



116TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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

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IN THE SENATE OF THE UNITED STATES

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

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**A BILL**

To amend title 38, United States Code, to establish the Veterans Economic Opportunity and Transition Administration and the Under Secretary for Veterans Economic Opportunity and Transition of the Department of Veterans Affairs, 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 2019” or the “VET OPP Act of 2019”.

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

3 (a) VETERANS ECONOMIC OPPORTUNITY AND TRAN-  
4 SITION ADMINISTRATION.—

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

8 **“CHAPTER 80—VETERANS ECONOMIC OP-**  
9 **PORTUNITY AND TRANSITION ADMIN-**  
10 **ISTRATION**

“8001. Organization of Administration.

“8002. Functions of Administration.

“8003. Annual report to Congress.

11 **“§ 8001. Organization of Administration**

12 “(a) VETERANS ECONOMIC OPPORTUNITY AND  
13 TRANSITION ADMINISTRATION.—(1) There is in the De-  
14 partment of Veterans Affairs a Veterans Economic Oppor-  
15 tunity and Transition Administration.

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

21 “(b) UNDER SECRETARY FOR ECONOMIC OPPOR-  
22 TUNITY AND TRANSITION.—The Veterans Economic Op-  
23 portunity and Transition Administration is under the  
24 Under Secretary for Veterans Economic Opportunity and

1 Transition, who is directly responsible to the Secretary for  
2 the operations of the Administration.

3 **“§ 8002. Functions of Administration**

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

7 “(1) Vocational rehabilitation and employment  
8 programs.

9 “(2) Educational assistance programs.

10 “(3) Veterans’ housing loan and related pro-  
11 grams.

12 “(4) The verification of small businesses owned  
13 and controlled by veterans pursuant to subsection (f)  
14 of section 8127 of this title, including the adminis-  
15 tration of the database of veteran-owned businesses  
16 described in such subsection.

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

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

21 **“§ 8003. Annual report to Congress**

22 “(a) IN GENERAL.—The Secretary shall include in  
23 the annual report to Congress required by section 529 of  
24 this title a report on the programs administered by the

1 Under Secretary for Veterans Economic Opportunity and  
2 Transition.

3 “(b) CONTENTS.—Each report submitted under sub-  
4 section (a) shall include the following with respect to each  
5 program described in such subsection during the fiscal  
6 year covered by the report:

7 “(1) The number of claims received.

8 “(2) The number of claims decided.

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

10 “(4) The number of successful outcomes (as de-  
11 termined by the Secretary).

12 “(5) The number of full-time equivalent em-  
13 ployees.

14 “(6) The amounts expended for information  
15 technology.”.

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

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

21 (b) EFFECTIVE DATE.—Chapter 80 of title 38,  
22 United States Code, as added by subsection (a), shall take  
23 effect on October 1, 2020.

1 (c) FULL-TIME EMPLOYEES.—For fiscal years 2019  
2 and 2020, the total number of full-time equivalent employ-  
3 ees authorized for the Veterans Benefits Administration  
4 and the Veterans Economic Opportunity and Transition  
5 Administration, as established under chapter 80 of title  
6 38, United States Code, as added by subsection (a), may  
7 not exceed 23,899.

8 **SEC. 3. UNDER SECRETARY FOR VETERANS ECONOMIC OP-**  
9 **PORTUNITY AND TRANSITION.**

10 (a) UNDER SECRETARY.—

11 (1) IN GENERAL.—Chapter 3 of title 38, United  
12 States Code, is amended by inserting after section  
13 306 the following new section:

14 **“§ 306A. Under Secretary for Veterans Economic Op-**  
15 **portunity and Transition**

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

20 “(2) The Under Secretary for Veterans Economic  
21 Opportunity and Transition shall be appointed without re-  
22 gard to political affiliation or activity and solely on the  
23 basis of demonstrated ability in—

24 “(A) information technology; and

1           “(B) the administration of programs within the  
2       Veterans Economic Opportunity and Transition Ad-  
3       ministration or programs of similar content and  
4       scope.

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

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

15          “(2) A commission established under this subsection  
16       shall be composed of the following members appointed by  
17       the Secretary:

18               “(A) Three persons representing education and  
19       training, vocational rehabilitation, employment, real  
20       estate, mortgage finance and related industries, and  
21       survivor benefits activities affected by the Veterans  
22       Economic Opportunity and Transition Administra-  
23       tion.

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

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

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

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

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

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

21          “(B) The commission shall submit all recommenda-  
22          tions under subparagraph (A) to the Secretary.

23          “(C) The Secretary shall forward the recommenda-  
24          tions received under subparagraph (B) to the President  
25          and the Committee on Veterans’ Affairs of the Senate and

1 the Committee on Veterans' Affairs of the House of Rep-  
2 resentatives with any comments the Secretary considers  
3 appropriate.

4 “(D) After receiving a recommendation under sub-  
5 paragraph (C), the President may request the commission  
6 to recommend additional individuals for appointment.

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

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

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

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

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

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



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

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

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

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

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

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

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

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

12          (c) EFFECTIVE DATE.—Section 306A of title 38,  
13          United States Code, as added by subsection (a), and the  
14          amendments made by this section, shall take effect on Oc-  
15          tober 1, 2020.