

training for school certifying officials employed by covered educational institutions offering courses of education approved under chapter 36 of title 38, United States Code. If a covered educational institution does not ensure that a school certifying official employed by the educational institution meets such requirements, the Secretary may disapprove any course of education offered by such educational institution.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘covered educational institution’ means an educational institution that has enrolled 20 or more individuals using educational assistance under title 38, United States Code.

“(2) The term ‘school certifying official’ means an employee of an educational institution with primary responsibility for certifying veteran enrollment at the educational institution.

“(3) The term ‘State approving agency’ means a department or agency of a State designated under section 3671 of title 38, United States Code.

“(c) EFFECTIVE DATE.—This section shall take effect on August 1, 2018.”

#### MODIFICATIONS OF REPORTING FEE MULTIPLIERS DURING CERTAIN PERIODS

Pub. L. 115-62, title IV, §411(b), Sept. 29, 2017, 131 Stat. 1165, provided that: “During the period beginning on August 1, 2018, and ending on July 31, 2020, section 3684(c)(2) of title 38, United States Code, as amended by section 304 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Public Law 115-48) shall be applied by substituting ‘\$15’ for ‘\$16’.”

Pub. L. 114-315, title IV, §412(a), (b), Dec. 16, 2016, 130 Stat. 1562, as amended by Pub. L. 115-62, title IV, §411(a), Sept. 29, 2017, 131 Stat. 1165, provided that:

“(a) THROUGH JULY 31, 2018.—During the period beginning on the date of the enactment of this Act [Dec. 16, 2016] and ending on July 31, 2018, the second sentence of section 3684(c) of title 38, United States Code, shall be applied—

“(1) by substituting ‘\$6’ for ‘\$12’; and

“(2) by substituting ‘\$12’ for ‘\$15’.”

[(b) Repealed. Pub. L. 115-62, title IV, §411(a)(1)(B), Sept. 29, 2017, 131 Stat. 1165.]

Pub. L. 113-175, title IV, §406, Sept. 26, 2014, 128 Stat. 1905, as amended by Pub. L. 114-58, title IV, §410, Sept. 30, 2015, 129 Stat. 535; Pub. L. 114-228, title IV, §413, Sept. 29, 2016, 130 Stat. 941; Pub. L. 114-315, title IV, §412(c), Dec. 16, 2016, 130 Stat. 1562, provided that: “During the period beginning on the date of the enactment of this Act [Sept. 26, 2014] and ending on the day before the date of the enactment of the Jeff Miller and Richard Blumenthal Veterans Health Care and Benefits Improvement Act of 2016 [Dec. 16, 2016], the second sentence of section 3684(c) shall be applied—

“(1) by substituting ‘\$9’ for ‘\$12’; and

“(2) by substituting ‘\$13’ for ‘\$15’.”

#### § 3684A. Procedures relating to computer matching program

(a)(1) Notwithstanding section 552a(p) of title 5 and subject to paragraph (2) of this subsection, the Secretary may suspend, terminate, reduce, or make a final denial of any financial assistance or payment under an educational assistance program provided for in chapter 30 or 32 of this title or in chapter 106 of title 10 in the case of any individual, or take other adverse action against such individual, based on information produced by a matching program with the Department of Defense.

(2) The Secretary may not take any action referred to in paragraph (1) of this subsection until—

(A) the individual concerned has been provided a written notice containing a statement of the findings of the Secretary based on the

matching program, a description of the proposed action, and notice of the individual’s right to contest such findings within 10 days after the date of the notice; and

(B) the 10-day period referred to in subparagraph (A) of this paragraph has expired.

(3) In computing the 10-day period referred to in paragraph (2) of this subsection, Saturdays, Sundays, and Federal holidays shall be excluded.

(b) For the purposes of subsection (q) of section 552a of title 5, compliance with the provisions of subsection (a) of this section shall be considered compliance with the provisions of subsection (p) of such section 552a.

(c) For purposes of this section, the term “matching program” has the same meaning provided in section 552a(a)(8) of title 5.

(Added Pub. L. 101-366, title II, §206(a), Aug. 15, 1990, 104 Stat. 441, §1784A; renumbered §3684A, Pub. L. 102-83, §5(a), Aug. 6, 1991, 105 Stat. 406.)

#### AMENDMENTS

1991—Pub. L. 102-83 renumbered section 1784A of this title as this section.

#### § 3685. Overpayments to eligible persons or veterans

(a) Whenever the Secretary finds that an overpayment has been made to a veteran or eligible person, the amount of such overpayment shall constitute a liability of such veteran or eligible person to the United States.

(b) Whenever the Secretary finds that an overpayment has been made to a veteran or eligible person as the result of (1) the willful or negligent failure of an educational institution to report, as required under this chapter or chapter 34 or 35 of this title, to the Department of Veterans Affairs excessive absences from a course, or discontinuance or interruption of a course by the veteran or eligible person, or (2) the willful or negligent false certification by an educational institution, the amount of such overpayment shall constitute a liability of the educational institution to the United States.

(c) Any overpayment referred to in subsection (a) or (b) of this section may be recovered, except as otherwise provided in the last sentence of section 3684(c) of this title, in the same manner as any other debt due the United States.

(d) Any overpayment referred to in subsection (a) or (b) of this section may be waived as to a veteran or eligible person as provided in section 5302 of this title. Waiver of any such overpayment as to a veteran or eligible person shall in no way release any educational institution from liability under subsection (b) of this section.

(e)(1) Any amount collected from a veteran or eligible person pursuant to this section shall be reimbursed to the educational institution which is liable pursuant to subsection (b) of this section to the extent that collection was made from the educational institution.

(2) Nothing in this section or any other provision of this title shall be construed as (A) precluding the imposition of any civil or criminal liability under this title or any other law, or (B) requiring any institution of higher learning to maintain daily attendance records for any course leading to a standard college degree.