

[DISCUSSION DRAFT]

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.

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IN THE HOUSE OF REPRESENTATIVES

M. \_\_\_\_\_ introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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**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】.**

*【Is this bracket redundant with the definition of ‘high  
technology program of education?’ If not, can we move it  
into that definition?】*

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

1 that are distance learning and programs that are less than  
2 half-time.

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

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

7 “(B) A second such program if—

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

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

14 **【“(3) If a covered individual withdraws from a high  
15 technology program of education, paid for with edu-  
16 cational assistance under this section, after receiving or-  
17 ders to enter a period of covered service, the Secretary  
18 shall provide educational assistance under this subsection  
19 to the covered individual for another such program.】**

20 “(c) CONTRACTS.—(1) For purposes of carrying out  
21 subsection (a), the Secretary shall seek to enter into con-  
22 tracts with any number of qualified providers of high tech-  
23 nology programs of education for the provision of such  
24 programs to covered individuals. Each such contract shall  
25 provide for the conditions under which the Secretary may

1 terminate the contract with the provider and the proce-  
2 dures for providing for the graduation of students who  
3 were enrolled in a program provided by such provider in  
4 the case of such a termination.

5 “(2) A contract under this subsection shall provide  
6 that the Secretary shall pay to a provider of a high tech-  
7 nology program of education—

8 “(A) upon the enrollment of a covered indi-  
9 vidual in the program, 25 percent of the cost of the  
10 tuition and other fees for the program of education  
11 for the covered individual;

12 “(B) upon graduation of the covered individual  
13 from the program, 25 percent of such cost; and

14 “(C) 50 percent of such cost upon—

15 [“(i) the completion of 180 days of full-  
16 time employment—]

17 [“(I) by the covered individual;]

18 [“(II) in the field of study of the pro-  
19 gram; and]

20 [“(III) that the covered individual se-  
21 cured not later than 180 days following  
22 graduation of the covered individual from  
23 the program;]

1           “(ii) the **【full-time?】** employment of the  
2 covered individual by the provider for a period  
3 of one year; or

4           “(iii) the enrollment of the covered indi-  
5 vidual in a different program of education—

6                   “(I) to continue education in the field  
7 of study of such high technology program  
8 of education; and

9                   **【“(II) provided by a different pro-  
10 vider.】**

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

13           **【“(A) the provider identifies professions in need  
14 of new employees to hire, tailors the program to  
15 meet market needs, and identifies employers likely to  
16 hire graduates;】**

17           “(B) the provider employs instructors whom the  
18 Secretary determines are experts in their respective  
19 fields in accordance with paragraph (5);

20           “(C) the provider has successfully provided the  
21 high technology program for at least one year;

22           “(D) the provider does not charge tuition and  
23 fees to a covered individual who receives assistance  
24 under this section to pursue such program that are

1 higher than the tuition and fees charged by such  
2 provider to another individual; and

3 “(E) the provider meets the approval criteria  
4 developed by the Secretary under paragraph (4).

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

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

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

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

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

20 “(A) effectively teach the skills offered to cov-  
21 ered individuals;

22 “(B) provide relevant industry experience in the  
23 fields of programs offered to incoming covered indi-  
24 viduals; and

1           “(C) demonstrate relevant industry experience  
2           in such fields of programs.

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

6           “(A) from which at least 70 percent of grad-  
7 uates each year find full-time employment in the  
8 field of study of the program during the 180-day pe-  
9 riod beginning on the date the student graduates  
10 from the program; or

11           “(B) that refunds tuition and fees for a student  
12 who graduates from such a program and does not  
13 find employment described in subparagraph (A).

14           “(d) EFFECT ON OTHER ENTITLEMENT.—(1) If a  
15 covered individual enrolled in a high technology program  
16 of education under this section has remaining entitlement  
17 to educational assistance under chapter 30, 32, 33, 34,  
18 or 35 of this title, entitlement of the covered individual  
19 to educational assistance under this section shall be  
20 charged at the rate of one month of such remaining enti-  
21 tlement for each such month of educational assistance  
22 under this section.

23           “(2) The Secretary may not consider enrollment in  
24 a high technology program of education under this section

1 to be assistance under a provision of law referred to in  
2 section 3695 of this title.

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

9 “(f) DEFINITIONS.—In this section:

10 [“(1) The term ‘active duty’ has the meaning  
11 given such term in section 3301 of this title.]

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

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

16 [“(i) served an aggregate of at least  
17 36 months on active duty and was dis-  
18 charged or released therefrom under condi-  
19 tions other than dishonorable; and]

20 [“(ii) shall not have attained the age  
21 of 62 before beginning a high technology  
22 program of education.]

23 “(B) A member of the Armed Forces  
24 whom the Secretary determines will become a  
25 veteran described in subparagraph (A) fewer



1           than 180 days after the date of such determina-  
2           tion.

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

5                   【“(A) provided directly by a public or pri-  
6                   vate educational institution;】

7                   “(B) that does not lead to a degree;

8                   “(C) that has a term of not less than six  
9                   and not more than 28 weeks; and

10                   “(D) that provides instruction in computer  
11                   programming, computer software, media appli-  
12                   cation, data processing, or information sciences.

13           【“(4) The term ‘period of covered service’ has  
14           the meaning given such term in section 3691A of  
15           this title 【as added by section 216 of the Joseph  
16           Maxwell Cleland and Robert Joseph Dole Memorial  
17           Veterans Benefits and Health Care Improvement  
18           Act of 2022 (division U of the Consolidated Appro-  
19           priations Act, 2023; Public Law 117–328) *This*  
20           *bracket will come out before introduction*】.”.】

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

24           (c) EFFECT ON HIGH TECHNOLOGY PILOT PRO-  
25           GRAM.—Subsection (h) of section 116 of the Harry W.

1 Colmery Veterans Educational Assistance Act of 2017  
2 (Public Law 115–48; 38 U.S.C. 3001 note) is amended  
3 to read as follows:

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

8 (d) APPROVAL OF CERTAIN HIGH TECHNOLOGY  
9 PROGRAMS.—Section 3680A of title 38, United States  
10 Code, is amended—

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

13 “(4) Any independent study program except—

14 “(A) an independent study program (in-  
15 cluding such a program taken over open circuit  
16 television) that—

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

22 “(ii) leads to—

23 “(I) a standard college degree;

1                   “(II) a certificate that reflects  
2                   educational attainment offered by an  
3                   institution of higher learning; or

4                   “(III) a certificate that reflects  
5                   graduation from a course of study of-  
6                   fered by—

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

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

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

1                   “(I) provides training aligned  
2                   with the requirements of employers in  
3                   the State or local area where the pro-  
4                   gram is located, which may include in-  
5                   demand industry sectors or occupa-  
6                   tions; and

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

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

21                  “(B) an online high technology program of  
22                  education (as defined in section 3699C of this  
23                  title)—

1                   “(i) the provider of which has entered  
2                   into a contract with the Secretary under  
3                   such section;

4                   “(ii) that has been provided to covered  
5                   individuals (as defined in such section)  
6                   under such contract for a period of at least  
7                   five years; and

8                   **【“(iii) regarding which the Secretary**  
9                   determines that, on average, at least 70  
10                  percent of covered individuals who grad-  
11                  uate from such program of education each  
12                  year secure employment described in sub-  
13                  section (c)(2)(C) of such section.”; and**】**

14                  (2) in subsection (d), by adding at the end the  
15                  following:

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