

Procedural Advisory: 180-Day Transition Period for Section 4302 of PL 116-315

March 22, 2021

Background: Enacted on January 5, 2021, PL 116-315 section 4302, entitled “Expansion of Eligible Class of Providers of High Technology Programs of Education for Veterans,” amends Section 116 of PL 115–48, known as the Colmery Act, which created the Veterans Employment Through Technology Education Courses (VET TEC) pilot training program. Section 4302, in part, allows VA to treat Service members within 180-days of discharge as potentially eligible for the purposes of the VET TEC program. The section also allows VA to collect any debts from a beneficiary who takes an action causing themselves to become ineligible during that 180-day transition period. Additionally, annual funding has increased from \$15M to \$45M due to the high demand of the program (years 2-5).

What RPO Action is Needed: The Buffalo VET TEC Processing Team will determine eligibility for Service members who indicate on their application they are within 180-days of their discharge using the Benefits for Education Administrative Service Tool (BEAST) until the Veterans Information System (VIS) has been updated. (BEAST will be the authoritative source in these instances. If the Service member is found to be within 180-days of their release date, a Certificate of Eligibility (COE) will be issued (presuming beneficiary meets all other eligibility criteria). If Service member has stated a Release from Active Duty (RAD) date that conflicts with BEAST, development is required.

Development is required if the stated RAD and BEAST are conflicting for more than **one day** or if RAD is not available in BEAST. VCE will follow development procedures as stated in [M22-4, Part 3, Chapter 3.13](#). If evidence is unavailable, VCE will develop to the service Point of Contact (POC) and simultaneously develop to the claimant for “certification” through their Military Personnel Office that the claimant is expected to be discharged/released from active duty service in the Armed Forces within 180 days. Once the service POC has verified the RAD, the COE is issued. If BEAST cannot verify the RAD and secondary evidence from beneficiary is unavailable or unacceptable, denial will be issued. This denial will be specific to the 180-day transition reason and any other potential eligibility issue.

NOTE: VET TEC is only processed by the Buffalo RPO

Questions: If you have any questions, please direct them to the [Procedures Team](#).

V/R

Procedures Team