

(5) Remaining property

The term “remaining property” means the following assets and liabilities of the Association which are outstanding as of the reorganization effective date:

(A) Debt obligations issued by the Association.

(B) Contracts relating to interest rate, currency, or commodity positions or protections.

(C) Investment securities owned by the Association.

(D) Any instruments, assets, or agreements described in section 1087-2(d) of this title (including, without limitation, all student loans and agreements relating to the purchase and sale of student loans, forward purchase and lending commitments, warehousing advances, academic facilities obligations, letters of credit, standby bond purchase agreements, liquidity agreements, and student loan revenue bonds or other loans).

(E) Except as specifically prohibited by this section or section 1087-2 of this title, any other nonmaterial assets or liabilities of the Association which the Association’s Board of Directors determines to be necessary or appropriate to the Association’s operations.

(6) Reorganization

The term “reorganization” means the restructuring event or events (including any merger event) giving effect to the Holding Company structure described in subsection (a).

(7) Reorganization effective date

The term “reorganization effective date” means the effective date of the reorganization as determined by the Board of Directors of the Association, which shall not be earlier than the date that shareholder approval is obtained pursuant to subsection (b) and shall not be later than the date that is 18 months after September 30, 1996.

(8) Subsidiary

The term “subsidiary” means one or more direct or indirect subsidiaries.

(Pub. L. 89-329, title IV, § 440, as added Pub. L. 104-208, div. A, title I, § 101(e) [title VI, § 602(a)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-275.)

REPEAL OF SECTION

Pub. L. 104-208, div. A, title I, § 101(e) [title VI, § 602(d)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-289, provided that this section is repealed effective one year after date on which all obligations of trust established under subsec. (d)(1) of this section have been extinguished, if reorganization occurs in accordance with this section, or date on which all obligations of trust established under section 1087-2(s)(3)(A) of this title have been extinguished, if reorganization does not occur in accordance with this section.

REFERENCES IN TEXT

Section 1155(e) of this title, referred to in subsecs. (c)(9)(B) and (e)(3), was in the original a reference to section 3(e) of the Student Loan Marketing Association Reorganization Act of 1996, and was translated as reading section 603(e) of that Act, which is Pub. L. 104-208,

div. A, title I, § 101(e) [title VI, § 603(e)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-293, to reflect the probable intent of Congress, because that Act does not contain a section 3(e), but does contain a section 603(e) which establishes the account referred to in text.

PRIOR PROVISIONS

A prior section 1087-3, Pub. L. 89-329, title IV, § 439A, as added Pub. L. 94-482, title I, § 127(a), Oct. 12, 1976, 90 Stat. 2141, related to a five-year nondischargeability of certain loan debts, prior to repeal by Pub. L. 95-598, title III, § 317, Nov. 6, 1978, 92 Stat. 2678, eff. Nov. 6, 1978.

A prior section 1087-3a, Pub. L. 89-329, title IV, § 439B, as added Pub. L. 95-566, § 8, Nov. 1, 1978, 92 Stat. 2404, authorized any loan under this part to be counted as part of the expected family contribution in the determination of need, prior to repeal by Pub. L. 97-35, title V, § 532(b)(2), Aug. 13, 1981, 95 Stat. 452, applicable to loans for the statement required by section 1078(a)(2)(A) of this title is completed on or after Oct. 1, 1981.

§ 1087-4. Discrimination in secondary markets prohibited

The Student Loan Marketing Association (and, if the Association is privatized under section 1087-3 of this title, any successor entity functioning as a secondary market for loans under this part, including the Holding Company described in such section) shall not engage directly or indirectly in any pattern or practice that results in a denial of a borrower’s access to loans under this part because of the borrower’s race, sex, color, religion, national origin, age, disability status, income, attendance at a particular eligible institution, length of the borrower’s educational program, or the borrower’s academic year at an eligible institution.

(Pub. L. 89-329, title IV, § 440A, as added Pub. L. 104-208, div. A, title I, § 101(e) [title VI, § 604], Sept. 30, 1996, 110 Stat. 3009-233, 3009-293.)

PRIOR PROVISIONS

A prior section 1087-4, Pub. L. 89-329, title IV, § 440, as added Pub. L. 94-482, title I, § 127(a), Oct. 12, 1976, 90 Stat. 2141, provided for criminal penalties, prior to repeal by Pub. L. 96-374, title IV, § 451(b), Oct. 3, 1980, 94 Stat. 1458, eff. Oct. 1, 1980. See section 1097 of this title.

PART C—FEDERAL WORK-STUDY PROGRAMS**CODIFICATION**

Part C of title IV of the Higher Education Act of 1965, Pub. L. 89-329, which comprises this part, was originally enacted as part C of title I of the Economic Opportunity Act of 1964, Pub. L. 88-452, Aug. 20, 1964, 78 Stat. 513, and amended by Pub. L. 89-253, Oct. 9, 1965, 79 Stat. 973; Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219; Pub. L. 90-82, Sept. 6, 1967, 81 Stat. 194; and Pub. L. 90-222, Dec. 23, 1967, 81 Stat. 672. It was redesignated as part C of title IV of Pub. L. 89-329 and amended by Pub. L. 90-575, Oct. 16, 1968, 82 Stat. 1014, and further amended by Pub. L. 91-95, Oct. 22, 1969, 83 Stat. 141; Pub. L. 92-318, June 23, 1972, 86 Stat. 235; Pub. L. 94-43, June 28, 1975, 89 Stat. 233; Pub. L. 94-482, Oct. 12, 1976, 90 Stat. 2081; and Pub. L. 96-374, Oct. 3, 1980, 94 Stat. 1367. Such part is shown herein, however, as having been added by Pub. L. 99-498, title IV, § 403(a), Oct. 17, 1986, 100 Stat. 1429, without reference to such intervening amendments because of the extensive revision of part C by Pub. L. 99-498. For complete credit information on amendatory acts prior to Pub. L. 99-498, see Prior Provisions notes under individual sections within this part.

Part was formerly classified to part C (§2751 et seq.) of subchapter I of chapter 34 of Title 42, The Public Health and Welfare, prior to transfer to this part.