ning on the date of the individual’s receipt of such
21 notice, during which the individual may modify or
22 revoke the election made by the Secretary on the in-
23 dividual’s behalf. The Secretary shall include, as
24 part of such notice, a clear statement of why the al-
25 ternative election made by the Secretary is in the

1 best interests of the individual as compared to the
2 election submitted by the individual. The Secretary
3 shall provide the notice required under this para-
4 graph by electronic means whenever possible.

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

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

“3326. Election to receive educational assistance.”.

10 (c) CONFORMING REPEAL.—Subsection (c) of section
11 5003 of the Post-9/11 Veterans Educational Assistance
12 Act of 2008 (Public Law 110–252; 38 U.S.C. 3301 note)
13 is hereby repealed.

14 **SEC. 306. CLARIFICATION OF ASSISTANCE PROVIDED FOR**
15 **CERTAIN FLIGHT TRAINING AND OTHER PRO-**
16 **GRAMS OF EDUCATION.**

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

19 (1) in clause (i)—

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

22 (B) by striking “In the case of a program
23 of education pursued at a public institution of
24 higher learning” and inserting “(I) Subject to
25 subelause (II), in the case of a program of edu-

1 cation pursued at a public institution of higher
2 learning not described in clause (ii)(II)(bb)”;
3 and

4 (C) by adding at the end the following new
5 subclause:

6 “(II) In determining the actual net
7 cost for in-State tuition and fees pursuant
8 to subclause (I), the Secretary may not
9 pay for tuition and fees relating to flight
10 training.”; and

11 (2) in clause (ii)—

12 (A) in subclause (I), by redesignating
13 items (aa) and (bb) as subitems (AA) and
14 (BB), respectively;

15 (B) in subclause (II), by redesignating
16 items (aa) and (bb) as subitems (AA) and
17 (BB), respectively;

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

20 (D) by striking “In the case of a program
21 of education pursued at a non-public or foreign
22 institution of higher learning” and inserting
23 “(I) In the case of a program of education de-
24 scribed in subclause (II)”; and

1 (E) by adding at the end the following new
2 subclause:

3 “(II) A program of education de-
4 scribed in this subclause is any of the fol-
5 lowing:

6 “(aa) A program of education
7 pursued at a non-public or foreign in-
8 stitution of higher learning.

9 “(bb) A program of education
10 pursued at a public institution of
11 higher learning in which flight train-
12 ing is required to earn the degree
13 being pursued (including with respect
14 to a dual major, concentration, or
15 other element of such a degree).”.

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

21 “(cc) A program of education
22 pursued at a public institution of
23 higher learning in which the public in-
24 stitution of higher learning enters into
25 a contract or agreement with an enti-

1 ty (other than another public institu-
2 tion of higher learning) to provide
3 such program of education or a por-
4 tion of such program of education.”.

5 (c) APPLICATION.—

6 (1) IN GENERAL.—Except as provided by para-
7 graph (2), the amendments made by subsection (a)
8 and (b) shall apply with respect to a quarter, semes-
9 ter, or term, as applicable, commencing on or after
10 the date of the enactment of this Act.

11 (2) SPECIAL RULE FOR CURRENT STUDENTS.—
12 In the case of an individual who, as of the date of
13 the enactment of this Act, is using educational as-
14 sistance under chapter 33 of title 38, United States
15 Code, to pursue a course of education that includes
16 a program of education described in item (bb) or
17 (cc) of section 3313(c)(1)(A)(ii)(II) of title 38,
18 United States Code, as added by subsections (a) and
19 (b), respectively, the amendment made by such sub-
20 section shall apply with respect to a quarter, semes-
21 ter, or term, as applicable, commencing on or after
22 the date that is two years after the date of the en-
23 actment of this Act.

1 **SEC. 307. CONSIDERATION OF CERTAIN TIME SPENT RE-**
2 **CEIVING MEDICAL CARE FROM SECRETARY**
3 **OF DEFENSE AS ACTIVE DUTY FOR PUR-**
4 **POSES OF ELIGIBILITY FOR POST-9/11 EDU-**
5 **CATIONAL ASSISTANCE.**

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

9 (b) APPLICATION.—The amendment made by sub-
10 section (a) shall apply with respect to active duty service
11 by a member of a reserve component covered by section
12 12301(h) of title 10, United States, beginning on or after
13 the date that is 180 days after the date of the enactment
14 of this Act.

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

16 Section 3485(a)(4) of title 38, United States Code,
17 is amended by striking “June 30, 2013” each place it ap-
18 pears and inserting “June 30, 2013, or the period begin-
19 ning on June 30, 2016, and ending on June 30, 2021”.

20 **SEC. 309. VOCATIONAL REHABILITATION AND EDUCATION**
21 **ACTION PLAN.**

22 Not later than 270 days after the date of the enact-
23 ment of this Act, the Secretary of Veterans Affairs shall
24 develop and publish an action plan for improving the serv-
25 ices and assistance provided under chapter 31 of title 38,

1 United States Code. Such plan shall include each of the
2 following:

3 (1) A comprehensive analysis of, and rec-
4 ommendations and a proposed implementation plan
5 for remedying workload management challenges at
6 regional offices of the Department of Veterans Af-
7 fairs, including steps to reduce counselor caseloads
8 of veterans participating in a rehabilitation program
9 under such chapter, particularly for counselors who
10 are assisting veterans with traumatic brain injury
11 and post-traumatic stress disorder and counselors
12 with educational and vocational counseling work-
13 loads.

14 (2) A comprehensive analysis of the reasons for
15 the disproportionately low percentage of veterans
16 with service-connected disabilities who served in the
17 Armed Forces after September 11, 2001, who opt to
18 participate in a rehabilitation program under such
19 chapter relative to the percentage of such veterans
20 who use their entitlement to educational assistance
21 under chapter 33 of title 38, United States Code, in-
22 cluding an analysis of barriers to timely enrollment
23 in rehabilitation programs under chapter 31 of such
24 title and of any barriers to a veteran enrolling in the
25 program of that veteran's choice.

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

7 (4) A national staff training program for voca-
8 tional rehabilitation counselors of the Department
9 that includes the provision of—

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

15 (B) training to assist counselors in work-
16 ing in partnership with veterans on individual
17 rehabilitation plans; and

18 (C) training on post-traumatic stress dis-
19 order and other mental health conditions and
20 on moderate to severe traumatic brain injury
21 that is designed to improve the ability of such
22 counselors to assist veterans with these condi-
23 tions, including by providing information on the
24 broad spectrum of such conditions and the ef-

1 fect of such conditions on an individual’s abili-
2 ties and functional limitations.

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

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

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

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

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

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

5 **TITLE IV—ADMINISTRATION OF**
6 **EDUCATIONAL ASSISTANCE**

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

11 (a) IN GENERAL.—Section 3684(a) of title 38,
12 United States Code, is amended—

13 (1) in paragraph (1), by inserting “32, 33,”
14 after “31,”; and

15 (2) by adding at the end the following new
16 paragraph:

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

23 (b) EFFECTIVE DATE.—The amendments made by
24 subsection (a) shall apply with respect to reports sub-
25 mitted on or after the date of the enactment of this Act.

1 **SEC. 402. PROVISION OF INFORMATION REGARDING VET-**
2 **ERAN ENTITLEMENT TO EDUCATIONAL AS-**
3 **SISTANCE.**

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

7 **“§ 3699. Provision of certain information to edu-**
8 **catinal institutions**

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

22 (b) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of such chapter is amended by inserting
24 after the item relating to section 3698 the following new
25 item:

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

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

2 (a) APPROVAL OF CERTAIN COURSES.—Section
3 3672(b)(2)(A) of title 38, United States Code, is amended
4 by striking “the following” and all that follows through
5 the colon and inserting the following: “a program of edu-
6 cation is deemed to be approved for purposes of this chap-
7 ter if a State approving agency determines that the pro-
8 gram is one of the following programs:”.

9 (b) APPROVAL OF OTHER COURSES.—Section 3675
10 of such title is amended—

11 (1) in subsection (a)(1)—

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

16 (B) by striking “offered by proprietary for-
17 profit educational institutions” and inserting
18 “not covered by section 3672 of this title”; and

19 (2) in subsection (b), by striking “the Secretary
20 or the State approving agency” each place it appears
21 and inserting “the State approving agency, or the
22 Secretary when acting in the role of a State approv-
23 ing agency,”.

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

25 (a) NONACCREDITED COURSES.—Section
26 3676(c)(14) of title 38, United States Code, is amended

1 by inserting before the period the following: “if the Sec-
2 retary, in consultation with the State approving agency
3 and pursuant to regulations prescribed to carry out this
4 paragraph, determines such criteria are necessary and
5 treat public, private, and proprietary for-profit educational
6 institutions equitably”.

7 (b) ACCREDITED COURSES.—Section 3675(b)(3) of
8 such title is amended by striking “and (3)” and inserting
9 “(3), and (14)”.

10 (c) APPLICATION.—The amendment made by sub-
11 section (a) shall apply with respect to—

12 (1) criteria developed pursuant to paragraph
13 (14) of subsection (c) of section 3676 of title 38,
14 United States Code, on or after January 1, 2013;
15 and

16 (2) an investigation conducted under such sub-
17 section that is covered by a reimbursement of ex-
18 penses paid by the Secretary of Veterans Affairs to
19 a State pursuant to section 3674 of such title on or
20 after October 1, 2015.

21 **SEC. 405. COMPLIANCE SURVEYS.**

22 (a) IN GENERAL.—Section 3693 of such title is
23 amended—

24 (1) by striking subsection (a) and inserting the
25 following new subsection (a):

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

7 “(A) design the compliance surveys to ensure
8 that such institutions or establishments, as the case
9 may be, and approved courses are in compliance
10 with all applicable provisions of chapters 30 through
11 36 of this title;

12 “(B) survey each such educational institution
13 and training establishment not less than once during
14 every two-year period; and

15 “(C) assign not fewer than one education com-
16 pliance specialist to work on compliance surveys in
17 any year for each 40 compliance surveys required to
18 be made under this section for such year.

19 “(2) The Secretary, in consultation with the State ap-
20 proving agencies, shall—

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

23 “(B) not later than September 1 of each year,
24 make available to the State approving agencies a list
25 of the educational institutions and training estab-

1 lishments that will be surveyed during the fiscal year
2 following the date of making such list available.”;
3 and

4 (2) by adding at the end the following new sub-
5 section:

6 “(c) In this section, the terms ‘educational institu-
7 tion’ and ‘training establishment’ have the meaning given
8 such terms in section 3452 of this title.”.

9 (b) CONFORMING AMENDMENTS.—Subsection (b) of
10 such section is amended—

11 (1) by striking “subsection (a) of this section
12 for an annual compliance survey” and inserting
13 “subsection (a)(1) for a compliance survey”;

14 (2) by striking “institution” and inserting
15 “educational institution or training establishment”;
16 and

17 (3) by striking “institution’s demonstrated
18 record of compliance” and inserting “record of com-
19 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
13 Code, to pursue a program of education or training. The
14 contract shall provide that—

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

19 (2) the non-government entity shall complete
20 the survey and submit to the Secretary the results
21 of the survey by not later than 180 days after enter-
22 ing into 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 con-
2 tract under subsection (a) shall provide that the survey
3 shall be designed to collect the following types of informa-
4 tion about each individual surveyed, where applicable:

5 (1) Demographic information, including the
6 highest level of education completed by the indi-
7 vidual, the military occupational specialty or special-
8 ties of the individual while serving on active duty as
9 a member of the Armed Forces or as a member of
10 the National Guard or of a Reserve Component of
11 the Armed Forces, and whether the individual has a
12 service-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
16 the effectiveness of the program, including instruc-
17 tion on the use of the benefits under laws adminis-
18 tered by the Secretary of Veterans Affairs.

19 (3) The resources the individual used to help
20 the 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 in-
12 stitution or program of education or training pro-
13 vided to veterans while the individual pursued the
14 program 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 cred-
20 it hours completed by the individual as of the time
21 of the survey, and, if applicable, any degree or cer-
22 tificate 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

1 the employment status of the individual prior to en-
2 rolling in the program of education or training.

3 (11) Whether the individual is or was enrolled
4 in a program of education on a full-time or part-
5 time 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 in-
9 dividual 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 indi-
19 vidual's entitlement to educational assistance to pur-
20 sue a program of education or training or has trans-
21 ferred 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

1 Secretary shall submit to the Committees on Veterans' Af-
2 fairs of the Senate and House of Representatives a report
3 on the results of the survey and any recommendations of
4 the Secretary relating to such results. Such report shall
5 also include an unedited version of the results of the sur-
6 vey submitted by the non-government entity that con-
7 ducted the study.

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

12 (a) PROCESSING OF CERTAIN EDUCATIONAL ASSIST-
13 ANCE CLAIMS.—The Secretary of Veterans Affairs shall,
14 to the maximum extent possible, make such changes and
15 improvements to the information technology system of the
16 Veterans Benefits Administration of the Department of
17 Veterans 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,
21 are 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
2 days after the date of the enactment of this Act, the Sec-
3 retary of Veterans Affairs shall submit to Congress a plan
4 to implement the changes and improvements described in
5 subsection (a).

6 (c) REPORT.—Not later than one year after the date
7 of the enactment of this Act, the Secretary of Veterans
8 Affairs shall submit to Congress a report on the implemen-
9 tation 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
22 3679(c)(2)(B) of title 38, United States Code, is amended
23 by striking “or 3319 of this title” and all that follows and
24 inserting “of this title or to whom educational assistance
25 is transferred 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
13 loan”; 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
18 this section shall apply with respect to a loan guaranteed
19 under section 3710 of title 38, United States Code, on
20 or after the date that is 30 days after the date of the
21 enactment 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 fol-
6 lowing 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
10 enter into a contract with a non-government entity to con-
11 duct a longitudinal study of a statistically valid sample
12 of each of the groups of individuals described in paragraph
13 (2). The contract shall provide for the study of each such
14 group over 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
20 services but who otherwise received services under
21 this chapter.

22 “(C) Veterans who did not seek or receive serv-
23 ices 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
16 such 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 indi-
11 vidual was discharged or released from the Armed
12 Forces.

13 “(M) Whether such individual has used any
14 educational assistance to which the individual is en-
15 titled under this title.

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

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

21 “(P) Such other information as the Secretary
22 determines appropriate.

23 “(b) ANNUAL REPORTS.—(1) By not later than July
24 1 of each year covered by the study required under sub-
25 section (a), the Secretary shall submit to the Committees

1 on Veterans' Affairs of the Senate and House of Rep-
2 resentatives a report on the outcomes of the study during
3 the preceding year.

4 “(2) The Secretary shall include in each annual re-
5 port submitted under paragraph (1) any information the
6 Secretary determines is necessary to determine the long-
7 term outcomes of the individuals in the groups described
8 in subsection (a)(2).”.

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

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

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

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

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

19 (2) by inserting after subsection (k) the fol-
20 lowing new subsection (l):

21 “(l) LIMITATIONS ON SUBCONTRACTING.—(1)(A)
22 The requirements applicable to a covered small business
23 concern under section 46 of the Small Business Act (15
24 U.S.C. 657s) shall apply with respect to a small business

1 concern owned and controlled by a veteran with a service-
2 connected disability or a small business concern owned
3 and controlled by a veteran that is awarded a contract
4 that is counted for purposes of meeting the goals under
5 subsection (a).

6 “(B) For purposes of applying the requirements of
7 section 46 of the Small Business Act (15 U.S.C. 657s)
8 pursuant to subparagraph (A), the term ‘similarly situated
9 entity’ used in such section 46 includes a subcontractor
10 for a small business concern owned and controlled by a
11 veteran with a service-connected disability or a small busi-
12 ness concern owned and controlled by a veteran described
13 in such subparagraph (A).

14 “(2) Before awarding a contract that is counted for
15 purposes of meeting the goals under subsection (a), the
16 Secretary shall obtain from an offeror a certification that
17 the offeror will comply with the requirements described in
18 paragraph (1)(A) if awarded the contract. Such certifi-
19 cation shall—

20 “(A) specify the exact performance require-
21 ments applicable under such paragraph; and

22 “(B) explicitly acknowledge that the certifi-
23 cation is subject to section 1001 of title 18.

24 “(3) If the Secretary determines that a small busi-
25 ness concern that is awarded a contract that is counted

1 for purposes of meeting the goals under subsection (a) did
2 not act in good faith with respect to the requirements de-
3 scribed in paragraph (1)(A), the small business concern
4 shall be subject to the penalties specified in—

5 “(A) section 16(g)(1) of the Small Business Act
6 (15 U.S.C. 645(g)(1)); and

7 “(B) section 1001 of title 18.

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

19 “(B) Not later than November 30 of each year, the
20 Inspector General shall submit to the Committees on Vet-
21 erans’ Affairs of the Senate and House of Representatives
22 a report for the fiscal year preceding the fiscal year during
23 which the report is submitted that includes, for the fiscal
24 year covered by the report—

1 “(i) the number of referred violations received
2 under subparagraph (A); and

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

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

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

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

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

24 (1) Military service and separation data.

25 (2) A personal email address.

1 (3) A personal telephone number.

2 (4) A mailing address.

3 (c) OPT-OUT ELECTION.—A veteran may elect to
4 prevent their information from being shared with State
5 veterans agencies under subsection (a) pursuant to a pro-
6 cess that the Secretary shall establish for purposes of this
7 subsection.

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

Passed the House of Representatives February 9,
2016.

Attest:

Clerk.

114TH CONGRESS
2^D SESSION

H. R. 3016

AN ACT

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.