

cessation of public benefit. See section 1011k of this title.

Section 1132i-1, (Pub. L. 89-329, title VII, §782, as added Pub. L. 99-498, title VII, §701, Oct. 17, 1986, 100 Stat. 1542; amended Pub. L. 100-50, §19(6), June 3, 1987, 101 Stat. 360; Pub. L. 102-325, title VII, §708(c), July 23, 1992, 106 Stat. 754; Pub. L. 103-208, §2(j)(22), Dec. 20, 1993, 107 Stat. 2481, defined terms used in this subchapter.

Section 1132i-2, Pub. L. 89-329, title VII, §783, as added Pub. L. 99-498, title VII, §701, Oct. 17, 1986, 100 Stat. 1545; amended Pub. L. 100-203, title III, §3101, Dec. 22, 1987, 101 Stat. 1330-39; Pub. L. 102-325, title VII, §708(d), July 23, 1992, 106 Stat. 754; Pub. L. 103-208, §2(j)(23), Dec. 20, 1993, 107 Stat. 2481, related to forgiveness of certain loans.

A prior section 1132j, Pub. L. 89-329, title VII, §795, as added Pub. L. 100-418, title VI, §6211, Aug. 23, 1988, 102 Stat. 1517, provided for a program of agricultural, strategic metals, minerals, forestry, and oceans college and university research facilities and instrumentation modernization, prior to repeal by Pub. L. 102-325, §2, title VII, §706, July 23, 1992, 106 Stat. 458, 753, effective Oct. 1, 1992.

§ 1133. Purpose

It is the purpose of this subchapter—

(1) to authorize national graduate fellowship programs—

(A) in order to attract students of superior ability and achievement, exceptional promise, and demonstrated financial need, into high-quality graduate programs and provide the students with the financial support necessary to complete advanced degrees; and

(B) that are designed to—

(i) sustain and enhance the capacity for graduate education in areas of national need, including those areas critical to United States national and homeland security needs, such as science, technology, engineering, and mathematics; and

(ii) encourage talented students to pursue scholarly careers in the humanities, social sciences, and the arts; and

(2) to promote postsecondary programs.

(Pub. L. 89-329, title VII, §700, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1786; amended Pub. L. 110-315, title VII, §701, Aug. 14, 2008, 122 Stat. 3345.)

Editorial Notes

PRIOR PROVISIONS

Prior sections 1133 to 1133c, which comprised a prior subchapter VIII of this chapter, were repealed by Pub. L. 105-244, §3, title VII, §702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.

Section 1133, Pub. L. 89-329, title VIII, §801, as added Pub. L. 99-498, title VIII, §801, Oct. 17, 1986, 100 Stat. 1546; amended Pub. L. 102-325, title VIII, §801, July 23, 1992, 106 Stat. 755, stated purpose of former subchapter VIII of this chapter and defined “cooperative education”.

Another prior section 1133, Pub. L. 89-329, title VIII, §801, as added Pub. L. 94-482, title I, §129(b), Oct. 12, 1976, 90 Stat. 2144; amended Pub. L. 96-374, title VIII, §801(a), (b), title XIII, §1391(a)(1), Oct. 3, 1980, 94 Stat. 1481, 1482, 1503, authorized appropriations for fiscal years 1976 to 1985 for grants and contracts for cooperative education, prior to the general amendment of subchapter VIII of this chapter by Pub. L. 99-498.

Another prior section 1133, Pub. L. 89-329, title VIII, §801, as added Pub. L. 90-575, title II, §251, Oct. 16, 1968, 82 Stat. 1042; amended Pub. L. 92-318, title I, §172(a), June 23, 1972, 86 Stat. 304, authorized projects and

grants for sharing educational and related resources by institutions of higher education, prior to the general amendment of subchapter VIII of this chapter by Pub. L. 94-482.

Section 1133a, Pub. L. 89-329, title VIII, §802, as added Pub. L. 99-498, title VIII, §801, Oct. 17, 1986, 100 Stat. 1546; amended Pub. L. 102-325, title VIII, §801, July 23, 1992, 106 Stat. 755; Pub. L. 103-208, §2(j)(24), Dec. 20, 1993, 107 Stat. 2482, authorized appropriations for former subchapter VIII of this chapter.

Another prior section 1133a, Pub. L. 89-329, title VIII, §802, as added Pub. L. 94-482, title I, §129(b), Oct. 12, 1976, 90 Stat. 2145; amended Pub. L. 96-374, title VIII, §801(c), (d), title XIII, §1391(a)(1), Oct. 3, 1980, 94 Stat. 1482, 1503, authorized grants for programs of cooperative education, prior to the general amendment of subchapter VIII of this chapter by Pub. L. 99-498.

Another prior section 1133a, Pub. L. 89-329, title VIII, §802, as added Pub. L. 90-575, title II, §251, Oct. 16, 1968, 82 Stat. 1043; amended Pub. L. 92-318, title I, §171, June 23, 1972, 86 Stat. 304, authorized appropriations for projects and grants for sharing educational and related resources, prior to the general amendment of subchapter VIII of this chapter by Pub. L. 94-482.

Section 1133b, Pub. L. 89-329, title VIII, §803, as added Pub. L. 99-498, title VIII, §801, Oct. 17, 1986, 100 Stat. 1548; amended Pub. L. 102-325, title VIII, §801, July 23, 1992, 106 Stat. 756; Pub. L. 103-208, §2(j)(25), (26), Dec. 20, 1993, 107 Stat. 2482, authorized grants for cooperative education.

Another prior section 1133b, Pub. L. 89-329, title VIII, §803, as added Pub. L. 94-482, title I, §129(b), Oct. 12, 1976, 90 Stat. 2146; amended Pub. L. 96-374, title XIII, §1391(a)(1), Oct. 3, 1980, 94 Stat. 1503, authorized grants and contracts for training and research related to cooperative education, prior to the general amendment of subchapter VIII of this chapter by Pub. L. 99-498.

Another prior section 1133b, Pub. L. 89-329, title VIII, §803, as added Pub. L. 90-575, title II, §251, Oct. 16, 1968, 82 Stat. 1043, authorized free or reduced rates for sharing educational or related resources by institutions of higher education, prior to the general amendment of subchapter VIII of this chapter by Pub. L. 94-482.

Section 1133c, Pub. L. 89-329, title VIII, §804, as added Pub. L. 102-325, title VIII, §801, July 23, 1992, 106 Stat. 759, authorized grants and contracts for demonstration and innovation projects, training and resource centers, and research.

AMENDMENTS

2008—Par. (1)(B)(i). Pub. L. 110-315 inserted “, including those areas critical to United States national and homeland security needs, such as science, technology, engineering, and mathematics” before semicolon.

Statutory Notes and Related Subsidiaries

CONTINUATION OF CHAPTER 21 PROGRAMS

Pub. L. 92-318, title I, §161(b)(1), June 23, 1972, 86 Stat. 303, provided that: “The programs authorized by title VII of the Higher Education Act of 1965 [this subchapter] shall be deemed to be a continuation of the comparable programs authorized by the Higher Education Facilities Act of 1963 [former section 701 et seq. of this title].”

PART A—GRADUATE EDUCATION PROGRAMS

SUBPART 1—JACOB K. JAVITS FELLOWSHIP PROGRAM

§ 1134. Award of Jacob K. Javits fellowships

(a) Authority and timing of awards

The Secretary is authorized to award fellowships in accordance with the provisions of this subpart for graduate study in the arts, human-

ities, and social sciences by students of superior ability selected on the basis of demonstrated achievement, financial need, and exceptional promise. The fellowships shall be awarded to students who are eligible to receive any grant, loan, or work assistance pursuant to section 1091 of this title and intend to pursue a doctoral degree, except that fellowships may be granted to students pursuing a master's degree in those fields in which the master's degree is the terminal highest degree awarded in the area of study. All funds appropriated in a fiscal year shall be obligated and expended to the students for fellowships for use in the academic year beginning after July 1 of the fiscal year following the fiscal year for which the funds were appropriated. The fellowships shall be awarded for only 1 academic year of study and shall be renewable for a period not to exceed 4 years of study.

(b) Designation of fellows

Students receiving awards under this subpart shall be known as “Jacob K. Javits Fellows”.

(c) Interruptions of study

The institution of higher education may allow a fellowship recipient to interrupt periods of study for a period not to exceed 12 months for the purpose of work, travel, or independent study away from the campus, if such independent study is supportive of the fellowship recipient's academic program and shall continue payments for those 12-month periods during which the student is pursuing travel or independent study supportive of the recipient's academic program. In the case of other exceptional circumstances, such as active duty military service or personal or family member illness, the institution of higher education may also permit the fellowship recipient to interrupt periods of study for the duration of the tour of duty (in the case of military service) or for not more than 12 months (in any other case), but without payment of the stipend.

(d) Process and timing of competition

The Secretary shall make applications for fellowships under this part available not later than October 1 of the academic year preceding the academic year for which fellowships will be awarded, and shall announce the recipients of fellowships under this section not later than March 1 of the academic year preceding the academic year for which the fellowships are awarded.

(e) Authority to contract

The Secretary is authorized to enter into a contract with a nongovernmental agency to administer the program assisted under this part if the Secretary determines that entering into the contract is an efficient means of carrying out the program.

(Pub. L. 89-329, title VII, §701, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1786; amended Pub. L. 110-315, title VII, §702(a), Aug. 14, 2008, 122 Stat. 3345.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to this section were contained in section 1134h of this title, prior to repeal by Pub. L. 105-244.

A prior section 1134, Pub. L. 89-329, title IX, §901, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1549; amended Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 760; Pub. L. 103-208, §2(j)(27), Dec. 20, 1993, 107 Stat. 2482, stated purpose of former subchapter IX of this chapter and contained administrative provisions, prior to repeal by Pub. L. 105-244, §3, title VII, §702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.

Another prior section 1134, Pub. L. 89-329, title IX, §901, as added Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 304; amended Pub. L. 94-482, title I, §171(a)(1), (2), Oct. 12, 1976, 90 Stat. 2159; Pub. L. 96-49, §9(a), Aug. 13, 1979, 93 Stat. 353; Pub. L. 96-374, title IX, §901(a), title XIII, §1391(a)(1), Oct. 3, 1980, 94 Stat. 1482, 1503, set forth Congressional declaration of purpose and authorized appropriations for grants to institutions of higher education, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134, Pub. L. 89-329, title IX, §901, as added Pub. L. 90-575, title II, §261, Oct. 16, 1968, 82 Stat. 1043, set forth Congressional declaration of purpose respecting education for the public service, prior to repeal by Pub. L. 92-318.

A prior section 701 of Pub. L. 89-329 was classified to section 1132a of this title, prior to the general amendment of this subchapter by Pub. L. 105-244.

Another prior section 701 of Pub. L. 89-329 was classified to section 1132a of this title, prior to the general amendment of this subchapter by Pub. L. 99-498.

Another prior section 701 of Pub. L. 89-329 was classified to section 1132a of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

AMENDMENTS

2008—Subsec. (c). Pub. L. 110-315 inserted at end “In the case of other exceptional circumstances, such as active duty military service or personal or family member illness, the institution of higher education may also permit the fellowship recipient to interrupt periods of study for the duration of the tour of duty (in the case of military service) or for not more than 12 months (in any other case), but without payment of the stipend.”

§ 1134a. Allocation of fellowships

(a) Fellowship Board

(1) Appointment

(A) In general

The Secretary shall appoint a Jacob K. Javits Fellows Program Fellowship Board (referred to in this subpart as the “Board”) consisting of 9 individuals representative of both public and private institutions of higher education who are especially qualified to serve on the Board.

(B) Qualifications

In making appointments under subparagraph (A), the Secretary shall—

(i) give due consideration to the appointment of individuals who are highly respected in the academic community;

(ii) appoint members who represent the various geographic regions of the United States;

(iii) ensure that individuals appointed to the Board are broadly representative of a range of disciplines in graduate education