

117TH CONGRESS  
2D SESSION

# H. R. 7074

To direct the Secretary of Veterans Affairs to develop and implement a uniform application for use by any educational institution or training establishment seeking the approval of a course of education under the laws administered by the Secretary, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2022

Mr. MOORE of Alabama (for himself, Mr. CAWTHORN, and Mr. MANN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To direct the Secretary of Veterans Affairs to develop and implement a uniform application for use by any educational institution or training establishment seeking the approval of a course of education under the laws administered by the Secretary, 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 “Quality Education for  
5       Veterans Act of 2022”.

1 **SEC. 2. UNIFORM APPLICATION FOR DEPARTMENT OF VET-**  
2 **ERANS AFFAIRS APPROVAL OF COURSES OF**  
3 **EDUCATION.**

4 (a) IN GENERAL.—Subchapter I of chapter 36 of title  
5 38, United States Code, is amended by inserting after sec-  
6 tion 3672 the following new section:

7 **“§ 3672A. Uniform application**

8 “(a) IN GENERAL.—(1) The Secretary, in partner-  
9 ship with State approving agencies, educational institu-  
10 tions, and training establishments, shall require the use  
11 of a uniform application by any educational institution or  
12 training establishment seeking the approval of a new  
13 course of education under this chapter.

14 “(2) The Secretary shall maintain one uniform appli-  
15 cation for institutions of higher learning and one such ap-  
16 plication for other educational institutions and training es-  
17 tablishments.

18 “(3) In the case of any State that uses approval cri-  
19 teria not covered by a uniform application under this sec-  
20 tion, the State approving agency for that State shall re-  
21 quire the use of the uniform application and may require  
22 the submittal of additional information.

23 “(b) REQUIREMENTS.—The uniform application re-  
24 quired under subsection (a) shall meet the following re-  
25 quirements:

1           “(1) A requirement that the appropriate execu-  
2           tive of the educational institution or training estab-  
3           lishment seeking the approval of a course of edu-  
4           cation attests on behalf of the educational institution  
5           or training establishment that the educational insti-  
6           tution or training establishment—

7                   “(A) is in compliance with all applicable  
8                   laws and regulations relating to the approval of  
9                   courses of education under this chapter; and

10                   “(B) during the five-year period preceding  
11                   the date of the application—

12                           “(i) has not been subject to, or been  
13                           party to a contract with any individual or  
14                           entity that has been subject to, any ad-  
15                           verse administrative or judicial action  
16                           that—

17                                   “(I) related to the instruction or  
18                                   training, including with respect to the  
19                                   quality of education, provided by the  
20                                   institution or establishment; and

21                                   “(II) resulted in a fine or penalty  
22                                   in an amount equal to or more than  
23                                   five percent of the amount of funding  
24                                   provided to the institution or estab-  
25                                   lishment under title IV of the Higher

1 Education Act of 1965 for the fiscal  
2 year preceding the year in which the  
3 application is submitted; or

4 “(ii) has not employed an individual,  
5 or been party to a contract with any indi-  
6 vidual or entity, that has been convicted of  
7 a Federal fraud charge related to the in-  
8 struction or training provided by the insti-  
9 tution or establishment.

10 “(2) In the case of any educational institution  
11 or training establishment that is not participating in  
12 title IV of the Higher Education Act of 1965, a re-  
13 quirement for the inclusion of—

14 “(A) a copy of—

15 “(i) the articles of incorporation filed  
16 on behalf of the institution or establish-  
17 ment or proof of licensing to operate as an  
18 educational institution or training estab-  
19 lishment in the State where the institution  
20 or establishment is located; and

21 “(ii) the financial position of the insti-  
22 tution or establishment, as prepared by an  
23 appropriate third-party entity; or

24 “(B) other adequate evidence, as deter-  
25 mined by the Secretary, that the institution or

1 establishment is authorized to provide post-sec-  
2 ondary education or training in the State where  
3 the institution or establishment is located.

4 “(3) In the case of any course of education that  
5 is offered by an educational institution or training  
6 establishment that has never offered a course of edu-  
7 cation that was approved under this chapter, a re-  
8 quirement for the inclusion of information about the  
9 course of education covered by the application, in-  
10 cluding—

11 “(A) the number of students who have en-  
12 tered and graduated from the course during the  
13 preceding two-year period; and

14 “(B) if available, the cohort default rate  
15 for funds provided to the institution or estab-  
16 lishment under title IV of the Higher Education  
17 Act of 1965.

18 “(4) In the case of any educational institution  
19 or training establishment that is not an institution  
20 of higher learning, a requirement for the inclusion  
21 of—

22 “(A) a list of individuals who will serve as  
23 fully qualified instructors for the course of edu-  
24 cation, as of the date of the application, and an  
25 attestation that such individuals—

1 “(i) have a degree or other training,  
2 as appropriate, in the field of the course;

3 “(ii) effectively teach the skills offered  
4 under the course; and

5 “(iii) have demonstrated relevant in-  
6 dustry experience in the field of the course;  
7 and

8 “(B) a list of individuals who will serve as  
9 career services employees for students enrolled  
10 in the course and an attestation that such indi-  
11 viduals are skilled at identifying professions in  
12 the relevant industry that are in need of new  
13 employees to hire, tailoring the course of edu-  
14 cation to meet market needs, and identifying  
15 the employers likely to hire graduates.

16 “(c) REQUIREMENTS FOR STATE APPROVING AGEN-  
17 CIES.—During the approval process with respect to a uni-  
18 form application submitted by an educational institution  
19 or training establishment, a State approving agency, or  
20 the Secretary when acting in the role of a State approving  
21 agency, shall contact the Secretary of Education to deter-  
22 mine whether the course of education subject to such ap-  
23 proval process has withdrawn, or been denied or sus-  
24 pended, from receiving for benefits under title IV of the  
25 Higher Education Act of 1965.

1       “(d) APPROPRIATE EXECUTIVE.—In this section, the  
 2 appropriate executive of an educational institution or  
 3 training establishment is a senior executive official, senior  
 4 administrator, owner, or operator designated by the insti-  
 5 tution or establishment.”.

6       (b) CLERICAL AMENDMENT.—The table of sections  
 7 at the beginning of such chapter is amended by inserting  
 8 after the item relating to section 3672 the following new  
 9 item:

“3672A. Uniform application.”.

10       (c) APPLICABILITY.—The application required by  
 11 section 3672A of title 38, United States Code, as added  
 12 by subsection (a) shall—

13               (1) be developed by not later than October 1,  
 14       2023; and

15               (2) be required for the approval of any new  
 16       course of education proposed on or after that day.

17 **SEC. 3. NOTICE REQUIREMENTS FOR DEPARTMENT OF**  
 18 **VETERANS AFFAIRS EDUCATION SURVEYS.**

19       (a) RISK-BASED SURVEY.—Section 3673A of title  
 20 38, United States Code, is amended by adding at the end  
 21 the following new subsection:

22       “(d) NOTICE.—To the maximum amount feasible, the  
 23 Secretary, or a State approving agency, as applicable,  
 24 shall provide not more than one business day of notice

1 to an educational institution before conducting a targeted  
2 risk-based survey of the institution under this section.”.

3 (b) COMPLIANCE SURVEYS.—Section 3693 of title  
4 38, United States Code, is amended—

5 (1) by redesignating subsection (c) as sub-  
6 section (d); and

7 (2) by inserting after subsection (b) the fol-  
8 lowing new subsection (c):

9 “(c) To the maximum extent feasible, the Secretary,  
10 or a State approving agency, as applicable, shall provide  
11 not more than ten business days of notice to an edu-  
12 cational institution or training establishment before con-  
13 ducting a compliance survey of the institution or establish-  
14 ment under this section.”.

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