

# Union Calendar No. 373

118<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5914

[Report No. 118-449]

To amend title 38, United States Code, to improve the processes to approve programs of education for purposes of the educational assistance programs of the Department of Veterans Affairs, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2023

Mr. VAN ORDEN introduced the following bill

OCTOBER 25, 2023

Referred to the Committee on Veterans' Affairs

APRIL 9, 2024

Additional sponsor: Mr. MURPHY

APRIL 9, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on October 10, 2023]

# **A BILL**

To amend title 38, United States Code, to improve the processes to approve programs of education for purposes of the educational assistance programs of the Department of Veterans Affairs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Veterans Education*  
 5 *Transparency and Training Act” or the “VETT Act”.*

6 **SEC. 2. PROCESSES TO APPROVE PROGRAMS OF EDU-**  
 7 **CATION FOR PURPOSES OF THE EDU-**  
 8 **CATIONAL ASSISTANCE PROGRAMS OF THE**  
 9 **DEPARTMENT OF VETERANS AFFAIRS.**

10 *(a) LIMITATION OF DISAPPROVAL OF PROGRAMS OF*  
 11 *EDUCATION FOR FAILURE TO PROVIDE CERTAIN FORMS.—*  
 12 *Section 3679(f)(5) of title 38, United States Code, is amend-*  
 13 *ed—*

14 *(1) in subparagraph (A), by striking “this para-*  
 15 *graph” and inserting “this subparagraph”;*

16 *(2) in subparagraph (B), by striking “this para-*  
 17 *graph” and inserting “subparagraph (A)”;* and

18 *(3) by adding at the end the following new sub-*  
 19 *paragraph:*

20 *“(C) If an educational institution cannot provide to*  
 21 *an individual a form under paragraph (1) that contains*  
 22 *all of the information required under subparagraph (A) of*  
 23 *such paragraph, the educational institution shall provide*  
 24 *to such individual, with the form under such paragraph,*  
 25 *a notice—*

1           “(i) that specifies what such information may be  
2           inaccurate or incomplete; and

3           “(ii) that includes, in place of the information  
4           that may be inaccurate or incomplete, the best esti-  
5           mate available on the date of such notice.”.

6           **(b) PUBLICATION OF INFORMATION ABOUT TRAINING**  
7 **FOR SCHOOL CERTIFYING OFFICIALS.**—*The Secretary of*  
8 *Veterans Affairs shall establish a website to serve as a cen-*  
9 *tral location for the publication of information about the*  
10 *training that the Department of Veterans Affairs provides*  
11 *for school certifying officials and shall update such informa-*  
12 *tion on a regular basis.*

13 **SEC. 3. MODIFICATION OF RULES FOR APPROVAL OF COM-**  
14 **MERCIAL DRIVER EDUCATION PROGRAMS**  
15 **FOR PURPOSES OF EDUCATIONAL ASSIST-**  
16 **ANCE PROGRAMS OF THE DEPARTMENT OF**  
17 **VETERANS AFFAIRS.**

18           **(a) IN GENERAL.**—*Section 3680A(e) of title 38, United*  
19 *States Code, is amended—*

20           (1) *by redesignating paragraphs (1) through (3)*  
21 *as subparagraphs (A) through (C), respectively;*

22           (2) *in the matter before subparagraph (A), as re-*  
23 *designated by paragraph (1), by inserting “(1)” be-*  
24 *fore “The Secretary”;*

1           (3) *in paragraph (1)(B), as redesignated by*  
2           *paragraph (1), by inserting “except as provided in*  
3           *paragraph (2),” before “the course”; and*

4           (4) *by adding at the end the following new para-*  
5           *graph (2):*

6           “(2)(A) *Subject to this paragraph, a commercial driver*  
7           *education program is exempt from paragraph (1)(B) for a*  
8           *branch of an educational institution if the commercial driv-*  
9           *er education program offered at the branch by the edu-*  
10           *cational institution—*

11           *“(i) is appropriately licensed; and*

12           *“(ii)(I) the branch is located in a State in which*  
13           *the same commercial driver education program is of-*  
14           *fered by the same educational institution at another*  
15           *branch of that educational institution in the same*  
16           *State that is approved for purposes of this chapter by*  
17           *a State approving agency or the Secretary when act-*  
18           *ing in the role of a State approving agency; or*

19           *“(II)(aa) the branch is located in a State in*  
20           *which the same commercial driver education program*  
21           *is not offered at another branch of the same edu-*  
22           *cational institution in the same State; and*

23           *“(bb) the branch has been operating for a period*  
24           *of at least one year using the same curriculum as a*  
25           *commercial driver education program offered by the*

1        *educational institution at another location that is ap-*  
2        *proved for purposes of this chapter by a State approv-*  
3        *ing agency or the Secretary when acting in the role*  
4        *of a State approving agency.*

5        *“(B)(i) In order for a commercial driver education*  
6        *program of an educational institution offered at a branch*  
7        *described in paragraph (1)(B) to be exempt under subpara-*  
8        *graph (A) of this paragraph, the educational institution*  
9        *shall submit to the Secretary each year that paragraph*  
10       *(1)(B) would otherwise apply a report that demonstrates*  
11       *that the curriculum at the new branch is the same as the*  
12       *curriculum at the primary location.*

13       *“(ii) Reporting under clause (i) shall be submitted in*  
14       *accordance with such requirements as the Secretary shall*  
15       *establish in consultation with the State approving agencies.*

16       *“(C)(i) The Secretary may withhold an exemption*  
17       *under subparagraph (A) for any educational institution or*  
18       *branch of an educational institution as the Secretary con-*  
19       *siders appropriate.*

20       *“(ii) In making any determination under clause (i),*  
21       *the Secretary may consult with the Secretary of Transpor-*  
22       *tation on the performance of a provider of a commercial*  
23       *driver program, including the status of the provider within*  
24       *the Training Provider Registry of the Federal Motor Car-*  
25       *rier Safety Administration when appropriate.*

1       “(D) *The Secretary shall submit to the Committees on*  
2 *Veterans’ Affairs of the Senate and House of Representa-*  
3 *tives a notification not later than 30 days after the Sec-*  
4 *retary grants an exemption under this paragraph. Such no-*  
5 *tification shall identify the educational institution and*  
6 *branch of such educational institution granted such exemp-*  
7 *tion.*”.

8       (b) *IMPLEMENTATION.—*

9           (1) *ESTABLISHMENT OF REQUIREMENTS.—Not*  
10 *later than 180 days after the date of the enactment*  
11 *of this Act, the Secretary of Veterans Affairs shall es-*  
12 *tablish requirements under section 3680A(e)(2)(B)(ii)*  
13 *of such title, as added by subsection (a).*

14           (2) *RULEMAKING.—In promulgating any rules*  
15 *to carry out paragraph (2) of section 3680A(e) of title*  
16 *38, United States Code, as added by subsection (a),*  
17 *the Secretary of Veterans Affairs shall consult with*  
18 *State approving agencies.*

19           (3) *APPLICABILITY.—The amendments made by*  
20 *subsection (a) shall apply to commercial driver edu-*  
21 *cation programs on and after the day that is 180*  
22 *days after the date on which the Secretary establishes*  
23 *the requirements under paragraph (1) of this sub-*  
24 *section.*

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