TITLE 20 - EDUCATION
CHAPTER 28 - HIGHER EDUCATION RESOURCES AND STUDENT ASSISTANCE
SUBCHAPTER I - GENERAL PROVISIONS
Part E - Lender and Institution Requirements Relating to Education Loans

§ 1019. Definitions

In this part:

(1) **Agent**

The term “agent” means an officer or employee of a covered institution or an institution-affiliated organization.

(2) **Covered institution**

The term “covered institution” means any institution of higher education, as such term is defined in section 1002 of this title, that receives any Federal funding or assistance.

(3) **Education loan**

The term “education loan” (except when used as part of the term “private education loan”) means—

(A) any loan made, insured, or guaranteed under part B of subchapter IV;

(B) any loan made under part C of subchapter IV; or

(C) a private education loan.

(4) **Eligible lender**

The term “eligible lender” has the meaning given such term in section 1085 (d) of this title.

(5) **Institution-affiliated organization**

The term “institution-affiliated organization”—

(A) means any organization that—

(i) is directly or indirectly related to a covered institution; and

(ii) is engaged in the practice of recommending, promoting, or endorsing education loans for students attending such covered institution or the families of such students;

(B) may include an alumni organization, athletic organization, foundation, or social, academic, or professional organization, of a covered institution; and

(C) notwithstanding subparagraphs (A) and (B), does not include any lender with respect to any education loan secured, made, or extended by such lender.

(6) **Lender**

The term “lender” (except when used as part of the terms “eligible lender” and “private educational lender”)—

(A) means—

(i) in the case of a loan made, insured, or guaranteed under part B of subchapter IV, an eligible lender;

(ii) in the case of any loan issued or provided to a student under part C of subchapter IV, the Secretary; and

(iii) in the case of a private education loan, a private educational lender as defined in section 1650 of title 15; and

(B) includes any other person engaged in the business of securing, making, or extending education loans on behalf of the lender.

(7) **Officer**
The term “officer” includes a director or trustee of a covered institution or institution-affiliated organization, if such individual is treated as an employee of such covered institution or institution-affiliated organization, respectively.

(8) Preferred lender arrangement

The term “preferred lender arrangement”—

(A) means an arrangement or agreement between a lender and a covered institution or an institution-affiliated organization of such covered institution—

(i) under which a lender provides or otherwise issues education loans to the students attending such covered institution or the families of such students; and

(ii) that relates to such covered institution or such institution-affiliated organization recommending, promoting, or endorsing the education loan products of the lender; and

(B) does not include—

(i) arrangements or agreements with respect to loans under part C of subchapter IV; or

(ii) arrangements or agreements with respect to loans that originate through the auction pilot program under section 1099d (b) of this title.

(9) Private education loan

The term “private education loan” has the meaning given the term in section 1650 of title 15.