

111TH CONGRESS
1ST SESSION

H. R. 1777

AN ACT

To make technical corrections to the Higher Education Act
of 1965, 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,*

1 SECTION 1. TABLE OF CONTENTS.

2 The table of contents for this Act is as follows:

- Sec. 1. Table of contents.
- Sec. 2. References.
- Sec. 3. Effective date.

TITLE I—GENERAL PROVISIONS

- Sec. 101. General provisions.

TITLE II—TEACHER QUALITY ENHANCEMENT

- Sec. 201. Teacher quality enhancement.

TITLE III—INSTITUTIONAL AID

- Sec. 301. Institutional aid.
- Sec. 302. Multiagency study of minority science programs.

TITLE IV—STUDENT ASSISTANCE

- Sec. 401. Grants to students in attendance at institutions of higher education.
- Sec. 402. Federal Family Education Loan Program.
- Sec. 403. Federal work-study programs.
- Sec. 404. Federal Direct Loan Program.
- Sec. 405. Federal Perkins Loans.
- Sec. 406. Need analysis.
- Sec. 407. General provisions of title IV.
- Sec. 408. Program integrity.
- Sec. 409. PLUS loan auction extension.

TITLE V—DEVELOPING INSTITUTIONS

- Sec. 501. Developing institutions.

TITLE VI—INTERNATIONAL EDUCATION PROGRAMS

- Sec. 601. International education programs.

TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT

- Sec. 701. Graduate and postsecondary improvement programs.

TITLE VIII—ADDITIONAL PROGRAMS

- Sec. 801. Additional programs.
- Sec. 802. Amendments to other higher education Acts.

3 SEC. 2. REFERENCES.

4 Except as otherwise expressly provided, whenever in
5 this Act an amendment or repeal is expressed in terms
6 of an amendment to, or repeal of, a section or other provi-

1 sion, the reference shall be considered to be made to a
 2 section or other provision of the Higher Education Act of
 3 1965 (20 U.S.C. 1001 et seq.).

4 **SEC. 3. EFFECTIVE DATE.**

5 Except as otherwise provided in this Act, the amend-
 6 ments made by this Act shall take effect as if enacted on
 7 the date of the enactment of the Higher Education Oppor-
 8 tunity Act (Public Law 110–315).

9 **TITLE I—GENERAL PROVISIONS**

10 **SEC. 101. GENERAL PROVISIONS.**

11 (a) HIGHER EDUCATION OPPORTUNITY ACT.—Sec-
 12 tion 101(b) of Higher Education Opportunity Act (Public
 13 Law 110–315) is amended by striking “July 1, 2010” and
 14 inserting “the date of the enactment of this Act”.

15 (b) HIGHER EDUCATION ACT OF 1965.—

16 (1) AMENDMENTS.—Title I (20 U.S.C. 1001 et
 17 seq.) is amended—

18 (A) in section 102(a)(2)(A)(iii) (20 U.S.C.
 19 1002(a)(2)(A)(iii)), as added by section
 20 102(a)(1)(D) of the Higher Education Oppor-
 21 tunity Act (Public Law 110–315), in the matter
 22 preceding subclause (I), by striking “States—”
 23 and inserting “States (other than a public or
 24 private nonprofit nursing school located outside
 25 of the United States that was participating in

1 the program under part B of title IV on August
2 13, 2008)—”;

3 (B) in section 102(a)(2)(D) (20 U.S.C.
4 1002(a)(2)(D)), by striking “under part B”
5 and inserting “under part B of title IV”;

6 (C) in section 111(b) (20 U.S.C. 1011(b)),
7 by striking “With” and inserting “with”;

8 (D) in section 131(a)(3)(A)(iii)(I) (20
9 U.S.C. 1015(a)(3)(A)(iii)(I)), by striking “sec-
10 tion 428(a)(2)(C)(i)” and inserting “section
11 428(a)(2)(C)(ii)”;

12 (E) in section 136(d)(1) (20 U.S.C.
13 1015e(d)(1)), by striking “(Family Educational
14 Rights and Privacy Act of 1974)” and inserting
15 “(commonly known as the ‘Family Educational
16 Rights and Privacy Act of 1974)’”;

17 (F) in section 141 (20 U.S.C. 1018)—

18 (i) in the matter preceding subpara-
19 graph (A) of subsection (c)(3), by striking
20 “under this title” and inserting “under
21 title IV”; and

22 (ii) in subsection (d)(3), by striking
23 “appropriate committees of Congress” and
24 inserting “authorizing committees”; and

1 (G) in section 153(a)(1)(B)(iii)(V) (20
 2 U.S.C. 1019b(a)(1)(B)(iii)(V)), by striking
 3 “borrowers who take out loans under” each
 4 place the term appears and inserting “bor-
 5 rowers of loans made under”.

6 (2) EFFECTIVE DATE.—The amendment made
 7 by paragraph (1)(A) of subsection (b) shall be effec-
 8 tive as if enacted as part of the amendment in sec-
 9 tion 102(a)(1)(D) of the Higher Education Oppor-
 10 tunity Act (Public Law 110–315), and shall take ef-
 11 fect on July 1, 2010.

12 **TITLE II—TEACHER QUALITY** 13 **ENHANCEMENT**

14 **SEC. 201. TEACHER QUALITY ENHANCEMENT.**

15 Title II (20 U.S.C. 1021 et seq.) is amended—

16 (1) in section 202 (20 U.S.C. 1022a)—

17 (A) in subsection (b)(6)(E)(ii), by striking
 18 “section 1111(b)(2)” and inserting “section
 19 1111(b)(1)”; and

20 (B) in subsection (i)(3), by striking “con-
 21 sent of” and inserting “consent to”; and

22 (2) in section 231(a)(1) (20 U.S.C.
 23 1032(a)(1)), by striking “serve graduate” and in-
 24 serting “assist in the graduation of”.

1 **TITLE III—INSTITUTIONAL AID**

2 **SEC. 301. INSTITUTIONAL AID.**

3 Title III (20 U.S.C. 1051 et seq.) is amended—

4 (1) in section 316 (20 U.S.C. 1059c)—

5 (A) in subsection (a), by striking “Indian
6 Tribal” and inserting “Tribal”;

7 (B) in subsection (b)—

8 (i) in paragraph (1), by striking “the
9 Tribally Controlled College or University
10 Assistance Act of 1978” and inserting “the
11 Tribally Controlled Colleges and Univer-
12 sities Assistance Act of 1978”;

13 (ii) in paragraph (2), by striking “the
14 Tribally Controlled College or University
15 Assistance Act of 1978” and inserting “the
16 Tribally Controlled Colleges and Univer-
17 sities Assistance Act of 1978”; and

18 (iii) in paragraph (3)(A), by striking
19 “the Navajo Community College Assistance
20 Act of 1978” and inserting “the Navajo
21 Community College Act”; and

22 (C) in subsection (d)(4)(A), by striking
23 “part B” and inserting “part B of this title”;

24 (2) in section 318 (20 U.S.C. 1059e)—

1 (A) by amending subsection (b)(1)(F) to
2 read as follows:

3 “(F) is not receiving assistance under—

4 “(i) part B of this title;

5 “(ii) part A of title V; or

6 “(iii) an annual authorization of ap-
7 propriations under the Act of March 2,
8 1867 (14 Stat. 438; 20 U.S.C. 123).”; and

9 (B) in subsection (i), by striking “part B,
10 or” and inserting “part B of this title, or”;

11 (3) in section 319(d)(3)(A) (20 U.S.C.
12 1059f(d)(3)(A)), by striking “part B, or” and in-
13 serting “part B of this title, or”;

14 (4) in section 320(d)(3)(A) (20 U.S.C.
15 1059g(d)(3)(A)), by striking “part B, or” and in-
16 serting “part B of this title, or”;

17 (5) in section 323(a) (20 U.S.C. 1062(a)), by
18 striking “in any fiscal year” and inserting “for any
19 fiscal year”;

20 (6) in section 324(d) (20 U.S.C. 1063(d))—

21 (A) by redesignating paragraphs (1) and
22 (2) as subparagraphs (A) and (B), respectively;

23 (B) by striking “Notwithstanding sub-
24 sections (a)” and inserting “(1) Notwith-
25 standing subsections (a)”; and

1 (C) by adding at the end the following:

2 “(2) If the amount appropriated pursuant to section
3 399(a)(2)(A) for any fiscal year is not sufficient to pay
4 the minimum allotment required by paragraph (1) of this
5 subsection to all part B institutions, the amount of such
6 minimum allotments shall be ratably reduced. If additional
7 sums become available for such fiscal year, such reduced
8 allocations shall be increased on the same basis as the
9 basis on which they were reduced (until the amount allot-
10 ted equals the minimum allotment required by paragraph
11 (1)).”;

12 (7) in section 351(a) (20 U.S.C. 1067a(a))—

13 (A) by striking “section 304(a)(1)” and in-
14 serting “section 303(a)(1)”; and

15 (B) by striking “of 1979”;

16 (8) in section 355(a) (20 U.S.C. 1067e(a)), by
17 striking “302” and inserting “312”;

18 (9) in section 371(c) (20 U.S.C. 1067q(c))—

19 (A) in paragraph (3)(D), by striking
20 “402A(g)” and inserting “402A(h)”;

21 (B) in paragraph (4), by striking
22 “402A(g)” and inserting “402A(h)”;

23 (C) in paragraph (9)—

1 (i) in subparagraph (C)(iii), by strik-
 2 ing “402A(g)” and inserting “402A(h)”;
 3 and

4 (ii) by amending subparagraph (F) to
 5 read as follows:

6 “(F) is not receiving assistance under—

7 “(i) part B of this title;

8 “(ii) part A of title V; or

9 “(iii) an annual authorization of ap-
 10 propriations under the Act of March 2,
 11 1867 (14 Stat. 438; 20 U.S.C. 123).”; and

12 (10) in section 392(a)(6) (20 U.S.C.
 13 1068a(a)(6)), by striking “College or University”
 14 and inserting “Colleges and Universities”.

15 **SEC. 302. MULTIAGENCY STUDY OF MINORITY SCIENCE**
 16 **PROGRAMS.**

17 Section 1024 (20 U.S.C. 1067d) is repealed.

18 **TITLE IV—STUDENT ASSISTANCE**

19 **SEC. 401. GRANTS TO STUDENTS IN ATTENDANCE AT INSTI-**
 20 **TUTIONS OF HIGHER EDUCATION.**

21 (a) AMENDMENTS.—Part A of title IV (20 U.S.C.
 22 1070 et seq.) is amended—

23 (1) in section 400(b) (20 U.S.C. 1070(b)), by
 24 striking “1 through 8” and inserting “1 through 9”;

25 (2) in section 401 (20 U.S.C. 1070a)—

1 (A) in the second sentence of subsection
2 (a)(1), by striking “manner,” and inserting
3 “manner,”;

4 (B) in subsection (b)(1), by striking “sec-
5 tion 401” and inserting “this section”; and

6 (C) in subsection (b)(9)(A)—

7 (i) in clause (vi), by striking
8 “\$105,000,000” and inserting
9 “\$140,000,000”; and

10 (ii) in clause (viii), by striking
11 “\$4,400,000,000” and inserting
12 “\$4,470,000,000”;

13 (3) by striking paragraph (4) of section 401(f)
14 (20 U.S.C. 1070a(f)), as added by section 401(c) of
15 the Higher Education Opportunity Act (Public Law
16 110–315);

17 (4) in section 402A (20 U.S.C. 1070a–11)—

18 (A) in subsection (b)(1), by striking “orga-
19 nizations including” and inserting “organiza-
20 tions, including”; and

21 (B) in subsection (c)(8)(C)(iv)(I), by in-
22 serting “to be” after “determined”;

23 (5) in section 402E(d)(2)(C) (20 U.S.C.
24 1070a–15(d)(2)(C)), by striking “320.” and insert-
25 ing “320”;

1 (6) in section 419C(b)(1) (20 U.S.C. 1070d–
 2 33(b)(1)), by inserting “and” after the semicolon at
 3 the end; and

4 (7) in section 419D(d) (20 U.S.C. 1070d–
 5 34(d)), by striking “1134” and inserting “134”.

6 (b) HIGHER EDUCATION OPPORTUNITY ACT.—Sec-
 7 tion 404 of the Higher Education Opportunity Act (Public
 8 Law 110–315) is amended by adding at the end the fol-
 9 lowing new subsection:

10 “(i) EFFECTIVE DATE.—The amendments made by
 11 subsection (e) of this section shall apply only with respect
 12 to grant awards made on or after the date of enactment
 13 of this Act.”.

14 **SEC. 402. FEDERAL FAMILY EDUCATION LOAN PROGRAM.**

15 (a) AMENDMENT TO PROVISION AMENDED BY THE
 16 COLLEGE COST REDUCTION AND ACCESS ACT.—

17 (1) IN GENERAL.—Section 428(b)(1)(G)(i) (20
 18 U.S.C. 1078(b)(1)(G)(i)), as amended by section
 19 303 of the College Cost Reduction and Access Act
 20 (Public Law 110–84), is amended by striking “or
 21 439(q)”.

22 (2) EFFECTIVE DATE.—The amendment made
 23 by paragraph (1) shall be effective as if enacted as
 24 part of the amendment in section 303(a) of the Col-
 25 lege Cost Reduction and Access Act (Public Law

1 110–84), and shall take effect on October 1, 2012,
 2 and apply with respect to loans made on or after
 3 such date.

4 (b) ENTRANCE COUNSELING FUNCTIONS.—

5 (1) GUARANTY AGENCIES.—Section 428(b)(3)
 6 (20 U.S.C. 1078(b)(3)) is amended—

7 (A) in subparagraph (C), by inserting “or
 8 485(l)” after “section 485(b)”; and

9 (B) in subparagraph (D), by inserting “or
 10 485(l)” after “section 485(b)”.

11 (2) ELIGIBLE LENDERS.—Section 435(d)(5)
 12 (20 U.S.C. 1085(d)(5)) is amended—

13 (A) in subparagraph (E), by inserting “or
 14 485(l)” after “section 485(b)”; and

15 (B) in subparagraph (F), by inserting “or
 16 485(l)” after “section 485(b)”.

17 (c) AMENDMENT TO PROVISION AMENDED BY THE
 18 HIGHER EDUCATION OPPORTUNITY ACT.—

19 (1) IN GENERAL.—Section 428C(c)(3)(A) (20
 20 U.S.C. 1078–3(c)(3)(A)), as amended by section 425
 21 of the Higher Education Opportunity Act (Public
 22 Law 110–315), is amended by striking “section
 23 493C” and inserting “section 493C”.

24 (2) EFFECTIVE DATE.—The amendment made
 25 by paragraph (1) shall be effective as if enacted as

1 part of the amendment in section 425(d)(1) of the
2 Higher Education Opportunity Act (Public Law
3 110–315), and shall take effect on July 1, 2009.

4 (d) REHABILITATION OF STUDENT LOANS.—

5 (1) Section 428F (20 U.S.C. 1078–6) is
6 amended—

7 (A) in subsection (a)—

8 (i) by amending paragraph (1) to read
9 as follows:

10 “(1) SALE OR ASSIGNMENT OF LOAN.—

11 “(A) IN GENERAL.—Each guaranty agen-
12 cy, upon securing 9 payments made within 20
13 days of the due date during 10 consecutive
14 months of amounts owed on a loan for which
15 the Secretary has made a payment under para-
16 graph (1) of section 428(c), shall—

17 “(i) if practicable, sell the loan to an
18 eligible lender; or

19 “(ii) on or before September 30,
20 2011, assign the loan to the Secretary if—

21 “(I) the Secretary has deter-
22 mined that market conditions unduly
23 limit a guaranty agency’s ability to
24 sell loans under clause (i); and

1 “(II) the guaranty agency has
2 been unable to sell loans under clause
3 (i).

4 “(B) MONTHLY PAYMENTS.—Neither the
5 guaranty agency nor the Secretary shall de-
6 mand from a borrower as monthly payments
7 amounts described in subparagraph (A) more
8 than is reasonable and affordable based on the
9 borrower’s total financial circumstances.

10 “(C) CONSUMER REPORTING AGENCIES.—

11 “(i) NOTICE OF SALE OR ASSIGN-
12 MENT.—Upon the sale or assignment of a
13 loan under this paragraph, the guaranty
14 agency or other holder of the loan shall re-
15 port that sale or assignment to any con-
16 sumer reporting agency to which the guar-
17 anty agency or other holder reported the
18 default of the loan, and request that the
19 record of default be removed from the bor-
20 rower’s credit history.

21 “(ii) REMOVAL FROM CREDIT RE-
22 PORTS.—Notwithstanding paragraphs (4)
23 and (5) of section 605(a) of the Fair Cred-
24 it Reporting Act (15 U.S.C. 1681c(a)(4)
25 and (5)) and section 430A(f) of this Act,

1 no consumer reporting agency shall include
2 adverse information on any loan sold or as-
3 signed under this paragraph (or any de-
4 faulted loan held by the Secretary, on
5 which the borrower has made 9 payments
6 within 20 days of the due date during 10
7 consecutive months of amounts owed on
8 the defaulted loan), in a report regarding
9 a borrower whose loan is reported sold or
10 assigned by the guaranty agency (or a bor-
11 rower of a defaulted loan who is reported
12 by the Secretary as having made such pay-
13 ments). The consumer reporting agency
14 shall, within 10 days of receiving such no-
15 tice from the guaranty agency (or the Sec-
16 retary, as the case may be) of such sale or
17 assignment, exclude such adverse informa-
18 tion from any reports.

19 “(D) DUTIES UPON SALE.—With respect
20 to a loan sold under subparagraph (A)(i)—

21 “(i) the guaranty agency—

22 “(I) shall repay the Secretary
23 81.5 percent of the amount of the
24 principal balance outstanding at the
25 time of such sale, multiplied by the re-

1 insurance percentage in effect when
2 payment under the guaranty agree-
3 ment was made with respect to the
4 loan; and

5 “(II) may, in order to defray col-
6 lection costs—

7 “(aa) charge to the borrower
8 an amount of not to exceed 18.5
9 percent of the outstanding prin-
10 cipal and interest at the time of
11 the loan sale; and

12 “(bb) retain such amount
13 from the proceeds of the loan
14 sale; and

15 “(ii) the Secretary shall reinstate the
16 Secretary’s obligation to—

17 “(I) reimburse the guaranty
18 agency for the amount that the agen-
19 cy may, in the future, expend to dis-
20 charge its guaranty obligation; and

21 “(II) pay to the holder of such
22 loan a special allowance pursuant to
23 section 438.

1 “(E) DUTIES UPON ASSIGNMENT.—With
2 respect to a loan assigned under subparagraph
3 (A)(ii)—

4 “(i) the guaranty agency shall add to
5 the principal and interest outstanding at
6 the time of the assignment of such loan an
7 amount equal to the amount described in
8 subparagraph (D)(i)(II); and

9 “(ii) the Secretary shall pay the guar-
10 anty agency, for deposit in the agency’s
11 Operating Fund established pursuant to
12 section 422B, an amount equal to the
13 amount added to the principal and interest
14 outstanding at the time of the assignment
15 in accordance with clause (i).

16 “(F) ELIGIBLE LENDER LIMITATION.—A
17 loan shall not be sold to an eligible lender under
18 subparagraph (A)(i) if such lender has been
19 found by the guaranty agency or the Secretary
20 to have substantially failed to exercise the due
21 diligence required of lenders under this part.

22 “(G) DEFAULT DUE TO ERROR.—A loan
23 that does not meet the requirements of sub-
24 paragraph (A) may also be eligible for sale or
25 assignment under this paragraph upon a deter-

1 mination that the loan was in default due to
2 clerical or data processing error and would not,
3 in the absence of such error, be in a delinquent
4 status.”;

5 (ii) in paragraph (2)—

6 (I) by striking “paragraph (1) of
7 this subsection” and inserting “para-
8 graph (1)(A)(i)”;

9 (II) by striking “paragraph
10 (1)(B)(ii) of this subsection” and in-
11 serting “paragraph (1)(D)(ii)(I)”;

12 (iii) in paragraph (3)—

13 (I) by striking “sold under para-
14 graph (2)” and inserting “sold or as-
15 signed under paragraph (1)(A)”;

16 (II) by striking “sale.” and in-
17 serting “sale or assignment.”;

18 (iv) in paragraph (4), by striking
19 “which is sold under paragraph (1) of this
20 subsection” and inserting “that is sold or
21 assigned under paragraph (1)”;

22 (v) in paragraph (5), by inserting
23 “(whether by loan sale or assignment)”
24 after “rehabilitating a loan”; and

1 (B) in subsection (b), in the first sentence,
2 by inserting “or assigned to the Secretary”
3 after “sold to an eligible lender”.

4 (2) EFFECTIVE DATE.—The amendments made
5 by paragraph (1) shall be effective on the date of en-
6 actment of this Act, and shall apply to any loan on
7 which monthly payments described in section
8 428F(a)(1)(A) were paid before, on, or after such
9 date of enactment.

10 (e) REPAYMENT IN FULL FOR DEATH AND DIS-
11 ABILITY.—

12 (1) IN GENERAL.—Section 437(a)(1) (20
13 U.S.C. 1087(a)(1)), as amended by section 437 of
14 the Higher Education Opportunity Act (Public Law
15 110–315), is amended—

16 (A) in the matter preceding subparagraph
17 (A), by striking “Secretary),, or if” and insert-
18 ing “Secretary), or if”; and

19 (B) in subparagraph (B), by inserting “the
20 reinstatement and resumption to be” after “de-
21 termines”.

22 (2) EFFECTIVE DATE.—The amendments made
23 by paragraph (1) shall be effective as if enacted as
24 part of the amendments in section 437(a) of the

1 Higher Education Opportunity Act (Public Law
2 110–315), and shall take effect on July 1, 2010.

3 (f) OTHER AMENDMENTS.—Part B of title IV (20
4 U.S.C. 1071 et seq.) is further amended—

5 (1) in section 428 (20 U.S.C. 1078)—

6 (A) in subsection (a)(2)(A)(i)(II), by strik-
7 ing “and” after the semicolon at the end;

8 (B) in subsection (b)—

9 (i) in the matter following subclause
10 (II) of paragraph (1)(M)(i), by inserting
11 “section” before “428B”;

12 (ii) in paragraph (3)(A)(i), by striking
13 “any institution of higher education or the
14 employees of an institution of higher edu-
15 cation” and inserting “any institution of
16 higher education, any employee of an insti-
17 tution of higher education, or any indi-
18 vidual or entity”;

19 (iii) in paragraph (4), by striking
20 “For the purpose of paragraph
21 (1)(M)(i)(III) of this subsection,” and in-
22 serting “With respect to the graduate fel-
23 lowship program referred to in paragraph
24 (1)(M)(i)(II),”; and

25 (iv) in paragraph (7)—

1 (I) in subparagraph (B), by
2 striking “clause (i) or (ii) of”; and
3 (II) in subparagraph (D), by
4 striking “subparagraph (A)(i)” and
5 inserting “subparagraph (A)”; and
6 (C) in subsection (c)(9)(K), by striking “3
7 months” and inserting “6 months”;
8 (2) in section 428B(e) (20 U.S.C. 1078–2(e))—
9 (A) in paragraph (3)(B), by striking “sub-
10 section (c)(5)(B)” and inserting “subsection
11 (d)(5)(B)”; and
12 (B) by repealing paragraph (5);
13 (3) in section 428C (20 U.S.C. 1078–3)—
14 (A) in subsection (a)(4)(E), by striking
15 “subpart II of part B” and inserting “part E”;
16 (B) in subsection (c)(2), by striking “sub-
17 section (b)(2)(F)” and inserting “subsection
18 (b)(2)”;
19 (C) in subsection (d)(3)(D), by striking
20 “loan insurance fund” and inserting “loan in-
21 surance account”; and
22 (D) in subsection (f)(3), by striking “sub-
23 section (a)” and inserting “this subsection”;
24 (4) in section 428G(c) (20 U.S.C. 1078–7(c))—

1 (A) in paragraph (1), by striking “section
2 428(a)(2)(A)(i)(III)” and inserting “section
3 428(a)(2)(A)(i)(II)”; and

4 (B) by striking paragraph (3) and insert-
5 ing the following:

6 “(3) notwithstanding subsection (a)(2), may,
7 with the permission of the borrower, be disbursed by
8 the lender on a weekly or monthly basis, provided
9 that the proceeds of the loan are disbursed by the
10 lender in substantially equal weekly or monthly in-
11 stallments, as the case may be, over the period of
12 enrollment for which the loan is made.”;

13 (5) in section 428H (20 U.S.C. 1078–8)—

14 (A) in subsection (d), by amending the text
15 of the header of paragraph (2) to read as fol-
16 lows: “LIMITS FOR GRADUATE, PROFESSIONAL,
17 AND INDEPENDENT POSTBACCALAUREATE STU-
18 DENTS”; and

19 (B) by amending paragraph (6) to read as
20 follows:

21 “(6) REPAYMENT PERIOD.—For purposes of
22 calculating the repayment period under section
23 428(b)(9), such period shall commence at the time
24 the first payment of principal is due from the bor-
25 rower.”;

1 (6) in section 428J (20 U.S.C. 1078–10)—

2 (A) in subsection (c)(1), by adding at the
3 end the following: “No borrower may receive a
4 reduction of loan obligations under both this
5 section and section 460.”; and

6 (B) in subsection (g)(2)—

7 (i) in subparagraph (B), by inserting
8 “or” after the semicolon at the end;

9 (ii) by striking subparagraph (C);

10 (iii) by redesignating subparagraph

11 (D) as subparagraph (C); and

12 (iv) in subparagraph (C), as redesign-
13 nated by clause (iii), by striking “12571”
14 and inserting “12601”;

15 (7) in section 428K(g)(9)(B) (20 U.S.C. 1078–
16 11(g)(9)(B)), by striking “under subsection (ll)(3) of
17 such section (42 U.S.C. 1395x(ll)(3))” and inserting
18 “under subsection (ll)(4) of such section (42 U.S.C.
19 1395x(ll)(4))”;

20 (8) in section 430A(f) (20 U.S.C. 1080A(f)), by
21 striking “(6)” each place it appears and inserting
22 “(5)”;

23 (9) in section 432 (20 U.S.C. 1082)—

1 (A) in subsection (b), by striking “section
2 1078 of this title” and inserting “section 428”;
3 and

4 (B) in subsection (m)(1)(B)—

5 (i) in clause (i), by inserting “and”
6 after the semicolon at the end; and

7 (ii) in clause (ii), by striking “; and”
8 and inserting a period;

9 (10) in section 435 (20 U.S.C. 1085)—

10 (A) in subsection (a)(2)(C)(ii), by striking
11 “a tribally controlled community college within
12 the meaning of section 2(a)(4) of the Tribally
13 Controlled Community College Assistance Act
14 of 1978” and inserting “a tribally controlled
15 college or university, as defined in section
16 2(a)(4) of the Tribally Controlled Colleges and
17 Universities Assistance Act of 1978”;

18 (B) in subsection (d)—

19 (i) in paragraph (1)—

20 (I) in subparagraph (A)(ii)(III),
21 by striking “section 501(1) of such
22 Code” and inserting “section 501(a)
23 of such Code”; and

24 (II) in subparagraph (G), by
25 striking “sections 428A(d), 428B(d),

1 and 428C,” and inserting “sections
2 428B(d) and 428C,”;

3 (ii) in paragraph (2)(A)(vi), by strik-
4 ing “section 435(m)” and inserting “sub-
5 section (m)”;

6 (iii) in paragraph (3), by striking
7 “section 435(m)” and inserting “sub-
8 section (m)”;

9 (iv) in paragraph (5)(A), by striking
10 “to any institution of higher education or
11 any employee of an institution of higher
12 education in order to secure applicants for
13 loans under this part” and inserting “to
14 any institution of higher education, any
15 employee of an institution of higher edu-
16 cation, or any individual or entity in order
17 to secure applicants for loans under this
18 part”;

19 (C) in subsection (o)(1)(A)(ii), by striking
20 “Service” and inserting “Services”; and

21 (D) in subsection (p)(1), by striking “sec-
22 tion 771” and inserting “section 781”;

23 (11) in section 438(b)(2) (20 U.S.C. 1087–
24 1(b)(2))—

1 (A) in the second sentence of subpara-
 2 graph (A), by striking “427A(f)” and inserting
 3 “427A(i)”;

4 (B) in the first sentence of subparagraph
 5 (B)(i), by striking “1954” and inserting
 6 “1986”; and

7 (C) in the second sentence of subpara-
 8 graph (F), by striking “427A(f)” and inserting
 9 “427A(i)”;

10 (12) in section 439(r)(2)(A)(i) (20 U.S.C.
 11 1087–2(r)(2)(A)(i)), by striking “appoint” and all
 12 that follows through “to conduct” and inserting “ap-
 13 point and fix the compensation of such auditors and
 14 examiners as may be necessary to conduct”.

15 **SEC. 403. FEDERAL WORK-STUDY PROGRAMS.**

16 Section 443 (42 U.S.C. 2753) is amended—

17 (1) in subsection (b)(2), by striking “section
 18 443” and inserting “this section”;

19 (2) in subsection (d)(1), by striking “subsection
 20 (b)(2)(B)” and inserting “subsection (b)(2)(A)”;
 21 and

22 (3) in subsection (e)(1), by striking “in accord-
 23 ance with such subsection”.

1 **SEC. 404. FEDERAL DIRECT LOAN PROGRAM.**

2 (a) TEMPORARY AUTHORITY TO PURCHASE
3 LOANS.—Section 459A (20 U.S.C. 1087i-1) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (2), in the matter pre-
6 ceding subparagraph (A), by striking “purchase
7 of loans under this section” and inserting “pur-
8 chase of loans under paragraph (1)”; and

9 (B) by inserting after paragraph (2) the
10 following new paragraph:

11 “(3) TEMPORARY AUTHORITY TO PURCHASE
12 REHABILITATED LOANS.—

13 “(A) AUTHORITY.—In addition to the au-
14 thority described in paragraph (1), the Sec-
15 retary, in consultation with the Secretary of the
16 Treasury, is authorized to purchase, or enter
17 into forward commitments to purchase, from
18 any eligible lender (as defined in section
19 435(d)(1)), loans that such lender purchased
20 under section 428F on or after October 1,
21 2003, and before July 1, 2010, and that are
22 not in default, on such terms as the Secretary,
23 the Secretary of the Treasury, and the Director
24 of the Office of Management and Budget jointly
25 determine are in the best interest of the United
26 States, except that any purchase under this sec-

tion shall not result in any net cost to the Federal Government (including the cost of servicing the loans purchased), as determined jointly by the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget.

“(B) FEDERAL REGISTER NOTICE.—The Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget, shall jointly publish a notice in the Federal Register prior to any purchase of loans under this paragraph that—

“(i) establishes the terms and conditions governing the purchases authorized by this paragraph;

“(ii) includes an outline of the methodology and factors that the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget, will jointly consider in evaluating the price at which to purchase loans rehabilitated pursuant to section 428F(a); and

“(iii) describes how the use of such methodology and consideration of such factors used to determine purchase price will

1 ensure that loan purchases do not result in
2 any net cost to the Federal Government
3 (including the cost of servicing the loans
4 purchased).”; and

5 (2) by amending subsection (b) to read as fol-
6 lows:

7 “(b) PROCEEDS.—The Secretary shall require, as a
8 condition of any purchase under subsection (a), that the
9 funds paid by the Secretary to any eligible lender under
10 this section shall be used—

11 “(1) to ensure continued participation of such
12 lender in the Federal student loan programs author-
13 ized under part B of this title; and

14 “(2)(A) in the case of loans purchased pursuant
15 to subsection (a)(1), to originate new Federal loans
16 to students, as authorized under part B of this title;
17 or

18 “(B) in the case of loans purchased pursuant to
19 subsection (a)(3), to originate such new Federal
20 loans to students, or to purchase loans in accordance
21 with section 428F(a).”.

22 (b) OTHER AMENDMENTS.—Part D of title IV (20
23 U.S.C. 1087a et seq.) is amended—

24 (1) by repealing paragraph (3) of section 453(c)
25 (20 U.S.C. 1087c(c));

1 (2) in section 455 (20 U.S.C. 1087e)—

2 (A) in subsection (d)(1)(C), by striking
3 “428(b)(9)(A)(v)” and inserting
4 “428(b)(9)(A)(iv)”;

5 (B) in subsection (h), by striking “(except
6 as authorized under section 457(a)(1))”; and

7 (C) in subsection (k)(1)(B), by striking “,
8 or in a notice under section 457(a)(1),”;

9 (3) by repealing section 457 (20 U.S.C. 1087g);

10 and

11 (4) in section 460 (20 U.S.C. 1087j)—

12 (A) in subsection (c)(1), by adding at the
13 end the following: “No borrower may receive a
14 reduction of loan obligations under both this
15 section and section 428J.”; and

16 (B) in subsection (g)(2)—

17 (i) by striking subparagraph (A);

18 (ii) by redesignating subparagraphs

19 (B) through (D) as subparagraphs (A)
20 through (C), respectively; and

21 (iii) in subparagraph (C), as redesign-
22 nated by clause (ii), by striking “12571”
23 and inserting “12601”.

1 **SEC. 405. FEDERAL PERKINS LOANS.**

2 Part E of title IV (20 U.S.C. 1087aa et seq.) is
3 amended—

4 (1) in section 462(a)(1) (20 U.S.C.
5 1087bb(a)(1)), by striking subparagraph (A) and in-
6 serting the following:

7 “(A) 100 percent of the amount received under
8 subsections (a) and (b) of this section for fiscal year
9 1999 (as such subsections were in effect with respect
10 to allocations for such fiscal year), multiplied by”;

11 (2) in section 463(c) (20 U.S.C. 1087cc(c))—
12 (A) in paragraph (2)—

13 (i) by moving the margins of subpara-
14 graph (A) 2 ems to the left; and

15 (ii) by striking subparagraph (B) and
16 inserting the following:

17 “(B) information concerning the repayment and
18 collection of any such loan, including information
19 concerning the status of such loan; and”;

20 (B) in paragraph (3), by striking “(6)”
21 each place it appears and inserting “(5)”;

22 (3) in the first sentence of the matter preceding
23 paragraph (1) of section 463A(a) (20 U.S.C.
24 1087cc–1(a)), by striking “, in order to carry out
25 the provisions of section 463(a)(8),”;

26 (4) in section 464 (20 U.S.C. 1087dd)—

1 (A) in subsection (c)—
2 (i) in paragraph (1)(D)—
3 (I) by striking “(I)” and insert-
4 ing “(i)”; and
5 (II) by striking “(II)” and insert-
6 ing “(ii)”; and
7 (ii) in paragraph (2)(A)(iii)—
8 (I) by aligning the margin of the
9 matter preceding subclause (I) with
10 the margins of clause (ii);
11 (II) by aligning the margins of
12 subclauses (I) and (II) with the mar-
13 gins of clause (i)(I); and
14 (III) by aligning the margins of
15 the matter following subclause (ii)
16 with the margins of the matter fol-
17 lowing subclause (II) of clause (i); and
18 (B) in subsection (g)(5), by striking “cred-
19 it bureaus” and inserting “consumer reporting
20 agencies”;
21 (5) in section 465(a)(6) (20 U.S.C.
22 1087ee(a)(6)), by striking “12571” and inserting
23 “12601”;

1 (6) in section 467(b) (20 U.S.C. 1087gg(b)), by
 2 striking “paragraph (5)(A), (5)(B)(i), or (6)” and
 3 inserting “paragraph (4) or (5)”; and

4 (7) in section 469(c) (20 U.S.C. 1087ii(c)), by
 5 striking “and the term” and all that follows through
 6 the period at the end and inserting “and the term
 7 ‘early intervention services’ has the meaning given
 8 the term in section 632 of such Act.”.

9 **SEC. 406. NEED ANALYSIS.**

10 (a) AMENDMENTS.—Part F of title IV (20 U.S.C.
 11 1087kk et seq.) is amended—

12 (1) in section 473 (20 U.S.C. 1087mm)—

13 (A) by striking “For the purpose of this
 14 title, except subpart 2 of part A,” and inserting
 15 “(a) IN GENERAL.—For the purpose of this
 16 title, other than subpart 2 of part A, and except
 17 as provided in subsection (b),”; and

18 (B) by adding at the end the following:

19 “(b) SPECIAL RULE.—

20 “(1) IN GENERAL.—Notwithstanding any other
 21 provision of this title, the family contribution of each
 22 student described in paragraph (2) shall be deemed
 23 to be zero for the academic year for which the deter-
 24 mination is made.

1 “(2) APPLICABILITY.—Paragraph (1) shall
2 apply to any dependent or independent student with
3 respect to determinations of need for academic year
4 2009–2010 and succeeding academic years—

5 “(A) who is eligible to receive a Federal
6 Pell Grant for the academic year for which the
7 determination is made;

8 “(B) whose parent or guardian was a
9 member of the Armed Forces of the United
10 States and died as a result of performing mili-
11 tary service in Iraq or Afghanistan after Sep-
12 tember 11, 2001; and

13 “(C) who, at the time of the parent or
14 guardian’s death, was—

15 “(i) less than 24 years of age; or

16 “(ii) was enrolled at an institution of
17 higher education on not less than a part-
18 time basis.

19 “(3) INFORMATION.—Notwithstanding any
20 other provision of law, the Secretary of Veterans Af-
21 fairs and the Secretary of Defense, as appropriate,
22 shall provide the Secretary of Education with infor-
23 mation necessary to determine which students meet
24 the requirements of paragraph (2).”;

1 (2) in section 475(c)(5)(B) (20 U.S.C.
2 1087oo(c)(5)(B)), by inserting “of 1986” after
3 “Code”;

4 (3) in section 477(b)(5)(B) (20 U.S.C.
5 1087qq(b)(5)(B)), by inserting “of 1986” after
6 “Code”;

7 (4) in section 479 (20 U.S.C. 1087ss)—

8 (A) in subsection (b) (as amended by sec-
9 tion 602 of the College Cost Reduction and Ac-
10 cess Act (110–84))—

11 (i) in paragraph (1)(A)(i), by amend-
12 ing subclause (III) to read as follows:

13 “(III) include at least one parent
14 who is a dislocated worker; or”;

15 (ii) in paragraph (1)(B)(i), by amend-
16 ing subclause (III) to read as follows:

17 “(III) is a dislocated worker or is
18 married to a dislocated worker; or”;

19 and

20 (B) in subsection (c) (as amended by such
21 section 602)—

22 (i) in paragraph (1)(A), by amending
23 clause (iii) to read as follows:

24 “(iii) include at least one parent who
25 is a dislocated worker; or”; and

1 (ii) in paragraph (2)(A), by amending
2 clause (iii) to read as follows:

3 “(iii) is a dislocated worker or is mar-
4 ried to a dislocated worker; or”;

5 (5) in section 479C (20 U.S.C. 1087uu-1)—

6 (A) in paragraph (1), by striking “under”
7 and all that follows through “; and” and insert-
8 ing “under Public Law 98–64 (25 U.S.C. 11a
9 et seq.; 97 Stat. 365) (commonly known as the
10 ‘Per Capita Act ’ or Public Law 93–134 (25
11 U.S.C. 1401 et seq.; 87 Stat. 466)(commonly
12 known as the ‘Indian Tribal Judgment Funds
13 Use or Distribution Act’); and”; and

14 (B) in paragraph (2)—

15 (i) by striking “Alaskan” and insert-
16 ing “Alaska”;

17 (ii) by inserting “(43 U.S.C. 1601 et
18 seq.)” before “or the”; and

19 (iii) by inserting “of 1980 (25 U.S.C.
20 1721 et seq.)” after “Maine Indian Claims
21 Settlement Act”;

22 (6) in section 480(a)(2) (20 U.S.C.
23 1087vv(a)(2)), by striking “12571” and inserting
24 “12511”;

1 (7) in section 480(c)(2) (20 U.S.C.
2 1087vv(c)(2))—

3 (A) in the matter preceding subparagraph
4 (A), by striking “the following” and inserting
5 “benefits under the following provisions of law”;
6 and

7 (B) by striking subparagraphs (A) through
8 (J) and inserting the following:

9 “(A) Chapter 103 of title 10, United States
10 Code (Senior Reserve Officers’ Training Corps).

11 “(B) Chapter 1606 of title 10, United States
12 Code (Selected Reserve Educational Assistance Pro-
13 gram).

14 “(C) Chapter 1607 of title 10, United States
15 Code (Educational Assistance Program for Reserve
16 Component Members Supporting Contingency Oper-
17 ations and Certain Other Operations).

18 “(D) Chapter 30 of title 38, United States
19 Code (All-Volunteer Force Educational Assistance
20 Program, also known as the ‘Montgomery GI Bill—
21 active duty’).

22 “(E) Chapter 31 of title 38, United States Code
23 (Training and Rehabilitation for Veterans with Serv-
24 ice-Connected Disabilities).

1 “(F) Chapter 32 of title 38, United States Code
2 (Post-Vietnam Era Veterans’ Educational Assistance
3 Program).

4 “(G) Chapter 33 of title 38, United States Code
5 (post-9/11 educational assistance).

6 “(H) Chapter 35 of title 38, United States
7 Code (Survivors’ and Dependents Educational As-
8 sistance Program).

9 “(I) Section 903 of the Department of Defense
10 Authorization Act, 1981 (10 U.S.C. 2141 note)
11 (Educational Assistance Pilot Program).

12 “(J) Section 156(b) of the ‘Joint Resolution
13 making further continuing appropriations and pro-
14 viding for productive employment for the fiscal year
15 1983, and for other purposes’ (42 U.S.C. 402 note)
16 (Restored Entitlement Program for Survivors, also
17 known as ‘Quayle benefits’).”; and

18 (8) in section 480(j)(1) (20 U.S.C.
19 1087vv(j)(1)), by striking “12571” and inserting
20 “12511”.

21 (b) EFFECTIVE DATE.—The amendments made by
22 paragraph (1)(B) of subsection (a) shall take effect on
23 July 1, 2009, and the amendments made by paragraph
24 (4) of such subsection shall be effective as if enacted as

1 part of the amendments in section 602(a) of the College
 2 Cost Reduction and Access Act (Public Law 110–84).

3 (c) HIGHER EDUCATION OPPORTUNITY ACT.—Sec-
 4 tion 473(f) of the Higher Education Opportunity Act
 5 (Public Law 110–315) is amended by inserting “, except
 6 that the amendments made in subsection (e) shall take
 7 effect on July 1, 2009” before the period at the end.

8 **SEC. 407. GENERAL PROVISIONS OF TITLE IV.**

9 (a) DELAYED IMPLEMENTATION OF EZ FAFSA.—
 10 Notwithstanding any other provision of law, the Secretary
 11 of Education shall be required to carry out the require-
 12 ments under the following provisions of section 483 of the
 13 Higher Education Act of 1965 (20 U.S.C. 1090) only for
 14 academic year 2010–2011 and subsequent academic years:

15 (1) In subsection (a) of such section—

16 (A) subparagraphs (A)(i) and (B) of para-
 17 graph (2);

18 (B) in paragraph (3)—

19 (i) the second sentence of subpara-
 20 graph (A);

21 (ii) clauses (i) and (ii) of subpara-
 22 graph (B); and

23 (iii) subparagraph (C);

24 (C) paragraph (4)(A)(iv); and

25 (D) paragraph (5)(E).

1 (2) Subsection (h) of such section.

2 (b) OTHER AMENDMENTS.—Part G of title IV (20
3 U.S.C. 1088 et seq.) is amended—

4 (1) in the matter preceding paragraph (1) of
5 section 481(c) (20 U.S.C. 1088(c)), by striking “or
6 any State, or private, profit or nonprofit organiza-
7 tion” and inserting “any State, or any private, for-
8 profit or nonprofit organization,”;

9 (2) in section 482(b) (20 U.S.C. 1089(b)), by
10 striking “413D(e), 442(e), or 462(j)” and inserting
11 “413D(d), 442(d), or 462(i)”;

12 (3) in section 483 (20 U.S.C. 1090)—

13 (A) in subsection (a)(3)(C), by inserting
14 “that” after “except”; and

15 (B) in subsection (e)(8)(A), by striking
16 “identify” and inserting “determine”;

17 (4) in section 484 (20 U.S.C. 1091)—

18 (A) in the matter preceding subparagraph
19 (A) of subsection (a)(4), by striking “certifi-
20 cation,,” and inserting “certification,”;

21 (B) in subsection (b)(1)(B)—

22 (i) by striking “have (A)” and insert-
23 ing “have (i)”; and

24 (ii) by striking “and (B)” and insert-
25 ing “and (ii)”;

1 (C) in subsection (f)(1), by striking “part
2 B” and all that follows through “part E” in
3 each place that the phrase occurs and inserting
4 “part B, part D, or part E”;

5 (D) in subsection (h)—

6 (i) in paragraph (2), by striking
7 “(h)(4)(A)(i)” and inserting
8 “(g)(4)(A)(i)”; and

9 (ii) in paragraph (3), by striking
10 “(h)(4)(B)(i)” and inserting
11 “(g)(4)(B)(i)”; and

12 (E) in subsection (n), by striking “section
13 1113 of Public Law 97–252” and inserting
14 “section 12(f) of the Military Selective Service
15 Act (50 U.S.C. App. 462(f))”;

16 (5) in section 485 (20 U.S.C. 1092)—

17 (A) in subsection (a)—

18 (i) in paragraph (1)—

19 (I) the matter preceding subpara-
20 graph (A), by striking “also referred
21 to as the Family Educational Rights
22 and Privacy Act of 1974” and insert-
23 ing “commonly known as the ‘Family
24 Educational Rights and Privacy Act
25 of 1974’ ”; and

1 (II) in subparagraph (I), by
 2 striking “handicapped students” and
 3 inserting “students with disabilities”;
 4 (ii) in paragraph (4)(B), by inserting
 5 “during which” after “time period”; and
 6 (iii) in the matter preceding subclause
 7 (I) of paragraph (7)(B)(iv), by inserting
 8 “education” after “higher”;
 9 (B) in subsection (e)(3)(B), by inserting
 10 “during which” after “time period”;
 11 (C) in subsection (f)—
 12 (i) in the matter preceding subpara-
 13 graph (A) of paragraph (1), by inserting
 14 “of” after “foreign institution”; and
 15 (ii) in paragraphs (3), (4)(A), (5),
 16 and (8)(A), by striking “under this title”
 17 each place it appears and inserting “under
 18 this title, other than a foreign institution
 19 of higher education,”;
 20 (D) in subsection (g)(2), by striking “sub-
 21 paragraph (G)” and inserting “paragraph
 22 (1)(G)”;
 23 (E) in subsection (i)—
 24 (i) in paragraph (2), by striking “eli-
 25 gible institution participating in any pro-

gram under this title” and inserting “institution described in paragraph (1)”;

(ii) in paragraph (3), in the matter preceding subparagraph (A), by striking “eligible institution participating in any program under this title” and inserting “institution described in paragraph (1)”;

and

(iii) in paragraph (5)(B), by striking “the Family Educational Rights and Privacy Act of 1974” and inserting “commonly known as the ‘Family Educational Rights and Privacy Act of 1974’”;

(F) in subsection (k)(2), by inserting “section” before “484(r)(1)”;

and

(G) in the matter preceding clause (i) of subsection (l)(1)(A), by striking “subparagraph (B)” and inserting “paragraph (2)”;

(6) in section 485A (20 U.S.C. 1092a)—

(A) in subsection (a)—

(i) by striking “or defined in subpart I of part C of title VII of the Public Health Service Act” and inserting “or an eligible lender as defined in section 719 of

1 the Public Health Service Act (42 U.S.C.
2 292o)”; and

3 (ii) by striking “under subpart I of
4 part C of title VII of the Public Health
5 Service Act (known as Health Education
6 Assistance Loans)” and inserting “under
7 part A of title VII of the Public Health
8 Service Act (42 U.S.C. 292 et seq.)”;

9 (B) in subsection (b), by striking “subpart
10 I of part C of title VII of the Public Health
11 Service Act” and inserting “part A of title VII
12 of the Public Health Service Act (42 U.S.C.
13 292 et seq.)”;

14 (C) in subsection (e)—

15 (i) by striking “Health Education As-
16 sistance Loan” and inserting “loan under
17 part A of title VII of the Public Health
18 Service Act (42 U.S.C. 292 et seq.)”; and

19 (ii) in paragraph (2), by striking
20 “733(e)(3)” and inserting “707(e)(3)”;
21 and

22 (D) in subsection (f)—

23 (i) in paragraph (1)—

24 (I) in the second sentence, by
25 striking “subpart I of part C of title

1 VII of the Public Health Service Act”
2 and inserting “part A of title VII of
3 the Public Health Service Act (42
4 U.S.C. 292 et seq.)”; and

5 (II) in the fourth sentence, by
6 striking “728(a)” and inserting
7 “710”; and

8 (ii) in paragraph (2), by striking
9 “subpart I of part C of title VII of the
10 Public Health Service Act” and inserting
11 “part A of title VII of the Public Health
12 Service Act (42 U.S.C. 292 et seq.)”;

13 (7) in section 485B (20 U.S.C. 1092b)—

14 (A) in subsection (a)(5), by striking “))”
15 and inserting “)”; and

16 (B) in subsection (d)(3)(D), by striking
17 “the Family Educational Rights and Privacy
18 Act of 1974” and inserting “commonly known
19 as the ‘Family Educational Rights and Privacy
20 Act of 1974’ ”;

21 (8) in section 487 (20 U.S.C. 1094)—

22 (A) in subsection (a)(23)(A), by inserting
23 “of 1993” after “Registration Act”;

24 (B) in subsection (c)(1)—

1 (i) in subparagraph (A)(i), by striking
2 “students receives” and inserting “stu-
3 dents receive”;

4 (ii) in subparagraph (F), by striking
5 “paragraph (2)(B)” and inserting “para-
6 graph (3)(B)”;

7 (iii) in subparagraph (H), by striking
8 “paragraph (2)(B)” and inserting “para-
9 graph (3)(B)”;

10 (C) in subsection (f)(1), by striking
11 “496(c)(4)” and inserting “496(c)(6)”;

12 (D) in subsection (g)(1), by striking “sub-
13 section (f)(2)” and inserting “subsection
14 (e)(2)”;

15 (9) in section 489(a) (20 U.S.C. 1096(a))—

16 (A) in the third sentence, by striking “has
17 agreed to assign under section 463(a)(6)(B)”
18 and inserting “has referred under section
19 463(a)(4)(B)”;

20 (B) in the fourth sentence, by striking
21 “484(h)” and inserting “484(g)”;

22 (10) in section 491(l)(2)(A) (20 U.S.C.
23 1098(l)(2)(A)), by inserting “the” after “enactment
24 of”;

25 (11) in section 492(a) (20 U.S.C. 1098a(a))—

1 (A) in paragraph (1), by striking “regula-
 2 tions” and all that follows through “The” and
 3 inserting “regulations for this title. The”; and

4 (B) in paragraph (2), by striking
 5 “ISSUES” and all that follows through “pro-
 6 vide” and inserting “ISSUES.—The Secretary
 7 shall provide”.

8 **SEC. 408. PROGRAM INTEGRITY.**

9 Part H of title IV (20 U.S.C. 1099a et seq.) is
 10 amended—

11 (1) in section 496(a)(6)(G) (20 U.S.C.
 12 1099b(a)(6)(G)), by striking the period at the end
 13 and inserting a semicolon; and

14 (2) in section 498(c)(2) (20 U.S.C.
 15 1099c(c)(2)), by striking “for profit” and inserting
 16 “for-profit”.

17 **SEC. 409. PLUS LOAN AUCTION EXTENSION.**

18 (a) EXTENSION.—Section 499 (20 U.S.C. 1099d) is
 19 amended by striking “2009” each place it appears and
 20 inserting “2010”.

21 (b) TECHNICAL AMENDMENT.—Section 499(b)(1)
 22 (20 U.S.C. 1099d(b)(1)) is amended by striking “Commu-
 23 nication” and inserting “Communications”.

24 (c) TIMING OF REPORTS.—Section 499(d)(1) (20
 25 U.S.C. 1099d(d)(1)) is amended—

1 (1) in subparagraph (A), by striking “2010”
 2 and inserting “2011”;

3 (2) in subparagraph (B), by striking “2012”
 4 and inserting “2013”; and

5 (3) in subparagraph (C), by striking “2013”
 6 and inserting “2014”.

7 **TITLE V—DEVELOPING** 8 **INSTITUTIONS**

9 **SEC. 501. DEVELOPING INSTITUTIONS.**

10 Section 502(b)(2) (20 U.S.C. 1101a(b)(2)) is amend-
 11 ed by striking “which determination” and inserting
 12 “which the determination”.

13 **TITLE VI—INTERNATIONAL** 14 **EDUCATION PROGRAMS**

15 **SEC. 601. INTERNATIONAL EDUCATION PROGRAMS.**

16 (a) HIGHER EDUCATION ACT OF 1965.—Title VI (20
 17 U.S.C. 1121 et seq.) is amended—

18 (1) in section 604(a) (20 U.S.C. 1124(a))—

19 (A) in the matter preceding subparagraph
 20 (A) of paragraph (2), by inserting “the” before
 21 “Federal”; and

22 (B) in paragraph (7)(D), by striking “in-
 23 stitution, combination” and inserting “appli-
 24 cant, consortium,”; and

1 (2) in section 622(a) (20 U.S.C. 1131–1(a)), by
 2 inserting a period after “title”.

3 (b) HIGHER EDUCATION OPPORTUNITY ACT.—The
 4 matter preceding paragraph (1) of section 621 of the
 5 Higher Education Opportunity Act (Public Law 110–315)
 6 is amended by striking “Section 631 (20 U.S.C. 1132)”
 7 and inserting “Section 631(a) (20 U.S.C. 1132(a))”.

8 **TITLE VII—GRADUATE AND**
 9 **POSTSECONDARY IMPROVE-**
 10 **MENT**

11 **SEC. 701. GRADUATE AND POSTSECONDARY IMPROVEMENT**
 12 **PROGRAMS.**

13 Title VII (20 U.S.C. 1133 et seq.) is amended—

14 (1) in the matter preceding paragraph (1) of
 15 section 721(d) (20 U.S.C. 1136(d)), by striking
 16 “services through” and all that follows through “re-
 17 source centers” and inserting “services through pre-
 18 college programs, undergraduate prelaw information
 19 resource centers”;

20 (2) in section 723(b)(1)(P) (20 U.S.C.
 21 1136a(b)(1)(P)), by striking “Sate” and inserting
 22 “State”;

23 (3) in section 744(c)(6)(C) (20 U.S.C.
 24 1138c(c)(6)(C)), by inserting “of the National Acad-
 25 emies” after “Institute of Medicine”;

1 (4) in section 760(1)(D) (20 U.S.C.
2 1140(1)(D)), by inserting “with nondisabled stu-
3 dents” after “disabilities to participate”;

4 (5) in section 772 (20 U.S.C. 1140l)—

5 (A) in subsection (a)(2)(A), by striking
6 “with in” and inserting “with”; and

7 (B) in the matter preceding subclause (I)
8 of subsection (b)(1)(C)(ii), by striking “sub-
9 paragraph (C)” and inserting “clause (i)”;

10 (6) in section 781 (20 U.S.C. 1141)—

11 (A) in subsection (c)(1), by striking “Serv-
12 ice” each place the term appears and inserting
13 “Services”;

14 (B) in the matter preceding paragraph (1)
15 of subsection (e)—

16 (i) by striking “(as defined” and all
17 that follows through “this Act)” and in-
18 serting “(as described in section 435(p))”;
19 and

20 (ii) by striking “435(j)” and inserting
21 “428(b)”;

22 (C) in subsection (g)(2), by striking “Serv-
23 ice” and inserting “Services”; and

24 (D) in subsection (i)—

- 1 (i) in paragraph (1)(D), by striking
 2 “consortia” and inserting “consortium”;
 3 and
 4 (ii) in paragraph (2)—
 5 (I) in the paragraph heading, by
 6 striking “CONSORTIA” and inserting
 7 “CONSORTIUM”; and
 8 (II) by striking “consortia” each
 9 place the term appears and inserting
 10 “consortium”.

11 **TITLE VIII—ADDITIONAL** 12 **PROGRAMS**

13 **SEC. 801. ADDITIONAL PROGRAMS.**

14 Title VIII (20 U.S.C. 1161a et seq.) is amended—

15 (1) in section 802(d)(2)(D) (20 U.S.C.
 16 1161b(d)(2)(D)), by striking “regulation” and in-
 17 serting “regulations”;

18 (2) in section 804(d) (20 U.S.C.
 19 1161d(d)(2))—

20 (A) in the heading, by striking “DEFINI-
 21 TION” and inserting “DEFINITIONS”; and

22 (B) by striking paragraph (2) and insert-
 23 ing the following:

24 “(2) PUBLIC HEALTH SERVICE ACT.—The
 25 terms ‘accredited’ and ‘school of nursing’ have the

1 meanings given those terms in section 801 of the
 2 Public Health Service Act (42 U.S.C. 296).”;

3 (3) in section 808(a)(1) (20 U.S.C.
 4 1161h(a)(1)), by striking “the Family Education
 5 Rights and Privacy Act of 1974” and inserting “sec-
 6 tion 444 of the General Education Provisions Act
 7 (commonly known as the ‘Family Educational
 8 Rights and Privacy Act of 1974’)”;

9 (4) in section 819(b)(3) (20 U.S.C.
 10 1161j(b)(3)), by inserting a period after “101(a)”;

11 (5) in section 820 (20 U.S.C. 1161k)—

12 (A) in subsection (d)(5), by inserting “the”
 13 before “grant”;

14 (B) in subsection (f)(2), by striking “sub-
 15 part” each place the term appears and inserting
 16 “section”; and

17 (C) in subsection (h), by striking “use”
 18 and inserting “used”;

19 (6) in section 821 (20 U.S.C. 1161l)—

20 (A) in subsection (a)(1), by striking “sub-
 21 section (g)” and inserting “subsection (f)”; and

22 (B) in subsection (c)(1)(B), by striking
 23 “within” and inserting “in”;

24 (7) in section 824(f)(3) (20 U.S.C. 1161l-
 25 3(f)(3))—

1 (A) in subparagraph (A), by inserting “a”
 2 after “submitting”; and

3 (B) in subparagraph (C), by striking
 4 “pursing” and inserting “pursuing”;

5 (8) in section 825(a) (20 U.S.C. 11611-4(a)), by
 6 striking “the Family Educational Rights and Pri-
 7 vacy Act of 1974” and inserting “commonly known
 8 as the ‘Family Educational Rights and Privacy Act
 9 of 1974’ ”;

10 (9) in section 826(3) (20 U.S.C. 11611-5(3)),
 11 by striking “the Family Educational Rights and Pri-
 12 vacy Act of 1974” and inserting “commonly known
 13 as the ‘Family Educational Rights and Privacy Act
 14 of 1974’ ”;

15 (10) in section 830(a)(1)(B) (20 U.S.C.
 16 1161m(a)(1)(B)), by striking “of for” and inserting
 17 “of”;

18 (11) in section 833(e)(1) (20 U.S.C. 1161n-
 19 2(e)(1))—

20 (A) in the matter preceding subparagraph
 21 (A), by striking “because of” and inserting
 22 “based on”; and

23 (B) in subparagraph (D), by striking “sec-
 24 tion” and inserting “part”;

1 (12) in section 841(c)(1) (20 U.S.C.
 2 1161o(c)(1)), by striking “486A(d)” and inserting
 3 “486A(b)(1)”;

4 (13) in section 851(j) (20 U.S.C. 1161p(j)), by
 5 inserting “to be appropriated” after “authorized”;
 6 and

7 (14) in section 894(b)(2) (20 U.S.C.
 8 1161y(b)(2)), by striking “the Family Educational
 9 Rights and Privacy Act of 1974” and inserting
 10 “commonly known as the ‘Family Educational
 11 Rights and Privacy Act of 1974’”.

12 **SEC. 802. AMENDMENTS TO OTHER HIGHER EDUCATION**
 13 **ACTS.**

14 (a) HIGHER EDUCATION AMENDMENTS OF 1998.—
 15 Section 841(c) of the Higher Education Amendments of
 16 1998 (20 U.S.C. 1153(c)) is amended by inserting “this
 17 section” after “to carry out”.

18 (b) EDUCATION OF THE DEAF ACT OF 1986.—Sec-
 19 tion 203(b)(2) of the Education of the Deaf Act of 1986
 20 (20 U.S.C. 4353(b)(2)) is amended by striking “and sub-

- 1 sections (b) and (c) of section 209.” and inserting “and
- 2 subsections (a), (b), and (c) of section 209.”.

Passed the House of Representatives March 30,
2009.

Attest:

Clerk.

11TH CONGRESS
1ST SESSION

H. R. 1777

AN ACT

To make technical corrections to the Higher
Education Act of 1965, and for other purposes.