Public Law 97-301
97th Congress

An Act

Oct. 13, 1982
[S. 2852]

To require a separate family contribution schedule for Pell Grants for academic years 1983-1984 and 1984-1985, to establish restrictions upon the contents of such schedule, and for other purposes.

Student Financial Assistance Technical Amendments Act of 1982.
20 USC 1001 note.
20 USC 1070a note.
20 USC 1070a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Student Financial Assistance Technical Amendments Act of 1982".

MAXIMUM PELL GRANT

SEC. 2. Notwithstanding section 411(a)(2) of the Higher Education Act of 1965, the maximum Pell Grant a student may receive for academic year 1983-1984 under such Act shall be $1,800 or 50 percent of the cost of attendance (as defined under section 3 of this Act for academic year 1982-1983) at the institution at which the student is in attendance.

COST OF ATTENDANCE

20 USC 1070a note.

SEC. 3. Notwithstanding any other provision of law, the cost of attendance criteria used for calculating eligibility for and the amount of Pell Grants for academic years 1983-1984 and 1984-1985 shall be the same as those criteria in effect for academic year 1982-1983.

SEPARATION OF PELL GRANT FAMILY CONTRIBUTION SCHEDULE FROM CAMPUS-BASED PROGRAMS

20 USC 1089 note.

SEC. 4. The Secretary of Education shall establish or approve separate systems of need analysis for academic year 1983-1984 and for academic year 1984-1985 for the programs authorized under subpart 2 of part A, part C, and part E of title IV of the Higher Education Act of 1965.

20 USC 1070b; 42 USC 2751; 20 USC 1088.

PELL GRANT FAMILY CONTRIBUTION SCHEDULE FOR ACADEMIC YEAR 1983-1984

20 USC 1070a note.
20 USC 1070a.

SEC. 5. (a) Except as provided in subsections (b) and (c), the family contribution schedule for academic year 1982-1983 for Pell Grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 shall be the family contribution schedule for such grants for the academic year 1983-1984.

(b) Each of the amounts allowed as an offset for family size for dependent and independent students in the family contribution schedule for academic year 1983-1984 shall be computed by increasing the comparable amount (for the same family size) in the family contribution schedule for academic year 1982-1983 by 7.3 percent, and rounding the result to the nearest $100.

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(c) For purposes of subsection (a), the family contribution schedule for academic year 1982-1983 shall be modified by the Secretary of Education for use for academic year 1983-1984—

(1) to reflect the most recent and relevant data, and

(2) to comply with section 482(b)(3) of the Higher Education Act of 1965 with respect to the treatment of payments under title 38 of the United States Code.

20 USC 1089.

(d) The modified family contribution schedule under this section shall be published in the Federal Register not later than 15 days after the date of enactment of this Act.

Publication in Federal Register.

PELL GRANT FAMILY CONTRIBUTION SCHEDULE FOR ACADEMIC YEAR 1984-1985

SEC. 6. (a)(1) Except as provided in subsection (b), the family contribution schedule for academic year 1984-1985 for Pell Grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 shall be established by the Secretary of Education, if the Secretary publishes a proposed schedule in the Federal Register by April 1, 1983, and submits it to the President of the Senate and the Speaker of the House of Representatives on the date of such publication.

20 USC 1070a note.

20 USC 1070a.

(2) The proposed schedule shall be subject to public comment for 30 days. The Secretary shall publish and submit to the President of the Senate and the Speaker of the House of Representatives a final family contribution schedule not later than May 15, 1983, for the academic year 1984-1985.

Submittal to President of Senate and Speaker of the House of Representatives.

(3) If the Secretary does not so publish and submit such schedule as required by paragraphs (1) and (2), the family contribution schedule in effect for academic year 1983-1984 shall be the family contribution schedule for academic year 1984-1985, except as provided in subsections (c) and (d) of this section.

(b) If the Secretary publishes and submits the final family contribution schedule as required by subsection (a) such schedule shall take effect unless, on or before June 15, 1983, either House of Congress adopts a resolution of disapproval of such schedule. In such event, the Secretary shall publish a new proposed family contribution schedule in the Federal Register and submit it to the President of the Senate and the Speaker of the House of Representatives not later than 15 days after the date of the adoption of such resolution of disapproval. Such new schedule shall take into consideration such recommendations as may be made in either House of Congress in connection with such resolution. Such new schedule shall be effective (for academic year 1984-1985) on July 1, 1983, unless, prior to that date, either House of Congress adopts a resolution of disapproval of such new schedule. If the new schedule is also disapproved, the family contribution schedule in effect for academic year 1983-1984 shall be the family contribution for academic year 1984-1985, except as provided in subsections (c) and (d) of this section.

Publication in Federal Register.

Effective date.

(c)(1) Each of the amounts allowed as an offset for family size for dependent and independent students in the family contribution schedule for academic year 1984-1985 shall be computed by increasing (or decreasing) the comparable amount (for the same family size) in the family contribution schedule for academic year 1983-1984 (as set by section 5(b) of this Act) by a percentage equal to the percentage increase (or decrease) in the Consumer Price Index for Wage

Earners and Clerical Workers published by the Department of Labor, and rounding the result to the nearest $100.

(2) For purposes of paragraph (1) of this subsection, the percentage increase (or decrease) in the Consumer Price Index for Wage Earners and Clerical Workers is the change, expressed as a percent, between the arithmetic mean of such Index for the period from October 1, 1981, through September 30, 1982, and the arithmetic mean of such Index for the period from October 1, 1982, through September 30, 1983.

Publication in Federal Register.

(3) The Secretary of Education shall publish in the Federal Register the changes in amounts allowed as an offset for family size as a consequence of the requirements of this subsection immediately after publication by the Secretary of Labor of the Consumer Price Index for September 1983.

(d) If, under subsection (a) or (b), the family contribution schedule for academic year 1983-1984 is required to be the family contribution schedule for academic year 1984-1985, the family contribution schedule for academic year 1983-1984 shall be modified by the Secretary of Education for use for academic year 1984-1985 to reflect the most recent and relevant data.

Publication in Federal Register.

(e) The modified family contribution schedule under this section shall be published in the Federal Register not later than July 15, 1983.

VETERANS ELIGIBILITY FOR PELL GRANTS FOR ACADEMIC YEAR 1982-1983

20 USC 1070a note.

Ante, p. 845.

95 Stat. 1197, 1198.

SEC. 7. Notwithstanding any other provisions of law, such sums as may be necessary not to exceed $30,000,000 of the amount appropriated by Public Law 97-257 for Pell Grants shall be available for the purpose of restoring eligibility for Pell Grants to individuals adversely affected by the modification, pursuant to paragraphs (4) and (5) of section 124 of Public Law 97-92, of the family contribution schedule with respect to the treatment of payments under title 38, United States Code, to such individuals. For the purposes of determining eligibility and amount of Pell Grant awards under this section, only one-third of the benefits received under such title 38 shall be considered as student financial assistance. The Secretary of Education shall take such steps as may be necessary to notify such individuals of restored eligibility and to make appropriate allocations of the reserved sum.

LINEAR REDUCTION OF PELL GRANTS

20 USC 1070a.

SEC. 8. (a) Section 411(b)(3)(B) of the Higher Education Act of 1965 is amended to read as follows:

"(B)(i) If, for any period of any fiscal year, the funds appropriated for payments under this subpart are insufficient to satisfy fully all entitlements, as calculated under subsection (a)(2)(B)(i), the amount paid with respect to each entitlement shall be—

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

"(II) 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.

"(ii) Any schedule established by the Secretary for the purpose of division (i) of this subparagraph 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.".

(b) The amendment made by subsection (a) of this section shall be effective with respect to the computation of Pell Grants under section 411 of the Higher Education Act of 1965 for academic year 1983-1984 and for succeeding academic years.

20 USC 1070a note.
20 USC 1070a.

GUARANTEED STUDENT LOAN FAMILY CONTRIBUTION SCHEDULE FOR THE PERIOD JULY 1, 1983, THROUGH JUNE 30, 1984

SEC. 9. (a) Except as provided in subsections (b) and (c), the family contribution schedule for the period of instruction from July 1, 1983, through June 30, 1984, for loans made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 shall be the family contribution schedule for such loans for the period of instruction from July 1, 1982, through June 30, 1983.

20 USC 1078 note.
20 USC 1071.

(b) For purposes of subsection (a), the family contribution schedule for the period of instruction from July 1, 1982, through June 30, 1983, shall be modified by the Secretary of Education for use for the period of instruction from July 1, 1983, through June 30, 1984, to reflect the most recent and relevant data.

(c) The modified family contribution schedule under this section shall be submitted not later than April 1, 1983, and shall otherwise be subject to the provisions of section 482(a) of the Higher Education Act of 1965.

20 USC 1089.

SUPPLEMENTAL EDUCATION OPPORTUNITY GRANT APPORTIONMENT FOR FISCAL YEARS 1983, 1984, AND 1985

SEC. 10. Notwithstanding section 413D(a) of the Higher Education Act of 1965, if in fiscal year 1983, fiscal year 1984, or fiscal year 1985 the sums appropriated pursuant to section 413A(b) of the Higher Education Act of 1965 are less than the sums appropriated pursuant to such section for the fiscal year 1981, the Secretary shall apportion the sums appropriated pursuant to section 413A(b) of the Higher Education Act of 1965 for such fiscal year among the States so that each State's apportionment bears the same ratio to the total amount appropriated as that State's apportionment in fiscal year 1981 bears to the total amount appropriated pursuant to section 413A(b) for the fiscal year 1981.

20 USC 1070b-3 note.
20 USC 1070b-3.
20 USC 1070b.

COLLEGE WORK-STUDY ALLOTMENT FOR FISCAL YEARS 1983, 1984, AND 1985

SEC. 11. Notwithstanding subsections (a), (b), (c), and (e) of section 442 of the Higher Education Act of 1965, if in fiscal year 1983, fiscal year 1984, or fiscal year 1985 the sums appropriated pursuant to section 441(b) of the Higher Education Act of 1965 are less than the sums appropriated pursuant to such section for the fiscal year 1981, the Secretary shall allot the sums appropriated pursuant to section 441(b) of the Higher Education Act of 1965 for such fiscal year among the States so that each State's allotment bears the same ratio to the total amount appropriated as that State's allotment in fiscal

42 USC 2752 note.
42 USC 2752.
42 USC 2751.

year 1981 bears to the total amount appropriated pursuant to section 441(b) for the fiscal year 1981.

42 USC 2751.

NATIONAL DIRECT STUDENT LOAN APPORTIONMENT FOR FISCAL YEARS 1983, 1984, AND 1985

20 USC 1087bb note.
20 USC 1087bb.
20 USC 1087aa.

SEC. 12. Notwithstanding subsections (a) and (b) of section 462 of the Higher Education Act of 1965, if in fiscal year 1983, fiscal year 1984, or fiscal year 1985 the sums appropriated pursuant to section 461(b)(1) of the Higher Education Act of 1965 are less than the sums appropriated pursuant to such section for the fiscal year 1981, the Secretary shall apportion the sums appropriated pursuant to section 461(b)(1) of the Higher Education Act of 1965 for such fiscal year among the States so that each State's apportionment bears the same ratio to the total amount appropriated as that State's apportionment in fiscal year 1981 bears to the total amount appropriated pursuant to section 461(b)(1) for the fiscal year 1981.

LOAN REPAYMENT DISCLOSURE

20 USC 1083a.

SEC. 13. (a)(1) Section 433A of the Higher Education Act of 1965 is amended by inserting "(a)" after the section designation and by adding at the end thereof the following new subsections:

"(b) Each eligible lender shall enter into an agreement with the Secretary under which the eligible lender will, prior to the start of the repayment period of the student borrower on loans made, insured, or guaranteed under this part, disclose to the student borrower the information required under this subsection. The disclosures required by this subsection shall include—

"(1) the itemization of and the total of amounts financed, calculated by adding all amounts borrowed by the student borrower under this part, and subtracting all charges, including any origination fee or insurance premium, paid by the student borrower;

"(2) the dollar cost to the student borrower of the amount borrowed;

"(3) the dollar amount of total scheduled payments, calculated by adding the amounts in clauses (1) and (2); and

"(4) the repayment schedule of the student borrower, including the number, amounts, and frequency of payments.

"(c) The loan information required by this section shall be made available in a conspicuous form either in the note or other written evidence of the loan or in another written form signed by the borrower.".

(2) The second sentence of such section is amended—

(A) by striking out "section" and inserting in lieu thereof "subsection"; and

(B) by redesignating clauses (5) through (7) as clauses (6) through (8), respectively, and by inserting after clause (4) the following new clause:

"(5) the amount of any other charges, including the origination fee, and the rate of the insurance premium charged to the student by the lender;".

20 USC 1087cc-1.

(b)(1) Section 463A of the Higher Education Act of 1965 is amended by inserting "(a)" after the section designation and by adding at the end thereof the following new subsections:

"(b) Each institution of higher education, in order to carry out the provisions of section 463(a)(8), shall, prior to the start of the repayment period of the student borrower on loans made under this part, disclose to the student borrower the information required under this subsection. The disclosures required by this subsection shall include— 20 USC 1087cc.

"(1) the itemization of and the total of amounts financed, calculated by adding all amounts borrowed by the student borrower under this part, and subtracting all charges, including any origination fee or insurance premium, paid by the student borrower;

"(2) the dollar cost to the student borrower of the amount borrowed;

"(3) the dollar amount of total scheduled payments, calculated by adding the amounts in clauses (1) and (2); and

"(4) the repayment schedule of the student borrower, including the number, amounts, and frequency of payments.

"(c) The loan information required by this section shall be made available in a conspicuous form either in the note or other written evidence of the loan or in another written form signed by the borrower.".

(2)(A) The first sentence of such section is amended by striking out "section 463(a)(7)" and inserting in lieu thereof "section 463(a)(8)".

(B) The second sentence of such section is amended—

(A) by striking out "section" and inserting in lieu thereof "subsection"; and

(B) by redesignating clauses (5) through (7) as clauses (6) through (8), respectively, and by inserting after clause (4) the following new clause:

"(5) the amount of any other charges, including the origination fee, and the rate of the insurance premium charged to the student by the lender;".

STUDENT LOAN MARKETING ASSOCIATION

SEC. 14. (a) The last sentence of section 439(l) of the Higher Education Act of 1965 is amended by striking out "September 30, 1982" and inserting in lieu thereof "September 30, 1984". 95 Stat. 1610.

(b) Section 439(o) is amended by adding at the end thereof the following new paragraph: Termination. 20 USC 1087-2.

"(5) The authority of the Association to make loans under this section shall terminate on August 1, 1983.".

HIGHER EDUCATION SURVEY DATA

20 USC 1221e-1. note.

SEC. 15. The National Center for Education Statistics shall collect and publish for academic years 1982 through 1985, tuition and fees data, and room and board charges for institutions of higher education included in the Higher Education General Information Survey. The surveys required by this section shall be consistent with prior surveys of data described in this section. The results of such surveys shall be stated so as to display such data by congressional district.

Approved October 13, 1982.

LEGISLATIVE HISTORY—S. 2852 (H.R. 7048):

HOUSE REPORTS: No. 97-814 accompanying H.R. 7048 (Comm. on Education and Labor) and No. 97-887 (Comm. of Conference).

SENATE REPORTS: No. 97-538 (Comm. on Labor and Human Resources) and No. 97-589 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 128 (1982):

Sept. 16, considered and passed Senate.

Sept. 20, 22, H.R. 7048 considered and passed House; S. 2852, amended, passed in lieu.

Sept. 27, Senate agreed to conference report.

Sept. 29, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 18, No. 41 (1982):

Oct. 14, Presidential statement.