VET–TEC AUTHORIZATION ACT OF 2023

MAY 17, 2023.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BOST, from the Committee on Veterans’ Affairs, submitted the following

R E P O R T

[To accompany H.R. 1669]
[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans’ Affairs, to whom was referred the bill (H.R. 1669) 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, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:
SECTION 1. SHORT TITLE.
This Act may be cited as the “VET—TEC Authorization Act of 2023”.

SEC. 2. DEPARTMENT OF VETERANS AFFAIRS HIGH TECHNOLOGY PROGRAM.
(a) HIGH TECHNOLOGY PROGRAM.—
(1) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by
adding at the end the following new section:

“§ 3699C. High technology program
“(a) ESTABLISHMENT.—(1) The Secretary shall carry out a program under which
the Secretary provides covered individuals with the opportunity to enroll in high
technology programs of education that the Secretary determines provide training or
skills sought by employers in a relevant field or industry.
“(2) Not more than 6,000 covered individuals may participate in the program
under this section in any fiscal year.
“(b) AMOUNT OF ASSISTANCE.—(1) The Secretary shall provide, to each covered in-
dividual who pursues a high technology program of education under this section,
educational assistance in amounts equal to the amounts provided under section
3313(c)(1) of this title, including with respect to the housing stipend described in
that section and in accordance with the treatment of programs that are distance
learning and programs that are less than half-time.
“(2) Under paragraph (1), the Secretary shall provide such amounts of educational
assistance to a covered individual for each of the following:
“(A) A high technology program of education.
“(B) A second such program if—
“(i) the second such program begins at least 18 months after the covered
individual graduates from the first such program; and
“(ii) the covered individual uses educational assistance under chapter 33
of this title to pursue the second such program.
“(c) CONTRACTS.—(1) For purposes of carrying out subsection (a), the Secretary
shall seek to enter into contracts with any number of qualified providers of high
technology programs of education for the provision of such programs to covered indi-
viduals. Each such contract shall provide for the conditions under which the Sec-
retary may terminate the contract with the provider and the procedures for pro-
viding for the graduation of students who were enrolled in a program provided by
such provider in the case of such a termination.
“(2) A contract under this subsection shall provide that the Secretary shall pay
to a provider—
“(A) upon the enrollment of a covered individual in the program, 25 percent
of the cost of the tuition and other fees for the program of education for the individual;
“(B) upon graduation of the individual from the program, 25 percent of such
cost; and
“(C) 50 percent of such cost upon—
“(i) the successful employment of the covered individual for a period—
“(II) of 180 days in the field of study of the program; and
“(III) that begins not later than 180 days following graduation of the
covered individual from the program;
“(ii) the employment of the individual by the provider for a period of one
year; or
“(iii) the enrollment of the individual in a program of education to con-
tinue education in such field of study.
“(3) For purposes of this section, a provider of a high technology program of edu-
cation is qualified if—
“(A) the provider employs instructors whom the Secretary determines are ex-
erts in their respective fields in accordance with paragraph (5);
“(B) the provider has successfully provided the high technology program for
at least one year;
“(C) the provider does not charge tuition and fees to a covered individual who
receives assistance under this section to pursue such program that are higher
than the tuition and fees charged by such provider to another individual; and
“(D) the provider meets the approval criteria developed by the Secretary
under paragraph (4).
“(4)(A) The Secretary shall prescribe criteria for approving providers of a high
technology program of education under this section.
“(B) In developing such criteria, the Secretary may consult with State approving
agencies.
“(C) Such criteria are not required to meet the requirements of section 3672 of
this title.
"(D) Such criteria shall include the job placement rate, in the field of study of a program of education, of covered individuals who complete such program of education.

"(5) The Secretary shall determine whether instructors are experts under paragraph (3)(A) based on evidence furnished to the Secretary by the provider regarding the ability of the instructors to—

"(A) identify professions in need of new employees to hire, tailor the programs to meet market needs, and identify the employers likely to hire graduates;

"(B) effectively teach the skills offered to covered individuals;

"(C) provide relevant industry experience in the fields of programs offered to incoming covered individuals; and

"(D) demonstrate relevant industry experience in such fields of programs.

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

"(A) from which at least 70 percent of graduates find full-time employment in the field of study of the program during the 180-day period beginning on the date the student graduates from the program; or

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

"(d) EFFECT ON OTHER ENTITLEMENT.—(1) If a covered individual enrolled in a high technology program of education under this section has remaining entitlement to educational assistance under chapter 30, 32, 33, 34, or 35 of this title, entitlement of the individual to educational assistance under this section shall be charged at the rate of one month of such remaining entitlement for each such month of educational assistance under this section.

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

"(e) REQUIREMENTS FOR EDUCATIONAL INSTITUTIONS.—(1) The Secretary shall not approve the enrollment of any covered individual, not already enrolled, in any high technology programs of education under this section for any period during which the Secretary finds that more than 85 percent of the students enrolled in the program are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or by the Department of Veterans Affairs under this title or under chapter 1606 or 1607 of title 10, except with respect to tuition, fees, or other charges that are paid under a payment plan at an educational institution that the Secretary determines has a history of offering payment plans that are completed not later than 180 days after the end of the applicable term, quarter, or semester.

"(2) The Secretary may waive a requirement of paragraph (1) if the Secretary determines, pursuant to regulations which the Secretary shall prescribe, such waiver to be in the interest of the covered individual and the Federal Government. Not later than 30 days after the Secretary waives such a requirement, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report regarding such waiver.

"(3)(A)(i) The Secretary shall establish and maintain a process by which an educational institution may request a review of a determination that the educational institution does not meet the requirements of paragraph (1).

"(ii) The Secretary may consult with a State approving agency regarding such process or such a review.

"(B) An educational institution that requests a review under subparagraph (A)—

"(i) shall request the review not later than 30 days after the start of the term, quarter, or semester for which the determination described in subparagraph (A) applies; and

"(ii) may include any information that the educational institution believes the Department should have taken into account when making the determination, including with respect to any mitigating circumstances.

"(f) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this section, and annually thereafter until the termination date specified in subsection (i), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the operation of program under this section during the year covered by the report. Each such report shall include each of the following:

"(1) The number of covered individuals enrolled in the program, disaggregated by type of educational institution, during the year covered by the report.
(2) The number of covered individuals who completed a high technology program of education under the program during the year covered by the report.

(3) The average employment rate of covered individuals who completed such a program of education during such year, as of 180 days after the date of completion.

(4) The average length of time between the completion of such a program of education and employment.

(5) The total number of covered individuals who completed a program of education under the program and who, as of the date of the submission of the report, are employed in a position related to technology.

(6) The average salary of a covered individual who completed a program of education under the program and who is employed in a position related to technology, in various geographic areas determined by the Secretary.

(7) The average salary of all individuals employed in positions related to technology in the geographic areas determined under subparagraph (F), and the difference, if any, between such average salary and the average salary of a covered individual who completed a program of education under the program and who is employed in a position related to technology.

(8) The number of covered individuals who completed a program of education under the program and who subsequently enrolled in a second program of education under the program.

(g) COLLECTION OF INFORMATION; CONSULTATION.—(1) The Secretary shall develop practices to use to collect information about covered individuals and providers of high technology programs of education.

(2) For the purpose of carrying out program under this section, the Secretary may consult with providers of high technology programs of education and may establish an advisory group made up of representatives of such providers, private employers in the technology field, and other relevant groups or entities, as the Secretary determines necessary.

(h) DEFINITIONS.—In this section:

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

(A) A veteran whom the Secretary determines—
   (i) served an aggregate of at least 36 months on active duty in the Armed Forces (including service on active duty in entry level and skill training) and was discharged or released therefrom under conditions other than dishonorable; and
   (ii) has not attained the age of 62.

(B) A member of the Armed Forces that the Secretary determines will become a veteran described in subparagraph (A) fewer than 180 days after the date of such determination.

(2) The term ‘high technology program of education’ means a program of education—

(A) offered by a public or private educational institution;

(B) if offered by an institution of higher learning, that is provided directly by such institution rather than by an entity other than such institution under a contract or other agreement;

(C) that does not lead to a degree;

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

(E) that provides instruction in computer programming, computer software, media application, data processing, or information sciences.

(i) TERMINATION.—The authority to carry out a program under this section shall terminate on September 30, 2028.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3699B the following new item:

3699C. High technology program.

(b) EFFECT ON HIGH TECHNOLOGY PILOT PROGRAM.—Section 116 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Public Law 115–48; 38 U.S.C. 3001 note) is amended—

(1) in subsection (g), by striking paragraph (6); and

(2) by striking subsection (h) and inserting the following new subsection (h):

(h) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on September 30, 2023.

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

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

(4) Any independent study program except—
“(A) an independent study program (including such a program taken over open circuit television) that—
“(i) is accredited by an accrediting agency or association recognized by the Secretary of Education under subpart 2 of part H of title IV of the Higher Education Act of 1965 (20 U.S.C. 1099b);”
“(ii) leads to—
“(I) a standard college degree;
“(II) a certificate that reflects educational attainment offered by an institution of higher learning; or
“(III) a certificate that reflects graduation from a course of study offered by—
“(aa) an area career and technical education school (as defined in subparagraphs (C) and (D) of section 3(3) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) that provides education at the postsecondary level; or
“(bb) a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c))) that provides education at the postsecondary level; and
“(iii) in the case of a program described in clause (ii)(III)—
“(I) provides training aligned with the requirements of employers in the State or local area where the program is located, which may include in-demand industry sectors or occupations;
“(II) provides a student, upon graduation from the program, with a recognized postsecondary credential that is recognized by employers in the relevant industry, which may include a credential recognized by industry or sector partnerships in the State or local area where the industry is located; and
“(III) meets such content and instructional standards as may be required to comply with the criteria under section 3676(c)(14) and (15) of this title; or
“(B) an online high technology program of education (as defined in subsection (h)(2) of section 3699C of this title)—
“(i) the provider of which has entered into a contract with the Secretary under subsection (c) of such section;
“(ii) that has been provided to covered individuals (as defined in subsection (h)(1) of such section) under such contract for a period of at least five years;
“(iii) regarding which the Secretary has determined that the average employment rate of covered individuals who graduated from such program of education is 65 percent or higher for the year preceding such determination; and
“(iv) that satisfies the requirements of subsection (e) of such section.”;

and

“(8) Paragraph (1) shall not apply to the enrollment of a veteran in an online high technology program described in subsection (a)(4)(B).”

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (c) shall take effect on October 1, 2023.

SEC. 3. BURIAL ALLOWANCE FOR CERTAIN VETERANS WHO DIE AT HOME WHILE IN RECEIPT OF HOSPICE CARE FURNISHED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subsection (a)(2)(A) of section 2303 of title 38, United States Code, is further amended—

(1) in clause (i), by striking “; or” and inserting a semicolon;

(2) in clause (ii)(III), by striking the period at the end and inserting “; or”;

and

(3) by adding at the end the following new clause:

“(iii) a home or other setting at which the deceased veteran was, at the time of death, receiving hospice care pursuant to section 1717(a) of this title if such care was directly preceded by the Secretary furnishing to the veteran hospital care or nursing home care described in subclause (I), (II), or (III) of clause (ii).”;

(b) APPLICABILITY.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and apply with respect to deaths occurring on or after the date that is 180 days after the date of the enactment of this Act.
SEC. 4. INCLUSION OF NON-DEGREE FLIGHT TRAINING IN CERTAIN REHABILITATION PROGRAMS FOR CERTAIN VETERANS WITH SERVICE-CONNECTED DISABILITIES.

Section 3101 of title 38, United States Code, is amended—
(1) in paragraph (7), by adding at the end the following: “A rehabilitation program may include a program that includes flight training and does not lead to a degree.”; and
(2) by redesignating the first paragraph (10) as paragraph (1).

SEC. 5. SOLE LIABILITY FOR TRANSFERRED EDUCATIONAL ASSISTANCE BY AN INDIVIDUAL WHO FAILS TO COMPLETE A SERVICE AGREEMENT.

Subsection (i) of section 3319 of title 38, United States Code, is amended—
(1) in paragraph (1)—
(A) by striking “In the event” and inserting “Subject to paragraph (2), in the event”; and
(B) by inserting “of this title” after “section 3685”;
(2) in subparagraph (A) of paragraph (2)—
(A) in the heading, by striking “IN GENERAL” and inserting “SOLE LIABILITY”; and
(B) by striking “under paragraph (1)” and inserting “for which the individual shall be solely liable to the United States for the amount of the overpayment for purposes of section 3685 of this title”; and
(3) in subparagraph (B) of paragraph (2)—
(A) in the matter preceding clause (i), by striking “Subparagraph (A) shall not apply” and inserting “Neither the individual nor the dependent shall be liable to the United States for the amount of the overpayment for purposes of section 3685 of this title”; and
(B) in clause (ii), by inserting “of this title” after “section 3311(c)(4)”.

SEC. 6. INCREASE OF DEPARTMENT OF VETERANS AFFAIRS EDUCATIONAL ASSISTANCE FOR PROGRAMS OF EDUCATION IN REPUBLIC OF PHILIPPINES.

(a) SHORT TITLE.—This section may be cited as the “Filipino Education Fairness Act”.

(b) INCREASE.—Section 3532 of title 38, United States Code, is amended—
(1) by striking subsection (d); and
(2) by redesignating subsections (e) through (g) as subsections (d) through (f), respectively.

SEC. 7. PROVISION OF CERTIFICATES OF ELIGIBILITY AND AWARD LETTERS USING ELECTRONIC MEANS.

Chapter 36 of title 38, United States Code, is amended by inserting after section 3698 the following new section (and conforming the table of sections at the beginning of such chapter accordingly):

“§ 3698A. Provision of certificates of eligibility and award letters using electronic means

“(a) REQUIREMENT.—Except as provided by subsection (b), the Secretary shall provide to an individual the following documents using electronic means:

“(1) A certificate of eligibility for the entitlement of the individual to covered educational assistance.

“(2) An award letter regarding the authorization of the individual to receive covered educational assistance.

“(b) ELECTION TO OPT OUT.—An individual may elect to receive the documents specified in subsection (a) by mail rather than through electronic means under subsection (a). An individual may revoke such an election at any time, by means prescribed by the Secretary.

“(c) COVERED EDUCATIONAL ASSISTANCE.—In this section, the term ‘covered educational assistance’ means educational assistance under chapter 30, 33, or 35, or section 3699C, of this title.”

SEC. 8. DEPARTMENT OF VETERANS AFFAIRS HOUSING LOAN FEES.

The loan fee table in section 3729(b)(2) of title 38, United States Code, is amended by striking “November 14, 2031” each place it appears and inserting “April 30, 2032”.

PURPOSE AND SUMMARY

H.R. 1669, the “VET–TEC Authorization Act of 2023” was introduced by Rep. Juan Ciscomani of Arizona on March 21, 2023. H.R. 1669 the underlying legislation would establish the VET–TEC program for 5 years for up to 6000 veterans based on the successful
pilot. The bill as amended includes the text of several pieces of legislation including:

H.R. 234, the “Gerald’s Law Act” was introduced on January 10, 2023, by Rep. Jack Bergman of Michigan. It would provide a burial allowance to the survivors of a veteran who chose to pass away at home in VA hospice rather than in a VA facility.

H.R. 1169, the “VA E-Notification Enhancement Act” was introduced on March 30, 2023, by Rep. Jodey Arrington of Texas. This legislation would require VA to provide eligibility documents for VA educational programs electronically.

H.R. 746, the “Streamlining Aviation for Eligible Veterans Act” or the “SAFE Veterans Act” was introduced on March 30, 2023, by Rep. Jay Obernolte of California. This legislation would amend current law to include non-degree flight training programs in the rehabilitation programs under the Veterans Readiness and Employment Program (VR&E).

H.R. 1798, the “Protect Military Dependents Act” was introduced on March 30, 2023, by Rep. Derrick Van Orden of Wisconsin. This legislation would ensure that a servicemember is solely liable for overpayments of education benefits transferred to spouse or children that arise from a failure to complete the service obligation or obtain an honorable discharge.

H.R. 1635, the “Filipino Education Fairness Act” was introduced by Rep. Jennifer Kiggans of Virginia on March 17, 2023. This bill would provide parity in payments for survivors and dependents of veterans located in the Philippines.

Finally, the bill as amended also would provide an offset for the cost of these programs by extending current rates for VA home loan funding fees.

BACKGROUND AND NEED FOR LEGISLATION

Section 1: Short title

This Act may be cited as the VET–TEC Authorization Act.

Section 2: Department of Veterans Affairs High Technology Program

The Veteran Employment Through Technology Education Courses (VET–TEC) pilot program was enacted as part of the Harry W. Colmery Veterans Education Assistance Act of 2017 (Public Law 115–48.) This program provides eligible veterans tuition, fees, and a monthly housing stipend (based on the Post-9/11 G.I. Bill rates) to train in the high-technology industry. Currently, VET–TEC allows for training in the computer software, computer programming, data processing, information science, and media application fields of study. The tuition and fee structure for this program is a little bit different than other G.I. Bill programs. Training providers receive 25% of their tuition and fees when the participant starts the program, 25% when they complete the program, and 50% when the veteran gets a job. Congress has recently increased the annual funding for this program to match increasing demand. The program is currently funded at $45 million a year.

As of April 3, 2023, 10,031 veterans have completed the program (84% graduation rate), with a 63% employment rate and an average salary of $65,819. VA has told the Committee that VET–TEC
will run out of money at the end of April 2023 and no enrollments will be accepted until September 1, 2023, so there is a need for this bill to be enacted quickly to fund the program. VET–TEC graduates often end up being employed by companies like Amazon, Boeing, Booz Allen, and Microsoft. The bill would make several modifications to the VET–TEC program with the goal of establishing it as a permanent program. It would build upon the knowledge gained from the pilot program. It would preserve the current tuition and fee structure but would expand the types of providers who can participate. It also would consider the experience of the providers by allowing the Secretary to consult with providers as needed and work with them to develop methods to improve communication with graduates of the program. Under this section, up to 6,000 veterans would participate each year, higher institutions of education would be allowed to become a provider, online schools would now qualify for VET–TEC, and students would be able to pursue a second program after 18 months.

Finally, the section would establish reporting requirements that would allow the Department of Veterans Affairs and Congress to have effective oversight of the operations of the program. The Committee believes that the pilot program has been very successful. The Committee hopes to build on that success while ensuring the program continues to be an effective path to meaningful employment for veterans.

Section 3: Burial allowance for certain veterans who die at home while in receipt of hospice care furnished by Department of Veterans Affairs

This provision would require the Department of Veterans Affairs (VA) to provide a burial and funeral allowance for a veteran who dies from a non-service-connected disability in a home or other setting at which the veteran was receiving VA hospice care (if such care was directly preceded by VA hospital or nursing home care). Currently, VA cannot provide a burial allowance ($893 maximum) to the survivor of a veteran that is not in receipt of compensation or pension benefits, if the veteran does not pass away in a VA facility, such as a hospital or nursing home facility.

The families of veterans who are receiving pension or compensation at the time of death can receive $893, if the veteran has a non-service-connected death. Families of veterans who die of a service-connected condition can receive a $2,000 burial allowance. As of FY21, there were 736 patients in hospice in VA facilities. In that same fiscal year there were 1,240 veterans in inpatient hospice (general inpatient care and respite) and 12,092 veterans in home hospice. This section would allow veterans receiving VA furnished hospice care to pass away in the comfort of their home without fear of their family losing access to the burial allowance, which helps them pay for the cost of interment. The committee believes this is important because this section would provide parity between terminally ill veterans who pass away in a VA facility and veterans who choose to pass away at home. This is in line with VHA’s whole veteran initiative that allows veteran to age in place.
Section 4: Inclusion of non-degree flight training in certain rehabilitation programs for certain veterans with service-connected disabilities

Under current law, public flight school degree programs have greater access to increased G.I. Bill funds than private and non-degree programs. However, veterans trying to get their pilot license through the Veteran Readiness and Employment (VR&E) program do not have access to the same G.I. Bill funds as other VR&E programs. This provision would include non-degree flight training programs in the definition of rehabilitation programs so veterans using VR&E can have access to greater funds while attending flight school. The Committee believes this is a good idea because it would expand the education possibilities for disabled veterans. It would also standardize what flight school programs are available in VR&E as currently a veteran could get their pilot license through a public-school flight training program. The Committee believes that this would be an important change because adding non-degree programs would give the veteran an often less expensive option that also takes significantly less time to complete.

Section 5: Sole liability for transferred educational assistance by an individual who fails to complete a service agreement

Under the Post-9/11 G.I. Bill, VA pays the tuition and provides housing allowances for beneficiaries pursuing approved education programs. Beneficiaries, including veterans, servicemembers, and their designated dependents, can receive that assistance for up to 36 months. Servicemembers who complete at least six years of active duty and agree to perform another four years, can be approved to transfer up to a total of 36 months of their education benefits to their spouses or children. Spouses may begin using benefits upon transfer. With some exceptions, if the servicemember fails to complete their service obligation or receives a less than honorable discharge, payments for the use of transferred education benefits become overpayments. Both the servicemember and the person to whom benefits were transferred are liable for repayment. This provision would make the servicemember solely liable for overpayments of education benefits that arise from their failure to complete the service obligation or obtain an honorable discharge. The Committee believes that this proposal would close a loophole that is not often used but could very negatively impact a spouse’s future. Under current law, a former spouse could be forced to pay back hundreds of thousands of dollars because their spouse who was serving was either discharged other than honorably or seek revenge on the spouse under a circumstance. This legislative fix would close that loophole and hold the servicemember accountable financially for their actions.

Section 6: Increase of Department of Veterans Affairs educational assistance for programs of education in Republic of Philippines

Under the Dependents Education Assistance program of the G.I. Bill, certain survivors and dependents of veterans are eligible for educational assistance at the rate of $1,224 for full-time, $967 for three-quarter-time, or $710 for half-time in 2023. Survivors and dependents are also eligible to use their benefit in foreign countries if the school standards are approved by the Secretary. However,
under current law if an institution is in the Republic of the Philippines, the educational assistance is only paid $0.50 to the dollar. This is only in the Philippines, where the most veterans outside of the United States have historically lived. This provision would strike the subsection that contains $0.50 to each dollar rate in the Philippines and allow each dollar to go the survivor and dependents of veterans. The Committee believes that this is a good small technical fix to remedy a statute that was originally written in the 1950s and has not been changed since.

Section 7: Provision of certificates of eligibility and award letters using electronic means

This language would amend title 38, United States Code, to direct VA to provide certificates of eligibility and award letters to certain individuals using electronic means.

VA traditionally uses the U.S. mail to notify individuals with existing entitlement their certificate of eligibility and award letters regarding receiving educational assistance. While there are some veterans that still need to use the mail-in method, most veterans have the ability, and would prefer to receive these notifications electronically. The Committee has heard of instances where mail gets lost or is delayed and has negatively impacted student veterans or eligible dependents. This section would allow VA to provide a certificate of eligibility or an award letter to individuals electronically. An individual would be allowed to opt out of electronic notification if they wished. The Committee believes that this legislation would benefit VA and individuals by increasing the notification speed of eligibility and reducing the loss of mail.

Section 9: Department of Veterans Affairs housing loan fees

Currently veterans who take advantage of the VA Home Loan Program pay a small fee that is included in their monthly mortgage payment. This language would provide funding for the programs included in the larger legislation by extending the current rates for VA home loan funding fees by a few months. This funding method has been used since 1989, and extending the funding fee increases a veteran’s monthly cost by about $5 on top of the monthly mortgage. The funding fee is not paid by disabled veterans, so they are not affected by this extension of the home loan fees.

Hearings

On March 30, 2023, the Subcommittee on Economic Opportunity held a legislative hearing on H.R. 1669 several of the bills included in the bill as amended, and other bills that were pending before the subcommittee.

The following witnesses testified:

Mr. Joseph Garcia, Executive Director of Education Service, U.S. Department of Veterans Affairs; Mr. Nick Pamperin, Executive Director of Veteran Readiness and Employment, U.S. Department of Veterans Affairs; Dr. Keith Harris, Senior Executive Homelessness Agent, U.S. Department of Veterans Affairs; Ms. Tammy Barlet, Vice President of Government Affairs, Student Veterans of America; Mr. Matthew Brennan, Veteran Education and Employment Policy Analyst, The American Legion; Ms. Alicia Boddy, Chief Operations and Develop-
ment Officer, Code Platoon; and Mr. Patrick Murray, Director, National Legislative Service, Veterans of Foreign Wars of the United States.

The following individuals and organizations submitted statements for the record:

The National Coalition for Homeless Veterans and the Disabled American Veterans.

On March 29, 2023, the Subcommittee on Disability Assistance and Memorial Affairs held a legislative hearing on H.R. 234 and other bills that were pending before the subcommittee.

The following witnesses testified: The Honorable Jack Bergman, U.S. House of Representatives; Ms. Cheryl Rawls, Executive Director, Outreach, Transition and Economic Development, Veterans Benefits Administration, U.S. Department of Veterans Affairs; Ms. Christa Shriber, Deputy Chief Counsel, Benefits Law Group, Office of General Counsel, U.S. Department of Veterans Affairs; Mr. Shane Liermann, Deputy National Legislative Director, Disabled American Veterans; Mr. Lawrence Montreuil, Legislative Director, The American Legion; Ms. Kristina Keenan, Deputy Director for National Legislative Service, Veterans of Foreign Wars of the United States; and Lieutenant Colonel William Taylor (U.S.A.) Ret., Co-Founder & Chief Operating Officer, Veterans Guardian VA Claim Consulting, LLC.

The following individuals and organizations submitted statements for the record:

The Honorable Michael Waltz, U.S. House of Representatives; the U.S. Court of Appeals for Veterans Claims; Gold Star Wives of America; the National Organization of Veterans’ Advocates; and the Tragedy Assistance Program for Survivors.

SUBCOMMITTEE CONSIDERATION

On April 18, 2023, the Subcommittee on Economic Opportunity held a markup on the legislation included in the text of this bill.

An amendment in the nature of a substitute to H.R. 1669 offered by Rep. McGarvey was adopted by voice vote and the bill was ordered favorably forwarded to the full Committee on Veterans Affairs. The amendment in the nature of a reduced the number of authorized individuals from 8,000 to 6,000, set a 5-year sunset for the program, and increased reporting requirements for the program.

H.R. 746, H.R. 1169, and H.R. 1635 passed the Subcommittee by voice vote and were ordered favorably forwarded to the full Committee on Veterans Affairs.

An amendment in the nature of a substitute to H.R. 1798 offered by Rep. VanOrden was adopted by voice vote and the bill was ordered favorably forwarded to the full Committee on Veterans Affairs.

On April 19, 2023, the Subcommittee on Disability Assistance and Memorial Affairs held a markup of H.R. 234 among other bills.

An amendment in the nature of a substitute was offered by Chairman Luttrell to H.R. 234 and was adopted by voice vote. The bill as amended was ordered favorably forwarded to the full Committee on Veterans Affairs.
COMMITTEE CONSIDERATION

On April 28, 2023, the full Committee met in open markup session, a quorum being present, and ordered H.R. 1669, as amended, be reported favorably to the House of Representatives by voice vote. During consideration of the bill, the following amendments were considered:

An amendment in the nature of a substitute offered by Chairman Bost that included the text of H.R. 1669, adopted by the Subcommittee on Economic Opportunity, and added the text of the following bills: H.R. 234, as amended, H.R. 1169, H.R. 746, H.R. 1798, as amended, and H.R. 1635. The amendment would also extend current rates for VA home loan funding fees to pay for programs in the bill. The amendment in the nature of substitute, as amended, was approved by voice vote.

An amendment to the amendment in the nature of a substitute offered Representative Takano of California was offered to authorize the Department of Veterans Affairs (VA) to provide food, clothing, bedding, hygiene items, shelter, transportation, communication devices and services, and other necessary assistance to veterans who are homeless or using rental vouchers. Similar authority was temporarily available during the public health emergency declared as a result of the novel coronavirus pandemic. The amendment included language to further extend current rates for VA home loan funding fees.

The amendment to the amendment in the nature of a substitute was not agreed to by a recorded vote of 13–10.

A motion by Representative Bergman to report H.R. 1669, as amended, favorably to the House of Representatives was agreed to by voice vote.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, 1 recorded vote was taken on amendments or in connection with ordering H.R. 1669, as amended, reported to the House.
HOUSE COMMITTEE ON VETERANS’ AFFAIRS
FULL COMMITTEE ROLL CALL VOTES

Date: 4/28/2023
Subject: Amendment to the ANS to H.R. 1669

<table>
<thead>
<tr>
<th>NAME</th>
<th>YEAYEA</th>
<th>NAY/NO</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mike Bost, IL, Chairman</td>
<td>X</td>
<td></td>
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<tr>
<td>2. Amata Coleman Radewagen, AS</td>
<td></td>
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<td>Abst</td>
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<tr>
<td>3. Jack Bergman, MI</td>
<td></td>
<td>X</td>
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<td>4. Nancy Mace, SC</td>
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<td>5. Matt Rosendale, MT</td>
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<td>6. Mariannette Miller-Meeks, IA</td>
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<td>7. Greg Murphy, NC</td>
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<td>8. Scott Franklin, FL</td>
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<td>9. Derick Van Orden, WI</td>
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<td>10. Morgan Lattrell, TX</td>
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<td>11. Juan Ciscomani, AZ</td>
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<td>12. Eli Crace, AZ</td>
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<td>13. Keith Self, TX</td>
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<tr>
<td>14. Jen Kiggans, VA</td>
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MINORITY MEMBERS

<table>
<thead>
<tr>
<th>NAME</th>
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</thead>
<tbody>
<tr>
<td>1. Mark Takano, CA, Ranking Member</td>
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<td></td>
<td></td>
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<tr>
<td>2. Julia Brownley, CA</td>
<td></td>
<td></td>
<td>Abst</td>
</tr>
<tr>
<td>3. Mike Levin, CA</td>
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<tr>
<td>4. Chris Pappas, NH</td>
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<td>5. Frank Mrvan, IN</td>
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<td>6. Sheila Cherfhus- McCormick, FL</td>
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<td>7. Chris Deluzio, PA</td>
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<td>8. Morgan McGarvey, KY</td>
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<td>9. Delia Ramirez, IL</td>
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<td>10. Greg Landeman, OH</td>
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<td>11. Nikki Bradzinski, IL</td>
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</tbody>
</table>

Mr. Chairman, the vote is 10 Yeas and 13 Noses. 2 Not voting
COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee’s performance goals and objectives of H.R. 1669, as amended, are to provide additional opportunities for education and training for veterans and improve the lives of veterans generally.

EARMARKS AND TAX AND TARIFF BENEFITS

H.R. 1669, as amended, does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the Congressional Budget Office cost estimate on this measure.

BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

<table>
<thead>
<tr>
<th>At a Glance</th>
</tr>
</thead>
<tbody>
<tr>
<td>As ordered reported by the House Committee on Veterans’ Affairs on April 28, 2023</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>By Fiscal Year, Millions of Dollars</th>
<th>2023</th>
<th>2023-2028</th>
<th>2023-2033</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Spending (Outlays)</td>
<td>*</td>
<td>373</td>
<td>*</td>
</tr>
<tr>
<td>Revenues</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Increase or Decrease (-) in the Deficit</td>
<td>*</td>
<td>373</td>
<td>*</td>
</tr>
<tr>
<td>Spending Subject to Appropriation (Outlays)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Increases net direct spending in any of the four consecutive 10-year periods beginning in 2034?</th>
<th>&lt; $2.5 billion</th>
<th>Statutory pay-as-you-go procedures apply?</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2034?</td>
<td>&lt; $6 billion</td>
<td>Mandate Effects</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Contains intergovernmental mandate?</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Contains private-sector mandate?</td>
<td>No</td>
</tr>
</tbody>
</table>

* = between -$500,000 and $500,000.

The bill would

- Increase the fees that the Department of Veterans Affairs (VA) charges borrowers for home loan guarantees
- Extend and modify the Veteran Employment Through Technology Education Courses (VET–TEC) program
- Provide burial allowances to the surviving family of certain veterans receiving hospice care provided by VA
Under the Federal Credit Reform Act of 1990, the subsidy cost of a loan guarantee is the net present value of estimated payments by the government to cover defaults and delinquencies, interest subsidies, or other expenses offset by any payments to the government, including origination or other fees, penalties, and recoveries on defaulted loans. Such subsidy costs are calculated by discounting those expected cash flows using the rate on Treasury securities of comparable maturity. The resulting estimated subsidy costs are recorded in the budget when the

## Table 1.—Estimated Budgetary Effects of H.R. 1669

<table>
<thead>
<tr>
<th></th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
<th>2026</th>
<th>2027</th>
<th>2028</th>
<th>2029</th>
<th>2030</th>
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<th>2033</th>
<th>2023–2028</th>
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<tbody>
<tr>
<td>Home Loan Fees</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>-413</td>
<td>0</td>
<td>0</td>
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<tr>
<td>VET–TEC Extension</td>
<td>0</td>
<td>31</td>
<td>70</td>
<td>77</td>
<td>79</td>
<td>80</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>337</td>
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<tr>
<td>Burial Allowance</td>
<td>0</td>
<td>3</td>
<td>3</td>
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<td>4</td>
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<td>15</td>
<td>34</td>
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<tr>
<td>Flight Training</td>
<td>*</td>
<td>2</td>
<td>2</td>
<td>2</td>
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<tr>
<td>Benefits in Philippines</td>
<td>*</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
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<td>2</td>
<td>2</td>
<td>2</td>
<td>10</td>
<td>20</td>
</tr>
<tr>
<td>Sole Liability</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>1</td>
<td>*</td>
<td>*</td>
<td>1</td>
<td>*</td>
<td>*</td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Changes in Direct Spending</td>
<td>*</td>
<td>38</td>
<td>77</td>
<td>84</td>
<td>87</td>
<td>87</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>-405</td>
<td>8</td>
<td>373</td>
<td>*</td>
</tr>
</tbody>
</table>

* = between –$500,000 and $500,000; budget authority equals outlays for all sections.

Basis of estimate: For this estimate, CBO assumes that H.R. 1669 will be enacted in fiscal year 2023 and that provisions will take effect upon enactment or on the dates specified by the bill. CBO also estimates that outlays will follow historical spending patterns for affected programs.

Direct spending: H.R. 1669 would make changes to VA’s home loan guarantee program, educational benefits, and burial benefits. Enacting the bill would change net direct spending by an insignificant amount over the 2023–2033 period, CBO estimates.

Home loan fees. VA provides guarantees to lenders for eligible borrowers to obtain better loan terms—such as lower interest rates or smaller down payments—when purchasing, constructing, improving, or refinancing a home. VA typically pays lenders up to 25 percent of the outstanding mortgage balance if a borrower’s home is foreclosed upon. Those payments, net of fees paid by borrowers and recoveries by lenders, constitute the subsidy cost for the loan guarantees.1

1 Under the Federal Credit Reform Act of 1990, the subsidy cost of a loan guarantee is the net present value of estimated payments by the government to cover defaults and delinquencies, interest subsidies, or other expenses offset by any payments to the government, including origination or other fees, penalties, and recoveries on defaulted loans. Such subsidy costs are calculated by discounting those expected cash flows using the rate on Treasury securities of comparable maturity. The resulting estimated subsidy costs are recorded in the budget when the

Bill summary: H.R. 1669 would increase the fees that the Department of Veterans Affairs (VA) will charge borrowers for home loan guarantees in 2032. The bill also would modify and extend the authorization for the Veteran Employment Through Technology Education Courses (VET–TEC) program through 2028 and make additional changes to other benefit programs administered by VA.

Estimated Federal Cost: The estimated budgetary effects of H.R. 1669 are shown in Table 1. The bill would change net direct spending by an insignificant amount over the 2023–2033 period.

CBO estimates that outlays will follow historical spending patterns for affected programs.
Under current law, most of the fees that borrowers pay to VA for loans guaranteed after November 14, 2031, will decline from a weighted average of about 2.4 percent of the loan amount to about 1.2 percent. Section 8 would extend the higher rates for five months, through April 30, 2032. On the basis of loan data provided by VA, CBO estimates that extending the higher fee rates would decrease direct spending by $413 million over the 2023–2033 period.

VET–TEC extension. Under the Veteran Employment through Technology Education Courses pilot program, VA contracts with entities to provide vocational training in computer programming, computer software, media applications, data processing, and information services to veterans who are eligible for VA education benefits. Veterans can also receive monthly housing stipends while they attend that training. Costs for the program are paid from mandatory appropriations, subject to annual maximum amounts. VA is authorized to spend $15 million annually in 2019 and 2020, $45 million in 2021, $125 million in 2022, and $45 million in each 2023 and 2024. Under current law, the authority to conduct the program expires after 2024.

Section 2 would extend the authority to conduct the VET–TEC program through 2028 and make several other modifications to the program. On net, CBO estimates that enacting section 2 would increase direct spending by $337 million over the 2023–2033 period.

Beginning in 2024, instead of annual spending caps, the bill would limit the number of participants to 6,000 veterans annually. It also would expand the eligibility to veterans who cannot use the program under current law and would newly authorize colleges and universities to provide VET–TEC courses. In 2022, more than 20,000 people applied and were eligible for VET–TEC. Because of that eligibility expansion and the current high demand for the program, CBO expects that interest in VET–TEC would remain high and that the maximum limit of 6,000 participants each year would be reached.

Under section 2, payments to VET–TEC providers would typically be reduced if the veterans they train do not remain employed in their field of study for at least 180 days following completion of VET–TEC courses. Additionally, payments to providers of VET–TEC courses would be limited to the same tuition and fee rates under the Post-9/11 GI Bill. Those changes would slightly reduce average payments compared to the current program.

Using data published by VA, CBO estimates that the department would pay an average of $15,000 per participant per year over the 2024–2028 period, increasing direct spending by $447 million. Since section 2 would eliminate the authorization for the existing VET–TEC pilot program after 2023, a year before it expires under current law, CBO estimates the increase in direct spending under the bill would be partially offset by a reduction of $45 million, the amount that had been provided under current law for 2024.

Veterans generally earn 36 months of education benefits from their military service, referred to as their benefit entitlement. Section 2 would require VA to count time in the VET–TEC program loans are disbursed or modified. A positive subsidy indicates that the loan results in net outlays from the Treasury; a negative subsidy indicates that the loan results in net receipts to the Treasury.
Veterans receive disability ratings from VA based on injuries and illnesses sustained during military service. Ratings range from zero to 100 percent. If a veteran dies because of their service-connected disability, their surviving family may receive a payment of $2,000.

CBO expects that roughly a quarter of VET–TEC participants under the bill would have and use remaining entitlement and that nearly all of that entitlement would have otherwise been used for the Post-9/11 GI Bill. On the basis of VA-provided data on the average length of VET–TEC courses and usage of other education benefit programs, CBO estimates that reducing remaining entitlement on a month-for-month basis would decrease direct spending for other education benefits by $65 million over the 2023–2033 period.

Burial allowance. Section 3 would expand eligibility for VA burial allowances paid to the surviving family of certain veterans to cover funeral and other expenses. Under current law, the survivors of veterans who die while receiving care in a VA hospital or nursing home facility, who have a service-connected disability, or who are receiving a VA pension at the time of death are eligible to receive payments of $893 in 2023.2 VA adjusts the amount of those payments each year based on inflation. Under section 3, families of veterans who die while receiving VA-provided hospice care outside of a VA facility would be eligible to receive burial allowance payments if the veteran was receiving hospital or nursing home care from VA immediately preceding such hospice care. That change would apply to deaths that occur 180 days following enactment.

According to VA, an average of 26,000 veterans receive hospice care from VA each year. Many of those veterans would already be eligible for the burial allowance under current law. CBO estimates that under the bill, an average of 3,200 additional families each year would receive average burial allowances of a little over $1,000. As a result, section 3 would increase direct spending by $34 million over the 2023–2033 period, CBO estimates.

Flight training. Veterans with service-connected disabilities that limit or prevent them from working can receive vocational rehabilitation services such as educational assistance, job training, skills counseling, and independent-living services. VA pays the tuition, fees, and related costs as well as housing allowances for veterans pursuing education or training programs. Under current law, VA pays for flight training that leads to a college degree; section 4 would expand the types of programs that veterans could pursue to include flight training that does not lead to a degree. Such non-degree programs are often provided by vocational pilot schools, rather than colleges or universities, and result in a license or certification upon successful completion.

On the basis of information provided by VA concerning pursuit of non-degree flight training by people using the Post-9/11 GI Bill, CBO expects that roughly 100 veterans each year who would not otherwise receive vocational rehabilitation would pursue such training under the bill, at an average annual cost of about $19,000 per person. As a result, CBO estimates that this provision would increase direct spending by $20 million over the 2023–2033 period.

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2Veterans receive disability ratings from VA based on injuries and illnesses sustained during military service. Ratings range from zero to 100 percent. If a veteran dies because of their service-connected disability, their surviving family may receive a payment of $2,000.
Benefits in Philippines. Under the Survivors' and Dependents' Educational Assistance program, VA pays dependents of veterans with certain service-connected disabilities or who die under certain circumstance a monthly benefit while they are pursuing qualified education or training. Beneficiaries can receive payments for up to 36 months. The amount is determined by the number of credits earned during an academic term and is adjusted annually for inflation. The benefit for a full-time student is $1,401 per month in 2023.

Beneficiaries pursuing education or training at institutions located in the Republic of the Philippines receive half of the amount that they would receive from VA if located elsewhere. Under section 6, payment rates would be the same in all locations. On the basis of information provided by VA, CBO estimates that roughly 500 beneficiaries each year would receive an additional $4,200, thereby increasing direct spending by $20 million over the 2023–2033 period.

Sole liability. Under the Post-9/11 GI Bill, VA pays the tuition and provides housing allowances for beneficiaries pursuing approved education programs. Beneficiaries, including veterans, service members, and their designated dependents, can receive that assistance for up to 36 months. Service members who complete at least six years of active duty and agree to perform another four years can be approved to transfer up to a total of 36 months of their education benefits to their spouses or children. Spouses may begin using benefits upon transfer; children cannot use benefits until the service member completes the four additional years of service. With some exceptions, if the service member fails to complete their service obligation or receives a less than honorable discharge, payments for the use of transferred education benefits are classified as overpayments. Both the service member and the person to whom benefits were transferred are liable for repayment.

Section 5 would make the service member solely liable for overpayments of education benefits that arise from their failure to complete the service obligation or obtain an honorable discharge. On the basis of information provided by VA, CBO expects that a small number of people who use benefits transferred to them by such service members would no longer be liable for those overpayments and, consequently, VA would collect fewer repayments than under current law. CBO estimates that the reduction in repayments would total about $2 million over the 2023–2033 period. That reduction in collections is classified as an increase in direct spending.

Spending subject to appropriation: H.R. 1669 would increase administrative expenses by less than $500,000 over the 2023–2033 period. Such spending would be subject to the availability of appropriated funds.

Pay-As-You-Go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays that are subject to those pay-as-you-go procedures are shown in Table 1.

Increase in long-term net direct spending and deficits: CBO estimates that enacting H.R. 1669 would not increase net direct spending by more than $2.5 billion in any of the four consecutive 10-year periods beginning in 2034.
CBO estimates that enacting H.R. 1669 would not increase on-budget deficits by more than $5 billion in any of the four consecutive 10-year periods beginning in 2034.

Mandates: None.

Estimate prepared by: Federal Costs: Paul B.A. Holland (veterans' education and housing benefits); Logan Smith (veterans' burial benefits); Mandates: Brandon Lever.

Estimate reviewed by: David Newman, Chief, Defense, International Affairs, and Veterans' Affairs Cost Estimates Unit; Chad Chirico, Deputy Director of Budget Analysis; Theresa Gullo, Director of Budget Analysis.

Estimate approved by: Phillip L. Swagel, Director, Congressional Budget Office.

FEDERAL MANDATES STATEMENT

Section 423 of the Congressional Budget and Impoundment Control Act (as amended by Section 101(a)(2) of the Unfunded Mandate Reform Act, P.L. 104–4) is inapplicable to H.R. 1669, as amended.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R. 1669, as amended.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that H.R. 1669, as amended, does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

STATEMENT ON DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 1669, as amended, establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

Section 1 would establish the short title of the bill as “VET–TEC Authorization Act of 2023.”

Section 2. Department of Veterans Affairs High Technology Program

This section would establish the Veteran Employment Through Technology Education Courses (VET–TEC) program for fiscal years 2024–2029 and funds pilot program that was created via the Forever G.I. Bill through fiscal year 2023. It would allow 6000 individuals to participate in the program each year. This section would allow training providers to receive 25% of their tuition and fees
when the participant starts the program, 25% when they complete
the program, and 50% when the veteran gets a job.

The section would allow students to pursue a second program
after 18 months. It would also expand the program to institutions
of higher education and online schools, both of whom were not able
to participate in the pilot program. While the types of providers al-
lowed to participate in the program are outlined in this section, the
Secretary would be required to establish criteria for approving pro-
viders and make determinations regarding the expertise of instruc-
tors.

This section also would require an annual report on the fol-
lowing: the number of people enrolled in the program; the number
of people who completed the program during the covered year; the
average employment rate for graduates of the program the pre-
vious year; the average length of time between completion of the
program and employment; the number of individuals that com-
pleted the program that are employed in technology; the average
salary of individuals who completed the program; the number of in-
dividuals who completed the program who subsequently enrolled in
a second education program included under the VET–TEC pro-
gram; and the number of individuals enrolled in the various types
of institutions included in the program.

Finally, this section would require the Secretary to develop prac-
tices to collect relevant information on the program and allows the
Secretary to consult with providers and establish an advisory group
of stakeholders if necessary.

Section 3: Gerald’s Law Act

This section would amend section 2303 of title 38, United States
Code (U.S.C.) and require the Department of Veterans Affairs (VA)
to provide a burial and funeral allowance for a veteran who dies
from a non-service-connected disability in a home or other setting
at which the veteran was receiving VA hospice care (if such care
was directly preceded by VA hospital or nursing home care).

Section 4. Streamlining Aviation for Eligible Veterans Act

This section would amend section 3101 of title 38, U.S.C. to in-
clude non-degree flight training programs in the definition of reha-
bilitation programs so veterans using VR&E can have access to
greater funds while attending flight school.

Section 5. Protect Military Dependents Act

This section would amend section 3319 of title 38, U.S.C. to
make a servicemember solely liable for overpayments of education
benefits that arise from their failure to complete a service obliga-
tion or obtain an honorable discharge.

Section 6. Filipino Education Fairness Act

This section would amend section 3532 of title 38, U.S.C. by re-
moving the subsection that requires veterans in the Philippines
and their dependents to receive a lower rate of payment for edu-
cational benefits.
Section 7. VA E-Notification Enhancement Act

This section would amend chapter 36 of title 38, U.S.C. by inserting after section 3698 a following new section to direct the Secretary of Veterans Affairs to provide certificates of eligibility and award letters to certain individuals using electronic means.

Section 8. Department of Veterans Affairs Housing Loan Fees

This section would provide funding for these programs included in the bill by extending current rates for VA home loan funding fees as established in section 3729 of title 38, U.S.C. from November 14, 2031 to April 30, 2031.

Changes in existing law made by the bill, as reported

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

Changes in existing law made by the bill, as reported

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

Title 38, United States Code

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Part II—General Benefits

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Chapter 23—Burial Benefits

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§ 2303. Death from non-service-connected disability; plot allowance

(a)(1) When a veteran described in paragraph (2) dies, the Secretary shall—

(A) pay the actual cost (not to exceed $700 (as increased from time to time under subsection (c))) of the burial and funeral or, within such limits, may make contracts for such services without regard to the laws requiring advertisement for proposals for supplies and services for the Department; and

(B) when such a death occurs in a State, transport the body to the place of burial in the same or any other State.

(2) A veteran described in this paragraph is a deceased veteran who is not covered by section 2307 of this title and who meets any of the following criteria:

(A) The deceased veteran dies in—
(i) a facility of the Department (as defined in section 1701(3) of this title) to which the deceased veteran was properly admitted for hospital, nursing home, or domiciliary care under section 1710 or 1711(a) of this title; or

(ii) an institution at which the deceased veteran was, at the time of death, receiving—

(I) hospital care in accordance with sections 1703A, 8111, and 8153 of this title;

(II) nursing home care under section 1720 of this title; or

(III) nursing home care for which payments are made under section 1741 of this title; or

(iii) a home or other setting at which the deceased veteran was, at the time of death, receiving hospice care pursuant to section 1717(a) of this title if such care was directly preceded by the Secretary furnishing to the veteran hospital care or nursing home care described in subclause (I), (II), or (III) of clause (ii).

(B) At the time of death, the deceased veteran (including a person who died during a period deemed to be active military, naval, or air service under section 106(c) of this title) is in receipt of compensation under chapter 11 of this title (or but for the receipt of retirement pay would have been entitled to such compensation) or was in receipt of pension under chapter 15 of this title.

(C) The Secretary determines—

(i) the deceased veteran (including a person who died during a period deemed to be active military, naval, or air service under section 106(c) of this title) has no next of kin or other person claiming the body of the deceased veteran; and

(ii) that there are not available sufficient resources to cover burial and funeral expenses.

(b) In addition to the benefits provided for under subsection (a) of this section, in the case of a veteran who is eligible for burial in a national cemetery under section 2402 of this title and who is not buried in a national cemetery or other cemetery under the jurisdiction of the United States—

(1) the Secretary shall pay to the relevant State, agency, political subdivision, or tribal organization, as the case may be, the sum of $700 (as increased from time to time under subsection (c)) as a plot or interment allowance for such veteran if the veteran is buried (without charge for the cost of a plot or interment) in a cemetery, or a section of a cemetery, that—

(A) is used solely for the interment of persons who are—

(i) eligible for burial in a national cemetery;

(ii) members of a reserve component of the Armed Forces not otherwise eligible for such burial or former members of such a reserve component not otherwise eligible for such burial who are discharged or released from service under conditions other than dishonorable; or

(iii) described in section 2408(i)(2) of this title; and

(B) is—
(i) owned by a State or by an agency or political subdivision of a State; or
(ii) on trust land owned by, or held in trust for, a tribal organization.

(2) if such veteran is eligible for a burial allowance under subsection (a) of this section, or was discharged from the active military, naval, air, or space service for a disability incurred or aggravated in line of duty, and such veteran is buried in a cemetery, or a section of a cemetery, other than as described in clause (1) of this subsection, the Secretary shall pay a sum not exceeding $700 (as increased from time to time under subsection (c)) as a plot or interment allowance to such person as the Secretary prescribes, except that if any part of the plot or interment costs of a burial to which this clause applies has been paid or assumed by a State, an agency or political subdivision of a State, tribal organization, or a former employer of the deceased veteran, no claim for such allowance shall be allowed for more than the difference between the entire amount of the expenses incurred and the amount paid or assumed by any or all of the foregoing entities.

(c) With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the maximum amount of burial and funeral expenses payable under subsection (a) and in the maximum amount of the plot or interment allowance payable under subsection (b), equal to the percentage by which—

(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds
(2) the Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).

(d) With respect to a deceased veteran described in subparagraph (B) or (C) of subsection (a)(2), except as hereafter provided in this subsection, no deduction shall be made from the burial allowance because of the veteran’s net assets at the time of the death of such veteran, or because of any contribution from any source toward the burial and funeral expenses (including transportation) unless the amount of expenses incurred is covered by the amount actually paid therefor by the United States, a State, any agency or political subdivision of the United States or of a State, or the employer of the deceased veteran. No claim shall be allowed (1) for more than the difference between the entire amount of the expenses incurred and the amount paid by any or all of the foregoing, or (2) when the burial allowance or any part thereof shall not be paid in any case where specific provision is otherwise made for payment of expenses of funeral, transportation, and interment under any other Act.

(e) In this section, the terms “tribal organization” and “trust land” have the meanings given those terms in section 3765 of this title.

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PART III—READJUSTMENT AND RELATED BENEFITS

CHAPTER 31—TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES

§ 3101. Definitions

For the purposes of this chapter—

(1) The term “emergency situation” has the meaning given such term in section 3601 of this title.

(2) The term “employment handicap” means an impairment, resulting in substantial part from a disability described in section 3102(1)(A) of this title, of a veteran's ability to prepare for, obtain, or retain employment consistent with such veteran's abilities, aptitudes, and interests.

(3) The term “independence in daily living” means the ability of a veteran, without the services of others or with a reduced level of the services of others, to live and function within such veteran's family and community.

(4) The term “program of education” has the meaning provided in section 3452(b) of this title.

(5) The term “program of independent living services and assistance” includes (A) the services provided for in this chapter that are needed to enable a veteran to achieve independence in daily living, including such counseling, diagnostic, medical, social, psychological, and educational services as are determined by the Secretary to be needed for such veteran to achieve maximum independence in daily living, and (B) the assistance authorized by this chapter for such veteran.

(6) The term “rehabilitated to the point of employability” means rendered employable in an occupation for which a vocational rehabilitation program has been provided under this chapter.

(7) The term “rehabilitation program” means (A) a vocational rehabilitation program, or (B) a program of independent living services and assistance authorized under section 3120 of this title for a veteran for whom a vocational goal has been determined not to be currently reasonably feasible. A rehabilitation program may include a program that includes flight training and does not lead to a degree.

(8) The term “serious employment handicap” means a significant impairment, resulting in substantial part from a service-connected disability rated at 10 percent or more, of a veteran’s ability to prepare for, obtain, or retain employment consistent with such veteran’s abilities, aptitudes, and interests.

(9) The term “vocational goal” means a gainful employment status consistent with a veteran's abilities, aptitudes, and interests.

(10) The term “vocational rehabilitation program” includes—

(A) the services provided for in this chapter that are needed for the accomplishment of the purposes of this chapter, including such counseling, diagnostic, medical, social, psychological, independent living, economic, educational, vocational, and em-
ployment services as are determined by the Secretary to be needed—

(i) in the case of a veteran for whom the achievement of a vocational goal has not been determined not to be currently reasonably feasible, (I) to determine whether a vocational goal is reasonably feasible, (II) to improve such veteran’s potential to participate in a program of services designed to achieve a vocational goal, and (III) to enable such veteran to achieve maximum independence in daily living, and

(ii) in the case of a veteran for whom the achievement of a vocational goal is determined to be reasonably feasible, to enable such veteran to become, to the maximum extent feasible, employable and to obtain and maintain suitable employment, and

(B) the assistance authorized by this chapter for a veteran receiving any of the services described in clause (A) of this paragraph.

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CHAPTER 33—POST–9/11 EDUCATIONAL ASSISTANCE

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SUBCHAPTER II—EDUCATIONAL ASSISTANCE

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§ 3319. Authority to transfer unused education benefits to family members

(a) IN GENERAL.—

(1) Subject to the provisions of this section, the Secretary concerned may permit an individual described in subsection (b) who is entitled to educational assistance under this chapter to elect to transfer to one or more of the dependents specified in subsection (c) a portion of such individual’s entitlement to such assistance, subject to the limitation under subsection (d).

(2) The purpose of the authority in paragraph (1) is to promote recruitment and retention in the uniformed services. The Secretary concerned may exercise the authority for that purpose when authorized by the Secretary of Defense in the national security interests of the United States.

(b) ELIGIBLE INDIVIDUALS.—An individual referred to in subsection (a) is any member of the uniformed services who, at the time of the approval of the individual’s request to transfer entitlement to educational assistance under this section, has completed at least—

(1) six years of service in the Armed Forces and enters into an agreement to serve at least four more years as a member of the uniformed services; or

(2) the years of service as determined in regulations pursuant to subsection (j).

(c) ELIGIBLE DEPENDENTS.—

(1) TRANSFER.—An individual approved to transfer an entitlement to educational assistance under this section may trans-
fer the individual's entitlement to an eligible dependent or a combination of eligible dependents.

(2) Definition of Eligible Dependent.—For purposes of this subsection, the term “eligible dependent” has the meaning given the term “dependent” under subparagraphs (A), (I), and (D) of section 1072(2) of title 10.

(d) Limitation on Months of Transfer.—The total number of months of entitlement transferred by an individual under this section may not exceed 36 months. The Secretary of Defense may prescribe regulations that would limit the months of entitlement that may be transferred under this section to no less than 18 months.

(e) Designation of Transferee.—An individual transferring an entitlement to educational assistance under this section shall—

(1) designate the dependent or dependents to whom such entitlement is being transferred; and

(2) designate the number of months of such entitlement to be transferred to each such dependent.

(f) Time for Transfer; Revocation and Modification.—

(1) Time for Transfer.—Subject to the time limitation for use of entitlement under section 3321, and except as provided in subsection (k) or (l), an individual approved to transfer entitlement to educational assistance under this section may transfer such entitlement only while serving as a member of the Armed Forces when the transfer is executed.

(2) Modification or Revocation.—

(A) In General.—An individual transferring entitlement under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

(B) Notice.—The modification or revocation of the transfer of entitlement under this paragraph shall be made by the submittal of written notice of the action to both the Secretary concerned and the Secretary of Veterans Affairs.

(3) Prohibition on Treatment of Transferred Entitlement as Marital Property.—Entitlement transferred under this section may not be treated as marital property, or the asset of a marital estate, subject to division in a divorce or other civil proceeding.

(g) Commencement of Use.—A dependent to whom entitlement to educational assistance is transferred under this section may not commence the use of the transferred entitlement until—

(1) in the case of entitlement transferred to a spouse, the completion by the individual making the transfer of at least—

(A) six years of service in the Armed Forces; or

(B) the years of service as determined in regulations pursuant to subsection (j); or

(2) in the case of entitlement transferred to a child, both—

(A) the completion by the individual making the transfer of at least—

(i) ten years of service in the Armed Forces; or

(ii) the years of service as determined in regulations pursuant to subsection (j); and

(B) either—
(i) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or
(ii) the attainment by the child of 18 years of age.

(h) ADDITIONAL ADMINISTRATIVE MATTERS.—
(1) USE.—The use of any entitlement to educational assistance transferred under this section shall be charged against the entitlement of the individual making the transfer at the rate of one month for each month of transferred entitlement that is used.

(2) NATURE OF TRANSFERRED ENTITLEMENT.—Except as provided under subsection (e)(2) and subject to paragraphs (5) and (6)—

(A) in the case of entitlement transferred to a spouse under this section, the spouse is entitled to educational assistance under this chapter in the same manner as the individual from whom the entitlement was transferred; or
(B) in the case of entitlement transferred to a child under this section, the child is entitled to educational assistance under this chapter in the same manner as the individual from whom the entitlement was transferred as if the individual were not on active duty.

(3) RATE OF PAYMENT.—The monthly rate of educational assistance payable to a dependent to whom entitlement referred to in paragraph (2) is transferred under this section shall be payable—

(A) in the case of a spouse, at the same rate as such entitlement would otherwise be payable under this chapter to the individual making the transfer; or
(B) in the case of a child, at the same rate as such entitlement would otherwise be payable under this chapter to the individual making the transfer as if the individual were not on active duty.

(4) DEATH OF TRANSFEROR.—

(A) IN GENERAL.—The death of an individual transferring an entitlement under this section shall not affect the use of the entitlement by the dependent to whom the entitlement is transferred.

(B) DEATH PRIOR TO TRANSFER TO DESIGNATED TRANSFEREES.—(i) In the case of an eligible individual whom the Secretary has approved to transfer the individual’s entitlement under this section who, at the time of death, is entitled to educational assistance under this chapter and has designated a transferee or transferees under subsection (e) but has not transferred all of such entitlement to such transferee or transferees, the Secretary shall transfer the entitlement of the individual under this section by evenly distributing the amount of such entitlement between all such transferees who would not be precluded from using some or all of the transferred benefits due to the expiration of time limitations found in paragraph (5) of this subsection or section 3321 of this title, notwithstanding the limitations under subsection (f).

(ii) If a transferee cannot use all of the transferred benefits under clause (i) because of expiration of a time limita-


tion, the unused benefits will be distributed among the other designated transferees who would not be precluded from using some or all of the transferred benefits due to expiration of time limitations found in paragraph (5) of this subsection or section 3321 of this title, unless or until there are no transferees who would not be precluded from using the transferred benefits because of expiration of a time limitation.

(5) LIMITATION ON AGE OF USE BY CHILD TRANSFEREES.—
   (A) IN GENERAL.—A child to whom entitlement is transferred under this section may use the benefits transferred without regard to the 15-year delimiting date specified in section 3321, but may not, except as provided in subparagraph (B) or (C), use any benefits so transferred after attaining the age of 26 years.

   (B) PRIMARY CAREGIVERS OF SERIOUSLY INJURED MEMBERS OF THE ARMED FORCES AND VETERANS.—
      (i) IN GENERAL.—Subject to clause (ii), in the case of a child who, before attaining the age of 26 years, is prevented from pursuing a chosen program of education by reason of acting as the primary provider of personal care services for a veteran or member of the Armed Forces under section 1720G(a), the child may use the benefits beginning on the date specified in clause (iii) for a period whose length is specified in clause (iv).

      (ii) INAPPLICABILITY FOR REVOCATION.—Clause (i) shall not apply with respect to the period of an individual as a primary provider of personal care services if the period concludes with the revocation of the individual's designation as such a primary provider under section 1720G(a)(7)(D).

      (iii) DATE FOR COMMENCEMENT OF USE.—The date specified in this clause for the beginning of the use of benefits by a child under clause (i) is the later of—
         (I) the date on which the child ceases acting as the primary provider of personal care services for the veteran or member concerned as described in clause (i);
         (II) the date on which it is reasonably feasible, as determined under regulations prescribed by the Secretary, for the child to initiate or resume the use of benefits; or
         (III) the date on which the child attains the age of 26 years.

      (iv) LENGTH OF USE.—The length of the period specified in this clause for the use of benefits by a child under clause (i) is the length equal to the length of the period that—
         (I) begins on the date on which the child begins acting as the primary provider of personal care services for the veteran or member concerned as described in clause (i); and
         (II) ends on the later of—
(aa) the date on which the child ceases acting as the primary provider of personal care services for the veteran or member as described in clause (i); or

(bb) the date on which it is reasonably feasible, as so determined, for the child to initiate or resume the use of benefits.

(C) EMERGENCY SITUATIONS.—In any case in which the Secretary determines that an individual to whom entitlement is transferred under this section has been prevented from pursuing the individual’s chosen program of education before the individual attains the age of 26 years because the educational institution or training establishment closed (temporarily or permanently) under an established policy based on an Executive order of the President or due to an emergency situation, the Secretary shall extend the period during which the individual may use such entitlement for a period equal to the number of months that the individual was so prevented from pursuing the program of education, as determined by the Secretary.

(6) SCOPE OF USE BY TRANSFEREES.—The purposes for which a dependent to whom entitlement is transferred under this section may use such entitlement shall include the pursuit and completion of the requirements of a secondary school diploma (or equivalency certificate).

(7) ADDITIONAL ADMINISTRATIVE PROVISIONS.—The administrative provisions of this chapter shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible individual for purposes of such provisions.

(i) OVERPAYMENT.—

(1) JOINT AND SEVERAL LIABILITY.—[In the event] Subject to paragraph (2), in the event of an overpayment of educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the individual making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of this title.

(2) FAILURE TO COMPLETE SERVICE AGREEMENT.—

(A) [IN GENERAL] SOLE LIABILITY.—Except as provided in subparagraph (B), if an individual transferring entitlement under this section fails to complete the service agreed to by the individual under subsection (b)(1) in accordance with the terms of the agreement of the individual under that subsection, the amount of any transferred entitlement under this section that is used by a dependent of the individual as of the date of such failure shall be treated as an overpayment of educational assistance [under paragraph (1)] for which the individual shall be solely liable to the United States for the amount of the overpayment for purposes of section 3685 of this title.

(B) EXCEPTION.—[Subparagraph (A) shall not apply] Neither the individual nor the dependent shall be liable to the United States for the amount of the overpayment for purposes of section 3685 of this title in the case of an indi-
vidual who fails to complete service agreed to by the indi-

(i) by reason of the death of the individual; or
(ii) for a reason referred to in section 3311(c)(4) of
this title.

(j) REGULATIONS.—(1) The Secretary of Defense, in coordination
with the Secretary of Veterans Affairs, shall prescribe regulations
for purposes of this section.

(2) Such regulations shall specify—
(A) the manner of authorizing the transfer of entitlements
under this section;
(B) the eligibility criteria in accordance with subsection (b);
and
(C) the manner and effect of an election to modify or revoke
a transfer of entitlement under subsection (f)(2).

(3) The Secretary of Defense may not prescribe any regulation
that would provide for a limitation on eligibility to transfer unused
education benefits to family members based on a maximum num-
ner of years of service in the Armed Forces.

(k) ADDITIONAL TRANSFER UPON DEATH OF DEPENDENT.—In the
case of a dependent to whom entitlement to educational assistance
is transferred under this section who dies before using all of such
entitlement, the individual who transferred the entitlement to the
dependent may transfer any remaining entitlement to a different
eligible dependent, notwithstanding whether the individual is serv-
ing as a member of the Armed Forces when such transfer is exe-
cuted.

(l) TRANSFER BY DEPENDENT.—In the case of an individual who
transfers entitlement to educational assistance under this section
who dies before the dependent to whom entitlement to educational
assistance is so transferred has used all of such entitlement, such
dependent may transfer such entitlement to another eligible de-
pendent in accordance with the provisions of this section.

CHAPTER 35—SURVIVORS' AND DEPENDENTS' 
EDUCATIONAL ASSISTANCE

SUBCHAPTER IV—PAYMENTS TO ELIGIBLE PERSONS

§ 3532. Computation of educational assistance allowance

(a)(1) The educational assistance allowance on behalf of an eligi-
ble person who is pursuing a program of education consisting of in-
stitutional courses shall be paid at the monthly rate of $1,224 for
full-time, $967 for three-quarter-time, or $710 for half-time pursuit.

(2) The educational assistance allowance on behalf of an eligible
person pursuing a program of education on less than a half-time
basis shall be paid at the rate of the lesser of—
(A) the established charges for tuition and fees that the edu-
cational institution involved requires similarly circumstanced
nonveterans enrolled in the same program to pay; or
(B) $1,224 per month for a full-time course.
(b) The educational assistance allowance to be paid on behalf of an eligible person who is pursuing a full-time program of education which consists of institutional courses and alternate phases of training in a business or industrial establishment with the training in the business or industrial establishment being strictly supplemental to the institutional portion, shall be computed at the rate of $1,224 per month.

(c) (1) An eligible person who is enrolled in an educational institution for a “farm cooperative” program consisting of institutional agricultural courses prescheduled to fall within forty-four weeks of any period of twelve consecutive months and who pursues such program on—

   (A) a full-time basis (a minimum of ten clock hours per week or four hundred and forty clock hours in such year prescheduled to provide not less than eighty clock hours in any three-month period),

   (B) a three-quarter-time basis (a minimum of seven clock hours per week), or

   (C) a half-time basis (a minimum of five clock hours per week),

shall be eligible to receive an educational assistance allowance at the appropriate rate provided in paragraph (2) of this subsection, if such eligible person is concurrently engaged in agricultural employment which is relevant to such institutional agricultural courses as determined under standards prescribed by the Secretary. In computing the foregoing clock hour requirements there shall be included the time involved in field trips and individual and group instruction sponsored and conducted by the educational institution through a duly authorized instructor of such institution in which the person is enrolled.

(2) The monthly educational assistance allowance to be paid on behalf of an eligible person pursuing a farm cooperative program under this chapter shall be $636 for full-time, $477 for three-quarter-time, or $319 for half-time pursuit.

(d) If a program of education is pursued by an eligible person at an institution located in the Republic of the Philippines, the educational assistance allowance computed for such person under this section shall be paid at the rate of $0.50 for each dollar.

(e) In the case of an eligible person who is pursuing a program of education under this chapter while incarcerated in a Federal, State, local, or other penal institution or correctional facility for conviction of a felony, the educational assistance allowance shall be paid in the same manner prescribed in section 3482(g) of this title for incarcerated veterans, except that the references therein to the monthly educational assistance allowance prescribed for a veteran with no dependents shall be deemed to refer to the applicable allowance payable to an eligible person under corresponding provisions of this chapter or chapter 36 of this title, as determined by the Secretary.

(f) (1) Subject to paragraph (3), the amount of educational assistance payable under this chapter for a licensing or certification test described in section 3501(a)(5) of this title is the lesser of $2,000 or the fee charged for the test.

(2) The number of months of entitlement charged in the case of any individual for such licensing or certification test is equal to the
number (including any fraction) determined by dividing the total amount paid to such individual for such test by the full-time monthly institutional rate of the educational assistance allowance which, except for paragraph (1), such individual would otherwise be paid under this chapter.

(3) In no event shall payment of educational assistance under this subsection for such a test exceed the amount of the individual's available entitlement under this chapter.

([g]) (f)(1) Subject to paragraph (3), the amount of educational assistance payable under this chapter for a national test for admission or national test providing an opportunity for course credit at institutions of higher learning described in section 3501(a)(5) of this title or a covered preparatory course (as that term is defined in section 3315B(a) of this title) is the amount of the fee charged for the test.

(2) The number of months of entitlement charged in the case of any individual for a test or covered preparatory course described in paragraph (1) is equal to the number (including any fraction) determined by dividing the total amount of educational assistance paid such individual for such test or covered preparatory course by the full-time monthly institutional rate of educational assistance, except for paragraph (1), such individual would otherwise be paid under this chapter.

(3) In no event shall payment of educational assistance under this subsection for a test or covered preparatory course described in paragraph (1) exceed the amount of the individual's available entitlement under this chapter.

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CHAPTER 36—ADMINISTRATION OF EDUCATIONAL BENEFITS

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Sec.

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SUBCHAPTER III—MISCELLANEOUS PROVISIONS

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3698A. Provision of certificates of eligibility and award letters using electronic means.

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3699C. High technology program.

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SUBCHAPTER III—MISCELLANEOUS PROVISIONS

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§ 3680A. Disapproval of enrollment in certain courses

(a) The Secretary shall not approve the enrollment of an eligible veteran in any of the following:

(1) Any bartending course or personality development course.

(2) Any sales or sales management course which does not provide specialized training within a specific vocational field.

(3) Any type of course which the Secretary finds to be avocational or recreational in character (or the advertising for which
the Secretary finds contains significant avocational or recreational themes) unless the veteran submits justification showing that the course will be of bona fide use in the pursuit of the veteran’s present or contemplated business or occupation.

(4) Any independent study program except an independent study program (including such a program taken over open circuit television) that—

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

(B) leads to—

(i) a standard college degree;

(ii) a certificate that reflects educational attainment offered by an institution of higher learning; or

(iii) a certificate that reflects completion of a course of study offered by—

(I) an area career and technical education school (as defined in subparagraphs (C) and (D) of section 3(3) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(3))) that provides education at the postsecondary level; or

(II) a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c))) that provides education at the postsecondary level; and

(C) in the case of a program described in subparagraph (B)(iii)—

(i) provides training aligned with the requirements of employers in the State or local area where the program is located, which may include in-demand industry sectors or occupations; and

(ii) provides a student, upon completion of the program, with a recognized postsecondary credential that is recognized by employers in the relevant industry, which may include a credential recognized by industry or sector partnerships in the State or local area where the industry is located; and

(iii) meets such content and instructional standards as may be required to comply with the criteria under section 3676(c)(14) and (15) of this title.

(4) Any independent study program except—

(A) an independent study program (including such a program taken over open circuit television) that—

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

(ii) leads to—

(I) a standard college degree;

(II) a certificate that reflects educational attainment offered by an institution of higher learning; or
(III) a certificate that reflects graduation from a course of study offered by—

(aa) an area career and technical education school (as defined in subparagraphs (C) and (D) of section 3(3) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(3))) that provides education at the postsecondary level; or

(bb) a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c))) that provides education at the postsecondary level; and

(iii) in the case of a program described in clause (ii)(III)—

(I) provides training aligned with the requirements of employers in the State or local area where the program is located, which may include in-demand industry sectors or occupations;

(II) provides a student, upon graduation from the program, with a recognized postsecondary credential that is recognized by employers in the relevant industry, which may include a credential recognized by industry or sector partnerships in the State or local area where the industry is located; and

(III) meets such content and instructional standards as may be required to comply with the criteria under section 3676(c)(14) and (15) of this title; or

(B) an online high technology program of education (as defined in subsection (h)(2) of section 3699C of this title)—

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

(ii) that has been provided to covered individuals (as defined in subsection (h)(1) of such section) under such contract for a period of at least five years;

(iii) regarding which the Secretary has determined that the average employment rate of covered individuals who graduated from such program of education is 65 percent or higher for the year preceding such determination; and

(iv) that satisfies the requirements of subsection (e) of such section.

(b) Except to the extent otherwise specifically provided in this title or chapter 106 of title 10, the Secretary shall not approve the enrollment of an eligible veteran in any course of flight training other than one given by an educational institution of higher learning for credit toward a standard college degree the eligible veteran is seeking.

(c) The Secretary shall not approve the enrollment of an eligible veteran in any course to be pursued by radio.

(d)(1) The Secretary shall not approve the enrollment of any eligible veteran, not already enrolled, in any course for any period during which the Secretary finds that more than 85 percent of the
students enrolled in the course are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or by the Department of Veterans Affairs under this title or under chapter 1606 of title 10, except with respect to tuition, fees, or other charges that are paid under a payment plan at an educational institution that the Secretary determines has a history of offering payment plans that are completed not later than 180 days after the end of the applicable term, quarter, or semester.

(2) The Secretary may waive the requirements of paragraph (1), in whole or in part, if the Secretary determines, pursuant to regulations which the Secretary shall prescribe, it to be in the interest of the eligible veteran and the Federal Government.

(3)(A) The Secretary shall establish a process by which an educational institution may request a review of a determination that the educational institution does not meet the requirements of paragraph (1).

(B) An educational institution that requests a review under subparagraph (A)—

(i) shall request the review not later than 30 days after the start of the term, quarter, or semester for which the determination described in subparagraph (A) applies; and

(ii) may include any information that the educational institution believes the Department should have taken into account when making the determination, including with respect to any mitigating circumstances.

(C) The Under Secretary of Benefits shall issue an initial decision for each review requested under subparagraph (A) by not later than 30 days after the date of the request, to the extent feasible.

(D) An educational institution may request the Secretary to review the decision by the Under Secretary under subparagraph (C). The Secretary shall review each decision so requested and, pursuant to such review, shall issue a final decision sustaining, modifying, or overturning the decision by the Under Secretary.

(E) The Secretary shall carry out this paragraph without regard to any review process carried out by the Secretary under chapter 51 of this title.

(4) Paragraph (1) shall not apply to any course offered by an educational institution if—

(A) the majority of courses offered by the educational institution are approved under section 3672 or 3675 of this title; and

(B) the total number of veterans and persons receiving assistance under this title or under chapter 1606 of title 10 who are enrolled in such institution equals 35 percent or less of the total student enrollment at such institution (computed separately for the main campus and any branch or extension of such institution).

(5)(A) Paragraph (1) shall not apply to any course offered by an educational institution if—

(i) the majority of courses offered by the educational institution are approved under section 3676 of this title; and

(ii) the total number of veterans and persons receiving assistance under this title or under chapter 1606 of title 10 who are enrolled in such institution equals 35 percent or less of the total student enrollment at such institution (computed sepa-
rately for the main campus and any branch or extension of such institution).

(B) Notwithstanding subparagraph (A), on a case by case basis, the Secretary may apply paragraph (1) with respect to any course otherwise covered by such subparagraph if the Secretary has reason to believe that the enrollment of veterans and persons described in clause (ii) of such subparagraph may be in excess of 85 percent of the total student enrollment in such course.

(6) The Secretary shall ensure that an educational institution that meets the requirements of paragraph (4) or (5) submits information to the Secretary on a biennial basis to verify meeting such requirements. During such biennial period in which an educational institution is covered by such verification, the Secretary may not require the educational institution to submit information with respect to meeting the requirements of paragraph (1).

(7) Paragraph (1) shall not apply with respect to the enrollment of a veteran—

(A) in a program of education for which fewer than 10 students are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or by the Department of Veterans Affairs under this title or under chapter 1606 of title 10;

(B) in a course offered pursuant to section 3019, 3034(a)(3), 3234, or 3241(a)(2) of this title;

(C) in a farm cooperative training course; or

(D) in a course described in subsection (g).

(8) Paragraph (1) shall not apply to the enrollment of a veteran in an online high technology program described in subsection (a)(4)(B).

(e) The Secretary may not approve the enrollment of an eligible veteran in a course not leading to a standard college degree offered by a proprietary profit or proprietary nonprofit educational institution if—

(1) the educational institution has been operating for less than two years;

(2) the course is offered at a branch of the educational institution and the branch has been operating for less than two years; or

(3) following either a change in ownership or a complete move outside its original general locality, the educational institution does not retain substantially the same faculty, student body, and courses as before the change in ownership or the move outside the general locality (as determined in accordance with regulations the Secretary shall prescribe) unless the educational institution following such change or move has been in operation for at least two years.

(f) Except as provided in paragraph (2), the Secretary may not approve the enrollment of an eligible veteran in a course as a part of a program of education offered by an educational institution if the course is provided under contract by another educational institution or entity and—

(A) the Secretary would be barred under subsection (e) from approving the enrollment of an eligible veteran in the course of the educational institution or entity providing the course under contract; or
(B) the educational institution or entity providing the course under contract has not obtained approval for the course under this chapter.

(2) (A) In the case of a covered study-abroad course, the Secretary may approve the course for a period of not more than five years, if the contract or other written agreement under which the course is offered provides that—

(i) the educational institution that offers a course that is approved under this chapter agrees—

(I) to assume responsibility for the quality and content of the covered study-abroad course; and

(II) to serve as the certifying official for the course for purposes of this chapter; and

(ii) the educational institution that offers the covered study-abroad course agrees to seek the approval of the course under this chapter by not later than five years after the date of the agreement.

(B) In this paragraph, the term “covered study-abroad course” means a course that—

(i) is provided as a part of a program of education offered by an educational institution under a contract or other written agreement by another educational institution that offers a course that is approved under this chapter;

(ii) is provided at a location in a foreign country; and

(iii) has not been approved under this chapter.

(g) Notwithstanding subsections (e) and (f)(1), the Secretary may approve the enrollment of an eligible veteran in a course approved under this chapter if the course is offered by an educational institution under contract with the Department of Defense or the Department of Homeland Security and is given on or immediately adjacent to a military base, Coast Guard station, National Guard facility, or facility of the Selected Reserve.

(h) In this section, the terms “State or local area”, “recognized postsecondary credential”, “industry or sector partnership”, and “in-demand industry sector or occupation” have the meaning given such terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

§ 3698A. Provision of certificates of eligibility and award letters using electronic means

(a) Requirement.—Except as provided by subsection (b), the Secretary shall provide to an individual the following documents using electronic means:

(1) A certificate of eligibility for the entitlement of the individual to covered educational assistance.

(2) An award letter regarding the authorization of the individual to receive covered educational assistance.

(b) Election to Opt Out.—An individual may elect to receive the documents specified in subsection (a) by mail rather than through electronic means under subsection (a). An individual may revoke such an election at any time, by means prescribed by the Secretary.
(c) COVERED EDUCATIONAL ASSISTANCE.—In this section, the term “covered educational assistance” means educational assistance under chapter 30, 33, or 35, or section 3699C, of this title.

§ 3699C. High technology program

(a) ESTABLISHMENT.—(1) The Secretary shall carry out a program under which the Secretary provides covered individuals with the opportunity to enroll in high technology programs of education that the Secretary determines provide training or skills sought by employers in a relevant field or industry.

(2) Not more than 6,000 covered individuals may participate in the program under this section in any fiscal year.

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

(2) Under paragraph (1), the Secretary shall provide such amounts of educational assistance to a covered individual for each of the following:

(A) A high technology program of education.

(B) A second such program if—

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

(ii) the covered individual uses educational assistance under chapter 33 of this title to pursue the second such program.

(c) CONTRACTS.—(1) For purposes of carrying out subsection (a), the Secretary shall seek to enter into contracts with any number of qualified providers of high technology programs of education for the provision of such programs to covered individuals. Each such contract shall provide for the conditions under which the Secretary may terminate the contract with the provider and the procedures for providing for the graduation of students who were enrolled in a program provided by such provider in the case of such a termination.

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

(A) upon the enrollment of a covered individual in the program, 25 percent of the cost of the tuition and other fees for the program of education for the individual;

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

(C) 50 percent of such cost upon—

(i) the successful employment of the covered individual for a period—

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

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

(ii) the employment of the individual by the provider for a period of one year; or
(iii) the enrollment of the individual in a program of education to continue education in such field of study.

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

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

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

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

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

(4)(A) The Secretary shall prescribe criteria for approving providers of a high technology program of education under this section.

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

(C) Such criteria are not required to meet the requirements of section 3672 of this title.

(D) Such criteria shall include the job placement rate, in the field of study of a program of education, of covered individuals who complete such program of education.

(5) The Secretary shall determine whether instructors are experts under paragraph (3)(A) based on evidence furnished to the Secretary by the provider regarding the ability of the instructors to—

(A) identify professions in need of new employees to hire, tailor the programs to meet market needs, and identify the employers likely to hire graduates;

(B) effectively teach the skills offered to covered individuals;

(C) provide relevant industry experience in the fields of programs offered to incoming covered individuals; and

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

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

(A) from which at least 70 percent of graduates find full-time employment in the field of study of the program during the 180-day period beginning on the date the student graduates from the program; or

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

(d) EFFECT ON OTHER ENTITLEMENT.—(1) If a covered individual enrolled in a high technology program of education under this section has remaining entitlement to educational assistance under chapter 30, 32, 33, 34, or 35 of this title, entitlement of the individual to educational assistance under this section shall be charged at the rate of one month of such remaining entitlement for each such month of educational assistance under this section.

(2) The Secretary may not consider enrollment in a high technology program of education under this section to be assistance under a provision of law referred to in section 3695 of this title.
(e) REQUIREMENTS FOR EDUCATIONAL INSTITUTIONS.—

(1) The Secretary shall not approve the enrollment of any covered individual, not already enrolled, in any high technology programs of education under this section for any period during which the Secretary finds that more than 85 percent of the students enrolled in the program are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or by the Department of Veterans Affairs under this title or under chapter 1606 or 1607 of title 10, except with respect to tuition, fees, or other charges that are paid under a payment plan at an educational institution that the Secretary determines has a history of offering payment plans that are completed not later than 180 days after the end of the applicable term, quarter, or semester.

(2) The Secretary may waive a requirement of paragraph (1) if the Secretary determines, pursuant to regulations which the Secretary shall prescribe, such waiver to be in the interest of the covered individual and the Federal Government. Not later than 30 days after the Secretary waives such a requirement, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report regarding such waiver.

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

(ii) The Secretary may consult with a State approving agency regarding such process or such a review.

(iii) Not later than 180 days after the Secretary establishes or revises a process under this subparagraph, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report regarding such process.

(B) An educational institution that requests a review under subparagraph (A)—

(i) shall request the review not later than 30 days after the start of the term, quarter, or semester for which the determination described in subparagraph (A) applies; and

(ii) may include any information that the educational institution believes the Department should have taken into account when making the determination, including with respect to any mitigating circumstances.

(f) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this section, and annually thereafter until the termination date specified in subsection (i), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the operation of program under this section during the year covered by the report. Each such report shall include each of the following:

(1) The number of covered individuals enrolled in the program, disaggregated by type of educational institution, during the year covered by the report.

(2) The number of covered individuals who completed a high technology program of education under the program during the year covered by the report.

(3) The average employment rate of covered individuals who completed such a program of education during such year, as of 180 days after the date of completion.
(4) The average length of time between the completion of such a program of education and employment.

(5) The total number of covered individuals who completed a program of education under the program and who, as of the date of the submission of the report, are employed in a position related to technology.

(6) The average salary of a covered individual who completed a program of education under the program and who is employed in a position related to technology, in various geographic areas determined by the Secretary.

(7) The average salary of all individuals employed in positions related to technology in the geographic areas determined under subparagraph (F), and the difference, if any, between such average salary and the average salary of a covered individual who completed a program of education under the program and who is employed in a position related to technology.

(8) The number of covered individuals who completed a program of education under the program and who subsequently enrolled in a second program of education under the program.

(g) COLLECTION OF INFORMATION; CONSULTATION.—(1) The Secretary shall develop practices to use to collect information about covered individuals and providers of high technology programs of education.

(2) For the purpose of carrying out program under this section, the Secretary may consult with providers of high technology programs of education and may establish an advisory group made up of representatives of such providers, private employers in the technology field, and other relevant groups or entities, as the Secretary determines necessary.

(h) DEFINITIONS.—In this section:

(1) The term “covered individual” means any of the following:

(A) A veteran whom the Secretary determines—
   (i) served an aggregate of at least 36 months on active duty in the Armed Forces (including service on active duty in entry level and skill training) and was discharged or released therefrom under conditions other than dishonorable; and
   (ii) has not attained the age of 62.

(B) A member of the Armed Forces that the Secretary determines will become a veteran described in subparagraph (A) fewer than 180 days after the date of such determination.

(2) The term “high technology program of education” means a program of education—

(A) offered by a public or private educational institution;

(B) if offered by an institution of higher learning, that is provided directly by such institution rather than by an entity other than such institution under a contract or other agreement;

(C) that does not lead to a degree;

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

(E) that provides instruction in computer programming, computer software, media application, data processing, or information sciences.
(i) TERMINATION.—The authority to carry out a program under this section shall terminate on September 30, 2028.

CHAPTER 37—HOUSING AND SMALL BUSINESS LOANS

§ 3729. Loan fee

(a) REQUIREMENT OF FEE.—(1) Except as provided in subsection (c), a fee shall be collected from each person obtaining a housing loan guaranteed, insured, or made under this chapter, and each person assuming a loan to which section 3714 of this title applies. No such loan may be guaranteed, insured, made, or assumed until the fee payable under this section has been remitted to the Secretary.

(2) The fee may be included in the loan and paid from the proceeds thereof.

(b) DETERMINATION OF FEE.—(1) The amount of the fee shall be determined from the loan fee table in paragraph (2). The fee is expressed as a percentage of the total amount of the loan guaranteed, insured, or made, or, in the case of a loan assumption, the unpaid principal balance of the loan on the date of the transfer of the property.

(2) The loan fee table referred to in paragraph (1) is as follows:

<table>
<thead>
<tr>
<th>Type of loan</th>
<th>Active duty veteran</th>
<th>Reservist</th>
<th>Other obligor</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2004, and before January 1, 2020).</td>
<td>2.15</td>
<td>2.40</td>
<td>NA</td>
</tr>
<tr>
<td>Type of loan</td>
<td>Active duty veteran</td>
<td>Reservist</td>
<td>Other obligor</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>---------------------</td>
<td>-----------</td>
<td>---------------</td>
</tr>
<tr>
<td>(A)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after January 1, 2020, and before April 7, 2023).</td>
<td>2.30</td>
<td>2.30</td>
<td>NA</td>
</tr>
<tr>
<td>(A)(iii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after April 7, 2023, and before 11 November 14, 2031 2023).</td>
<td>2.15</td>
<td>2.15</td>
<td>NA</td>
</tr>
<tr>
<td>(A)(iv) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after 11 November 14, 2031 2032).</td>
<td>1.40</td>
<td>1.40</td>
<td>NA</td>
</tr>
<tr>
<td>(B)(i) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2004, and before January 1, 2020).</td>
<td>3.30</td>
<td>3.30</td>
<td>NA</td>
</tr>
<tr>
<td>Type of loan</td>
<td>Active duty veteran</td>
<td>Reservist</td>
<td>Other obligor</td>
</tr>
<tr>
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</tr>
<tr>
<td>(B)(ii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after January 1, 2020, and before April 7, 2023).</td>
<td>3.60</td>
<td>3.60</td>
<td>NA</td>
</tr>
<tr>
<td>(B)(iii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after April 7, 2023, and before November 14, 2031 to April 30, 2032).</td>
<td>3.30</td>
<td>3.30</td>
<td>NA</td>
</tr>
<tr>
<td>(B)(iv) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after November 14, 2031 to April 30, 2032).</td>
<td>1.25</td>
<td>1.25</td>
<td>NA</td>
</tr>
<tr>
<td>(C)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed before January 1, 2020).</td>
<td>1.50</td>
<td>1.75</td>
<td>NA</td>
</tr>
<tr>
<td>(C)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after January 1, 2020, and before April 7, 2023).</td>
<td>1.65</td>
<td>1.65</td>
<td>NA</td>
</tr>
<tr>
<td>Type of loan</td>
<td>Active duty veteran</td>
<td>Reservist</td>
<td>Other obligor</td>
</tr>
<tr>
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<tr>
<td>(C)(iii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after April 7, 2023, and before November 14, 2031 April 30, 2032).</td>
<td>1.50</td>
<td>1.50</td>
<td>NA</td>
</tr>
<tr>
<td>(C)(iv) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after November 14, 2031 April 30, 2032).</td>
<td>0.75</td>
<td>0.75</td>
<td>NA</td>
</tr>
<tr>
<td>(D)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed before January 1, 2020).</td>
<td>1.25</td>
<td>1.50</td>
<td>NA</td>
</tr>
<tr>
<td>(D)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after January 1, 2020, and before April 7, 2023).</td>
<td>1.40</td>
<td>1.40</td>
<td>NA</td>
</tr>
<tr>
<td>(D)(iii) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after April 7, 2023, and before November 14, 2031 April 30, 2032).</td>
<td>1.25</td>
<td>1.25</td>
<td>NA</td>
</tr>
<tr>
<td>(D)(iv) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after November 14, 2031 April 30, 2032).</td>
<td>0.50</td>
<td>0.50</td>
<td>NA</td>
</tr>
<tr>
<td>(E) Interest rate reduction refinancing loan.</td>
<td>0.50</td>
<td>0.50</td>
<td>NA</td>
</tr>
</tbody>
</table>
(F) Direct loan under section 3711.

<table>
<thead>
<tr>
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<th>Active duty veteran</th>
<th>Reservist</th>
<th>Other obligor</th>
</tr>
</thead>
<tbody>
<tr>
<td>(F) Direct loan under section 3711.</td>
<td>1.00</td>
<td>1.00</td>
<td>NA</td>
</tr>
</tbody>
</table>

(G) Manufactured home loan under section 3712 (other than an interest rate reduction refinancing loan).

<table>
<thead>
<tr>
<th>Type of loan</th>
<th>Active duty veteran</th>
<th>Reservist</th>
<th>Other obligor</th>
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</thead>
<tbody>
<tr>
<td>(G) Manufactured home loan under section 3712 (other than an interest rate reduction refinancing loan).</td>
<td>1.00</td>
<td>1.00</td>
<td>NA</td>
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</table>

(H) Loan to Native American veteran under section 3762 (other than an interest rate reduction refinancing loan).

<table>
<thead>
<tr>
<th>Type of loan</th>
<th>Active duty veteran</th>
<th>Reservist</th>
<th>Other obligor</th>
</tr>
</thead>
<tbody>
<tr>
<td>(H) Loan to Native American veteran under section 3762 (other than an interest rate reduction refinancing loan).</td>
<td>1.25</td>
<td>1.25</td>
<td>NA</td>
</tr>
</tbody>
</table>

(I) Loan assumption under section 3714.

<table>
<thead>
<tr>
<th>Type of loan</th>
<th>Active duty veteran</th>
<th>Reservist</th>
<th>Other obligor</th>
</tr>
</thead>
<tbody>
<tr>
<td>(I) Loan assumption under section 3714.</td>
<td>0.50</td>
<td>0.50</td>
<td>0.50</td>
</tr>
</tbody>
</table>

(J) Loan under section 3733(a).

<table>
<thead>
<tr>
<th>Type of loan</th>
<th>Active duty veteran</th>
<th>Reservist</th>
<th>Other obligor</th>
</tr>
</thead>
<tbody>
<tr>
<td>(J) Loan under section 3733(a).</td>
<td>2.25</td>
<td>2.25</td>
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(3) Any reference to a section in the “Type of loan” column in the loan fee table in paragraph (2) refers to a section of this title.

(4) For the purposes of paragraph (2):

(A) The term “active duty veteran” means any veteran eligible for the benefits of this chapter other than a Reservist.

(B) The term “Reservist” means a veteran described in section 3701(b)(5)(A) of this title who is eligible under section 3702(a)(2)(E) of this title.

(C) The term “other obligor” means a person who is not a veteran, as defined in section 101 of this title or other provision of this chapter.

(D)(i) The term “initial loan” means a loan to a veteran guaranteed under section 3710 or made under section 3711 of this title if the veteran has never obtained a loan guaranteed under section 3710 or made under section 3711 of this title.

(ii) If a veteran has obtained a loan guaranteed under section 3710 or made under section 3711 of this title and the dwelling securing such loan was substantially damaged or destroyed by a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), the Secretary shall treat as an initial loan, as defined in clause (i), the next loan the Secretary guarantees or makes to such veteran under section 3710 or 3711, respectively, if—

(I) such loan is guaranteed or made before the date that is three years after the date on which the dwelling was substantially damaged or destroyed; and

(II) such loan is only for repairs or construction of the dwelling, as determined by the Secretary.

(E) The term “subsequent loan” means a loan to a veteran, other than an interest rate reduction refinancing loan, guaranteed under section 3710 or made under section 3711 of this title that is not an initial loan.
(F) The term “interest rate reduction refinancing loan” means a loan described in section 3710(a)(8), 3710(a)(9)(B)(i), 3710(a)(11), 3712(a)(1)(F), or 3762(h) of this title.

(G) The term “0-down” means a downpayment, if any, of less than 5 percent of the total purchase price or construction cost of the dwelling.

(H) The term “5-down” means a downpayment of at least 5 percent or more, but less than 10 percent, of the total purchase price or construction cost of the dwelling.

(I) The term “10-down” means a downpayment of 10 percent or more of the total purchase price or construction cost of the dwelling.

(c) WAIVER OF FEE.—(1) A fee may not be collected under this section from a veteran who is receiving compensation (or who, but for the receipt of retirement pay or active service pay, would be entitled to receive compensation), from a surviving spouse of any veteran (including a person who died in the active military, naval, air, or space service) who died from a service-connected disability, or from a member of the Armed Forces who is serving on active duty and who provides, on or before the date of loan closing, evidence of having been awarded the Purple Heart.

(2)(A) A veteran described in subparagraph (B) shall be treated as receiving compensation for purposes of this subsection as of the date of the rating described in such subparagraph without regard to whether an effective date of the award of compensation is established as of that date.

(B) A veteran described in this subparagraph is a veteran who is rated eligible to receive compensation—

(i) as the result of a pre-discharge disability examination and rating; or

(ii) based on a pre-discharge review of existing medical evidence (including service medical and treatment records) that results in the issuance of a memorandum rating.
cational assistance under chapter 30, 32, 33, 34, or 35 of title 38, United States Code, or chapter 1606 or 1607 of title 10, United States Code. The Secretary shall treat an individual as an eligible veteran if the Secretary determines that the individual shall become an eligible veteran fewer than 180 days after the date of such determination. If an individual treated as an eligible veteran by reason of the preceding sentence does anything to make the veteran ineligible during the 180-day period referred to in such sentence, the Secretary may require the veteran to repay any benefits received by such veteran by reason of such sentence.

(c) CONTRACTS.—

(1) IN GENERAL.—For purposes of carrying out subsection (a), by not later than 180 days after August 1, 2018, the Secretary shall seek to enter into contracts with any number of qualified providers of high technology programs of education for the provision of such programs to eligible veterans under the pilot program. Each such contract shall provide for the conditions under which the Secretary may terminate the contract with the provider and the procedures for providing for the completion of the instruction of students who were enrolled in a program provided by such provider in the case of such a termination.

(2) PAYMENT OF CONTRACTORS.—A contract under this subsection shall provide that the Secretary shall pay to a provider—

(A) upon the enrollment of an eligible veteran in the program, 25 percent of the cost of the tuition and other fees for the program of education for the veteran;
(B) upon the completion of the program by the veteran, 25 percent of such cost; and
(C) upon the employment of the veteran in the field of study of the program following completion of the program, 50 percent of such cost.

(3) QUALIFIED PROVIDERS.—For purposes of the pilot program, a provider of a high technology program of education is qualified if—

(A) the provider employs instructors whom the Secretary determines are experts in their respective fields in accordance with paragraph (6);
(B) the provider has successfully provided the high technology program for at least 1 year; and
(C) the provider meets the approval criteria developed by the Secretary under paragraph (4).

(4) APPROVAL CRITERIA.—The Secretary shall develop criteria for approving providers for purposes of the pilot program. In developing such criteria, the Secretary may consult with State approving agencies. Such criteria is not required to meet the requirements of section 3672 of title 38, United States Code.

(5) TUITION REIMBURSEMENT.—In entering into contracts to carry out the pilot program, the Secretary shall give preference to a qualified provider that offers tuition reimbursement for any student who—

(A) completes a program of education offered by the provider; and
(B) does not find full-time meaningful employment in the field of study of the program within the 180-day period beginning on the date the student completes the program.

(6) EXPERTS.—The Secretary shall determine whether instructors are experts under paragraph (3)(A) based on evidence furnished to the Secretary by the provider regarding the ability of the instructors to—

(A) identify professions in need of new employees to hire, tailor the programs to meet market needs, and identify the employers likely to hire graduates;

(B) effectively teach the skills offered to eligible veterans;

(C) provide relevant industry experience in the fields of programs offered to incoming eligible veterans; and

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

(d) HOUSING STIPEND.—The Secretary shall pay to each eligible veteran (not including an individual described in the second sentence of subsection (b)) who is enrolled in a high technology program of education under the pilot program on a full-time or part-time basis a monthly housing stipend equal to the product—

(1) of—

(A) in the case of a veteran pursuing resident training, the monthly amount of the basic allowance for housing payable under section 403 of title 37, United States Code, for a member with dependents in pay grade E-5 residing in the military housing area that encompasses all or the majority portion of the ZIP code area in which is located the campus of the institution where the individual physically participates in a majority of classes; or

(B) in the case of a veteran pursuing a program of education through distance learning, a monthly amount equal to 50 percent of the national average of the monthly amount of the basic allowance for housing payable under section 403 of title 37, United States Code, for a member with dependents in pay grade E-5, multiplied by

(2) the lesser of—

(A) 1.0; or

(B) the number of course hours borne by the individual in pursuit of the program of education involved, divided by the minimum number of course hours required for full-time pursuit of such program of education, rounded to the nearest multiple of 10.

(e) HIGH TECHNOLOGY PROGRAM OF EDUCATION DEFINED.—In this section, the term “high technology program of education” means a program of education that—

(1) is offered by an entity other than an institution of higher learning;

(2) does not lead to a degree; and

(3) provides instruction in computer programming, computer software, media application, data processing, or information sciences.

(f) REPORTS.—

(1) SECRETARY OF VETERANS AFFAIRS.—Not later than 1 year after the date of the enactment of this Act, and annually there-
after, the Secretary shall submit to Congress a report on the pilot program under this section.

(2) **COMPTROLLER GENERAL.**—
   
   (A) **INTERIM REPORT.**—Not later than 3 years after the date on which the Secretary first enters into a contract under this section, the Comptroller General of the United States shall submit to Congress a report containing the results of the interim assessment of the Comptroller General. Such report shall include the recommendations of the Comptroller General for improving the pilot program and an assessment of each of the following:
   
   (i) The technology experience of the directors and instructors of the providers of high technology programs of education under the pilot program.
   
   (ii) Whether the providers cooperated with the technology industry to create the curriculum for the program of education.
   
   (iii) Whether the providers use an open source curriculum for the program of education.
   
   (iv) The admittance rate into the pilot program.
   
   (v) The job placement and retention rate for veterans who completed a program of education under the pilot program in the field of study of the program.
   
   (vi) The percentage of veterans who completed a program of education under the pilot program who were subsequently employed for a period of 6 months or longer in a field of study of the program.
   
   (vii) The percentage of veterans who completed a program of education under the pilot program who were subsequently employed for a period of less than 6 months in a field of study of the program.
   
   (viii) The median annual salary of veterans who completed a program of education under the pilot program and were subsequently employed.
   
   (ix) As applicable, the transfer rates to other academic or vocational programs and certifications and licensure exam passage rates.
   
   (x) The average age of veterans who participated in the pilot program.
   
   (B) **FINAL REPORT.**—Not later than 5 years after the date on which the Secretary first enters into a contract under this section, the Comptroller General shall submit to Congress a final report on the pilot program. Such report shall include the recommendation of the Comptroller General with respect to whether the program should be extended and an assessment of each item described in clauses (i) through (x) of subparagraph (A).

(g) **AUTHORIZATION OF APPROPRIATIONS.**—Funds shall be made available to carry out the pilot program under this section from funds appropriated to, or otherwise made available to, the Department for the payment of readjustment benefits, in the following amounts for a fiscal year in which the Secretary carries out the pilot program:

   (1) For fiscal year 2019, $15,000,000.
   
   (2) For fiscal year 2020, $15,000,000.
(3) For fiscal year 2021, $45,000,000.
(4) For fiscal year 2022, $125,000,000.
(5) For fiscal year 2023, $45,000,000.
(6) For fiscal year 2024, $45,000,000.

(h) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on the date that is 5 years after the date on which the Secretary first enters into a contract under this section.

(h) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on September 30, 2023.

(i) PROHIBITION ON CERTAIN ACCOUNTING OF ASSISTANCE.—The Secretary may not consider enrollment in a high technology program of education under this section to be assistance under a provision of law referred to in section 3695 of title 38, United States Code.

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