

Editorial Notes

AMENDMENTS

2021—Subsec. (d). Pub. L. 116-315, §1013(b)(1), substituted “shall” for “may” and “a risk-based survey developed under section 3673A of this title” for “compliance and risk-based surveys”.

Subsec. (e). Pub. L. 116-315, §1014(a), added subsec. (e).
Subsec. (f). Pub. L. 116-315, §1023, added subsec. (f).

2017—Subsec. (d). Pub. L. 115-62 inserted “compliance and” before “risk-based surveys”.

Pub. L. 115-48, in heading, struck out “Compliance and” before “Oversight” and, in text, substituted “conducting risk-based surveys and other such oversight” for “such compliance and oversight”, and inserted “, in consultation with the State approving agencies,” after “as the Secretary”.

2011—Subsec. (d). Pub. L. 111-377 added subsec. (d).

2008—Pub. L. 110-389, §326(a)(2)(A), amended section catchline generally. Prior to amendment, catchline read as follows: “Cooperation”.

Subsec. (a). Pub. L. 110-389, §326(a)(3)(A), inserted heading.

Subsecs. (b), (c). Pub. L. 110-389, §326(a)(1), (3)(B), added subsec. (b), redesignated former subsec. (b) as (c), and inserted heading in subsec. (c).

1991—Pub. L. 102-83 renumbered section 1773 of this title as this section.

1989—Pub. L. 101-237 substituted “Secretary” for “Administrator” wherever appearing in subsecs. (a) and (b) and “Department of Veterans Affairs” for “Veterans Administration” in subsec. (b).

1982—Pub. L. 97-295 inserted “of this title” after “34 and 35” wherever appearing.

1972—Subsec. (a). Pub. L. 92-540 inserted “this chapter and” before “chapters 34 and 35” wherever appearing.

1966—Subsec. (a). Pub. L. 89-358, §3(a)(7), (11), substituted “chapters 34 and 35” for “this chapter” twice and inserted “or veterans” after “eligible persons”.

Subsec. (b). Pub. L. 89-358, §3(a)(7), substituted “chapters 34 and 35” for “this chapter”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 116-315, title I, §1013(b)(2), Jan. 5, 2021, 134 Stat. 4943, provided that: “The amendment made by paragraph (1) [amending this section] shall take effect on October 1, 2022.”

Pub. L. 116-315, title I, §1014(b), Jan. 5, 2021, 134 Stat. 4945, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on August 1, 2021.”

EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by Pub. L. 111-377 effective Aug. 1, 2011, see section 203(e) of Pub. L. 111-377, set out as a note under section 3034 of this title.

§ 3673A. Risk-based surveys

(a) DEVELOPMENT REQUIRED.—The Secretary, in partnership with State approving agencies, shall develop a searchable risk-based survey for oversight of educational institutions with courses and programs of education approved under this chapter.

(b) SCOPE.—(1) The scope of the risk-based survey developed under subsection (a) shall be determined by the Secretary, in partnership with the State approving agency.

(2) At a minimum the scope determined under paragraph (1) shall include the following:

(A) Rapid increase in veteran enrollment.

(B) Rapid increase in tuition and fees.

(C) Complaints tracked and published with the mechanism required by section 3698(b)(2)

from students pursuing programs of education with educational assistance furnished under laws administered by the Secretary, based on severity or volume of the complaints.

(D) Compliance with section 3680A(d)(1) of this title.

(E) Veteran completion rates.

(F) Indicators of financial stability.

(G) Review of the advertising and recruiting practices of the educational institution, including those by third-party contractors of the educational institution.

(H) Matters for which the Federal Government or a State Government brings an action in a court of competent jurisdiction against an educational institution, including matters in cases in which the Federal Government or the State comes to a settled agreement on such matters outside of the court.

(c) DATABASE.—The Secretary, in partnership with the State approving agencies under this chapter, shall establish a database or use an existing system, as the Secretary considers appropriate, to serve as a central repository for information required for or collected during site visits for the risk-based survey developed under subsection (a), so as to improve future oversight of educational institutions with programs of education approved under this chapter.

(Added Pub. L. 116-315, title I, §1013(a)(1), Jan. 5, 2021, 134 Stat. 4942.)

Editorial Notes

CODIFICATION

Section 1013(a)(1) of Pub. L. 116-315, which directed that “Subchapter I of chapter 36, United States Code” be amended by inserting this section after section 3673 without specifying the Code title to be amended, was executed by inserting this section after section 3673 of this title, to reflect the probable intent of Congress.

§ 3674. Reimbursement of expenses

(a)(1) Subject to paragraphs (2) through (4) of this subsection, the Secretary is authorized to enter into contracts or agreements with State and local agencies to pay such State and local agencies for reasonable and necessary expenses of salary and travel incurred by employees of such agencies and an allowance for administrative expenses in accordance with the formula contained in subsection (b) of this section in (A) rendering necessary services in ascertaining the qualifications of educational institutions for furnishing courses of education to eligible persons or veterans under this chapter and chapters 30 through 35 of this title and chapter 106 of title 10, and in the supervision of such educational institutions, and (B) furnishing, at the request of the Secretary, any other services in connection with such chapters. Each such contract or agreement shall be conditioned upon compliance with the standards and provisions of such chapters. The Secretary may also reimburse such agencies for work performed by their subcontractors where such work has a direct relationship to the requirements of such chapters, and has had the prior approval of the Secretary.

(2)(A) The Secretary shall make payments to State and local agencies, out of amounts in the