

Statutory Language:

SEC. 1124. STUDY ON DEPARTMENT OF EDUCATION OVERSIGHT OF INCENTIVE COMPENSATION BAN.

(a) In General- Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall--

(1) conduct a study of efforts by the Secretary of Education to enforce the provisions of section 487(a)(20) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)(20)); and

(2) submit to the authorizing committees a report that provides the results of such study.

(b) Content of Report- The report submitted under subsection (a) shall include--

(1) an analysis of the nature, extent, and effectiveness of the Secretary of Education's activities to enforce the provisions of section 487(a)(20) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)(20));

(2) the number of institutions of higher education for which investigations were initiated by the Secretary for potential violations of such section since 1998;

(3) in cases where violations of such section by institutions of higher education were substantiated by the Secretary--

(A) the names of such institutions;

(B) the nature of the violations; and

(C) the penalty, if any, imposed by the Secretary for such violations;

(4) an analysis of the impact of the 'safe harbor' regulations under section 668.14(b)(22)(ii)(A) through (L) of title 34, Code of Federal Regulations, promulgated under such section 487(a)(20), on the number and nature of cases examined by the Secretary for potential violations of such section 487(a)(20), including whether the number of cases examined by the Secretary has increased or decreased since such regulations went into effect;

(5) information on the extent to which the Secretary has considered efforts by States to examine unethical or unlawful student recruitment or admissions practices by institutions of higher education, including practices that violate the provisions of such section 487(a)(20); and

(6) information on the extent to which the Secretary reviews publicly-available documents, such as filings to the Securities and Exchange Commission, to monitor the compliance of institutions of higher education with the provisions of such section 487(a)(20).