

113TH CONGRESS
1ST SESSION

S. 1717

To amend title 38, United States Code, to improve oversight of educational assistance provided under laws administered by the Secretary of Veterans Affairs and the Secretary of Defense, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 14, 2013

Mr. KAINE (for himself and Mr. CHAMBLISS) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to improve oversight of educational assistance provided under laws administered by the Secretary of Veterans Affairs and the Secretary of Defense, 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 “Servicemember Edu-
5 cation Reform and Vocational Enhancement Act of 2013”
6 or the “SERVE Act of 2013”.

1 **SEC. 2. ADDITIONAL REQUIREMENTS FOR APPROVAL OF**
2 **COURSES OF EDUCATION FOR PURPOSES OF**
3 **EDUCATIONAL ASSISTANCE UNDER LAWS AD-**
4 **MINISTERED BY SECRETARY OF VETERANS**
5 **AFFAIRS AND SECRETARY OF DEFENSE.**

6 (a) AUTOMATIC APPROVAL BY SECRETARY OF VET-
7 ERANS AFFAIRS OF DEGREE PROGRAMS APPROVED BY
8 SECRETARY OF EDUCATION.—Clause (i) of section
9 3672(b)(2)(A) of title 38, United States Code, is amended
10 to read as follows:

11 “(i) A course that is described by section
12 3675(a) of this title.”.

13 (b) APPROVAL BY SECRETARY OF VETERANS AF-
14 FAIRS OF NON-DEGREE PROGRAMS APPROVED BY SEC-
15 RETARY OF EDUCATION.—

16 (1) IN GENERAL.—Section 3675 of such title is
17 amended—

18 (A) by redesignating subsections (b) and
19 (c) as subsections (c) and (d), respectively;

20 (B) by striking subsection (a); and

21 (C) by inserting before subsection (c), as
22 redesignated by subparagraph (A), the following
23 new subsections:

24 “(a) The Secretary or a State approving agency may
25 only approve a course that leads to an associate or higher
26 degree when such course is an eligible program (as defined

1 in section 481 of the Higher Education Act of 1965 (20
2 U.S.C. 1088)) offered by an institution of higher edu-
3 cation (as defined in section 102 of such Act (20 U.S.C.
4 1002)) that has entered into, and is complying with, a pro-
5 gram participation agreement under section 487 of such
6 Act (20 U.S.C. 1094).

7 “(b)(1) The Secretary or a State approving agency
8 may approve a course that does not lead to an associate
9 or higher degree when—

10 “(A) such course—

11 “(i) is an eligible program (as defined in
12 section 481 of the Higher Education Act of
13 1965 (20 U.S.C. 1088)) offered by an institu-
14 tion of higher education (as defined in section
15 102 of such Act (20 U.S.C. 1002)) that has en-
16 tered into, and is complying with, a program
17 participation agreement under section 487 of
18 such Act (20 U.S.C. 1094);

19 “(ii) in the case of a course designed to
20 prepare individuals for licensure or certification,
21 meets the instructional curriculum licensure or
22 certification requirements of the State in which
23 the institution is located; and

24 “(iii) in the case of a course designed to
25 prepare an individual for employment by a

1 State board or agency in an occupation that re-
2 quires approval or licensure for such employ-
3 ment, is approved or licensed by such State
4 board or agency;

5 “(B) such course is accepted by the State de-
6 partment of education for credit for a teacher’s cer-
7 tificate; or

8 “(C) such course is approved by the State as
9 meeting the requirement of regulations prescribed by
10 the Secretary of Health and Human Services under
11 sections 1819(f)(2)(A)(i) and 1919(f)(2)(A)(i) of the
12 Social Security Act (42 U.S.C. 1395i–3(f)(2)(A)(i)
13 and 1396r(f)(2)(A)(i)).

14 “(2)(A) An educational institution shall submit an
15 application for approval of courses to the appropriate
16 State approving agency. In making application for ap-
17 proval, the institution (other than an elementary school
18 or secondary school) shall transmit to the State approving
19 agency copies of its catalog or bulletin which must be cer-
20 tified as true and correct in content and policy by an au-
21 thorized representative of the institution.

22 “(B) Each catalog or bulletin transmitted by an insti-
23 tution under subparagraph (A) of this paragraph shall—

24 “(i) state with specificity the requirements of
25 the institution with respect to graduation;

1 “(ii) include the information required under
2 paragraphs (6) and (7) of section 3676(b) of this
3 title; and

4 “(iii) include any attendance standards of the
5 institution, if the institution has and enforces such
6 standards.”.

7 (2) CONFORMING AMENDMENTS.—Such title is
8 amended—

9 (A) in section 3452(g), by striking “under
10 the provisions of section 3675 of this title”;

11 (B) in section 3501(11), by striking
12 “under the provisions of section 3675 of this
13 title”;

14 (C) in section 3672(b)(2)(A), by striking
15 “3675(b)(1) and (b)(2)” and inserting
16 “3675(c)(1) and (c)(2)”; and

17 (D) in the heading for section 3675, by
18 striking “**accredited courses**” and insert-
19 ing “**courses approved by Secretary of**
20 **Education**”.

21 (3) CLERICAL AMENDMENT.—The table of sec-
22 tions at the beginning of chapter 36 of such title is
23 amended by striking the item relating to section
24 3675 and inserting the following new item:

“3675. Approval of courses approved by Secretary of Education.”.

1 (c) APPROVAL BY SECRETARY OF VETERANS AF-
2 FAIRS OF NON-DEGREE PROGRAMS NOT APPROVED BY
3 SECRETARY OF EDUCATION.—

4 (1) IN GENERAL.—Subsection (a) of section
5 3676 of such title is amended to read as follows:

6 “(a) No course of education which has not been ap-
7 proved by the Secretary or a State approving agency under
8 section 3675 of this title shall be approved for the pur-
9 poses of this chapter unless—

10 “(1) the course—

11 “(A) does not lead to an associate or high-
12 er degree;

13 “(B) was not an eligible program (as de-
14 fined in section 481 of the Higher Education
15 Act of 1965 (20 U.S.C. 1088)) at any time dur-
16 ing the most recent two-year period; and

17 “(C) is a course that the Secretary or
18 State approving agency determines, in accord-
19 ance with this section and such regulations as
20 the Secretary shall prescribe and on a case-by-
21 case basis, that approval of which would further
22 the purposes of this chapter or any of chapters
23 30 through 35 of this title; and

24 “(2) the educational institution offering such
25 course submits to the appropriate State approving

1 agency a written application for approval of such
2 course in accordance with the provisions of this
3 chapter.”.

4 (2) ADDITIONAL REQUIREMENTS.—Subsection
5 (c) of section 3676 of such title is amended—

6 (A) by redesignating paragraph (14) as
7 paragraph (18); and

8 (B) by inserting after paragraph (13) the
9 following new paragraphs:

10 “(14) Courses that prepare individuals for li-
11 censure or certification have verified that the
12 course’s instructional curriculum appropriately in-
13 cludes the licensure or certification requirements in
14 the State in which the institution deems such cur-
15 riculum does.

16 “(15) Courses for which a State board or agen-
17 cy in the State in which the course is designed to
18 prepare a student requires approval or licensure for
19 employment in the recognized occupation in the
20 State is approved or licensed by such State board or
21 agency.

22 “(16) In the case of an educational institution
23 that advertises job placement rates as a means of at-
24 tracting students to enroll in a course of education
25 offered by the educational institution, the application

1 contains any other information necessary to substan-
 2 tiate the truthfulness of such advertisements.

3 “(17) The educational institution does not
 4 make any misrepresentations (as defined in section
 5 668.71 of title 34, Code of Federal Regulations (or
 6 any corresponding similar regulation or ruling)) re-
 7 garding the nature of its educational program, the
 8 nature of its financial charges, or the employability
 9 of its graduates (as defined in sections 668.72
 10 through 668.74 of such title, respectively (or any
 11 corresponding similar regulations or rulings)).”.

12 (3) CONFORMING AMENDMENTS.—Section 3676
 13 of such title is amended—

14 (A) in the heading for such section, by
 15 striking “**nonaccredited courses**” and in-
 16 sserting “**courses not approved by Sec-**
 17 **retary of Education**”; and

18 (B) in subsection (c), in the matter before
 19 paragraph (1), by striking “non-accredited”.

20 (4) CLERICAL AMENDMENT.—The table of sec-
 21 tions at the beginning of chapter 36 of such title is
 22 amended by striking the item relating to section
 23 3675 and inserting the following new item:

“3676. Approval of courses not approved by Secretary of Education.”.

24 (d) ADDITIONAL REQUIREMENTS FOR APPROVAL OF
 25 PROGRAMS FOR EDUCATIONAL ASSISTANCE FOR PER-

1 SONS ENLISTING FOR ACTIVE DUTY.—Section 2143 of
2 title 10, United States Code, is amended—

3 (1) in subsection (a), by striking “to subsection
4 (b)” and inserting “to subsections (b) and (c)”;

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

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

9 “(c)(1) Except as provided in paragraph (2), a person
10 entitled to assistance under this chapter may only use
11 such assistance for educational expenses incurred for an
12 eligible program (as defined in section 481 of the Higher
13 Education Act of 1965 (20 U.S.C. 1088)) that—

14 “(A) is offered by an institution of higher edu-
15 cation (as defined in section 102 of such Act (20
16 U.S.C. 1002)) that has entered into, and is com-
17 plying with, a program participation agreement
18 under section 487 of such Act (20 U.S.C. 1094);

19 “(B) in the case of a program designed to pre-
20 pare individuals for licensure or certification, meets
21 the instructional curriculum licensure or certification
22 requirements of the State in which the institution is
23 located; and

24 “(C) in the case of a program designed to pre-
25 pare individuals for employment by a State board or

1 agency in an occupation that requires approval or li-
2 censure for such employment, is approved or li-
3 censed by such State board or agency.

4 “(2) The Secretary may, in accordance with regula-
5 tions the Secretary shall prescribe, authorize the use of
6 educational assistance awarded under this chapter for
7 educational expenses incurred for a program of education
8 that is not described in paragraph (1) if such program—

9 “(A) is accredited and approved by a nationally
10 recognized accrediting agency or association;

11 “(B) was not an eligible program described in
12 paragraph (1) at any time during the most recent
13 two-year period; and

14 “(C) is a program that the Secretary deter-
15 mines, on a case-by-case basis, that approval of
16 which would further the purposes of the program es-
17 tablished under section 2141 of this title.”.

18 (e) EFFECTIVE DATE.—The amendments made by
19 this section shall take effect on August 1, 2014.

1 **SEC. 3. REQUIREMENT THAT EDUCATIONAL INSTITUTIONS**
 2 **FURNISH SECRETARY OF VETERANS AFFAIRS**
 3 **WITH INFORMATION NECESSARY TO PRO-**
 4 **VIDE EDUCATION INFORMATION TO VET-**
 5 **ERANS.**

6 Section 3698 of title 38, United States Code, is
 7 amended—

8 (1) redesignating subsection (f) as subsection
 9 (g); and

10 (2) by inserting after subsection (e) the fol-
 11 lowing new subsection (f):

12 “(f) **AUTHORITY TO OBTAIN INFORMATION FROM**
 13 **EDUCATIONAL INSTITUTIONS.**—(1) If the Secretary deter-
 14 mines that the Secretary requires information from an
 15 educational institution to provide information pursuant to
 16 subsection (b)(5), the Secretary may request such infor-
 17 mation from such educational institution.

18 “(2) The Secretary may not approve a course offered
 19 by an educational institution under this chapter if such
 20 educational institution fails to comply with a request made
 21 by the Secretary under paragraph (1).”.

22 **SEC. 4. REQUIREMENT THAT EDUCATIONAL INSTITUTIONS**
 23 **PROVIDE ACADEMIC OR CAREER COUN-**
 24 **SELING TO VETERANS AND MEMBERS OF**
 25 **ARMED FORCES.**

26 (a) **ACADEMIC AND CAREER COUNSELING.**—

1 (1) IN GENERAL.—Subchapter I of chapter 36
2 of title 38, United States Code, is amended by add-
3 ing at the end the following new section:

4 **“§ 3679A. Provision of academic or career counseling**

5 “(a) IN GENERAL.—(1) An educational institution
6 with a covered individual enrolled in programs of edu-
7 cation at the educational institution may not be approved
8 under this chapter unless the educational institution pro-
9 vides academic or career counseling to each covered indi-
10 vidual enrolled in a program of education at the edu-
11 cational institution.

12 “(2) Counseling provided under paragraph (1) to a
13 covered individual shall be provided before the educational
14 institution receives any amount from the Secretary for the
15 individual’s pursuit of a program of education.

16 “(3) At a minimum, the academic or career coun-
17 seling provided under paragraph (1) shall include the fol-
18 lowing:

19 “(A) An overview of the educational assistance
20 resources available to the individual at the edu-
21 cational institution.

22 “(B) Discussion of how enrollment in the indi-
23 vidual’s program of education will further the stu-
24 dent’s academic or career goals.

1 “(4) The Secretary shall encourage educational insti-
2 tutions to assist covered individuals in developing a per-
3 sonalized academic and career plan as part of individual-
4 ized, one-on-one educational counseling provided under
5 paragraph (1).

6 “(b) WAIVER.—The Secretary may, on a case-by-case
7 basis, waive the requirement to provide academic or career
8 counseling under paragraph (1) for an educational institu-
9 tion for an academic year if—

10 “(1) the Secretary determines that the educational
11 institution has demonstrated that providing such coun-
12 seling during such academic year would lead to severe fi-
13 nancial hardship; and

14 “(2) the educational institution submits to the Sec-
15 retary a plan to provide such counseling during the fol-
16 lowing academic year.

17 “(c) COVERED INDIVIDUAL DEFINED.—In this sec-
18 tion, the term ‘covered individual’, with respect to enroll-
19 ment in a program of education, means an individual who
20 is receiving educational assistance under this chapter or
21 any of chapters 30 through 35 of this title or under chap-
22 ters 106A and 1606 of title 10 for such program of edu-
23 cation.”.

24 (2) CLERICAL AMENDMENT.—The table of sec-
25 tions at the beginning of chapter 36 of such title is

1 amended by inserting after the item relating to sec-
 2 tion 3679 the following new item:

“3679A. Provision of academic or career counseling.”.

3 (b) CONFORMING AMENDMENT.—Section
 4 3672(b)(2)(A) of such title (as amended by section
 5 3(a)(2)) is further amended by striking “and 3696” and
 6 inserting “3696, and 3679A”.

7 (c) EFFECTIVE DATE.—Section 3679A of such title,
 8 as added by paragraph (1), shall take effect on August
 9 1, 2014.

10 **SEC. 5. STATE APPROVING AGENCIES.**

11 (a) EDUCATION AND OUTREACH.—

12 (1) IN GENERAL.—Subchapter I of chapter 36
 13 of title 38, United States Code, is amended by in-
 14 serting after section 3674A the following new sec-
 15 tion:

16 **“§ 3674B. Education and outreach**

17 “(a) EDUCATION AND OUTREACH REQUIRED.—As a
 18 condition on receipt of reimbursement expenses under sec-
 19 tion 3674 of this title, each State approving agency shall
 20 conduct such education and outreach activities for individ-
 21 uals who are eligible to receive or are receiving educational
 22 assistance under this chapter or any of chapters 30
 23 through 35 of this title as the Secretary considers appro-
 24 priate to assist such individuals in making well-informed

1 choices about their education and successfully transition-
 2 ing into an educational environment.

3 “(b) COORDINATION.—Each State approving agency
 4 conducting outreach activities under subsection (a) shall
 5 coordinate with the Secretary of Defense to ensure, as the
 6 Secretary of Defense considers appropriate, that informa-
 7 tion on educational assistance available under this chapter
 8 and chapters 30 through 35 of this title is made readily
 9 available as part of the Transition Assistance Program
 10 (TAP) of the Department of Defense in the State of the
 11 State approving agency.

12 “(c) MANNER.—Information made available as part
 13 of education and outreach activities under this section
 14 shall be made—

15 “(1) in language that can be easily understood
 16 by individuals described in paragraph (1);

17 “(2) in a uniform and easily accessible manner;
 18 and

19 “(3) through such means as may be appropriate
 20 and effective, including through publications, mail-
 21 ings, and electronic media.”.

22 (2) CLERICAL AMENDMENT.—The table of sec-
 23 tions at the beginning of chapter 36 of such title is
 24 amended by inserting after the item relating to sec-
 25 tion 3674A the following new item:

“3674B. Education and outreach.”.

1 (b) AUDITS.—Section 3673(d) of such title is amend-
2 ed—

3 (1) by inserting “(1)” before “The Secretary”;

4 and

5 (2) by adding at the end the following new
6 paragraph:

7 “(2) Each year, each State approving agency, as a
8 condition of receiving reimbursement of expenses under
9 section 3674 of this title, shall conduct such audits as the
10 Secretary considers appropriate, including unannounced
11 audits and audits using risk-based approaches, of edu-
12 cational institutions in the State of the State approving
13 agency that have students enrolled in programs of edu-
14 cation at the educational institutions who are receiving
15 educational assistance under this chapter or any of chap-
16 ters 30 through 35 of this title (without regard to whether
17 the Secretary or the State approving agency approved the
18 courses offered) in such State—

19 “(A) to detect misrepresentation, fraud, waste,
20 and abuse;

21 “(B) to ensure full compliance with the provi-
22 sions of this chapter; and

23 “(C) for such other purposes as the Secretary
24 considers appropriate.”.

1 (c) REPORTS.—Section 3674(a)(3) of such title is
2 amended—

3 (1) by inserting “(A)” before “Each State”;
4 and

5 (2) by adding at the end the following new sub-
6 paragraph:

7 “(B) Each report submitted under subparagraph (A)
8 shall include the following:

9 “(i) The number of visits made by the agency
10 to educational institutions, including the number of
11 such visits that were made without the prior knowl-
12 edge of such educational institution.

13 “(ii) A description of the audits carried out by
14 the agency under section 3673(d)(2) of this title and
15 the findings of the agency, including with respect to
16 any substantiated findings of misrepresentation,
17 fraud, waste, abuse, or failure to comply with an ap-
18 plicable requirement of this chapter and the steps
19 taken by the agency to address such fraud, waste,
20 abuse, or failure to comply.

21 “(iii) A description of the outreach and training
22 activities conducted by the agency under section
23 3674B of this title.”.

24 (d) EFFECTIVE DATE.—The amendments made by
25 this section shall take effect on August 1, 2014.

1 **SEC. 6. MANDATORY COMPLIANCE REVIEWS.**

2 (a) IN GENERAL.—Section 3693 of title 38, United
3 States Code, is amended by adding at the end the fol-
4 lowing new subsection:

5 “(c) In addition to the annual compliance surveys
6 conducted under subsection (a), the Secretary shall also
7 conduct a compliance review, in accordance with such reg-
8 ulations as the Secretary shall prescribe, of an educational
9 institution described in such subsection whenever the Sec-
10 retary finds any of the following:

11 “(1) The student dropout rate of the institution
12 has increased rapidly.

13 “(2) The cohort default rate, as defined in sec-
14 tion 435(m) of the Higher Education Act of 1965
15 (20 U.S.C. 1085(m)), of the educational institution
16 has increased rapidly or is consistently higher than
17 the average of cohort default rate of comparable
18 educational institutions.

19 “(3) The number of substantiated complaints
20 filed with the centralized complaint system estab-
21 lished under section 4 of Executive Order 13607 (77
22 Fed. Reg. 25863) with respect to the educational in-
23 stitution have increased rapidly or is consistently
24 higher than the number of substantiated complaints
25 filed with respect to other comparable educational
26 institutions.

1 “(4) The educational institution is the subject
2 of a civil lawsuit in Federal or State court, is
3 charged with a crime under Federal or State law, or
4 is the subject of an official investigation of a State
5 or Federal agency for misconduct.

6 “(5) The educational institution has significant
7 growth in revenue resulting from tuition, including
8 tuition paid with assistance provided under this
9 chapter, chapters 30 through 35 of this title, or
10 chapters 106A or 1606 of title 10, which cannot be
11 attributed to changes made to such chapters by Acts
12 of Congress or changes to the administration of such
13 chapters.

14 “(6) Such other findings as the Secretary con-
15 siders warrant conducting a compliance survey
16 under subsection (a).”.

17 (b) EFFECTIVE DATE.—Subsection (c) of such sec-
18 tion, as added by subsection (a), shall take effect on Au-
19 gust 1, 2014.

1 **SEC. 7. PILOT PROGRAM ON FACILITATING PURSUIT OF**
2 **PROGRAMS OF APPRENTICESHIP AND OTHER**
3 **ON-JOB TRAINING WITH EDUCATIONAL AS-**
4 **SISTANCE UNDER POST-9/11 EDUCATIONAL**
5 **ASSISTANCE.**

6 (a) **PILOT PROGRAM REQUIRED.**—The Secretary of
7 Veterans Affairs, in cooperation with the Secretary of De-
8 fense, the Secretary of Education, the Secretary of Labor,
9 and such State agencies as the Secretary of Veterans Af-
10 fairs considers appropriate, shall commence a pilot pro-
11 gram to assess the feasibility and advisability of devel-
12 oping policy, processes, and best practices—

13 (1) to ensure the availability of covered pro-
14 grams of education to veterans seeking to pursue
15 such programs with educational assistance under
16 chapter 33 of title 38, United States Code; and

17 (2) to encourage veterans to pursue covered
18 programs of education with educational assistance
19 under such chapter.

20 (b) **COVERED PROGRAMS OF EDUCATION.**—For pur-
21 poses of this section, a covered program of education is—

22 (1) a program of apprenticeship or other on-job
23 training; or

24 (2) a program of vocational training that is de-
25 veloped with the intent and the ability to place vet-

1 erans in positions of employment with identified
2 companies in specific career fields.

3 (c) LOCATIONS.—The Secretary of Veterans Affairs
4 shall carry out the pilot program in five States selected
5 by the Secretary for purposes of the pilot program.

6 (d) OUTREACH.—Under the pilot program, the Sec-
7 retary of Veterans Affairs shall conduct outreach as fol-
8 lows:

9 (1) To members of the Armed Forces and vet-
10 erans through the Transition Assistance Program
11 (TAP), veterans service organizations, one-stop cen-
12 ters, workforce investment boards and agencies, the
13 Disabled Veterans' Outreach Program, local employ-
14 ment representatives, education and employment
15 centers of the Department of Veterans Affairs, and
16 such other methods, programs, and venues as the
17 Secretary of Veterans Affairs considers appropriate
18 on—

19 (A) the availability of educational assist-
20 ance under chapter 33 of title 38, United
21 States Code, for the pursuit of a covered pro-
22 gram of education;

23 (B) the benefits of pursuing a covered pro-
24 gram of education; and

1 (C) the process for obtaining such assist-
2 ance.

3 (2) To members of the business community and
4 nonprofit organizations on any tax, financial, or
5 other incentives or benefits as may be available—

6 (A) for providing programs of apprentice-
7 ship or other on-job training to individuals eligi-
8 ble for educational assistance under such chap-
9 ter to pursue such programs; or

10 (B) for cooperating with or supporting a
11 program described in subsection (b)(2).

12 (e) DEFINITIONS.—In this section;

13 (1) ONE-STOP CENTER.—The term “one-stop
14 center” means a center described in section 134(c)
15 of the Workforce Investment Act of 1998 (29 U.S.C.
16 2864(e)).

17 (2) VETERANS SERVICE ORGANIZATION.—The
18 term “veterans service organization” means an orga-
19 nization recognized by the Secretary of Veterans Af-
20 fairs for the representation of veterans under section
21 5902 of title 38, United States Code.

22 **SEC. 8. EXPANSION OF REPORTING REQUIREMENTS.**

23 Section 3325 of title 38, United States Code, is
24 amended—

1 (1) in subsection (a)(1), by inserting “and
2 chapters 106A and 1606 of title 10” after “this
3 chapter”;

4 (2) in subsection (b), in the matter before para-
5 graph (1), by inserting “, disaggregated by for-profit
6 and not-for-profit educational institutions” after
7 “this section”;

8 (3) in subsection (c), in the matter before para-
9 graph (1), by inserting “, disaggregated by for-profit
10 and not-for-profit educational institutions” after
11 “this section”;

12 (4) by redesignating subsection (d) as sub-
13 section (e); and

14 (5) by inserting after subsection (c) the fol-
15 lowing new subsection (d):

16 “(d) CONTENTS OF REPORTS OF BOTH SECRE-
17 TARIES.—Each secretary shall include in each report sub-
18 mitted under this section, for the period covered by the
19 report and disaggregated by for-profit and not-for-profit
20 educational institutions, the following:

21 “(1) All substantiated reports of misrepresenta-
22 tion, waste, fraud, abuse, or other acts that are in-
23 consistent with the requirements of chapter 36 of
24 this title by an educational institution at which an
25 individual is enrolled in a program of education for

1 which the individual is receiving educational assist-
2 ance under a law administered by the respective Sec-
3 retary, including complaints filed with the central-
4 ized complaint system established under section 4 of
5 Executive Order 13607 (77 Fed. Reg. 25863).

6 “(2) A list of educational institutions which had
7 courses of education that were approved under chap-
8 ter 36 of this title in the previous year but were
9 found, in the year covered by the report, not in com-
10 pliance with a requirement of such chapter.”.

○