

2006—Par. (4). Pub. L. 109-171, § 8016(1), added par. (4) and struck out former par. (4), which read as follows: “for less than half-time students (as determined by the institution) tuition and fees and an allowance for only books, supplies, and transportation (as determined by the institution) and dependent care expenses (in accordance with paragraph (8));”.

Par. (13). Pub. L. 109-171, § 8016(2)–(4), added par. (13). 1998—Par. (2). Pub. L. 105-244, § 471(1), inserted “, including a reasonable allowance for the documented rental or purchase of a personal computer,” after “personal expenses”.

Par. (3)(A). Pub. L. 105-244, § 471(2)(A), substituted “determined by the institution” for “of not less than \$1,500”.

Par. (3)(C). Pub. L. 105-244, § 471(2)(B), struck out “, except that the amount may not be less than \$2,500” after “room and board”.

Par. (10). Pub. L. 105-244, § 471(3), substituted a semicolon for “, but this paragraph shall not be construed to permit including the cost of rental or purchase of equipment;”.

Par. (11). Pub. L. 105-244, § 471(4), substituted “engaged” for “placed”.

1993—Par. (12). Pub. L. 103-208 added par. (12).

1992—Pub. L. 102-325 amended section generally, revising and restating as pars. (1) to (11) provisions formerly contained in pars. (1) to (9).

#### EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-315, title IV, § 471(b), Aug. 14, 2008, 122 Stat. 3269, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on July 1, 2010.”

#### EFFECTIVE DATE OF 2006 AMENDMENT

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

#### EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 7, 1998, see section 480A of Pub. L. 105-244, set out as a note under section 1087kk of this title.

#### EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-208 effective as if included in the Higher Education Amendments of 1992, Pub. L. 102-325, except as otherwise provided, see section 5(a) of Pub. L. 103-208, set out as a note under section 1051 of this title.

#### EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-325 applicable with respect to determinations of need under this part for award years beginning on or after July 1, 1993, see section 471(b) of Pub. L. 102-325, set out as a note under section 1087kk of this title.

### § 1087mm. Family contribution

#### (a) In general

For the purpose of this subchapter, other than subpart 2 of part A, and except as provided in subsection (b), the term “family contribution” with respect to any student means the amount which the student and the student’s family may be reasonably expected to contribute toward the student’s postsecondary education for the academic year for which the determination is made, as determined in accordance with this part.

#### (b) Special rule

##### (1) In general

Notwithstanding any other provision of this subchapter, the family contribution of each

student described in paragraph (2) shall be deemed to be zero for the academic year for which the determination is made.

#### (2) Applicability

Paragraph (1) shall apply to any dependent or independent student with respect to determinations of need for academic year 2009-2010 (in the case of a student who meets the requirement of subparagraph (B)(i)), or academic year 2018-2019 (in the case of a student who meets the requirement of subparagraph (B)(ii)), and succeeding academic years—

(A) who is eligible to receive a Federal Pell Grant for the academic year for which the determination is made;

(B) whose parent or guardian was—

(i) a member of the Armed Forces of the United States and died as a result of performing military service in Iraq or Afghanistan after September 11, 2001; or

(ii) actively serving as a public safety officer and died in the line of duty while performing as a public safety officer; and

(C) who, at the time of the parent or guardian’s death, was—

(i) less than 24 years of age; or

(ii) enrolled at an institution of higher education on a part-time or full-time basis.

#### (3) Information

##### (A) Armed Forces

Notwithstanding any other provision of law, the Secretary of Veterans Affairs and the Secretary of Defense, as appropriate, shall provide the Secretary of Education with information necessary to determine which students meet the requirements of subparagraphs (A), (B)(i), and (C) of paragraph (2).

##### (B) Public safety officers

Notwithstanding any other provision of law, unless the Secretary establishes an alternate method to adjust the expected family contribution, for each student who meets the requirements of subparagraphs (A), (B)(ii), and (C) of paragraph (2), a financial aid administrator shall—

(i) verify with the student that the student is eligible for the adjustment;

(ii) adjust the expected family contribution in accordance with this subsection; and

(iii) notify the Secretary of the adjustment and the student’s eligibility for the adjustment.

#### (4) Treatment of Pell amount

Notwithstanding section 1212 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796d-1),<sup>1</sup> in the case of a student who receives an increased Federal Pell Grant amount under this section, the total amount of such Federal Pell Grant, including the increase under this subsection, shall not be considered in calculating that student’s educational assistance benefits under the Public

<sup>1</sup> See References in Text note below.

Safety Officers' Benefits program under subpart 2 of part L of title I of such Act.

**(5) Definition of public safety officer**

For purposes of this subsection, the term "public safety officer" means—

(A) a public safety officer, as defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b);<sup>1</sup> or

(B) a fire police officer, defined as an individual who—

(i) is serving in accordance with State or local law as an officially recognized or designated member of a legally organized public safety agency;

(ii) is not a law enforcement officer, a firefighter, a chaplain, or a member of a rescue squad or ambulance crew; and

(iii) provides scene security or directs traffic—

(I) in response to any fire drill, fire call, or other fire, rescue, or police emergency; or

(II) at a planned special event.

(Pub. L. 89-329, title IV, § 473, as added Pub. L. 99-498, title IV, § 406(a), Oct. 17, 1986, 100 Stat. 1455; amended Pub. L. 102-325, title IV, § 471(a), July 23, 1992, 106 Stat. 586; Pub. L. 105-244, title IV, § 480(b), Oct. 7, 1998, 112 Stat. 1732; Pub. L. 111-39, title IV, § 406(a)(1), July 1, 2009, 123 Stat. 1948; Pub. L. 115-141, div. H, title III, § 317, Mar. 23, 2018, 132 Stat. 753.)

REFERENCES IN TEXT

The Omnibus Crime Control and Safe Streets Act of 1968 and such Act, referred to in subsec. (b)(4), (5)(A), is Pub. L. 90-351, June 19, 1968, 82 Stat. 197. Subpart 2 of part L of title I of the Act is classified to part B (§10301 et seq.) of subchapter XI of chapter 101 of subtitle I of Title 34, Crime Control and Law Enforcement. Sections 1204 and 1212 of the Act were classified to sections 3796b and 3796d-1, respectively, of Title 42, The Public Health and Welfare, prior to editorial reclassification as sections 10284 and 10302, respectively, of Title 34. For complete classification of this Act to the Code, see Short Title of 1968 Act note set out under section 10101 of Title 34 and Tables.

AMENDMENTS

2018—Subsec. (b)(2). Pub. L. 115-141, §317(1)(A), inserted "(in the case of a student who meets the requirement of subparagraph (B)(i)), or academic year 2018-2019 (in the case of a student who meets the requirement of subparagraph (B)(ii))," after "academic year 2009-2010" in introductory provisions.

Subsec. (b)(2)(B). Pub. L. 115-141, §317(1)(B), amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: "whose parent or guardian was a member of the Armed Forces of the United States and died as a result of performing military service in Iraq or Afghanistan after September 11, 2001; and".

Subsec. (b)(3). Pub. L. 115-141, §317(2), designated existing provisions as subpar. (A), inserted heading, substituted "subparagraphs (A), (B)(i), and (C) of paragraph (2)" for "paragraph (2)", and added subpar. (B).

Subsec. (b)(4), (5). Pub. L. 115-141, §317(3), added pars. (4) and (5).

2009—Pub. L. 111-39 designated existing provisions as subsec. (a), inserted heading, substituted "For the purpose of this subchapter, other than subpart 2 of part A, and except as provided in subsection (b)," for "For the purpose of this subchapter, except subpart 2 of part A," and added subsec. (b).

1998—Pub. L. 105-244 substituted "subpart 2" for "subpart 4".

1992—Pub. L. 102-325 amended section generally. Prior to amendment, section read as follows: "For the purpose of this subchapter, except subparts 1 and 3 of part A, the term 'family contribution' with respect to any student means the amount which the student and his or her family may be reasonably expected to contribute toward his or her postsecondary education for the academic year for which the determination is made, as determined in accordance with this part."

EFFECTIVE DATE OF 2009 AMENDMENT

Pub. L. 111-39, title IV, § 406(b), July 1, 2009, 123 Stat. 1950, provided that: "The amendments made by—

"(1) paragraph (1) of subsection (a) [amending this section] shall take effect on July 1, 2009; and

"(2) paragraph (4) of such subsection [amending section 1087ss of this title] shall be effective as if enacted as part of the amendments in section 602(a) of the College Cost Reduction and Access Act (Public Law 110-84), and shall take effect on July 1, 2009."

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 7, 1998, see section 480A of Pub. L. 105-244, set out as a note under section 1087kk of this title.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-325 applicable with respect to determinations of need under this part for award years beginning on or after July 1, 1993, see section 471(b) of Pub. L. 102-325, set out as a note under section 1087kk of this title.

**§ 1087nn. Determination of expected family contribution; data elements**

**(a) General rule for determination of expected family contribution**

The expected family contribution—

(1) for a dependent student shall be determined in accordance with section 1087oo of this title;

(2) for a single independent student or a married independent student without dependents (other than a spouse) shall be determined in accordance with section 1087pp of this title; and

(3) for an independent student with dependents other than a spouse shall be determined in accordance with section 1087qq of this title.

**(b) Data elements**

The following data elements are considered in determining the expected family contribution:

(1) the available income of (A) the student and the student's spouse, or (B) the student and the student's parents, in the case of a dependent student;

(2) the number of dependents in the family of the student;

(3) the number of dependents in the family of the student, excluding the student's parents, who are enrolled or accepted for enrollment, on at least a half-time basis, in a degree, certificate, or other program leading to a recognized educational credential at an institution of higher education that is an eligible institution in accordance with the provisions of section 1094 of this title and for whom the family may reasonably be expected to contribute to their postsecondary education;

(4) the net assets of (A) the student and the student's spouse, and (B) the student and the student's parents, in the case of a dependent student;