

117TH CONGRESS  
1ST SESSION

# H. R. 2494

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## AN ACT

To amend title 38, United States Code, to establish in the Department 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,*

1 **SECTION 1. ESTABLISHMENT OF VETERANS ECONOMIC OP-**  
 2 **PORTUNITY AND TRANSITION ADMINISTRA-**  
 3 **TION.**

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

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

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

“Sec.

“8001. Organization of Administration.

“8002. Functions of Administration.

“8003. Annual report to Congress.

12 **“§ 8001. Organization of Administration**

13 “(a) VETERANS ECONOMIC OPPORTUNITY AND  
 14 TRANSITION ADMINISTRATION.—There is in the Depart-  
 15 ment of Veterans Affairs a Veterans Economic Oppor-  
 16 tunity and Transition Administration. The primary func-  
 17 tion of the Veterans Economic Opportunity and Transi-  
 18 tion Administration is the administration of the programs  
 19 of the Department that provide assistance related to eco-  
 20 nomic opportunity to veterans and their dependents and  
 21 survivors.

22 “(b) UNDER SECRETARY FOR ECONOMIC OPPOR-  
 23 TUNITY AND TRANSITION.—The Veterans Economic Op-

1 portunity and Transition Administration is under the  
2 Under Secretary for Veterans Economic Opportunity and  
3 Transition, who is directly responsible to the Secretary for  
4 the operations of the Administration.

5 **“§ 8002. Functions of Administration**

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

9 “(1) Vocational rehabilitation and employment  
10 programs.

11 “(2) Educational assistance programs.

12 “(3) Veterans’ housing loan and related pro-  
13 grams.

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

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

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

23 **“§ 8003. Annual report to Congress**

24 “The Secretary shall include in the annual report to  
25 the Congress required by section 529 of this title a report



1 ized to be appropriated for fiscal year 2022 for the Gen-  
2 eral Operating Expenses account of the Veterans Benefits  
3 Administration \$3,207,000,000.

4 (d) LABOR RIGHTS.—Any labor rights, inclusion in  
5 the bargaining unit, and collective bargaining agreement  
6 that affects an employee of the Department of Veterans  
7 Affairs who is transferred to the Veterans Economic Op-  
8 portunity and Transition Administration, as established  
9 under chapter 80 of title 38, United States Code, as added  
10 by subsection (a), shall apply in the same manner to such  
11 employee after such transfer.

12 **SEC. 2. UNDER SECRETARY FOR VETERANS ECONOMIC OP-**  
13 **PORTUNITY AND TRANSITION.**

14 (a) UNDER SECRETARY.—

15 (1) IN GENERAL.—Chapter 3 of title 38, United  
16 States Code, is amended by inserting after section  
17 306 the following new section:

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

20 “(a) UNDER SECRETARY.—There is in the Depart-  
21 ment an Under Secretary for Veterans Economic Oppor-  
22 tunity and Transition, who is appointed by the President,  
23 by and with the advice and consent of the Senate. The  
24 Under Secretary for Veterans Economic Opportunity and  
25 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 (2) CLERICAL AMENDMENT.—The table of sec-  
11 tions at the beginning of such chapter is amended  
12 by inserting after the item relating to section 306  
13 the following new item:

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

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

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

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

24 (3) in section 318(d)(2), by inserting after  
25 “Under Secretary for Benefits,” the following: “the



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

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

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

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

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

23 (8) in section 709(c)(2)(A), by inserting after  
24 “Under Secretary for Benefits,” the following: “the

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

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

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

10 (c) EFFECTIVE DATE.—Section 306A of title 38,  
11 United States Code, as added by subsection (a), and the  
12 amendments made by this section, shall take effect on Oc-  
13 tober 1, 2022.

14 **SEC. 3. TRANSFER OF SERVICES.**

15 (a) REPORT TO CONGRESS.—Not later than 180 days  
16 after the date of the enactment of this Act, the Secretary  
17 of Veterans Affairs shall submit to the Committees on  
18 Veterans’ Affairs of the Senate and House of Representa-  
19 tives a report on the progress toward establishing the Vet-  
20 erans Economic Opportunity and Transition Administra-  
21 tion, as established under section 8001 of title 38, United  
22 States Code, as added by section 4, and the transition of  
23 the provision of services to veterans by such Administra-  
24 tion.

1           (b) CERTIFICATION.—The Secretary of Veterans Af-  
2 fairs may not transfer the function of providing any serv-  
3 ices to veterans to the Veterans Economic Opportunity  
4 and Transition Administration, as established under sec-  
5 tion 8001 of title 38, United States Code, as added by  
6 section 4 until the Secretary submits to the Committees  
7 on Veterans’ Affairs of the Senate and House of Rep-  
8 resentatives certification that—

9                   (1) the transition of the provision of services to  
10 such Administration will not negatively affect the  
11 provision of such services to veterans;

12                   (2) such services are ready to be transferred.

13           (c) DEADLINE FOR CERTIFICATION.—The Secretary  
14 shall submit to the Committees on Veterans’ Affairs of  
15 the Senate and House of Representatives the certification  
16 required by subsection (b)—

17                   (1) no earlier than April 1, 2022; and

18                   (2) no later than September 1, 2022.

19           (d) FAILURE TO CERTIFY.—If the Secretary fails to  
20 submit the certification required by subsection (b) by the  
21 date specified in subsection (c)(2), the Secretary shall sub-  
22 mit to the Committees on Veterans’ Affairs of the Senate  
23 and House of Representatives a report that includes—

24                   (1) the reason why the certification was not  
25 made by such date; and

1           (2) the estimated date when the certification  
2 will be made.

Passed the House of Representatives May 18, 2021.

Attest:

*Clerk.*



117<sup>TH</sup> CONGRESS  
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