

retary may reasonably require, in order to assist financial aid administrators to determine that the student is an eligible student under this section; or

“(bb) that is recognized as such by the Secretary in regulations promulgated to carry out this section, as such regulations were in effect on May 6, 2008; and”.

See Effective Date of 2008 Amendment notes below.

Subsec. (c)(3)(A)(ii). Pub. L. 110-227, §10(a)(3)(C)(ii)(III), inserted “, except as part of a secondary school program of study” before semicolon.

Subsec. (c)(3)(B). Pub. L. 110-227, §10(a)(3)(C)(iii)(I), in introductory provisions, substituted “year of a program of undergraduate education at a two- or four-year degree-granting institution of higher education (including a program of not less than two years for which the institution awards a certificate)” for “year of a program of undergraduate education at a two- or four-year degree-granting institution of higher education”.

Subsec. (c)(3)(B)(i). Pub. L. 110-315, §402(a)(1)(A)(ii), added cl. (i) and struck out former cl. (i) which read as follows: “has successfully completed, after January 1, 2005, a rigorous secondary school program of study established by a State or local educational agency and recognized as such by the Secretary; and”.

Subsec. (c)(3)(C)(i). Pub. L. 110-227, §10(a)(3)(C)(iv)(I), inserted “certified by the institution to be” after “is” in introductory provisions.

Subsec. (c)(3)(C)(i)(II). Pub. L. 110-227, §10(a)(3)(C)(iv)(II), added subcl. (II) and struck out former subcl. (II) which read as follows: “a foreign language that the Secretary, in consultation with the Director of National Intelligence, determines is critical to the national security of the United States; and”.

Subsec. (c)(3)(D), (E). Pub. L. 110-227, §10(a)(3)(C)(iii)(II), (iv)(III), (v), added subpars. (D) and (E).

Subsec. (d)(1)(A). Pub. L. 110-227, §10(a)(4)(A)(i), inserted heading, substituted “subparagraph (C) or (D) of subsection (c)(3), for each of the two years described in such subparagraphs; or” for “subsection (c)(3)(C)” in cl. (iii), and added cl. (iv).

Subsec. (d)(1)(B). Pub. L. 110-227, §10(a)(4)(A)(ii), inserted heading, added cl. (i), and redesignated former cls. (i) to (iii) as (ii) to (iv), respectively.

Subsec. (d)(2), (3). Pub. L. 110-227, §10(a)(4)(B), (C), added pars. (2) and (3) and struck out former par. (2). Prior to amendment, text read as follows: “The Secretary shall not award a grant under this section—

“(A) to any student for an academic year of a program of undergraduate education described in subparagraph (A), (B), or (C) of subsection (c)(3) for which the student received credit before February 8, 2006; or

“(B) to any student for more than—

“(i) one academic year under subsection (c)(3)(A);

“(ii) one academic year under subsection (c)(3)(B);

or

“(iii) two academic years under subsection (c)(3)(C).”

Subsec. (e)(2). Pub. L. 110-315, §402(a)(1)(B), amended par. (2) generally. Prior to amendment, text read as follows: “If, at the end of a fiscal year, the funds available for awarding grants under this section exceed the amount necessary to make such grants in the amounts authorized by subsection (d), then all of the excess funds shall remain available for awarding grants under this section during the subsequent fiscal year.” See Effective Date of 2008 Amendment notes below.

Pub. L. 110-227, §10(a)(5), added par. (2) and struck out former par. (2), as amended by Pub. L. 110-315, §402(a)(1)(B). Prior to amendment, text read as follows: “The amounts made available by paragraph (1) for any fiscal year shall be available from October 1 of that fiscal year and remain available through September 30 of the succeeding fiscal year.” See Effective Date of 2008 Amendment notes below.

Subsec. (f). Pub. L. 110-227, §10(a)(6), substituted “not less than one” for “at least one” and “subparagraphs (A) and (B) of subsection (c)(3)” for “subsection (c)(3)(A) and (B)”.

Subsec. (g). Pub. L. 110-227, §10(a)(7), substituted “award” for “academic”.

#### EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-315, title IV, §402(a)(2), Aug. 14, 2008, 122 Stat. 3191, provided that: “The amendment made by paragraph (1)(B) [amending this section] shall take effect on October 1, 2008.”

Pub. L. 110-227, §10(b), May 7, 2008, 122 Stat. 752, as amended by Pub. L. 110-315, title IV, §402(a)(3), Aug. 14, 2008, 122 Stat. 3191, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on July 1, 2009.”

#### EFFECTIVE DATE

Section effective July 1, 2006, except as otherwise provided, see section 8001(c) of Pub. L. 109-171, set out as an Effective Date of 2006 Amendment note under section 1002 of this title.

### §§ 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

##### 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