

(1) the submission of periodic reports on the use of funds provided under this section; and

(2) consultation by the recipient with students, parents, or representatives of the population that will benefit from the payments.

(c) Availability of funds

Notwithstanding any other provisions of law, the funds made available under this section shall remain available for expenditure for a period of time deemed reasonable by the Secretary, but in no case to exceed more than three fiscal years following the later of—

(1) the fiscal year in which final agency action under section 1234a(e) of this title is taken; or

(2) if such recipient files a petition for judicial review, the fiscal year in which final judicial action under section 1234g of this title is taken.

(d) Publication in Federal Register of notice of intent to enter into repayment arrangement

At least 30 days prior to entering into an arrangement under this section, the Secretary shall publish in the Federal Register a notice of intent to enter into such an arrangement and the terms and conditions under which payments will be made. Interested persons shall have an opportunity for at least 30 days to submit comments to the Secretary regarding the proposed arrangement.

(Pub. L. 90-247, title IV, § 459, as added Pub. L. 100-297, title III, § 3501(a), Apr. 28, 1988, 102 Stat. 356; amended Pub. L. 103-382, title II, § 250(b), Oct. 20, 1994, 108 Stat. 3927.)

AMENDMENTS

1994—Subsec. (a)(1). Pub. L. 103-382, § 250(b)(1), inserted before semicolon “, provided that the recipient was notified of any noncompliance with such requirements and given a reasonable period of time to remedy such noncompliance”.

Subsec. (c). Pub. L. 103-382, § 250(b)(2), amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “Notwithstanding any other provisions of law, the funds made available under this section shall remain available for expenditure for a period of time deemed reasonable by the Secretary, but in no case to exceed more than 3 fiscal years following the fiscal year in which final agency action under section 1234a(e) of this title is taken.”

EFFECTIVE DATE

Section effective 180 days after Apr. 28, 1988, but not applicable to recipients receiving written notice to return funds prior to that date, see section 3501(b) of Pub. L. 100-297, set out as an Effective Date of 1988 Amendment note under section 1234 of this title.

§ 1234i. Definitions

For purposes of this subchapter:

(1) The term “recipient” means a recipient of a grant or cooperative agreement under an applicable program.

(2) The term “applicable program” excludes programs authorized by the Higher Education Act of 1965 [20 U.S.C. 1001 et seq., 42 U.S.C. 2751 et seq.] and assistance programs provided under the Act of September 30, 1950¹ (Public Law 874, 81st Congress), and the Act of Sep-

tember 23, 1950¹ (Public Law 815, 81st Congress).

(Pub. L. 90-247, title IV, § 460, as added Pub. L. 100-297, title III, § 3501(a), Apr. 28, 1988, 102 Stat. 357.)

REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in par. (2), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219, which is classified generally to chapter 28 (§ 1001 et seq.) of this title and part C (§ 2751 et seq.) of subchapter I of chapter 34 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of this title and Tables.

Act of September 30, 1950 (Public Law 874, 81st Congress), referred to in par. (2), is act Sept. 30, 1950, ch. 1124, 64 Stat. 1100, which was classified generally to chapter 13 (§ 236 et seq.) of this title prior to repeal by Pub. L. 103-382, title III, § 331(b), Oct. 20, 1994, 108 Stat. 3965. For complete classification of this Act to the Code, see Tables.

Act of September 23, 1950 (Public Law 815, 81st Congress), referred to in par. (2), is act Sept. 23, 1950, ch. 995, as amended generally by act Aug. 12, 1958, Pub. L. 85-620, title I, 72 Stat. 548, which was classified generally to chapter 19 (§ 631 et seq.) of this title prior to repeal by Pub. L. 103-382, title III, § 331(a), Oct. 20, 1994, 108 Stat. 3965. For complete classification of this Act to the Code, see Tables.

EFFECTIVE DATE

Section effective 180 days after Apr. 28, 1988, but not applicable to recipients receiving written notice to return funds prior to that date, see section 3501(b) of Pub. L. 100-297, set out as an Effective Date of 1988 Amendment note under section 1234 of this title.

SUBCHAPTER V—READY TO LEARN
TELEVISION

CODIFICATION

This subchapter was classified to part G (§ 3161 et seq.) of subchapter IV of chapter 47 of this title prior to its renumbering by Pub. L. 103-252, title I, § 121(a)(1), May 18, 1994, 108 Stat. 649.

PRIOR PROVISIONS

A prior subchapter V, consisting of sections 1234 to 1234i, was renumbered subchapter IV by Pub. L. 103-382, title II, § 212(b)(2), Oct. 20, 1994, 108 Stat. 3913.

§§ 1235 to 1235g. Repealed. Pub. L. 107-110, title X, § 1011(3), Jan. 8, 2002, 115 Stat. 1986

Section 1235, Pub. L. 90-247, title IV, § 471, formerly Pub. L. 89-10, title IV, § 4701, as added Pub. L. 102-545, § 3, Oct. 27, 1992, 106 Stat. 3586; renumbered § 471 of Pub. L. 90-247 and amended Pub. L. 103-252, title I, § 121(a)(1), (2)(A), May 18, 1994, 108 Stat. 649, authorized contracts, cooperative agreements, and grants to develop, produce, and distribute educational and instructional video programming for preschool and elementary school children and their parents.

Section 1235a, Pub. L. 90-247, title IV, § 472, formerly Pub. L. 89-10, title IV, § 4702, as added Pub. L. 102-545, § 3, Oct. 27, 1992, 106 Stat. 3586; renumbered § 472 of Pub. L. 90-247 and amended Pub. L. 103-252, title I, § 121(a)(1), (b), May 18, 1994, 108 Stat. 649, related to development and dissemination of educational programming.

Section 1235b, Pub. L. 90-247, title IV, § 473, formerly Pub. L. 89-10, title IV, § 4703, as added Pub. L. 102-545, § 3, Oct. 27, 1992, 106 Stat. 3587; renumbered § 473 of Pub. L. 90-247, Pub. L. 103-252, title I, § 121(a)(1), May 18, 1994, 108 Stat. 649, set forth duties of Secretary of Education.

Section 1235c, Pub. L. 90-247, title IV, § 474, formerly Pub. L. 89-10, title IV, § 4704, as added Pub. L. 102-545, § 3, Oct. 27, 1992, 106 Stat. 3588; renumbered § 474 of Pub.

¹ See References in Text note below.