

“SEC. 372. [Superseded by section 4 of Pub. L. 102-26, set out above.]
 “SEC. 373. [Superseded by section 5 of Pub. L. 102-26, set out above.]
 “SEC. 374. [Amended section 294d of Title 42, The Public Health and Welfare.]
 “SEC. 375. [Superseded by section 6 of Pub. L. 102-26, set out above.]

“SEC. 376. COORDINATION WITH OTHER LAW
 “If the Higher Education Technical Amendments of 1991 [Pub. L. 102-26, see Short Title of 1991 Amendment note set out under section 1001 of this title] is enacted, the provisions of sections 4, 5, and 6 of that Act shall supersede sections 372, 373, and 375.”

SUBPART 1—FEDERAL PELL GRANTS

Editorial Notes

CODIFICATION

Pub. L. 105-244, title IV, § 401(g)(2), Oct. 7, 1998, 112 Stat. 1652, amended subpart heading generally.

§ 1070a. Federal Pell Grants: amount and determinations; applications

(a) Purpose; definitions

(1) Purpose

The purpose of this subpart is to provide a Federal Pell Grant to low-income students.

(2) Definitions

In this section—

(A) the term “adjusted gross income” means—

(i) in the case of a dependent student, the adjusted gross income (as defined in section 62 of title 26) of the student’s parents in the second tax year preceding the academic year; and

(ii) in the case of an independent student, the adjusted gross income (as defined in section 62 of title 26) of the student (and the student’s spouse, if applicable) in the second tax year preceding the academic year;

(B) the term “family size” has the meaning given the term in section 1087vv(k) of this title;

(C) the term “poverty line” means the poverty line (as determined under the poverty guidelines updated periodically in the Federal Register by the Department of Health and Human Services under the authority of section 9902(2) of title 42) applicable to the student’s family size and applicable to the second tax year preceding the academic year;

(D) the term “single parent” means—

(i) a parent of a dependent student who was a head of household (as defined in section 2(b) of title 26) or a surviving spouse (as defined in section 2(a) of title 26) or was an eligible individual for purposes of the credit under section 32 of such title, in the second tax year preceding the academic year; or

(ii) an independent student who is a parent and was a head of household (as defined in section 2(b) of title 26) or a surviving spouse (as defined in section 2(a) of title 26) or was an eligible individual for

purposes of the credit under section 32 of such title, in the second tax year preceding the academic year;

(E) the term “total maximum Federal Pell Grant” means the total maximum Federal Pell Grant award per student for any academic year described under subsection (b)(5); and

(F) the term “minimum Federal Pell Grant” means the minimum amount of a Federal Pell Grant that shall be awarded to a student for any academic year in which that student is attending full time, which shall be equal to 10 percent of the total maximum Federal Pell Grant for such academic year.

(b) Amount and distribution of grants

(1) Determination of amount of a Federal Pell Grant

Subject to paragraphs (2) and (3), the amount of a Federal Pell Grant for a student shall be determined in accordance with the following:

(A) A student shall be eligible for a total maximum Federal Pell Grant for an academic year in which the student is enrolled in an eligible program full time—

(i) if the student (and the student’s spouse, if applicable), or, in the case of a dependent student, the dependent student’s parents (or single parent), is not required to file a Federal income tax return in the second year preceding the academic year;

(ii) if the student or, in the case of a dependent student, the dependent student’s parent, is a single parent, and the adjusted gross income is greater than zero and equal to or less than 225 percent of the poverty line; or

(iii) if the student or, in the case of a dependent student, the dependent student’s parent, is not a single parent, and the adjusted gross income is greater than zero and equal to or less than 175 percent of the poverty line.

(B) A student who is not eligible for a total maximum Federal Pell Grant under subparagraph (A) for an academic year, shall be eligible for a Federal Pell Grant for an academic year in which the student is enrolled in an eligible program full time if such student’s student aid index in such award year is less than the total maximum Federal Pell Grant for that award year. The amount of the Federal Pell Grant for a student eligible under this subparagraph shall be—

(i) the total maximum Federal Pell Grant as calculated under paragraph (5)(A) for that year, less

(ii) an amount equal to the amount determined to be the student aid index with respect to that student for that year, except that a student aid index of less than zero shall be considered to be zero for the purposes of this clause.

rounded to the nearest \$5, except that a student eligible for less than the minimum Fed-

eral Pell Grant as defined in section (a)(2)(F)¹ shall not be eligible for an award.

(C) A student who is not eligible for a Federal Pell Grant under subparagraph (A) or (B) shall be eligible for the minimum Federal Pell Grant for an academic year in which the student is enrolled in an eligible program full time—

(i) in the case of a dependent student—

(I) if the student's parent is a single parent, and the adjusted gross income is equal to or less than 325 percent of the poverty line; or

(II) if the student's parent is not a single parent, and the adjusted gross income is equal to or less than 275 percent of the poverty line; or

(ii) in the case of an independent student—

(I) if the student is a single parent, and the adjusted gross income is equal to or less than 400 percent of the poverty line;

(II) if the student is a parent and is not a single parent, and the adjusted gross income is equal to or less than 350 percent of the poverty line; or

(III) if the student is not a parent, and the adjusted gross income is equal to or less than 275 percent of the poverty line.

(D) A student eligible for the total maximum Federal Pell Grant under subparagraph (A) who has (or whose spouse or parent, as applicable based on whose information is used under such subparagraph, has) foreign income that would, if added to adjusted gross income, result in the student no longer being eligible for such total maximum Federal Pell Grant, shall not be provided a Federal Pell Grant until the student aid administrator evaluates the student's FAFSA and makes a determination regarding whether it is appropriate to make an adjustment under section 1087tt(b)(1)(B)(v) of this title to account for such foreign income when determining the student's eligibility for such total maximum Federal Pell Grant.

(E) With respect to a student who is not eligible for the total maximum Federal Pell Grant under subparagraph (A) or a minimum Federal Pell Grant under subparagraph (C), the Secretary shall subtract from the student or parents' adjusted gross income, as applicable based on whose income is used for the Federal Pell Grant calculation, the sum of the following for the individual whose income is so used, and consider such difference the adjusted gross income for purposes of determining the student's eligibility for such Federal Pell Grant award under such subparagraph:

(i) If the applicant, or, if applicable, the parents or spouse of the applicant, elects to report receiving college grant and scholarship aid included in gross income on a Federal tax return described in section 1087vv(e)(2) of this title, the amount of such aid.

(ii) Income earned from work under part C of this subchapter.

¹ So in original. Probably should be “subsection (a)(2)(F)”.

(2) Less than full-time enrollment

In any case where a student is enrolled in an eligible program of an institution of higher education on less than a full-time basis (including a student who attends an institution of higher education on less than a half-time basis) during any academic year, the amount of the Federal Pell Grant to which that student is entitled shall be reduced in direct proportion to the degree to which that student is not so enrolled on a full-time basis, rounded to the nearest whole percentage point, as provided in a schedule of reductions published by the Secretary computed in accordance with this subpart. Such schedule of reductions shall be published in the Federal Register in accordance with section 1089 of this title. Such reduced Federal Pell Grant for a student enrolled on a less than full-time basis shall also apply proportionally to students who are otherwise eligible to receive the minimum Federal Pell Grant, if enrolled full-time.

(3) Award may not exceed cost of attendance

No Federal Pell Grant under this subpart shall exceed the cost of attendance (as defined in section 1087ll of this title) at the institution at which that student is in attendance. If, with respect to any student, it is determined that the amount of a Federal Pell Grant for that student exceeds the cost of attendance for that year, the amount of the Federal Pell Grant shall be reduced until the Federal Pell Grant does not exceed the cost of attendance at such institution.

(4) Study abroad

Notwithstanding any other provision of this subpart, the Secretary shall allow the amount of the Federal Pell Grant to be exceeded for students participating in a program of study abroad approved for credit by the institution at which the student is enrolled when the reasonable costs of such program are greater than the cost of attendance at the student's home institution, except that the amount of such Federal Pell Grant in any fiscal year shall not exceed the maximum amount of a Federal Pell Grant for which a student is eligible under paragraph (1) or (2) during such award year. If the preceding sentence applies, the financial aid administrator at the home institution may use the cost of the study abroad program, rather than the home institution's cost, to determine the cost of attendance of the student.

(5) Total maximum Federal Pell Grant

(A) In general

For award year 2024–2025, and each subsequent award year, the total maximum Federal Pell Grant award per student shall be equal to the sum of—

(i) \$1,060; and

(ii) the amount specified as the maximum Federal Pell Grant in the last enacted appropriation Act applicable to that award year.

(B) Rounding

The total maximum Federal Pell Grant for any award year shall be rounded to the nearest \$5.

(6) Funds by fiscal year**(A) In general**

To carry out this section—

(i) there are authorized to be appropriated and are appropriated (in addition to any other amounts appropriated to carry out this section and out of any money in the Treasury not otherwise appropriated) such sums as are necessary to carry out paragraph (5)(A)(i) for fiscal year 2024 and each subsequent fiscal year; and
 (ii) such sums as may be necessary are authorized to be appropriated to carry out paragraph (5)(A)(ii) for each of the fiscal years 2024 through 2034.

(B) Availability of funds

The amounts made available by subparagraph (A) for any fiscal year shall be available beginning on October 1 of that fiscal year, and shall remain available through September 30 of the succeeding fiscal year.

(7) Appropriation**(A) In general**

In addition to any funds appropriated under paragraph (6) and any funds made available for this section under any appropriations Act, there are authorized to be appropriated, and there are appropriated (out of any money in the Treasury not otherwise appropriated) to carry out this section—

- (i) \$1,170,000,000 for fiscal year 2024;
- (ii) \$3,170,000,000 for fiscal year 2025;
- (iii) \$2,170,000,000 for fiscal year 2026; and
- (iv) \$1,236,000,000 for fiscal year 2027 and each succeeding fiscal year.

(B) No effect on previous appropriations

The amendments made to this section by the FAFSA Simplification Act shall not—

(i) increase or decrease the amounts that have been appropriated or are available to carry out this section for fiscal year 2017, 2018, 2019, 2020, 2021, 2022, 2023, or 2024 as of the day before the effective date of such Act; or

(ii) extend the period of availability for obligation that applied to any such amount, as of the day before such effective date.

(C) Availability of funds

The amounts made available by this paragraph for any fiscal year shall be available beginning on October 1 of that fiscal year, and shall remain available through September 30 of the succeeding fiscal year.

(8) Method of distribution**(A) In general**

For each fiscal year through fiscal year 2034, the Secretary shall pay to each eligible institution such sums as may be necessary to pay each eligible student for each academic year during which that student is in attendance at an institution of higher education as an undergraduate, a Federal Pell Grant in the amount for which that student is eligible.

(B) Alternative disbursement

Nothing in this section shall be interpreted to prohibit the Secretary from paying

directly to students, in advance of the beginning of the academic term, an amount for which they are eligible, in the cases where an eligible institution does not participate in the disbursement system under subparagraph (A).

(9) Additional payment periods in same award year

(A) Effective in the 2017–2018 award year and thereafter, the Secretary shall award an eligible student not more than one and one-half Federal Pell Grants during a single award year to permit such student to work toward completion of an eligible program if, during that single award year, the student has received a Federal Pell Grant for an award year and is enrolled in an eligible program for one or more additional payment periods during the same award year that are not otherwise fully covered by the student's Federal Pell Grant.

(B) In the case of a student receiving more than one Federal Pell Grant in a single award year under subparagraph (A), the total amount of Federal Pell Grants awarded to such student for the award year may exceed the total maximum Federal Pell Grant available for an award year.

(C) Any period of study covered by a Federal Pell Grant awarded under subparagraph (A) shall be included in determining a student's duration limit under subsection (d)(5).

(D) In any case where an eligible student is receiving a Federal Pell Grant for a payment period that spans 2 award years, the Secretary shall allow the eligible institution in which the student is enrolled to determine the award year to which the additional period shall be assigned, as it determines is most beneficial to students.

(c) Special rule**(1) In general**

A student described in paragraph (2) shall be eligible for the total maximum Federal Pell Grant.

(2) Applicability

Paragraph (1) shall apply to any dependent or independent student—

(A) whose parent or guardian was—

(i) an individual who, on or after September 11, 2001, died in the line of duty while serving on active duty as a member of the Armed Forces; or

(ii) actively serving as a public safety officer and died in the line of duty while performing as a public safety officer; and

(B) who is less than 33 years of age.

(3) Information

Notwithstanding any other provision of law—

(A) the Secretary shall establish the necessary data-sharing agreements with the Secretary of Veterans Affairs and the Secretary of Defense, as applicable, to provide the information necessary to determine which students meet the requirements of paragraph (2)(A)(i); and

(B) the financial aid administrator shall verify with the student that the student is

eligible for the adjustment and notify the Secretary of the adjustment of the student's eligibility.

(4) Treatment of Pell amount

Notwithstanding section 1212 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10302), in the case of a student who receives an increased Federal Pell Grant amount under this section, the total amount of such Federal Pell Grant, including the increase under this subsection, shall not be considered in calculating that student's educational assistance benefits under the Public Safety Officers' Benefits program under subpart 2 of part L of title I of such Act.

(5) Prevention of double benefits

No eligible student described in paragraph (2) may concurrently receive a grant under both this subsection and subsection (b).

(6) Terms and conditions

The Secretary shall award grants under this subsection in the same manner and with the same terms and conditions, including the length of the period of eligibility, as the Secretary awards Federal Pell Grants under subsection (b), except that—

(A) the award rules and determination of need applicable to the calculation of Federal Pell Grants under subsection (b)(1) shall not apply to grants made under this subsection; and

(B) the maximum period determined under subsection (d)(5) shall be determined by including all grants made under this section received by the eligible student and all grants so received under subpart 10 before the effective date of this subsection.

(7) Definition of public safety officer

For purposes of this subsection, the term "public safety officer" means—

(A) a public safety officer, as defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284); or

(B) a fire police officer, defined as an individual who—

(i) is serving in accordance with State or local law as an officially recognized or designated member of a legally organized public safety agency;

(ii) is not a law enforcement officer, a firefighter, a chaplain, or a member of a rescue squad or ambulance crew; and

(iii) provides scene security or directs traffic—

(I) in response to any fire drill, fire call, or other fire, rescue, or police emergency; or

(II) at a planned special event.

(d) Period of eligibility for grants

(1) In general

The period during which a student may receive Federal Pell Grants shall be the period required for the completion of the first undergraduate baccalaureate course of study being pursued by that student at the institution at which the student is in attendance, except

that any period during which the student is enrolled in a noncredit or remedial course of study, as described in paragraph (2), shall not be counted for the purpose of this paragraph.

(2) Noncredit or remedial courses; study abroad

Nothing in this section shall exclude from eligibility courses of study which are non-credit or remedial in nature (including courses in English language instruction) which are determined by the institution to be necessary to help the student be prepared for the pursuit of a first undergraduate baccalaureate degree or certificate or, in the case of courses in English language instruction, to be necessary to enable the student to use already existing knowledge, training, or skills. Nothing in this section shall exclude from eligibility programs of study abroad that are approved for credit by the home institution at which the student is enrolled.

(3) No concurrent payments

No student is entitled to receive Pell Grant payments concurrently from more than one institution or from both the Secretary and an institution.

(4) Postbaccalaureate program

Notwithstanding paragraph (1), the Secretary may allow, on a case-by-case basis, a student to receive a Federal Pell Grant if the student—

(A) is carrying at least one-half the normal full-time work load for the course of study the student is pursuing, as determined by the institution of higher education; and

(B) is enrolled or accepted for enrollment in a postbaccalaureate program that does not lead to a graduate degree, and in courses required by a State in order for the student to receive a professional certification or licensing credential that is required for employment as a teacher in an elementary school or secondary school in that State,

except that this paragraph shall not apply to a student who is enrolled in an institution of higher education that offers a baccalaureate degree in education.

(5) Maximum period

(A) In general

Except as provided in subparagraph (B), the period during which a student may receive Federal Pell Grants shall not exceed 12 semesters, or the equivalent of 12 semesters, as determined by the Secretary by regulation. Such regulations shall provide, with respect to a student who received a Federal Pell Grant for a term but was enrolled at a fraction of full time, that only that same fraction of such semester or equivalent shall count towards such duration limits.

(B) Exception

(i) In general

Any Federal Pell Grant that a student received during a period described in subclause (I) or (II) of clause (ii) shall not count towards the student's duration limits under this paragraph.

(ii) Applicable periods

Clause (i) shall apply with respect to any Federal Pell Grant awarded to a student to enroll in an eligible program at an institution—

- (I) during a period of a student's attendance at an institution—
 - (aa) at which the student was unable to complete a course of study due to the closing of the institution; or
 - (bb) for which the student was falsely certified as eligible for Federal aid under this subchapter; or
- (II) during a period—
 - (aa) for which the student received a loan under this subchapter; and
 - (bb) for which the loan described in item (aa) is discharged under—
 - (AA) section 1087(c)(1) of this title or section 1087dd(g)(1) of this title;
 - (BB) section 1082(a)(6) of this title; or
 - (CC) section 1087e(h) of this title due to the student's successful assertion of a defense to repayment of the loan, including defenses provided to any applicable groups of students.

(e) Applications for grants**(1) Deadlines**

The Secretary shall from time to time set dates by which students shall file the Free Application for Federal Student Aid under section 1090 of this title.

(2) Application

Each student desiring a Federal Pell Grant for any year shall file the Free Application for Federal Student Aid containing the information necessary to enable the Secretary to carry out the functions and responsibilities of this subpart.

(f) Distribution of grants to students

Payments under this section shall be made in accordance with regulations promulgated by the Secretary for such purpose, in such manner as will best accomplish the purpose of this section. Any disbursement allowed to be made by crediting the student's account shall be limited to tuition and fees, and food and housing if that food and housing is institutionally owned or operated. The student may elect to have the institution provide other such goods and services by crediting the student's account.

(g) Insufficient appropriations

If, for any fiscal year, the funds appropriated for payments under this subpart are insufficient to satisfy fully all entitlements, as calculated under subsections (b) and (c) (but at the maximum grant level specified in such appropriation), the Secretary shall promptly transmit a notice of such insufficiency to each House of the Congress, and identify in such notice the additional amount that would be required to be appropriated to satisfy fully all entitlements (as so calculated at such maximum grant level).

(h) Use of excess funds**(1) 15 percent or less**

If, at the end of a fiscal year, the funds available for making payments under this sub-

part exceed the amount necessary to make the payments required under this subpart to eligible students by 15 percent or less, then all of the excess funds shall remain available for making payments under this subpart during the next succeeding fiscal year.

(2) More than 15 percent

If, at the end of a fiscal year, the funds available for making payments under this subpart exceed the amount necessary to make the payments required under this subpart to eligible students by more than 15 percent, then all of such funds shall remain available for making such payments but payments may be made under this paragraph only with respect to entitlements for that fiscal year.

(i) Treatment of institutions and students under other laws

Any institution of higher education which enters into an agreement with the Secretary to disburse to students attending that institution the amounts those students are eligible to receive under this subpart shall not be deemed, by virtue of such agreement, a contractor maintaining a system of records to accomplish a function of the Secretary. Recipients of Pell Grants shall not be considered to be individual grantees for purposes of chapter 81 of title 41.

(j) Institutional ineligibility based on default rates**(1) In general**

No institution of higher education shall be an eligible institution for purposes of this subpart if such institution of higher education is ineligible to participate in a loan program under part B or D as a result of a final default rate determination made by the Secretary under part B or D after the final publication of cohort default rates for fiscal year 1996 or a succeeding fiscal year.

(2) Sanctions subject to appeal opportunity

No institution may be subject to the terms of this subsection unless the institution has had the opportunity to appeal the institution's default rate determination under regulations issued by the Secretary for the loan program authorized under part B or D, as applicable. This subsection shall not apply to an institution that was not participating in the loan program authorized under part B or D on October 7, 1998, unless the institution subsequently participates in the loan programs.

(Pub. L. 89-329, title IV, § 401, formerly § 411, as added Pub. L. 99-498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1309; amended Pub. L. 100-50, § 3(a), June 3, 1987, 101 Stat. 337; renumbered § 401 and amended Pub. L. 102-325, title IV, §§ 401(a)-(h), 402(a)(3), July 23, 1992, 106 Stat. 479-482; Pub. L. 103-208, § 2(b)(1)-(5), (k)(1), Dec. 20, 1993, 107 Stat. 2458, 2485; Pub. L. 103-322, title II, § 20411(a), Sept. 13, 1994, 108 Stat. 1828; Pub. L. 105-244, title IV, § 401(a)-(f), (g)(3), (4), Oct. 7, 1998, 112 Stat. 1650-1652; Pub. L. 110-84, title I, §§ 101(a), 102, Sept. 27, 2007, 121 Stat. 784; Pub. L. 110-315, title I, § 103(b)(3), title IV, § 401(a)(1), (b), (c)(1), Aug. 14, 2008, 122 Stat. 3088, 3188, 3189; Pub. L. 111-5, div. A, title VIII, § 806, Feb. 17, 2009, 123 Stat. 190; Pub. L. 111-39, title IV, § 401(a)(2), (3), July 1,

2009, 123 Stat. 1938; Pub. L. 111–152, title II, § 2101(a), (b)(1), Mar. 30, 2010, 124 Stat. 1071, 1073; Pub. L. 112–10, div. B, title VIII, § 1860(a), Apr. 15, 2011, 125 Stat. 169; Pub. L. 112–25, title V, § 501, Aug. 2, 2011, 125 Stat. 266; Pub. L. 112–74, div. F, title III, § 309(a), (f), Dec. 23, 2011, 125 Stat. 1100, 1103; Pub. L. 113–235, div. G, title III, § 309(b), Dec. 16, 2014, 128 Stat. 2506; Pub. L. 114–113, div. H, title III, § 313(2), Dec. 18, 2015, 129 Stat. 2639; Pub. L. 115–31, div. H, title III, § 310, May 5, 2017, 131 Stat. 552; Pub. L. 115–141, div. H, title III, § 310, Mar. 23, 2018, 132 Stat. 750; Pub. L. 115–245, div. B, title III, § 311, Sept. 28, 2018, 132 Stat. 3106; Pub. L. 116–91, § 7, Dec. 19, 2019, 133 Stat. 1196; Pub. L. 116–260, div. FF, title VII, § 703, Dec. 27, 2020, 134 Stat. 3191; Pub. L. 117–103, div. R, §§ 102(b)(1), 103(c)(1), Mar. 15, 2022, 136 Stat. 819, 820; Pub. L. 118–40, div. B, § 101(b), (c), Mar. 1, 2024, 138 Stat. 18.)

Editorial Notes

REFERENCES IN TEXT

The FAFSA Simplification Act, referred to in subsec. (b)(7)(B), is title VII of Pub. L. 116–260, div. FF, Dec. 27, 2020, 134 Stat. 3137. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of this title and Tables. The effective date of the Act is July 1, 2024, except as otherwise provided, see section 701(b) of Pub. L. 116–260, set out as an Effective Date of 2020 Amendment note under section 1001 of this title.

The Omnibus Crime Control and Safe Streets Act of 1968, referred to in subsec. (c)(4), is Pub. L. 90–351, June 19, 1968, 82 Stat. 197. Subpart 2 of part L of title I of the Act is classified generally to part B (§ 10301 et seq.) of subchapter XI of chapter 101 of Title 34, Crime Control and Law Enforcement. For complete classification of this Act to the Code, see Short Title of 1968 Act note set out under section 10101 of Title 34 and Tables.

The effective date of this subsection, referred to in subsec. (c)(6)(B), probably means the effective date of section 103(c) of div. R of Pub. L. 117–103, which added subsec. (c)(6) of this section. See Effective Date of 2022 Amendment note below.

PRIOR PROVISIONS

A prior section 1070a, Pub. L. 89–329, title IV, § 411, as added Pub. L. 92–318, title I, § 131(b)(1), June 23, 1972, 86 Stat. 248; amended Pub. L. 94–328, § 2(f), June 30, 1976, 90 Stat. 727; Pub. L. 94–482, title I, § 121(a), (b)(1), (c)–(i), Oct. 12, 1976, 90 Stat. 2091–2093; Pub. L. 95–43, § 1(a)(5), June 15, 1977, 91 Stat. 213; Pub. L. 95–566, § 2, Nov. 1, 1978, 92 Stat. 2402; Pub. L. 96–49, § 5(a)(1), (2)(A), Aug. 13, 1979, 93 Stat. 351; Pub. L. 96–374, title IV, § 402, title XIII, § 1391(a)(1), Oct. 3, 1980, 94 Stat. 1401, 1503; Pub. L. 97–301, § 8(a), Oct. 13, 1982, 96 Stat. 1402, related to basic educational opportunity grants, amount and determinations, and applications, prior to the general revision of this part by Pub. L. 99–498.

A prior section 401 of Pub. L. 89–329 was renumbered section 400 by section 402(a)(3) of Pub. L. 102–325 and is classified to section 1070 of this title.

Another prior section 401 of Pub. L. 89–329, title IV, as added and amended Pub. L. 92–318, title I, § 131(b)(1), title X, § 1001(c)(1), (2), June 23, 1972, 86 Stat. 247, 381; Pub. L. 94–482, title I, § 125, Oct. 12, 1976, 90 Stat. 2096; Pub. L. 96–374, title IV, § 401, title XIII, § 1391(a)(1), Oct. 3, 1980, 94 Stat. 1401, 1503, which stated purpose of program of grants to students in attendance at institutions of higher education, was classified to section 1070 of this title, prior to the general revision of this part by Pub. L. 99–498.

AMENDMENTS

2024—Subsec. (b)(7)(A). Pub. L. 118–40, § 101(b), amended subpar. (A) generally. Prior to amendment, text read

as follows: “In addition to any funds appropriated under paragraph (6) and any funds made available for this section under any appropriations Act, there are authorized to be appropriated, and there are appropriated (out of any money in the Treasury not otherwise appropriated) to carry out this section, \$1,170,000,000 for fiscal year 2023 and each subsequent award year.”

Subsec. (b)(7)(B)(i). Pub. L. 118–40, § 101(c), substituted “2023, or 2024” for “or 2023”.

2022—Subsec. (b)(5)(A). Pub. L. 117–103, § 102(b)(1)(A), substituted “award year 2024–2025” for “award year 2023–2024”.

Subsec. (b)(6)(A)(i). Pub. L. 117–103, § 102(b)(1)(B)(i), substituted “fiscal year 2024” for “fiscal year 2023”.

Subsec. (b)(6)(A)(ii). Pub. L. 117–103, § 102(b)(1)(B)(ii), substituted “fiscal years 2024 through 2034” for “fiscal years 2023 through 2033”.

Subsec. (b)(7)(B)(i). Pub. L. 117–103, § 102(b)(1)(C), substituted “2022, or 2023” for “or 2022”.

Subsec. (b)(8)(A). Pub. L. 117–103, § 102(b)(1)(D), substituted “fiscal year 2034” for “fiscal year 2033”.

Subsec. (c)(2). Pub. L. 117–103, § 103(c)(1)(A), redesignated subpars. (B) and (C) as (A) and (B), respectively, and struck out former subpar. (A) which read as follows: “who is eligible to receive a Federal Pell Grant according to subsection (b)(1) for the award year for which the determination is made;”.

Subsec. (c)(3)(A). Pub. L. 117–103, § 103(c)(1)(B), substituted “(2)(A)(i)” for “(2)(B)(i)”.

Subsec. (c)(5) to (7). Pub. L. 117–103, § 103(c)(1)(C), (D), added pars. (5) and (6) and redesignated former par. (5) as (7).

2020—Pub. L. 116–260 amended section generally. Prior to amendment, section related to amount of and determinations and applications for Federal Pell Grants.

2019—Subsec. (b)(7)(A)(iv)(X). Pub. L. 116–91, § 7(1), substituted “\$1,455,000,000” for “\$1,430,000,000”.

Subsec. (b)(7)(A)(iv)(XI). Pub. L. 116–91, § 7(2), substituted “\$1,170,000,000” for “\$1,145,000,000”.

2018—Subsec. (b)(7)(A)(iv)(VIII). Pub. L. 115–141 substituted “\$1,334,000,000” for “\$1,382,000,000”.

Subsec. (b)(7)(A)(iv)(IX). Pub. L. 115–245 substituted “\$1,370,000,000” for “\$1,409,000,000”.

2017—Subsec. (b)(7)(A)(iv)(VII). Pub. L. 115–31, § 310(b), substituted “\$1,320,000,000” for “\$1,574,000,000”.

Subsec. (b)(8). Pub. L. 115–31, § 310(a), added par. (8).

2015—Subsec. (b)(2)(A)(ii). Pub. L. 114–113 struck out “except that a student eligible only under 1091(d)(1)(A) of this title who first enrolls in an eligible program of study on or after July 1, 2015 shall not be eligible for the amount of the increase calculated under paragraph (7)(B)” after “year”.

2014—Subsec. (b)(2)(A)(ii). Pub. L. 113–235 inserted “except that a student eligible only under 1091(d)(1)(A) of this title who first enrolls in an eligible program of study on or after July 1, 2015 shall not be eligible for the amount of the increase calculated under paragraph (7)(B)” after “year”.

2011—Subsec. (b)(2)(A)(ii). Pub. L. 112–10, § 1860(a)(1), substituted “paragraph (7)(B)” for “paragraph (8)(B)”.

Subsec. (b)(4). Pub. L. 112–74, § 309(a)(1), substituted period at end for “. except that a student who is eligible for a Federal Pell Grant in an amount that is equal to or greater than five percent of such Federal Pell Grant amount but less than ten percent of such Federal Pell Grant amount shall be awarded a Federal Pell grant in the amount of ten percent of such Federal Pell Grant amount.”

Subsec. (b)(5). Pub. L. 112–10, § 1860(a)(4), redesignated par. (6) as (5).

Pub. L. 112–10, § 1860(a)(2), struck out par. (5) which read as follows:

“(A) The Secretary shall award a student not more than two Federal Pell Grants during a single award year to permit such student to accelerate the student’s progress toward a degree or certificate if the student is enrolled—

“(i) on at least a half-time basis for a period of more than one academic year, or more than two se-

mesters or an equivalent period of time, during a single award year; and

“(ii) in a program of instruction at an institution of higher education for which the institution awards an associate or baccalaureate degree or a certificate.

“(B) In the case of a student receiving more than one Federal Pell Grant in a single award year under subparagraph (A), the total amount of Federal Pell Grants awarded to such student for the award year may exceed the maximum basic grant level specified in the appropriate appropriations Act for such award year.”

Subsec. (b)(6). Pub. L. 112-10, §1860(a)(4), redesignated par. (7) as (6). Former par. (6) redesignated (5).

Subsec. (b)(7). Pub. L. 112-10, §1860(a)(4), redesignated par. (8) as (7). Former par. (7) redesignated (6).

Subsec. (b)(7)(A)(iv). Pub. L. 112-74, §309(F), amended cl. (iv) generally. Prior to amendment, cl. (iv) authorized appropriations for fiscal years 2011 to 2021 and succeeding fiscal years.

Subsec. (b)(7)(A)(iv)(II). Pub. L. 112-25, §501(1), substituted “\$13,183,000,000” for “\$3,183,000,000”.

Subsec. (b)(7)(A)(iv)(III). Pub. L. 112-25, §501(2), substituted “\$7,000,000,000” for “\$0”.

Subsec. (b)(8). Pub. L. 112-10, §1860(a)(4), redesignated par. (8) as (7).

Subsec. (b)(8)(A)(iv). Pub. L. 112-10, §1860(a)(3)(A), amended cl. (iv) generally. Prior to amendment, cl. (iv) read as follows: “to carry out this section, \$13,500,000,000 for fiscal year 2011.”

Subsec. (b)(8)(C)(i)(I). Pub. L. 112-10, §1860(a)(3)(B), substituted “clause (iv)(II)” for “clause (v)(II)”.

Subsec. (c)(5). Pub. L. 112-74, §309(a)(2), substituted “12” for “18” in two places and struck out at end “The provisions of this paragraph shall apply only to a student who receives a Federal Pell Grant for the first time on or after July 1, 2008.”

2010—Subsec. (b)(2)(A). Pub. L. 111-152, §2101(a)(1), amended subparagraph. (A) generally. Prior to amendment, subparagraph. (A) established grant amounts for academic years 2009–2010 to 2014–2015.

Subsec. (b)(4). Pub. L. 111-152, §2101(b)(1)(A), substituted “maximum amount of a Federal Pell Grant award determined under paragraph (2)(A)” for “maximum basic grant level specified in the appropriate appropriation Act” and substituted “such Federal Pell Grant amount” for “such level” wherever appearing.

Subsec. (b)(6). Pub. L. 111-152, §2101(b)(1)(B), substituted “the maximum amount of a Federal Pell Grant award determined under paragraph (2)(A), for which a student is eligible during such award year” for “the grant level specified in the appropriate Appropriation Act for this subpart for such year”.

Subsec. (b)(8)(A). Pub. L. 111-152, §2101(a)(2)(A)(i), struck out “, to carry out subparagraph (B) of this paragraph” after “are appropriated” in introductory provisions.

Subsec. (b)(8)(A)(iii) to (x). Pub. L. 111-152, §2101(a)(2)(A)(ii), added cl. (iii) and (iv) and struck out former cl. (iii) to (x), which appropriated additional funds for fiscal years 2010 to 2017.

Subsec. (b)(8)(B). Pub. L. 111-152, §2101(a)(2)(B)(i), substituted “clauses (i) through (iii) of subparagraph (A)” for “subparagraph (A)” in introductory provisions.

Subsec. (b)(8)(B)(ii). Pub. L. 111-152, §2101(a)(2)(B)(ii), substituted “, 2011–2012, and 2012–2013” for “and 2011–2012”.

Subsec. (b)(8)(B)(iii). Pub. L. 111-152, §2101(a)(2)(B)(iii), added cl. (iii) and struck out former cl. (iii) which read as follows: “\$1,090 for award year 2012–2013.”

Subsec. (b)(8)(C). Pub. L. 111-152, §2101(a)(2)(C), added subparagraph. (C) and struck out former subparagraph. (C). Prior to amendment, text read as follows: “The Secretary shall only award an increased amount of a Federal Pell Grant under this section for any award year pursuant to the provisions of this paragraph to students who qualify for a Federal Pell Grant award under the maximum grant award enacted in the annual appropriation Act for such award year without regard to the provisions of this paragraph.”

2009—Subsec. (a)(1). Pub. L. 111-39, §401(a)(2)(A), substituted “manner,” for “manner.”.

Subsec. (b)(1). Pub. L. 111-39, §401(a)(2)(B), made technical amendment to reference in original act which appears in text as reference to this section.

Subsec. (b)(8)(A)(ii), (iii). Pub. L. 111-5, which directed amendment of par. (9)(A) by substituting “\$2,733,000,000” for “\$2,090,000,000” in cl. (ii) and “\$3,861,000,000” for “\$3,030,000,000” in cl. (iii), was executed by making the substitutions in par. (8)(A) to reflect the probable intent of Congress.

Subsec. (b)(8)(A)(vi), (viii). Pub. L. 111-39, §401(a)(2)(C), which directed amendment of par. (9)(A) by substituting “\$258,000,000” for “\$105,000,000” in cl. (vi) and “\$4,452,000,000” for “\$4,400,000,000” in cl. (viii) effective Aug. 14, 2008, was executed by making the substitutions in par. (8)(A). Subsec. (b)(8) would have been subsec. (b)(9) on Aug. 14, 2008, but for the probable intent execution of the amendment by Pub. L. 110-84, §101(a)(2). See 2007 Amendment note below.

Subsec. (f)(4). Pub. L. 111-39, §401(a)(3), struck out par. (4) which attributed expected family contribution of zero to certain eligible students whose parent or guardian died as a result of performing military service in Iraq or Afghanistan after Sept. 11, 2001. See section 1070h of this title.

2008—Subsec. (b). Pub. L. 110-315, §401(a)(1)(B), which directed amendment of subsec. (b) by designating the pars. following par. (2), in the order in which such pars. appear, as pars. (3) through (8), was a technical correction to sequence of amendments by Pub. L. 110-84 and required no change in text. See 2007 Amendment notes below.

Subsec. (b)(2)(A). Pub. L. 110-315, §401(a)(1)(A), amended subparagraph. (A) generally, substituting Pell Grant amounts for academic years 2009 to 2015 for amounts for academic years 1999 to 2004.

Subsec. (b)(4). Pub. L. 110-315, §401(a)(1)(C), substituted “ten percent of the maximum basic grant level specified in the appropriate appropriation Act for such academic year, except that a student who is eligible for a Federal Pell Grant in an amount that is equal to or greater than five percent of such level but less than ten percent of such level shall be awarded a Federal Pell grant in the amount of ten percent of such level” for “\$400, except that a student who is eligible for a Federal Pell Grant that is equal to or greater than \$200 but less than \$400 shall be awarded a Federal Pell Grant of \$400”.

Subsec. (b)(5). Pub. L. 110-315, §401(a)(1)(D), added par. (5) and struck out former par. (5) which read: “The Secretary may allow, on a case-by-case basis, a student to receive 2 Pell grants during a single award year, if—

“(i) the student is enrolled full-time in an associate or baccalaureate degree program of study that is 2 years or longer at an eligible institution that is computed in credit hours; and

“(ii) the student completes course work toward completion of an associate or baccalaureate degree that exceeds the requirements for a full academic year as defined by the institution.

“(B) The Secretary shall promulgate regulations implementing this paragraph.”

Subsec. (b)(7). Pub. L. 110-315, §401(a)(1)(E), inserted before period at end “or who is subject to an involuntary civil commitment upon completion of a period of incarceration for a forcible or nonforcible sexual offense (as determined in accordance with the Federal Bureau of Investigation’s Uniform Crime Reporting Program)”.

Subsec. (b)(8)(D). Pub. L. 110-315, §401(a)(1)(F)(i), amended subparagraph. (D) generally. Prior to amendment, subparagraph. (D) read as follows:

“(D) FORMULA OTHERWISE UNAFFECTED.—Except as provided in subparagraphs (B) and (C), nothing in this paragraph shall be construed to alter the requirements of this section, or authorize the imposition of additional requirements, for the determination and allocation of Federal Pell Grants under this section.”

Subsec. (b)(8)(F). Pub. L. 110-315, §401(a)(1)(F)(ii), amended subparagraph. (F) generally. Prior to amendment, subparagraph. (F) read as follows:

“(F) USE OF FISCAL YEAR FUNDS FOR AWARD YEARS.—The amounts made available by subparagraph (A) for any fiscal year shall be available and remain available for use under subparagraph (B) for the award year that begins in such fiscal year.”

Subsec. (c)(5). Pub. L. 110-315, §401(b), added par. (5).

Subsec. (f)(3). Pub. L. 110-315, §103(b)(3), substituted “to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the authorizing committees” for “to the Committee on Appropriations and the Committee on Labor and Human Resources of the Senate and the Committee on Appropriations and the Committee on Education and the Workforce of the House of Representatives”.

Subsec. (f)(4). Pub. L. 110-315, §401(c)(1), added par. (4).

2007—Subsec. (a)(1). Pub. L. 110-84, §102(a), substituted “fiscal year 2017” for “fiscal year 2004”.

Subsec. (b)(3) to (7). Pub. L. 110-84, §101(a), redesignated pars. (4) to (8) as (3) to (7), respectively, and struck out former par. (3) which related to the amount of a student’s basic grant for any academic year for which an appropriation Act provided a maximum basic grant of more than \$2,700.

Subsec. (b)(8). Pub. L. 110-84, §101(a)(2), which directed redesignation of par. (9) as (8), was executed by redesignating the par. (9) enacted by Pub. L. 110-84, §102(b), as (8) to reflect the probable intent of Congress. See below. Former par. (8) redesignated (7).

Subsec. (b)(9). Pub. L. 110-84, §102(b), added par. (9).

1998—Pub. L. 105-244, §401(g)(3)(A), substituted “Federal Pell” for “Basic educational opportunity” in section catchline.

Subsec. (a)(1). Pub. L. 105-244, §401(g)(3)(C), substituted “Federal Pell Grant” for “basic grant”.

Pub. L. 105-244, §401(a), substituted “For each fiscal year through fiscal year 2004, the Secretary shall” for “The Secretary shall, during the period beginning July 1, 1972, and ending September 30, 1998,” and inserted “until such time as the Secretary determines and publishes in the Federal Register with an opportunity for comment, an alternative payment system that provides payments to institutions in an accurate and timely manner,” after “pay eligible students”.

Subsec. (a)(3). Pub. L. 105-244, §401(g)(3)(B), substituted “Grants made” for “Basic grants made”.

Subsec. (b)(1). Pub. L. 105-244, §401(g)(3)(C), substituted “Federal Pell Grant” for “basic grant”.

Subsec. (b)(2)(A). Pub. L. 105-244, §401(b), amended subparagraph (A) generally. Prior to amendment, subparagraph (A) read as follows: “The amount of the basic grant for a student eligible under this part shall be—

- “(i) \$3,700 for academic year 1993-1994,
- “(ii) \$3,900 for academic year 1994-1995,
- “(iii) \$4,100 for academic year 1995-1996,
- “(iv) \$4,300 for academic year 1996-1997, and
- “(v) \$4,500 for academic year 1997-1998.

less an amount equal to the amount determined to be the expected family contribution with respect to that student for that year.”

Subsec. (b)(2)(B). Pub. L. 105-244, §401(g)(3)(C), substituted “Federal Pell Grant” for “basic grant”.

Subsec. (b)(3). Pub. L. 105-244, §401(c), amended paragraph (3) generally. Prior to amendment, paragraph (3) read as follows:

“(3)(A) For any academic year for which an appropriation Act provides a maximum basic grant in an amount in excess of \$2,400, the amount of a student’s basic grant shall equal \$2,400 plus—

- “(i) one-half of the amount by which such maximum basic grant exceeds \$2,400; plus
- “(ii) the lesser of—
- “(I) the remaining one-half of such excess; or
- “(II) the sum of the student’s tuition and the student’s allowance determined under subparagraph (B), if applicable.

“(B) For purposes of subparagraph (A)(ii)(II), a student’s allowance is \$750 if the student has dependent care expenses (as defined in section 1087l(8) of this title) or disability related expenses (as defined in section 1087l(9) of this title).”

Subsec. (b)(4), (5). Pub. L. 105-244, §401(g)(3)(C), substituted “Federal Pell Grant” for “basic grant” wherever appearing.

Subsec. (b)(6). Pub. L. 105-244, §401(d), designated existing provisions as subparagraph (A), redesignated former subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and added subparagraph (B).

Subsec. (b)(7), (8). Pub. L. 105-244, §401(g)(3)(C), substituted “Federal Pell Grant” for “basic grant” wherever appearing.

Subsec. (c)(1). Pub. L. 105-244, §401(g)(3)(D), substituted “Federal Pell Grants” for “basic grants”.

Subsec. (c)(4). Pub. L. 105-244, §401(g)(3)(C), substituted “Federal Pell Grant” for “basic grant” in introductory provisions.

Pub. L. 105-244, §401(e), added par. (4).

Subsec. (d)(1). Pub. L. 105-244, §401(g)(3)(D), substituted “Federal Pell Grants” for “basic grants”.

Subsecs. (d)(2), (f)(1). Pub. L. 105-244, §401(g)(3)(C), substituted “Federal Pell Grant” for “basic grant”.

Subsec. (f)(3). Pub. L. 105-244, §401(g)(4), substituted “Education and the Workforce” for “Education and Labor”.

Subsec. (j). Pub. L. 105-244, §401(f), added subparagraph (j).

1994—Subsec. (b)(8). Pub. L. 103-322 amended paragraph (8) generally. Prior to amendment, paragraph (8) read as follows: “(8)(A) No basic grant shall be awarded to an incarcerated student under this subpart that exceeds the sum of the amount of tuition and fees normally assessed by the institution of higher education for the course of study such student is pursuing plus an allowance (determined in accordance with regulations issued by the Secretary) for books and supplies associated with such course of study, except that no basic grant shall be awarded to any incarcerated student serving under sentence of death or any life sentence without eligibility for parole or release.

“(B) Basic grants under this subpart shall only be awarded to incarcerated individuals in a State if such grants are used to supplement and not supplant the level of postsecondary education assistance provided by such State to incarcerated individuals in fiscal year 1988.”

1993—Subsec. (a)(1). Pub. L. 103-208, §2(b)(1), inserted before period at end of second sentence “, except that this sentence shall not be construed to limit the authority of the Secretary to place an institution on a reimbursement system of payment”.

Subsec. (b)(2)(B). Pub. L. 103-208, §2(k)(1), amended directory language of Pub. L. 102-325, §401(d)(2)(A). See 1992 Amendment note below.

Subsec. (b)(6). Pub. L. 103-208, §2(b)(2)-(4), substituted “single award year” for “single 12-month period” in introductory provisions, “an associate or baccalaureate” for “a baccalaureate” in subparagraph (A), and “an associate or baccalaureate” for “a bachelor’s” in subparagraph (B).

Subsec. (i). Pub. L. 103-208, §2(b)(5), substituted “subtitle D of title V” for “part D of title V”.

1992—Subsec. (a)(1). Pub. L. 102-325, §401(a), substituted “September 30, 1998” for “September 30, 1992” and “subsection (b)” for “paragraph (2)”.

Subsec. (a)(3). Pub. L. 102-325, §401(b), substituted “Federal Pell Grants” for “Pell Grants”.

Subsec. (b)(1). Pub. L. 102-325, §401(c), struck out “(A) as determined under paragraph (2), will meet 60 percent of a student’s cost of attendance (as defined in section 1070a-6 of this title); and (B)” after “basic grant that” and substituted “family and student” for “parental or independent student”, “subparts 3 and 4” for “subparts 2 and 3”, and “will meet at least 75 percent” for “will meet 75 percent”.

Subsec. (b)(2)(A)(i) to (v). Pub. L. 102-325, §401(d)(1), added clauses (i) to (v) and struck out former clauses (i) to (v) which read as follows:

- “(i) \$2,300 for academic year 1987-1988,
- “(ii) \$2,500 for academic year 1988-1989,
- “(iii) \$2,700 for academic year 1989-1990,
- “(iv) \$2,900 for academic year 1990-1991, and
- “(v) \$3,100 for academic year 1991-1992.”

Subsec. (b)(2)(B). Pub. L. 102-325, §401(d)(2)(A), as amended by Pub. L. 103-208, §2(k)(1), inserted “(includ-

ing a student who attends an institution of higher education on less than a half-time basis)" in first sentence after "full-time basis" the first time appearing.

Pub. L. 102-325, § 401(d)(2)(B), inserted "computed in accordance with this subpart" before period at end of first sentence.

Subsec. (b)(3). Pub. L. 102-325, § 401(d)(3), amended par. (3) generally. Prior to amendment, par. (3) read as follows: "The amount of a basic grant to which a student is entitled under this subpart for any academic year shall not exceed 60 percent of the cost of attendance (as defined in section 1070a-6 of this title) at the institution at which the student is in attendance for that year."

Subsec. (b)(4). Pub. L. 102-325, § 401(d)(4), substituted "section 1087ll" for "section 1070a-6".

Subsec. (b)(5). Pub. L. 102-325, § 401(d)(5), substituted "\$400, except that a student who is eligible for a basic grant that is equal to or greater than \$200 but less than \$400 shall be awarded a basic grant of \$400" for "\$200".

Subsec. (b)(6) to (8). Pub. L. 102-325, § 401(d)(6), added pars. (6) to (8) and struck out former pars. (6) and (7) which limited or prohibited basic grants from funds appropriated for fiscal years prior to 1992 to students attending on a less than half-time basis.

Subsec. (c)(1). Pub. L. 102-325, § 401(e)(1), substituted "any period during which the student is enrolled in a noncredit or remedial course of study as defined in paragraph (2) shall not be counted for the purpose of this paragraph." for "—

"(A) such period may not exceed the full-time equivalent of—

"(i) 5 academic years in the case of an undergraduate degree or certificate program normally requiring 4 years or less;

"(ii) 6 academic years in the case of an undergraduate degree or certificate program normally requiring more than 4 years;

"(B) any period during which the student is enrolled in a noncredit or remedial course of study as defined in paragraph (2) shall not be counted for the purpose of subparagraph (A); and

"(C) an institution of higher education at which the student is in attendance may waive subparagraph (A) for undue hardship based on—

"(i) the death of a relative of the student;

"(ii) the personal injury or illness of the student; or

"(iii) special circumstances as determined by the institution."

Subsec. (c)(2). Pub. L. 102-325, § 401(e)(2), inserted at end "Nothing in this section shall exclude from eligibility programs of study abroad that are approved for credit by the home institution at which the student is enrolled."

Subsec. (f)(1). Pub. L. 102-325, § 401(f)(1), substituted "as a part of its regular output document, the expected family contribution" for "an estimate of the eligibility index" in introductory provisions and "expected family contribution" for "eligibility index" in subpars. (A), (B), and (D).

Subsec. (f)(3). Pub. L. 102-325, § 401(f)(2), substituted "expected family contribution" for "eligibility index".

Subsec. (g). Pub. L. 102-325, § 401(g), struck out "Adjustments for" before "insufficient appropriations" in heading and amended text generally. Prior to amendment, text read as follows:

"(1) If, for any fiscal year, the funds appropriated for payments under this subpart are insufficient to satisfy fully all entitlements, as calculated under subsection (b) of this section, the amount paid with respect to each entitlement shall be—

"(A) the full amount for any student whose expected family contribution is \$200 or less, or

"(B) a percentage of that entitlement, as determined in accordance with a schedule of reductions established by the Secretary for this purpose, for any student whose expected family contribution is more than \$200.

"(2) Any schedule established by the Secretary for the purpose of paragraph (1)(B) of this subsection shall

contain a single linear reduction formula in which the percentage reduction increases uniformly as the entitlement decreases, and shall provide that if an entitlement is reduced to less than \$100, no payment shall be made."

Subsec. (i). Pub. L. 102-325, § 401(h), substituted "Treatment of institutions and students under other laws" for "Noncontractor status of institutions" in heading and inserted at end of text "Recipients of Pell Grants shall not be considered to be individual grantees for purposes of part D of title V of Public Law 100-690."

1987—Subsec. (g)(2). Pub. L. 100-50 substituted "paragraph (1)(B)" for "paragraph (1)".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2024 AMENDMENT

Pub. L. 118-40, div. B, § 101(d), Mar. 1, 2024, 138 Stat. 18, provided that: "The amendments made by this section [amending this section and section 1087oo of this title] shall take effect and apply as if included in the FAFSA Simplification Act [title VII of div. FF of Pub. L. 116-260] and in accordance with section 701(b) of such Act, as amended by section 102(a) of the FAFSA Simplification Act Technical Corrections Act (division R of Public Law 117-103) (including the authorization provided under section 102(c)(1)(A) of such Act [set out in a note below])."

EFFECTIVE DATE OF 2022 AMENDMENT

Pub. L. 117-103, div. R, § 103(d), Mar. 15, 2022, 136 Stat. 821, provided that: "The amendments made by subsections (a), (b), and (c) [amending this section and sections 1087ll and 1087uu-2 of this title and repealing section 1070h of this title] shall take effect as if included in the FAFSA Simplification Act (title VII of division FF of Public Law 116-260 [see Tables for classification]) and subject to the effective date of section 701(b) of such Act [20 U.S.C. 1001 note], as amended by this division (including the authorization provided under section 102(c)(1)(A) [see On-Time Effective Date Permitted note below])."

EFFECTIVE DATE OF 2020 AMENDMENT

Amendment by Pub. L. 116-260 effective July 1, 2024, except as otherwise expressly provided, and applicable with respect to award year 2024-2025 and each subsequent award year, as determined under this chapter, see section 701(b) of Pub. L. 116-260, set out as a note under section 1001 of this title.

EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by section 309(a) of Pub. L. 112-74 effective July 1, 2012, see section 309(g) of Pub. L. 112-74, set out as a note under section 1001 of this title.

Pub. L. 112-10, div. B, title VIII, § 1860(b), Apr. 15, 2011, 125 Stat. 170, provided that: "The amendment made by subsection (a)(2) [amending this section] shall be effective with respect to the 2011-2012 award year and succeeding award years."

EFFECTIVE DATE OF 2010 AMENDMENT

Pub. L. 111-152, title II, § 2101(c), Mar. 30, 2010, 124 Stat. 1073, provided that: "The amendments made by subsections (a) and (b) [amending this section and sections 1070a-14, 1085, 1090, 1092f, and 1161 of this title] shall take effect on July 1, 2010."

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111-39 effective as if enacted on the date of enactment of Pub. L. 110-315 (Aug. 14, 2008), see section 3 of Pub. L. 111-39, set out as a note under section 1001 of this title.

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-315, title IV, § 401(a)(2), Aug. 14, 2008, 122 Stat. 3189, provided that:

"(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by paragraph (1) [amending this section] shall take effect on July 1, 2009.

“(B) SPECIAL RULE.—The amendments made by subparagraph (F) of paragraph (1) [amending this section] shall take effect on the date of enactment of this Act [Aug 14, 2008].”

Pub. L. 110-315, title IV, §401(c)(2), Aug. 14, 2008, 122 Stat. 3190, provided that: “The amendment made by paragraph (1) [amending this section] shall take effect on July 1, 2009.”

EFFECTIVE DATE OF 2007 AMENDMENT

Pub. L. 110-84, §1(c), Sept. 27, 2007, 121 Stat. 784, provided that: “Except as otherwise expressly provided, the amendments made by this Act [enacting subpart 9 of this part and sections 1098e, 1098f, 1099d, 1099e, and 1141 of this title, amending this section and sections 1070a-13, 1077a, 1078, 1078-3, 1085, 1087-1, 1087e, 1087h, 1087dd, 1087ff, 1087oo to 1087tt, and 1087vv of this title, repealing section 1078-9 of this title, and amending provisions set out as a note under section 1078 of this title] shall be effective on October 1, 2007.”

Pub. L. 110-84, title I, §101(b), Sept. 27, 2007, 121 Stat. 784, provided that: “The amendments made by subsection (a) [amending this section] shall be effective with respect to determinations of Federal Pell Grant amounts for award years beginning on or after July 1, 2007.”

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

Pub. L. 103-322, title II, §20411(b), Sept. 13, 1994, 108 Stat. 1828, provided that: “The amendment made by this section [amending this section] shall apply with respect to periods of enrollment beginning on or after the date of enactment of this Act [Sept. 13, 1994].”

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by section 2(b)(1), (3)-(5), (k)(1) of Pub. L. 103-208 effective as if included in the Higher Education Amendments of 1992, Pub. L. 102-325, and amendment by section 2(b)(2) of Pub. L. 103-208 effective on and after Dec. 20, 1993, see section 5(a), (b)(2) of Pub. L. 103-208, set out as a note under section 1051 of this title.

EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102-325, title IV, §410, July 23, 1992, 106 Stat. 510, provided that: “The changes made in part A of title IV of the Act [20 U.S.C. 1070 et seq.] by the amendments made by this part [part A (§§401-410) of title IV of Pub. L. 102-325, see Tables for classification] shall take effect on the date of enactment of this Act [July 23, 1992], except—

“(1) as otherwise provided in such part A;

“(2) that the changes made in section 411 [this section], relating to Pell Grants, shall apply to the awarding of Pell Grants for periods of enrollment beginning on or after July 1, 1993; and

“(3) that the changes in section 413C(a)(2) [20 U.S.C. 1070b-2(a)(2)], relating to the Federal share for the supplemental educational opportunity grant program, shall apply to funds provided for such program for the award years beginning on or after July 1, 1993.”

EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-50 effective as if enacted as part of the Higher Education Amendments of 1986, Pub. L. 99-498, see section 27 of Pub. L. 100-50, set out as a note under section 1001 of this title.

EFFECTIVE DATE

Section effective Oct. 17, 1986, except as otherwise provided, see section 2 of Pub. L. 99-498, set out as a note under section 1001 of this title.

Pub. L. 99-498, title IV, §401(b)(3), (4), Oct. 17, 1986, 100 Stat. 1353, provided that:

“(3) Section 411(c) of the Act [20 U.S.C. 1070a(c)] as amended by this section shall apply only to individuals who receive a Pell Grant for the first time for a period of enrollment beginning on or after July 1, 1987.

“(4) Section 411(f) of the Act [20 U.S.C. 1070a(f)] as amended by this section shall apply to the awarding of Pell Grants for periods of enrollment beginning on or after July 1, 1987.”

ON-TIME EFFECTIVE DATE PERMITTED

Pub. L. 117-103, div. R, §102(c), Mar. 15, 2022, 136 Stat. 819, provided that:

“(1) IN GENERAL.—Notwithstanding section 701(b) of the FAFSA Simplification Act (title VII of division FF of Public Law 116-260 [see Tables for classification]) [20 U.S.C. 1001 note], as amended by this division, the Secretary of Education—

“(A) may implement on or after July 1, 2023, but not later than, July 1, 2024, the amendments made by—

“(i) section 702(b) of the FAFSA Simplification Act [amending sections 1087ll and 1087mm of this title] regarding cost of attendance;

“(ii) section 702(i) of such Act [amending section 1087tt of this title] regarding discretion of student financial aid administrators;

“(iii) section 702(l) of such Act [enacting section 1087uu-2 of this title and amending section 1087vv of this title] regarding special rules for independent students and definitions; and

“(iv) section 703 of such Act [amending this section] regarding only the period of eligibility for grants under subsection (d) of section 401 of the Higher Education Act of 1965 [20 U.S.C. 1070a(d)], as amended by the FAFSA Simplification Act; and

“(B) shall specify in a designation on what date and for which award years the implementation of amendments described in subparagraph (A) are effective on or after July 1, 2023, and prior to July 1, 2024, and shall publish any designation under this paragraph in the Federal Register not less than 60 days before implementation.

“(2) STUDENT AID INDEX AS EXPECTED FAMILY CONTRIBUTION.—For purposes of implementing the amendments described in paragraph (1)(A) before July 1, 2024, the term ‘student aid index’ as it appears in such amendments to the Higher Education Act of 1965 shall mean ‘expected family contribution’, as calculated under part F of title IV of the Higher Education Act of 1965 [20 U.S.C. 1087kk et seq.], as in effect on the date of the implementation.”

STUDY OF PELL GRANT ELIGIBILITY FOR LESS THAN HALF-TIME STUDENTS

Pub. L. 99-498, title XIII, §1306, Oct. 17, 1986, 100 Stat. 1582, directed Secretary to conduct a study and report to Congress not later than Sept. 30, 1988, on the number of less than half-time students who would be eligible for Pell grants by reason of having an expected family contribution of \$0 and of \$0-\$200 for the appropriate academic years, prior to repeal by Pub. L. 105-332, §6(a), Oct. 31, 1998, 112 Stat. 3127.

MAXIMUM PELL GRANTS

Provisions limiting the maximum Pell grant that a student may receive were contained in the following appropriation acts:

Pub. L. 118-47, div. D, title III, Mar. 23, 2024, 138 Stat. 687.

Pub. L. 117-328, div. H, title III, Dec. 29, 2022, 136 Stat. 4893.

Pub. L. 117-103, div. H, title III, Mar. 15, 2022, 136 Stat. 480.

Pub. L. 116-260, div. H, title III, Dec. 27, 2020, 134 Stat. 1603.

Pub. L. 116-94, div. A, title III, Dec. 20, 2019, 133 Stat. 2591.

Pub. L. 115–245, div. B, title III, Sept. 28, 2018, 132 Stat. 3101.

Pub. L. 115–141, div. H, title III, Mar. 23, 2018, 132 Stat. 746.

Pub. L. 115–31, div. H, title III, May 5, 2017, 131 Stat. 549.

Pub. L. 114–113, div. H, title III, Dec. 18, 2015, 129 Stat. 2635.

Pub. L. 113–235, div. G, title III, Dec. 16, 2014, 128 Stat. 2501.

Pub. L. 113–76, div. H, title III, Jan. 17, 2014, 128 Stat. 396.

Pub. L. 112–74, div. F, title III, Dec. 23, 2011, 125 Stat. 1097.

Pub. L. 112–10, div. B, title VIII, § 1839(b), Apr. 15, 2011, 125 Stat. 165.

Pub. L. 111–242, § 218, as added Pub. L. 112–4, par. (2), Mar. 2, 2011, 125 Stat. 11.

Pub. L. 111–242, § 164(b), as added Pub. L. 111–322, title I, § 1(a)(2), Dec. 22, 2010, 124 Stat. 3521.

Pub. L. 111–117, div. D, title III, Dec. 16, 2009, 123 Stat. 3267.

Pub. L. 111–8, div. F, title III, Mar. 11, 2009, 123 Stat. 789.

Pub. L. 111–5, div. A, title VIII, Feb. 17, 2009, 123 Stat. 183.

Pub. L. 110–161, div. G, title III, Dec. 26, 2007, 121 Stat. 2195.

Pub. L. 109–289, div. B, title II, § 20633(b), as added by Pub. L. 110–5, § 2, Feb. 15, 2007, 121 Stat. 36.

Pub. L. 109–149, title III, Dec. 30, 2005, 119 Stat. 2868.

Pub. L. 108–447, div. F, title III, Dec. 8, 2004, 118 Stat. 3148.

Pub. L. 108–199, div. E, title III, Jan. 23, 2004, 118 Stat. 261.

Pub. L. 108–7, div. G, title III, Feb. 20, 2003, 117 Stat. 330.

Pub. L. 107–116, title III, Jan. 10, 2002, 115 Stat. 2205.

Pub. L. 106–554, § 1(a)(1) [title III], Dec. 21, 2000, 114 Stat. 2763, 2763A–37.

Pub. L. 106–113, div. B, § 1000(a)(4) [title III], Nov. 29, 1999, 113 Stat. 1535, 1501A–251.

Pub. L. 105–277, div. A, § 101(f) [title III], Oct. 21, 1998, 112 Stat. 2681–337, 2681–369.

Pub. L. 105–78, title III, Nov. 13, 1997, 111 Stat. 1501.

Pub. L. 104–208, div. A, title I, § 101(e) [title III], Sept. 30, 1996, 110 Stat. 3009–233, 3009–257.

Pub. L. 104–134, title I, § 101(d) [title III], Apr. 26, 1996, 110 Stat. 1321–211, 1321–232; renumbered title I, Pub. L. 104–140, § 1(a), May 2, 1996, 110 Stat. 1327.

Pub. L. 104–99, title I, § 119, Jan. 26, 1996, 110 Stat. 30, prior to repeal by Pub. L. 104–134, title I, § 101(d) [title V, § 518], Apr. 26, 1996, 110 Stat. 1321–211, 1321–248; renumbered title I, Pub. L. 104–140, § 1(a), May 2, 1996, 110 Stat. 1327.

Pub. L. 103–333, title III, Sept. 30, 1994, 108 Stat. 2564.

Pub. L. 103–112, title III, Oct. 21, 1993, 107 Stat. 1104.

Pub. L. 102–394, title III, Oct. 6, 1992, 106 Stat. 1816.

Pub. L. 102–170, title III, Nov. 26, 1991, 105 Stat. 1131.

Pub. L. 101–517, title III, Nov. 5, 1990, 104 Stat. 2212.

Pub. L. 101–166, title III, Nov. 21, 1989, 103 Stat. 1182.

Pub. L. 100–436, title III, Sept. 20, 1988, 102 Stat. 1704.

Pub. L. 100–202, § 101(h) [title III], Dec. 22, 1987, 101 Stat. 1329–256, 1329–279.

§ 1070a-1. Omitted

Editorial Notes

CODIFICATION

Section, Pub. L. 89–329, title IV, § 401A, as added Pub. L. 109–171, title VIII, § 8003, Feb. 8, 2006, 120 Stat. 155; amended Pub. L. 110–227, § 10(a), May 7, 2008, 122 Stat. 748; Pub. L. 110–315, title IV, § 402(a)(1), Aug. 14, 2008, 122 Stat. 3190, which authorized the Secretary to make academic competitiveness grants to eligible students, was omitted from the Code upon the expiration of Secretary's authority to make such grants at the end of award year 2010–2011.

A prior section 1070a–1, Pub. L. 89–329, title IV, § 411A, as added Pub. L. 99–498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1312; amended Pub. L. 100–50, § 3(b)(1), June 3, 1987, 101 Stat. 337; Pub. L. 100–369, § 7(c), July 18, 1988, 102 Stat. 837, related to family contribution schedule for Pell Grants and data elements, prior to repeal by Pub. L. 102–325, title IV, § 401(i), July 23, 1992, 106 Stat. 482.

§§ 1070a-2 to 1070a-6. Repealed. Pub. L. 102-325, title IV, § 401(i), July 23, 1992, 106 Stat. 482

Section 1070a–2, Pub. L. 89–329, title IV, § 411B, as added Pub. L. 99–498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1313; amended Pub. L. 100–50, § 3(b)(2), (c)–(f)(1), (4), (5), (g), June 3, 1987, 101 Stat. 337, 338; Pub. L. 102–54, § 13(g)(1)(B), June 13, 1991, 105 Stat. 275, related to eligibility determination for dependent students.

Section 1070a–3, Pub. L. 89–329, title IV, § 411C, as added Pub. L. 99–498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1316; amended Pub. L. 100–50, § 3(b)(3), (c)(1), (f)(2), (4), (5), (g), (h)(2), June 3, 1987, 101 Stat. 337, 338; Pub. L. 100–369, § 7(c), July 18, 1988, 102 Stat. 837; Pub. L. 102–54, § 13(g)(1)(C), June 13, 1991, 105 Stat. 275, related to eligibility determination for independent students with dependents other than a spouse.

Section 1070a–4, Pub. L. 89–329, title IV, § 411D, as added Pub. L. 99–498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1319; amended Pub. L. 100–50, § 3(b)(4), (c)(1), (f)(3), (4), (g), June 3, 1987, 101 Stat. 337, 338; Pub. L. 100–369, § 7(c), July 18, 1988, 102 Stat. 837; Pub. L. 102–54, § 13(g)(1)(D), June 13, 1991, 105 Stat. 275, related to eligibility determination for single independent students or for married independent students without other dependents.

Section 1070a–5, Pub. L. 89–329, title IV, § 411E, as added Pub. L. 99–498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1322, related to regulations and updated tables.

Section 1070a–6, Pub. L. 89–329, title IV, § 411F, as added Pub. L. 99–498, title IV, § 401(a), Oct. 17, 1986, 100 Stat. 1323; amended Pub. L. 100–50, § 3(h)(1), (i)–(m), June 3, 1987, 101 Stat. 338, 339; Pub. L. 100–369, § 7(a), (c), July 18, 1988, 102 Stat. 836, 837; Pub. L. 101–610, title I, § 185(1), (2), Nov. 16, 1990, 104 Stat. 3167, related to definitions and determinations.

SUBPART 2—FEDERAL EARLY OUTREACH AND STUDENT SERVICES PROGRAMS

Editorial Notes

CODIFICATION

Pub. L. 102–325, title IV, § 402(a)(2), (4), July 23, 1992, 106 Stat. 482, added subpart 2 and redesignated former subpart 2 comprising sections 1070b to 1070b–3 of this title as subpart 3.

Division 1—Federal TRIO Programs

§ 1070a-11. Program authority; authorization of appropriations

(a) Grants and contracts authorized

The Secretary shall, in accordance with the provisions of this division, carry out a program of making grants and contracts designed to identify qualified individuals from disadvantaged backgrounds, to prepare them for a program of postsecondary education, to provide support services for such students who are pursuing programs of postsecondary education, to motivate and prepare students for doctoral programs, and to train individuals serving or preparing for service in programs and projects so designed.

(b) Recipients, duration, and size

(1) Recipients

For the purposes described in subsection (a), the Secretary is authorized, without regard to