

sums as may be necessary for each of the 4 succeeding fiscal years” and struck out last sentence which read as follows: “The Secretary shall report to Congress by October 1, 1994, on the use of these funds.”

Pub. L. 110-315, § 403(a)(4), redesignated subsec. (f) as (g). Former subsec. (g) redesignated (h).

Subsec. (h). Pub. L. 110-315, § 403(a)(7)(A), (B), added pars. (1) and (2) and redesignated former pars. (1) to (4) as (3) to (6), respectively.

Pub. L. 110-315, § 403(a)(4), redesignated subsec. (g) as (h).

Subsec. (h)(5)(A). Pub. L. 110-315, § 403(a)(7)(C)(i), struck out “, any part of which occurred after January 31, 1955,” after “more than 180 days” and “or” after semicolon.

Subsec. (h)(5)(B). Pub. L. 110-315, § 403(a)(7)(C)(ii), struck out “after January 31, 1955,” after “active duty” and substituted a semicolon for period at end.

Subsec. (h)(5)(C), (D). Pub. L. 110-315, § 403(a)(7)(C)(iii), added subpars. (C) and (D).

Subsec. (h)(6). Pub. L. 110-315, § 403(a)(7)(D), substituted “subparagraph (A), (B), or (C) of paragraph (5)” for “subparagraph (A) or (B) of paragraph (3)”.

1998—Subsec. (b)(2)(C). Pub. L. 105-244, § 402(a)(1), added subpar. (C).

Subsec. (b)(3). Pub. L. 105-244, § 402(a)(2), amended heading and text of par. (3) generally. Prior to amendment, text read as follows: “In any year in which the appropriations authorized under this division exceed the prior year appropriation as adjusted for inflation, the Secretary shall use 80 percent of the amount appropriated above the current services level to bring each award up to the minimum grant level or the amount requested by the institution or agency, whichever is less. The minimum grant level (A) for programs authorized under section 1070a-14 or 1070a-17 of this title, shall not be less than \$170,000 for fiscal year 1993; (B) for programs authorized under section 1070a-12 or 1070a-16 of this title shall not be less than \$180,000 for fiscal year 1994; and (C) for programs authorized under section 1070a-13 or 1070a-15 of this title shall not be less than \$190,000 for fiscal year 1995.”

Subsec. (c). Pub. L. 105-244, § 402(a)(3), amended subsec. (c) generally, revising and restating former pars. (1) to (6), relating to procedures for awarding grants and contracts, as pars. (1) to (7).

Subsec. (c)(2). Pub. L. 105-244, § 102(b)(1), substituted “section 1011g” for “section 1145d-1”.

Subsec. (f). Pub. L. 105-244, § 402(a)(4), substituted “\$700,000,000 for fiscal year 1999” for “\$650,000,000 for fiscal year 1993”.

Subsec. (g)(4). Pub. L. 105-244, § 402(a)(5), added par. (4).

1993—Subsec. (b)(2). Pub. L. 103-208, § 2(b)(6), added par. (2) and struck out former par. (2) which read as follows: “Grants or contracts made under this division shall be awarded for a period of 4 years, except that the Secretary shall award such grants or contracts for 5 years to applicants whose peer review scores were in the highest 10 percent of scores of all applicants receiving grants or contracts in each program competition for the same award year.”

Subsec. (c)(1). Pub. L. 103-208, § 2(b)(7), inserted before period at end of second sentence “, except that in the case of the programs authorized in sections 1070a-15 and 1070a-17 of this title, the level of consideration given to prior experience shall be the same as the level of consideration given this factor in the other programs authorized in this division”.

Subsec. (c)(2)(A). Pub. L. 103-208, § 2(b)(8), inserted “with respect to grants made under section 1070a-17 of this title, and” after “Except”.

Subsec. (e). Pub. L. 103-208, § 2(b)(9), amended subsec. (e) generally. Prior to amendment, subsec. (e) read as follows: “Documentation of an individual’s status pursuant to subsection (g)(2) of this section shall be made—

“(1) in the case of an individual who is eighteen years of age or younger or a dependent student by providing the Secretary with a signed statement from

the parent or legal guardian, verification from another governmental source, a signed financial aid application, or a signed United States or Puerto Rican income tax return; and

“(2) in the case of an individual who is age 18 or older or who is an independent student, by providing the Secretary with a signed statement from the individual, verification from another governmental source, a signed financial aid form, or a signed United States or Puerto Rican income tax return.”

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 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 1993 AMENDMENT

Amendment by section 2(b)(6), (8), (9) of Pub. L. 103-208 effective as if included in the Higher Education Amendments of 1992, Pub. L. 102-325, except as otherwise provided, and amendment by section 2(b)(7) 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.

ADVANCED PLACEMENT FEE PAYMENT PROGRAM

Pub. L. 105-244, title VIII, § 810, Oct. 7, 1998, 112 Stat. 1808, which authorized grants to States to enable States to reimburse low-income individuals to cover part or all of the cost of advanced placement test fees, required dissemination of information regarding availability of payments, set forth requirements for approval of applications and funding rules, authorized regulations, required annual report, defined terms, and authorized appropriations, was repealed by Pub. L. 107-110, title X, § 1011(2), Jan. 8, 2002, 115 Stat. 1986.

Similar provisions were contained in Pub. L. 102-325, title XV, § 1545, July 23, 1992, 106 Stat. 837, which was repealed by Pub. L. 107-110, title X, § 1011(1), Jan. 8, 2002, 115 Stat. 1986.

§ 1070a-12. Talent search

(a) Program authority

The Secretary shall carry out a program to be known as talent search which shall be designed—

(1) to identify qualified youths with potential for education at the postsecondary level and to encourage such youths to complete secondary school and to undertake a program of postsecondary education;

(2) to publicize the availability of, and facilitate the application for, student financial assistance available to persons who pursue a program of postsecondary education; and

(3) to encourage persons who have not completed programs of education at the secondary or postsecondary level to enter or reenter, and complete such programs.

(b) Required services

Any project assisted under this section shall provide—

(1) connections to high quality academic tutoring services, to enable students to complete secondary or postsecondary courses;

(2) advice and assistance in secondary course selection and, if applicable, initial postsecondary course selection;

(3) assistance in preparing for college entrance examinations and completing college admission applications;

(4)(A) information on the full range of Federal student financial aid programs and benefits (including Federal Pell Grant awards and loan forgiveness) and resources for locating public and private scholarships; and

(B) assistance in completing financial aid applications, including the Free Application for Federal Student Aid described in section 1090(a) of this title;

(5) guidance on and assistance in—

(A) secondary school reentry;

(B) alternative education programs for secondary school dropouts that lead to the receipt of a regular secondary school diploma;

(C) entry into general educational development (GED) programs; or

(D) postsecondary education; and

(6) connections to education or counseling services designed to improve the financial literacy and economic literacy of students or the students' parents, including financial planning for postsecondary education.

(c) Permissible services

Any project assisted under this section may provide services such as—

(1) academic tutoring, which may include instruction in reading, writing, study skills, mathematics, science, and other subjects;

(2) personal and career counseling or activities;

(3) information and activities designed to acquaint youth with the range of career options available to the youth;

(4) exposure to the campuses of institutions of higher education, as well as cultural events, academic programs, and other sites or activities not usually available to disadvantaged youth;

(5) workshops and counseling for families of students served;

(6) mentoring programs involving elementary or secondary school teachers or counselors, faculty members at institutions of higher education, students, or any combination of such persons; and

(7) programs and activities as described in subsection (b) or paragraphs (1) through (6) of this subsection that are specially designed for students who are limited English proficient, students from groups that are traditionally underrepresented in postsecondary education, students with disabilities, students who are homeless children and youths (as such term is defined in section 11434a of title 42), students who are in foster care or are aging out of the foster care system, or other disconnected students.

(d) Requirements for approval of applications

In approving applications for projects under this section for any fiscal year the Secretary shall—

(1) require an assurance that not less than two-thirds of the individuals participating in the project proposed to be carried out under any application be low-income individuals who are first generation college students;

(2) require that such participants be persons who either have completed 5 years of elementary education or are at least 11 years of age but not more than 27 years of age, unless the imposition of any such limitation with respect to any person would defeat the purposes of this section or the purposes of section 1070a-16 of this title;

(3) require an assurance that individuals participating in the project proposed in the application do not have access to services from another project funded under this section or under section 1070a-16 of this title; and

(4) require an assurance that the project will be located in a setting accessible to the persons proposed to be served by the project.

(Pub. L. 89-329, title IV, § 402B, as added Pub. L. 102-325, title IV, § 402(a)(4), July 23, 1992, 106 Stat. 486; amended Pub. L. 105-244, title IV, § 402(b), Oct. 7, 1998, 112 Stat. 1654; Pub. L. 110-315, title IV, § 403(b), Aug. 14, 2008, 122 Stat. 3198.)

AMENDMENTS

2008—Subsec. (a)(2). Pub. L. 110-315, § 403(b)(1)(A), inserted “, and facilitate the application for,” after “the availability of”.

Subsec. (a)(3). Pub. L. 110-315, § 403(b)(1)(B), substituted “to enter or reenter, and complete” for “, but who have the ability to complete such programs, to reenter”.

Subsecs. (b), (c). Pub. L. 110-315, § 403(b)(3), added subsecs. (b) and (c) and struck out former subsec. (b) which related to permissible services. Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 110-315, § 403(b)(2), (4), redesignated subsec. (c) as (d) and substituted “projects under this section” for “talent search projects under this division” in introductory provisions.

1998—Subsec. (b)(4). Pub. L. 105-244, § 402(b)(1), added par. (4) and struck out former par. (4) which read as follows: “guidance on secondary school reentry or entry to general educational development (GED) programs or other alternative education programs for secondary school dropouts;”.

Subsec. (b)(5). Pub. L. 105-244, § 402(b)(2), inserted before semicolon “, or activities designed to acquaint individuals from disadvantaged backgrounds with careers in which the individuals are particularly underrepresented”.

Subsec. (b)(8). Pub. L. 105-244, § 402(b)(3), substituted “families” for “parents”.

Subsec. (b)(9). Pub. L. 105-244, § 402(b)(4), inserted “or counselors” after “teachers”.

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.

§ 1070a-13. Upward bound

(a) Program authority

The Secretary shall carry out a program to be known as upward bound which shall be designed to generate skills and motivation necessary for success in education beyond secondary school.

(b) Required services

Any project assisted under this section shall provide—

(1) academic tutoring to enable students to complete secondary or postsecondary courses, which may include instruction in reading, writing, study skills, mathematics, science, and other subjects;