

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 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 searchable 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.

(d) NOTICE.—To the maximum amount feasible, the Secretary, or a State approving agency, as applicable, shall provide not more than two business days of notice to an educational institution before conducting a targeted risk-based survey of the institution under this section.

(Added Pub. L. 116-315, title I, §1013(a)(1), Jan. 5, 2021, 134 Stat. 4942; amended Pub. L. 117-16, §7(a)(3), (b)(1), June 8, 2021, 135 Stat. 285; Pub. L. 117-333, §12(a), Jan. 5, 2023, 136 Stat. 6134; Pub. L. 118-210, title II, §204, Jan. 2, 2025, 138 Stat. 2763.)

### Editorial Notes

#### AMENDMENTS

2025—Subsec. (d). Pub. L. 118-210 substituted “two business days” for “one business day”.

2023—Subsec. (d). Pub. L. 117-333 added subsec. (d).

2021—Pub. L. 117-16, §7(b)(1), made technical correction to directory language of Pub. L. 116-315, §1013(a)(1), which enacted this section.

Subsec. (a). Pub. L. 117-16, §7(a)(3)(A), struck out “searchable” before “risk-based survey”.

Subsec. (c). Pub. L. 117-16, §7(a)(3)(B), inserted “searchable” before “database”.

### Statutory Notes and Related Subsidiaries

#### DEADLINE FOR RISK-BASED SURVEYS DATABASE

Pub. L. 118-210, title II, §206(d), Jan. 2, 2025, 138 Stat. 2764, provided that: “The Secretary of Veterans Affairs shall establish the database required under section 3673A(c) of title 38, United States Code, by not later than 180 days after the date of the enactment of this Act [Jan. 2, 2025].”

### § 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 Department of Veterans Affairs readjustment benefits account and amounts appropriated to the Secretary, for the reasonable and necessary expenses of salary and travel incurred by employees of such agencies in carrying out contracts or agreements entered into under this section, for expenses approved by the Secretary that are incurred in carrying out activities described in section 3674A(a)(3) of this title (except for administrative overhead expenses allocated to such activities), and for the allowance for administrative expenses described in subsection (b).

(B) The Secretary shall make such a payment to an agency within a reasonable time after the agency has submitted a report pursuant to paragraph (3) of this subsection.

(C) Subject to paragraph (4) of this subsection, the amount of any such payment made to an agency for any period shall be equal to the amount of the reasonable and necessary ex-