

Section 1018c, Pub. L. 89-329, title I, §144, as added Pub. L. 100-418, title VI, §6201, Aug. 23, 1988, 102 Stat. 1515; Pub. L. 101-610, title II, §221(a), (b), Nov. 16, 1990, 104 Stat. 3180, related to applications.

Section 1018d, Pub. L. 89-329, title I, §145, as added Pub. L. 100-418, title VI, §6201, Aug. 23, 1988, 102 Stat. 1516, related to technical assistance and coordination contracts.

Section 1018e, Pub. L. 89-329, title I, §146, as added Pub. L. 100-418, title VI, §6201, Aug. 23, 1988, 102 Stat. 1516; Pub. L. 101-305, §5, May 30, 1990, 104 Stat. 258; Pub. L. 101-610, title II, §221(c), Nov. 16, 1990, 104 Stat. 3180, related to authorization of appropriations.

Section 1018f, Pub. L. 89-329, title I, §147, as added Pub. L. 100-418, title VI, §6201, Aug. 23, 1988, 102 Stat. 1516, defined “public community agency”, “institution of higher education” and “Secretary”.

A prior section 1019, Pub. L. 89-329, title I, §119, as added Pub. L. 96-374, title I, §101(a), Oct. 3, 1980, 94 Stat. 1383, authorized appropriations for education outreach programs, prior to the general amendment of this subchapter by Pub. L. 99-498.

PART E—LENDER AND INSTITUTION
REQUIREMENTS RELATING TO EDUCATION LOANS

§ 1019. Definitions

In this part:

(1) **Agent**

The term “agent” means an officer or employee of a covered institution or an institution-affiliated organization.

(2) **Covered institution**

The term “covered institution” means any institution of higher education, as such term is defined in section 1002 of this title, that receives any Federal funding or assistance.

(3) **Education loan**

The term “education loan” (except when used as part of the term “private education loan”) means—

(A) any loan made, insured, or guaranteed under part B of subchapter IV;

(B) any loan made under part C of subchapter IV; or

(C) a private education loan.

(4) **Eligible lender**

The term “eligible lender” has the meaning given such term in section 1085(d) of this title.

(5) **Institution-affiliated organization**

The term “institution-affiliated organization”—

(A) means any organization that—

(i) is directly or indirectly related to a covered institution; and

(ii) is engaged in the practice of recommending, promoting, or endorsing education loans for students attending such covered institution or the families of such students;

(B) may include an alumni organization, athletic organization, foundation, or social, academic, or professional organization, of a covered institution; and

(C) notwithstanding subparagraphs (A) and (B), does not include any lender with respect to any education loan secured, made, or extended by such lender.

(6) **Lender**

The term “lender” (except when used as part of the terms “eligible lender” and “private educational lender”)—

(A) means—

(i) in the case of a loan made, insured, or guaranteed under part B of subchapter IV, an eligible lender;

(ii) in the case of any loan issued or provided to a student under part C of subchapter IV, the Secretary; and

(iii) in the case of a private education loan, a private educational lender as defined in section 1650 of title 15; and

(B) includes any other person engaged in the business of securing, making, or extending education loans on behalf of the lender.

(7) **Officer**

The term “officer” includes a director or trustee of a covered institution or institution-affiliated organization, if such individual is treated as an employee of such covered institution or institution-affiliated organization, respectively.

(8) **Preferred lender arrangement**

The term “preferred lender arrangement”—

(A) means an arrangement or agreement between a lender and a covered institution or an institution-affiliated organization of such covered institution—

(i) under which a lender provides or otherwise issues education loans to the students attending such covered institution or the families of such students; and

(ii) that relates to such covered institution or such institution-affiliated organization recommending, promoting, or endorsing the education loan products of the lender; and

(B) does not include—

(i) arrangements or agreements with respect to loans under part C of subchapter IV; or

(ii) arrangements or agreements with respect to loans that originate through the auction pilot program under section 1099d(b) of this title.

(9) **Private education loan**

The term “private education loan” has the meaning given the term in section 1650 of title 15.

(Pub. L. 89-329, title I, §151, as added Pub. L. 110-315, title I, §120, Aug. 14, 2008, 122 Stat. 3117.)

§ 1019a. Responsibilities of covered institutions, institution-affiliated organizations, and lenders

(a) **Responsibilities of covered institutions and institution-affiliated organizations**

(1) **Disclosures by covered institutions and institution-affiliated organizations**

(A) **Preferred lender arrangement disclosures**

In addition to the disclosures required by subsections (a)(27) and (h) of section 1094 of this title (if applicable), a covered institution, or an institution-affiliated organization of such covered institution, that participates in a preferred lender arrangement shall disclose—