

118TH CONGRESS  
1ST SESSION

# H. R. 5913

To amend title 38, United States Code, to improve employment services for veterans by consolidating various programs in the Department of Veterans Affairs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2023

Mr. VAN ORDEN introduced the following bill

OCTOBER 25, 2023

Referred to the Committee on Veterans' Affairs, and in addition to the Committees on the Budget, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 38, United States Code, to improve employment services for veterans by consolidating various programs in 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 “Consolidating Veteran  
5 Employment Services for Improved Performance Act of  
6 2023”.

1 **SEC. 2. TRANSFER OF DEPARTMENT OF LABOR VETERANS**  
2 **PROGRAMS TO DEPARTMENT OF VETERANS**  
3 **AFFAIRS.**

4 (a) TRANSFER OF FUNCTIONS.—

5 (1) IN GENERAL.—Effective October 1, 2025,  
6 there shall be transferred to the Secretary of Vet-  
7 erans Affairs all functions performed under the fol-  
8 lowing programs of the Department of Labor, and  
9 all personnel, assets, and liabilities pertaining to  
10 such programs, immediately before such transfer oc-  
11 curs:

12 (A) Job counseling, training, and place-  
13 ment services for veterans under chapter 41 of  
14 title 38, United States Code.

15 (B) Federal Government employment serv-  
16 ices by the Secretary of Labor under section  
17 4214 of such title.

18 (C) Administration of employment and re-  
19 employment rights of members of the uniformed  
20 services under chapter 43 of such title.

21 (D) Homeless veterans reintegration pro-  
22 grams under chapter 20 of such title.

23 (E) Employment and veterans benefits  
24 training under the Transition Assistance Pro-  
25 gram under section 1144 of title 10, United  
26 States Code.

1           (2) MEMORANDUMS OF AGREEMENT.—The Sec-  
2           retary of Veterans Affairs shall enter into memoran-  
3           dums of agreement with the Secretary of Labor and  
4           with States (as defined in section 4101(6) of title  
5           38, United States Code), as the Secretary of Vet-  
6           erans Affairs determines necessary, to implement  
7           the transition of the programs specified under para-  
8           graph (1).

9           (3) RULE OF CONSTRUCTION.—Nothing in this  
10          Act may be construed to affect the role and respon-  
11          sibility of the Secretary of Labor with respect to  
12          programs not administered by the Assistant Sec-  
13          retary of Labor for Veterans' Employment and  
14          Training Service as of the day before the date of the  
15          enactment of this Act that are specified under para-  
16          graph (1).

17          (b) BUDGET REQUEST.—Under section 1105 of title  
18          31, United States Code, the President shall include in the  
19          President's budget request for the Department of Vet-  
20          erans Affairs for fiscal year 2027, and for each subsequent  
21          fiscal year, funding requested for the functions referred  
22          to in subsection (a)(1).

23          (c) REFERENCES.—Any reference in any other Fed-  
24          eral law, Executive order, rule, regulation, or delegation  
25          of authority, or any document of or pertaining to a depart-

1 ment or office from which a function is transferred by this  
2 Act—

3 (1) to the head of such department or office is  
4 deemed to refer to the head of the department or of-  
5 fice to which such function is transferred; or

6 (2) to such department or office is deemed to  
7 refer to the department or office to which such func-  
8 tion is transferred.

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

17 (e) SAVINGS PROVISIONS.—

18 (1) LEGAL DOCUMENTS.—All orders, deter-  
19 minations, rules, regulations, permits, grants, loans,  
20 contracts, agreements, certificates, licenses, and  
21 privileges—

22 (A) that have been issued, made, granted,  
23 or allowed to become effective by the President,  
24 the Secretary of Labor, the Secretary of Vet-  
25 erans Affairs, any officer or employee of any of-

1            fice transferred by this Act, or any other Gov-  
2            ernment official, or by a court of competent ju-  
3            risdiction, in the performance of any function  
4            that is transferred by this Act, and

5            (B) that are in effect on the effective date  
6            of such transfer (or become effective after such  
7            date pursuant to their terms as in effect on  
8            such effective date),

9            shall continue in effect according to their terms until  
10          modified, terminated, superseded, set aside, or re-  
11          voked in accordance with law by the President, any  
12          other authorized official, a court of competent juris-  
13          diction, or operation of law.

14          (2) PROCEEDINGS.—This Act shall not affect  
15          any proceedings or any application for any benefits,  
16          service, license, permit, certificate, or financial as-  
17          sistance pending on the date of the enactment of  
18          this Act before an office transferred by this Act, but  
19          such proceedings and applications shall be contin-  
20          ued. Orders shall be issued in such proceedings, ap-  
21          peals shall be taken therefrom, and payments shall  
22          be made pursuant to such orders, as if this Act had  
23          not been enacted, and orders issued in any such pro-  
24          ceeding shall continue in effect until modified, termi-  
25          nated, superseded, or revoked by a duly authorized

1 official, by a court of competent jurisdiction, or by  
2 operation of law. Nothing in this subsection shall be  
3 considered to prohibit the discontinuance or modi-  
4 fication of any such proceeding under the same  
5 terms and conditions and to the same extent that  
6 such proceeding could have been discontinued or  
7 modified if this Act had not been enacted.

8 (3) SUITS.—This Act shall not affect suits com-  
9 menced before the date of the enactment of this Act,  
10 and in all such suits, proceeding shall be had, ap-  
11 peals taken, and judgments rendered in the same  
12 manner and with the same effect as if this Act had  
13 not been enacted.

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

21 (5) CONTINUANCE OF SUITS.—If any Govern-  
22 ment officer in the official capacity of such officer  
23 is party to a suit with respect to a function of the  
24 officer, and under this Act such function is trans-  
25 ferred to any other officer or office, then such suit

1 shall be continued with the other officer or the head  
2 of such other office, as applicable, substituted or  
3 added as a party.

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

13 (f) TRANSFER OF ASSETS.—Except as otherwise pro-  
14 vided in this Act, so much of the personnel, property,  
15 records, and unexpended balances of appropriations, allo-  
16 cations, and other funds employed, used, held, available,  
17 or to be made available in connection with a function  
18 transferred to an official or agency by this Act shall be  
19 available to the official or the head of that agency, respec-  
20 tively, at such time or times as the Director of the Office  
21 of Management and Budget directs for use in connection  
22 with the functions transferred.

23 (g) DELEGATION AND ASSIGNMENT.—Except as oth-  
24 erwise expressly prohibited by law or otherwise provided  
25 in this Act, an official to whom functions are transferred

1 under this Act (including the head of any office to which  
2 functions are transferred under this Act) may delegate  
3 any of the functions so transferred to such officers and  
4 employees of the office of the official as the official may  
5 designate, and may authorize successive redelegations of  
6 such functions as may be necessary or appropriate. No  
7 delegation of functions under this section or under any  
8 other provision of this Act shall relieve the official to whom  
9 a function is transferred under this Act of responsibility  
10 for the administration of the function.

11 (h) AUTHORITY OF DIRECTOR OF THE OFFICE OF  
12 MANAGEMENT AND BUDGET WITH RESPECT TO FUNC-  
13 TIONS TRANSFERRED.—

14 (1) DETERMINATIONS.—If necessary, the Di-  
15 rector of Management and Budget shall make any  
16 determination of the functions that are transferred  
17 under this Act.

18 (2) INCIDENTAL TRANSFERS.—The Director, at  
19 such time or times as the Director shall provide,  
20 may make such determinations as may be necessary  
21 with regard to the functions transferred by this Act,  
22 and to make such additional incidental dispositions  
23 of personnel, assets, liabilities, grants, contracts,  
24 property, records, and unexpended balances of ap-  
25 propriations, authorizations, allocations, and other



1 funds held, used, arising from, available to, or to be  
2 made available in connection with such functions, as  
3 may be necessary to carry out the provisions of this  
4 Act. The Director shall provide for the termination  
5 of the affairs of all entities terminated by this Act  
6 and for such further measures and dispositions as  
7 may be necessary to effectuate the purposes of this  
8 Act.

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

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

21 (k) DEFINITIONS.—For purposes of this Act—

22 (1) the term “function” includes any duty, obli-  
23 gation, power, authority, responsibility, right, privi-  
24 lege, activity, or program; and

1           (2) the term “office” includes any office, ad-  
2           ministration, agency, bureau, institute, council, unit,  
3           organizational entity, or component thereof.

4 **SEC. 3. DEPUTY UNDER SECRETARY OF VETERANS AF-**  
5                   **FAIRS FOR VETERANS’ EMPLOYMENT AND**  
6                   **TRAINING.**

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

10           “(a) DEPUTY UNDER SECRETARY FOR VETERANS’  
11 EMPLOYMENT AND TRAINING.—There is established with-  
12 in the Department a Deputy Under Secretary for Vet-  
13 erans’ Employment and Training, who shall formulate and  
14 implement all departmental policies and procedures to  
15 carry out the purposes of this chapter, chapter 20, and  
16 chapter 43 of this title and the Transition Assistance Pro-  
17 gram under section 1144 of title 10, United States Code.”.

18           (b) CLERICAL AMENDMENTS.—Chapter 41 of title  
19 38, United States Code, is amended as follows:

20           (1) The section heading of section 4102A of  
21 such title is amended to read as follows:

1 **“§ 4102A. Deputy Under Secretary for Veterans’ Em-**  
 2 **ployment and Training; program func-**  
 3 **tions; Regional Administrators”.**

4 (2) The item relating to such section in the  
 5 table of sections at the beginning of such chapter is  
 6 amended to read as follows:

“4102A. Deputy Under Secretary for Veterans’ Employment and Training; pro-  
 gram functions; Regional Administrators.”.

7 (c) EFFECTIVE DATE.—The amendments made by  
 8 this section shall take effect on October 1, 2025.

9 **SEC. 4. CONSOLIDATION OF DISABLED VETERANS OUT-**  
 10 **REACH PROGRAM AND LOCAL VETERANS’**  
 11 **EMPLOYMENT REPRESENTATIVES.**

12 (a) CONSOLIDATION.—

13 (1) IN GENERAL.—Section 4104 of title 38,  
 14 United States Code, is amended to read as follows:

15 **“§ 4104. Veteran employment specialists**

16 **“(a) REQUIREMENT FOR EMPLOYMENT BY**  
 17 **STATES.—**(1) Subject to approval by the Secretary, a  
 18 State shall employ and assign such full- or part-time vet-  
 19 eran employment specialists in an agency of the State as  
 20 the State determines appropriate and efficient to carry out  
 21 the following:

22 **“(A) Employment, training, and placement**  
 23 **services under this chapter.**

1           “(B) Intensive services under this chapter to  
2 meet the employment needs of eligible veterans with  
3 the following priority in the provision of services:

4                   “(i) Special disabled veterans.

5                   “(ii) Other disabled veterans.

6                   “(iii) Other eligible veterans in accordance  
7 with priorities determined by the Secretary tak-  
8 ing into account applicable rates of unemploy-  
9 ment and the employment emphases set forth in  
10 chapter 42 of this title.

11           “(2) In the provision of services in accordance with  
12 this subsection, maximum emphasis in meeting the em-  
13 ployment and training needs of veterans shall be placed  
14 on assisting economically or educationally disadvantaged  
15 veterans.

16           “(b) PRINCIPAL DUTIES.—As principal duties, vet-  
17 eran employment specialists shall—

18                   “(1) conduct outreach to employers in the area  
19 to assist veterans and disabled veterans in gaining  
20 employment, including conducting seminars for em-  
21 ployers and, in conjunction with employers, con-  
22 ducting job search workshops and establishing job  
23 search groups; and

24                   “(2) facilitate employment, training, and place-  
25 ment services furnished to veterans and disabled vet-

1           erans in a State under the applicable State employ-  
2           ment service delivery systems.

3           “(c) REQUIREMENT FOR QUALIFIED VETERANS.—

4           (1) Except as provided by paragraph (2), a State shall,  
5           to the maximum extent practicable, employ qualified vet-  
6           erans to carry out the services referred to in subsection  
7           (a). Preference shall be given in the appointment of such  
8           specialists to qualified disabled veterans. Preference shall  
9           be accorded in the following order:

10           “(A) To qualified service-connected disabled  
11           veterans.

12           “(B) If no veteran described in subparagraph  
13           (A) is available, to qualified eligible veterans.

14           “(C) If no veteran described in subparagraph  
15           (A) or (B) is available, then to qualified eligible per-  
16           sons.

17           “(2) During any period in which more than 10 per-  
18           cent of the individuals employed to carry out the services  
19           referred to in subsection (a) are non-veterans, the pref-  
20           erence accorded under paragraph (1) shall be as follows:

21           “(A) To qualified service-connected disabled  
22           veterans.

23           “(B) If no veteran described in subparagraph  
24           (A) is available, to qualified eligible veterans.

1       “(3)(A) Each State that employs a veteran employ-  
2 ment specialist under this section shall submit to the Sec-  
3 retary an annual report on the qualifications used by the  
4 State in making hiring determinations for such specialists  
5 and the salary structure under which such specialists are  
6 compensated.

7       “(B) The Secretary shall submit to the Committees  
8 on Veterans’ Affairs of the Senate and House of Rep-  
9 resentatives an annual report summarizing the reports  
10 submitted under subparagraph (A).

11       “(C) The first report submitted by the Secretary  
12 under subparagraph (B) shall include an evaluation of  
13 whether the pay for veteran employment specialists should  
14 be scheduled on a standard basis for each State and in-  
15 clude locality pay.

16       “(d) PART-TIME EMPLOYEES.—A part-time veteran  
17 employment specialist shall perform the functions of a vet-  
18 eran employment specialist under this section on a half-  
19 time basis.

20       “(e) REPORTING.—Each veteran employment spe-  
21 cialist shall be administratively responsible to the manager  
22 of the employment service delivery system and shall pro-  
23 vide reports, not less frequently than quarterly, to the  
24 manager of such office and to the Director for Veterans’  
25 Employment and Training for the State regarding compli-

1   ance with Federal law and regulations with respect to spe-  
2   cial services and priorities for eligible veterans and eligible  
3   persons.”.

4           (2) CLERICAL AMENDMENT.—The table of sec-  
5   tions at the beginning of such chapter is amended  
6   by striking the item relating to section 4104 and in-  
7   serting the following new item:

“4104. Veteran employment specialists.”.

8           (3) TRAINING.—The Secretary of Veterans Af-  
9   fairs shall ensure that an individual who is a veteran  
10   employment specialist under section 4104 of title 38,  
11   United States Code, as amended by paragraph (1),  
12   is properly trained to carry out the duties of such  
13   position.

14          (b) CONFORMING AMENDMENTS.—Such title is fur-  
15   ther amended—

16           (1) by striking section 4103A and by striking  
17   the item relating to such section in the table of sec-  
18   tions at the beginning of chapter 41 of such title;

19           (2) in section 4102A—

20           (A) in subsection (b)—

21           (i) in paragraph (5)—

22           (I) by striking subparagraph (B)  
23           and redesignating subparagraph (C)  
24           as subparagraph (B);

1 (II) by amending subparagraph  
2 (A) to read as follows:

3 “(A) veteran employment specialists ap-  
4 pointed under section 4104(a) of this title;  
5 and”; and

6 (III) in subparagraph (B), as so  
7 redesignated, by striking “such spe-  
8 cialists and representatives described  
9 in subparagraphs (A) and (B)” and  
10 inserting “such representatives de-  
11 scribed in subparagraph (A)”;

12 (ii) in paragraph (7), by striking “dis-  
13 abled veterans’ outreach program special-  
14 ists and through local veterans’ employ-  
15 ment representatives” and inserting “vet-  
16 eran employment specialists”;

17 (B) in subsection (c)—

18 (i) in paragraph (1)—

19 (I) by striking “sections  
20 4103A(a) and” and inserting “sec-  
21 tion”; and

22 (II) by striking “section 4103A  
23 or”;

24 (ii) in paragraph (2)(A)—

25 (I) in clause (i)(I)—



1 (aa) by striking “disabled  
2 veterans’ outreach program spe-  
3 cialists and local veterans’ em-  
4 ployment representatives” and  
5 inserting “veteran employment  
6 specialists”; and

7 (bb) by striking “sections  
8 4103A and 4104” and inserting  
9 “section 4104”;

10 (II) in clause (iii), by striking  
11 “disabled veterans’ outreach program  
12 specialist or a local veterans’ employ-  
13 ment representative” and inserting  
14 “veteran employment specialist”;

15 (iii) in paragraph (4), by striking  
16 “4103A or”;

17 (iv) in paragraph (5), by striking  
18 “disabled veterans’ outreach program spe-  
19 cialist and local veterans’ employment rep-  
20 resentative” and inserting “veteran em-  
21 ployment specialist”;

22 (v) in paragraph (7), by striking  
23 “4103A or”; and

24 (vi) in paragraph (8)(A)—

25 (I) by striking “4103A or”; and

1 (II) by striking “disabled vet-  
2 erans’ outreach program specialist or  
3 a local veterans’ employment rep-  
4 resentative” and inserting “veteran  
5 employment specialist”; and

6 (C) in subsection (f)(1), by striking “dis-  
7 abled veterans’ outreach program specialists  
8 and local veterans’ employment representatives”  
9 and inserting “veteran employment specialists”;

10 (3) in section 4109(a), by striking “disabled  
11 veterans’ outreach program specialists, local vet-  
12 erans’ employment representatives” and inserting  
13 “veteran employment specialists”;

14 (4) in section 4112(d)—

15 (A) in paragraph (1), by striking “disabled  
16 veterans’ outreach program specialist” and in-  
17 serting “veteran employment specialist”; and

18 (B) by striking paragraph (2) and redesi-  
19 gnating paragraph (3) as paragraph (2); and

20 (5) in section 3672(d)(1), by striking “disabled  
21 veterans’ outreach program specialists under section  
22 4103A” and inserting “veteran employment special-  
23 ists appointed under section 4104(a)”.

24 (c) EFFECTIVE DATE.—The amendments made by  
25 this section shall take effect on October 1, 2025.

1 **SEC. 5. ADDITIONAL TECHNICAL AND CONFORMING**  
2 **AMENDMENTS.**

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

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

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

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

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

15 (5) In section 4102A(b)—

16 (A) in paragraph (1), by striking “such  
17 Assistant Secretary” and inserting “such Dep-  
18 uty Under Secretary”; and

19 (B) in paragraph (3), by striking “and  
20 consulting with the Secretary of Veterans Af-  
21 fairs”.

22 (6) In section 4105(b), by striking “and the  
23 Secretary of Veterans Affairs” both places it ap-  
24 pears.

25 (7) In section 4106(a), by striking “chapters 42  
26 and” and inserting “chapter”.

1 (8) By striking section 4108.

2 (9) In the table of sections at the beginning of  
3 such chapter, by striking the item relating to section  
4 4108.

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

8 (11) In section 4110A(b), by striking “Con-  
9 gress” and inserting “the Committees on Veterans’  
10 Affairs of the Senate and House of Representa-  
11 tives”.

12 (12) In subsections (b) through (h) of section  
13 4114, by striking “Assistant Secretary” each place  
14 it appears and inserting “Deputy Under Secretary”.

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

17 (1) In section 4212(c), by striking “include as  
18 part” and inserting “shall transmit to the Secretary  
19 of Veterans Affairs for inclusion as part”.

20 (2) In section 4215(d)(1)—

21 (A) by striking “In the” and inserting  
22 “For inclusion as part of the”; and

23 (B) by striking “shall evaluate” and insert-  
24 ing “shall transmit to the Secretary of Veterans  
25 Affairs an evaluation of”.

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

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

4 (2) By striking “Secretary of Veterans Affairs”  
5 each place it appears and inserting “Secretary”.

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

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

10 (5) In section 4333, by striking “, the Sec-  
11 retary of Defense, and the Secretary of Veterans Af-  
12 fairs” and inserting “and the Secretary of Defense”.

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

15 (1) In section 2003(a)(4), by striking “of the  
16 Department of Labor”.

17 (2) In section 2011(g)(2), by striking “the De-  
18 partment of Labor,”.

19 (3) In section 2021—

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

22 (B) in subsection (e)—

23 (i) by striking the subsection heading  
24 and inserting the following:

1 “(c) ADMINISTRATION THROUGH DEPUTY UNDER  
2 SECRETARY FOR VETERANS’ EMPLOYMENT AND TRAIN-  
3 ING.—”; and

4 (ii) by striking “Assistant Secretary  
5 of Labor for Veterans’ Employment and  
6 Training” and inserting “Deputy Under  
7 Secretary for Veterans’ Employment and  
8 Training”.

9 (4) In section 2021A—

10 (A) by striking “Secretary of Labor” each  
11 place it appears and inserting “Secretary”; and

12 (B) in subsection (d)—

13 (i) by striking the subsection heading  
14 and inserting the following:

15 “(d) ADMINISTRATION THROUGH DEPUTY UNDER  
16 SECRETARY FOR VETERANS’ EMPLOYMENT AND TRAIN-  
17 ING.—”; and

18 (ii) by striking “Assistant Secretary  
19 of Labor for Veterans’ Employment and  
20 Training” and inserting “Deputy Under  
21 Secretary for Veterans’ Employment and  
22 Training”.

23 (5) In section 2023—

1 (A) in subsection (a), by striking “and the  
2 Secretary of Labor (hereinafter in this section  
3 referred to as the ‘Secretaries’)”; and

4 (B) by striking “Secretaries” each place it  
5 appears and inserting “Secretary”.

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

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

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

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

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

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

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

4           (5) In section 3121(a)(3)—

5                 (A) by striking “, (B)” and inserting “and  
6                 (B)”;

7                 (B) by striking “, and (C) one representa-  
8                 tive of the Assistant Secretary of Labor for  
9                 Veterans’ Employment and Training of the De-  
10                partment of Labor. (b) The Secretary shall, on  
11                a regular basis, consult with and seek the ad-  
12                vice of the Committee with respect to the ad-  
13                ministration of veterans’ rehabilitation pro-  
14                grams under this title”.

15           (6) In section 3692(a), by striking “and the As-  
16           sistant Secretary of Labor for Veterans’ Employ-  
17           ment and Training shall be ex officio members” and  
18           inserting “an ex officio member”.

19           (7) In section 6306—

20                 (A) in subsection (a), by striking “shall ar-  
21                 range with the Secretary of Labor for the State  
22                 employment service to match” and inserting  
23                 “shall ensure that the State employment service  
24                 matches”; and



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

3 (f) TITLE 10.—

4 (1) TAP PROGRAM.—Section 1144 of title 10,  
5 United States Code, is amended—

6 (A) by striking “Secretary of Labor” each  
7 place it appears and inserting “Secretary of  
8 Veterans Affairs”;

9 (B) in subsection (a)—

10 (i) in paragraph (1), by striking “, the  
11 Secretary of Homeland Security, and the  
12 Secretary of Veterans Affairs” and insert-  
13 ing “and the Secretary of Homeland Secu-  
14 rity”; and

15 (ii) in paragraph (2), by striking “,  
16 the Secretary of Homeland Security, and  
17 the Secretary of Veterans Affairs shall co-  
18 operate with the Secretary of Labor” and  
19 inserting “and the Secretary of Homeland  
20 Security shall cooperate with the Secretary  
21 of Veterans Affairs”;

22 (C) in subsection (d)(1), by striking “De-  
23 partment of Labor to” and inserting “Depart-  
24 ment of Veterans Affairs to”; and

1 (D) in the heading, by striking “: **De-**  
2 **partment of Labor**”.

3 (2) CLERICAL AMENDMENT.—The table of sec-  
4 tions at the beginning of chapter 58 of title 10,  
5 United States Code, is amended by striking the item  
6 relating to section 1144 and inserting the following  
7 new item:

“1144. Employment assistance, job training assistance, and other transitional  
services.”.

8 (g) EFFECTIVE DATE.—The amendments made by  
9 this section shall take effect on October 1, 2025.

10 **SEC. 6. STUDY AND REPORT ON TRANSFER OF PROGRAMS.**

11 (a) STUDY.—The Secretary of Veterans Affairs and  
12 the Secretary of Labor shall jointly conduct a study on  
13 implementing—

14 (1) the transfer of functions under section 2;  
15 and

16 (2) the amendments made by this Act.

17 (b) MATTERS INCLUDED.—Such study shall include  
18 the following:

19 (1) A comprehensive discussion of the improve-  
20 ments to services for veterans made by the transfer  
21 of functions under section 2.

22 (2) An analysis of the personnel, assets, and li-  
23 abilities of the Department of Labor and the De-

1       partment of Veterans Affairs that would be involved  
2       in such transfer.

3               (3) An analysis of the Deputy Under Secretary  
4       for Veterans' Employment and Training established  
5       under section 4102A(a) of title 38, United States  
6       Code, as amended by this Act, including—

7                       (A) an explanation of where such position  
8       would exist within the organization chart of the  
9       Department;

10                      (B) an identification of to whom such posi-  
11       tion would report; and

12                      (C) the functions that would be carried out  
13       by such a position.

14               (4) A detailed estimate of the cost to the Fed-  
15       eral Government to implement such transfer, includ-  
16       ing any costs or savings resulting from—

17                      (A) carrying out such implementation; and

18                      (B) the Secretary of Veterans Affairs car-  
19       rying out the functions so transferred.

20               (5) A plan to implement such transfer, includ-  
21       ing—

22                      (A) a detailed time line of such implemen-  
23       tation;

24                      (B) a list of the rules, regulations, and  
25       laws in effect on the date of the commencement

1 of such study that would need to be revised for  
2 such implementation;

3 (C) a list of the memorandums of agree-  
4 ment entered into with Federal or State depart-  
5 ments or agencies that would need to be revised  
6 for such implementation;

7 (D) a detailed description of how to effec-  
8 tively enforce the administration of employment  
9 and reemployment rights of members of the  
10 uniformed services under chapter 43 of title 38,  
11 United States Code, during such implementa-  
12 tion; and

13 (E) how the transfer of employees will be  
14 implemented, including—

15 (i) options available to employees who  
16 do not want to be transferred;

17 (ii) the locations of where former De-  
18 partment of Labor employees will be as-  
19 signed in the Department of Veterans Af-  
20 fairs; and

21 (iii) any organizational changes re-  
22 quired in the Department of Veterans Af-  
23 fairs to accommodate such former Depart-  
24 ment of Labor employees.

1           (6) A detailed plan to train employees who  
2 carry out activities under section 4104 of title 38,  
3 United States Code, to carry out the functions so  
4 transferred, including—

5           (A) how training manuals in effect as of  
6 the date of the commencement of such study  
7 would need to be revised;

8           (B) whether the Secretary of Veterans Af-  
9 fairs or the Secretary of Labor would have re-  
10 sponsibility for any such revision; and

11           (C) where such employees would be lo-  
12 cated.

13           (7) Any other issues the Secretaries consider  
14 appropriate.

15           (c) REPORT.—Not later than one year after the date  
16 of the enactment of this Act, the Secretaries shall jointly  
17 submit to the Committees on Veterans' Affairs of the  
18 House of Representatives and the Senate a report on such  
19 study, including—

20           (1) the recommendation of each Secretary as to  
21 how to best implement the transfer of functions de-  
22 scribed in such study;

23           (2) the advantages and disadvantages of such  
24 transfer;

1           (3) a list of regulatory and statutory actions re-  
2           quired to implement such transfer that are not in-  
3           cluded under this Act;

4           (4) the amount of time each Secretary deter-  
5           mines necessary to carry out such transfer;

6           (5) whether, to carry out such transfer, any  
7           interoperability capabilities will need to be developed  
8           to electronically exchange information between the  
9           Department of Veterans Affairs and employees who  
10          were formerly under the Department of Labor be-  
11          fore such transfer;

12          (6) whether each Secretary plans to continue  
13          collaborating with the other Secretary after such  
14          transfer is completed, including an explanation of  
15          any such planned collaboration;

16          (7) an estimate of the training required to carry  
17          out the functions so transferred, including the num-  
18          ber of employees requiring training and for which  
19          programs; and

20          (8) any other matters the Secretaries consider  
21          appropriate.

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