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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To amend title 38, United States Code, to make permanent the high technology pilot program of the Department of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M____. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend title 38, United States Code, to make permanent the high technology pilot program 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 “VET-TEC Authoriza-
5 tion Act of 2023”.

1 **SEC. 2. PERMANENT DEPARTMENT OF VETERANS AFFAIRS**
2 **HIGH TECHNOLOGY PROGRAM.**

3 (a) IN GENERAL.—Chapter 36 of title 38, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section (and conforming the table of sections
6 accordingly):

7 **“§ 3699C. High technology program**

8 “(a) ESTABLISHMENT.—(1) The Secretary shall
9 carry out a program under which the Secretary provides
10 covered individuals with the opportunity to enroll in high
11 technology programs of education that the Secretary de-
12 termines provide training or skills sought by employers in
13 a relevant field or industry.

14 “(2) Not more than 8,000 covered individuals may
15 participate in the program under this section in any fiscal
16 year.

17 “(b) AMOUNT OF ASSISTANCE.—(1) The Secretary
18 shall provide, to each covered individual who pursues a
19 high technology program of education under this section,
20 educational assistance in amounts equal to the amounts
21 provided under section 3313(c)(1) of this title, including
22 with respect to the housing stipend described in that sec-
23 tion and in accordance with the treatment of programs
24 that are distance learning and programs that are less than
25 half-time.

1 “(2) Under paragraph (1), the Secretary shall pro-
2 vide such amounts of educational assistance to a covered
3 individual for each of the following:

4 “(A) A high technology program of education.

5 “(B) A second such program if—

6 “(i) the second such program begins at
7 least 18 months after the covered individual
8 graduates from the first such program; and

9 “(ii) the covered individual uses edu-
10 cational assistance under chapter 33 of this
11 title to pursue the second such program.

12 “(c) CONTRACTS.—(1) For purposes of carrying out
13 subsection (a), the Secretary shall seek to enter into con-
14 tracts with any number of qualified providers of high tech-
15 nology programs of education for the provision of such
16 programs to covered individuals. Each such contract shall
17 provide for the conditions under which the Secretary may
18 terminate the contract with the provider and the proce-
19 dures for providing for the graduation of students who
20 were enrolled in a program provided by such provider in
21 the case of such a termination.

22 “(2) A contract under this subsection shall provide
23 that the Secretary shall pay to a provider—

24 “(A) upon the enrollment of a covered indi-
25 vidual in the program, 25 percent of the cost of the

1 tuition and other fees for the program of education
2 for the individual;

3 “(B) upon graduation of the individual from
4 the program, 25 percent of such cost; and

5 “(C) 50 percent of such cost upon—

6 “(i) the successful employment of the cov-
7 ered individual for a period—

8 “(I) of 180 days in the field of study
9 of the program; and

10 “(II) that begins not later than 180
11 days following graduation of the covered
12 individual from the program;

13 “(ii) the employment of the individual by
14 the provider for a period of one year; or

15 “(iii) the enrollment of the individual in a
16 program of education to continue education in
17 such field of study.

18 “(3) For purposes of this section, a provider of a high
19 technology program of education is qualified if—

20 “(A) the provider employs instructors whom the
21 Secretary determines are experts in their respective
22 fields in accordance with paragraph (5);

23 “(B) the provider has successfully provided the
24 high technology program for at least one year;

1 “(C) the provider does not charge tuition and
2 fees to a covered individual who receives assistance
3 under this section to pursue such program that are
4 higher than the tuition and fees charged by such
5 provider to another individual; and

6 “(D) the provider meets the approval criteria
7 developed by the Secretary under paragraph (4).

8 “(4)(A) The Secretary shall prescribe criteria for ap-
9 proving providers of a high technology program of edu-
10 cation under this section.

11 “(B) In developing such criteria, the Secretary may
12 consult with State approving agencies.

13 “(C) Such criteria are not required to meet the re-
14 quirements of section 3672 of this title.

15 “(D) Such criteria shall include the job placement
16 rate, in the field of study of a program of education, of
17 covered individuals who complete such program of edu-
18 cation.

19 “(5) The Secretary shall determine whether instruc-
20 tors are experts under paragraph (3)(A) based on evidence
21 furnished to the Secretary by the provider regarding the
22 ability of the instructors to—

23 “(A) identify professions in need of new em-
24 ployees to hire, tailor the programs to meet market

1 needs, and identify the employers likely to hire grad-
2 uates;

3 “(B) effectively teach the skills offered to cov-
4 ered individuals;

5 “(C) provide relevant industry experience in the
6 fields of programs offered to incoming covered indi-
7 viduals; and

8 “(D) demonstrate relevant industry experience
9 in such fields of programs.

10 “(6) In entering into contracts under this subsection,
11 the Secretary shall give preference to a provider of a high
12 technology program of education—

13 “(A) from which at least 70 percent of grad-
14 uates find full-time employment in the field of study
15 of the program during the 180-day period beginning
16 on the date the student graduates from the program;
17 or

18 “(B) that offers tuition reimbursement for any
19 student who graduates from such a program and
20 does not find employment described in subparagraph
21 (A).

22 “(d) EFFECT ON OTHER ENTITLEMENT.—(1) If a
23 covered individual enrolled in a high technology program
24 of education under this section has remaining entitlement
25 to educational assistance under chapter 30, 32, 33, 34,

1 or 35 of this title, entitlement of the individual to edu-
2 cational assistance under this section shall be charged at
3 the rate of one month of such remaining entitlement for
4 each such month of educational assistance under this sec-
5 tion.

6 “(2) The Secretary may not consider enrollment in
7 a high technology program of education under this section
8 to be assistance under a provision of law referred to in
9 section 3695 of this title.

10 “(e) REQUIREMENTS FOR EDUCATIONAL INSTITU-
11 TIONS.—(1) The Secretary shall not approve the enroll-
12 ment of any covered individual, not already enrolled, in
13 any high technology programs of education under this sec-
14 tion for any period during which the Secretary finds that
15 more than 85 percent of the students enrolled in the pro-
16 gram are having all or part of their tuition, fees, or other
17 charges paid to or for them by the educational institution
18 or by the Department of Veterans Affairs under this title
19 or under chapter 1606 or 1607 of title 10, except with
20 respect to tuition, fees, or other charges that are paid
21 under a payment plan at an educational institution that
22 the Secretary determines has a history of offering pay-
23 ment plans that are completed not later than 180 days
24 after the end of the applicable term, quarter, or semester.

1 “(2) The Secretary may waive a requirement of para-
2 graph (1) if the Secretary determines, pursuant to regula-
3 tions which the Secretary shall prescribe, such waiver to
4 be in the interest of the covered individual and the Federal
5 Government. Not later than 30 days after the Secretary
6 waives such a requirement, the Secretary shall submit to
7 the Committees on Veterans’ Affairs of the Senate and
8 House of Representatives a report regarding such waiver.

9 “(3)(A)(i) The Secretary shall establish and maintain
10 a process by which an educational institution may request
11 a review of a determination that the educational institu-
12 tion does not meet the requirements of paragraph (1).

13 “(ii) The Secretary may consult with a State approv-
14 ing agency regarding such process or such a review.

15 “(iii) Not later than 180 days after the Secretary es-
16 tablishes or revises a process under this subparagraph, the
17 Secretary shall submit to the Committees on Veterans’ Af-
18 fairs of the Senate and House of Representatives a report
19 regarding such process.

20 “(B) An educational institution that requests a re-
21 view under subparagraph (A)—

22 “(i) shall request the review not later than 30
23 days after the start of the term, quarter, or semester
24 for which the determination described in subpara-
25 graph (A) applies; and

1 “(ii) may include any information that the edu-
2 cational institution believes the Department should
3 have taken into account when making the deter-
4 mination, including with respect to any mitigating
5 circumstances.

6 “(f) ANNUAL REPORT.—Not later than one year
7 after the date of the enactment of this section, and annu-
8 ally thereafter, the Secretary shall submit to the Commit-
9 tees on Veterans’ Affairs of the Senate and House of Rep-
10 resentatives a report on the operation of program under
11 this section during the year covered by the report.

12 “(g) DEFINITIONS.—In this section:

13 “(1) The term ‘covered individual’ means any of
14 the following:

15 “(A) A veteran whom the Secretary deter-
16 mines—

17 “(i) served an aggregate of at least 36
18 months on active duty in the Armed
19 Forces (including service on active duty in
20 entry level and skill training) and was dis-
21 charged or released therefrom under condi-
22 tions other than dishonorable; and

23 “(ii) has not attained the age of 62.

24 “(B) A member of the Armed Forces that
25 the Secretary determines will become a veteran

1 described in subparagraph (A) fewer than 180
2 days after the date of such determination.

3 “(2) The term ‘high technology program of edu-
4 cation’ means a program of education—

5 “(A) offered by a public or private edu-
6 cational institution;

7 “(B) if offered by an institution of higher
8 learning, that is provided directly by such insti-
9 tution rather than by an entity other than such
10 institution under a contract or other agreement;

11 “(C) that does not lead to a degree;

12 “(D) that has a term of not less than six
13 and not more than 28 weeks; and

14 “(E) that provides instruction in computer
15 programming, computer software, media appli-
16 cation, data processing, or information
17 sciences.”.

18 (b) EFFECTIVE DATE.—The amendments made by
19 subsection (a) shall take effect on the date that is 180
20 days after the date of the enactment of this Act.

21 (c) EFFECT ON HIGH TECHNOLOGY PILOT PRO-
22 GRAM.—Subsection (h) of section 116 of the Harry W.
23 Colmery Veterans Educational Assistance Act of 2017
24 (Public Law 115–48; 38 U.S.C. 3001 note) is amended
25 to read as follows:

1 “(h) TERMINATION.—The authority to carry out a
2 pilot program under this section shall terminate on the
3 date that is one year after the date of the enactment of
4 section 3699C of title 38, United States Code.”.

5 (d) APPROVAL OF CERTAIN HIGH TECHNOLOGY
6 PROGRAMS.—Section 3680A of title 38, United States
7 Code, is amended—

8 (1) in subsection (a), by striking paragraph (4)
9 and inserting the following:

10 “(4) Any independent study program except—

11 “(A) an independent study program (in-
12 cluding such a program taken over open circuit
13 television) that—

14 “(i) is accredited by an accrediting
15 agency or association recognized by the
16 Secretary of Education under subpart 2 of
17 part H of title IV of the Higher Education
18 Act of 1965 (20 U.S.C. 1099b);

19 “(ii) leads to—

20 “(I) a standard college degree;

21 “(II) a certificate that reflects
22 educational attainment offered by an
23 institution of higher learning; or

1 “(III) a certificate that reflects
2 graduation from a course of study of-
3 ferred by—

4 “(aa) an area career and
5 technical education school (as de-
6 fined in subparagraphs (C) and
7 (D) of section 3(3) of the Carl D.
8 Perkins Career and Technical
9 Education Act of 2006 (20
10 U.S.C. 2302(3))) that provides
11 education at the postsecondary
12 level; or

13 “(bb) a postsecondary voca-
14 tional institution (as defined in
15 section 102(c) of the Higher
16 Education Act of 1965 (20
17 U.S.C. 1002(c))) that provides
18 education at the postsecondary
19 level; and

20 “(iii) in the case of a program de-
21 scribed in clause (ii)(III)—

22 “(I) provides training aligned
23 with the requirements of employers in
24 the State or local area where the pro-
25 gram is located, which may include in-

1 demand industry sectors or occupa-
2 tions; and

3 “(II) provides a student, upon
4 graduation from the program, with a
5 recognized postsecondary credential
6 that is recognized by employers in the
7 relevant industry, which may include
8 a credential recognized by industry or
9 sector partnerships in the State or
10 local area where the industry is lo-
11 cated; and

12 “(III) meets such content and in-
13 structional standards as may be re-
14 quired to comply with the criteria
15 under section 3676(c)(14) and (15) of
16 this title; or

17 “(B) an online high technology program of
18 education (as defined in subsection (g)(2) of
19 section 3699C of this title)—

20 “(i) the provider of which has entered
21 into a contract with the Secretary under
22 subsection (c) of such section;

23 “(ii) that has been provided to covered
24 individuals (as defined in subsection (g)(1)

1 of such section) under such contract for a
2 period of at least five years;

3 “(iii) regarding which the Secretary
4 has determined that the average employ-
5 ment rate of covered individuals who grad-
6 uated from such program of education is
7 70 percent or higher for the year preceding
8 such determination; and

9 “(iv) that satisfies the requirements of
10 subsection (e) of such section.”; and

11 (2) in subsection (d), by adding at the end the
12 following:

13 “(8) Paragraph (1) shall not apply to the enrollment
14 of a veteran in an online high technology program de-
15 scribed in subsection (a)(4)(B).”.