

Another prior section 702 of Pub. L. 89-329 was classified to section 1132a-1 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

AMENDMENTS

2008—Subsec. (a)(1). Pub. L. 110-315 amended par. (1) generally. Prior to amendment, text read as follows: “The Secretary shall appoint a Jacob K. Javits Fellows Program Fellowship Board (hereinafter in this subpart referred to 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. In making appointments, the Secretary shall give due consideration to the appointment of individuals who are highly respected in the academic community. The Secretary shall assure that individuals appointed to the Board are broadly representative of a range of disciplines in graduate education in arts, humanities, and social sciences.”

§ 1134b. Stipends

(a) Award by Secretary

The Secretary shall pay to individuals awarded fellowships under this subpart such stipends as the Secretary may establish, reflecting the purpose of this program to encourage highly talented students to undertake graduate study as described in this subpart. In the case of an individual who receives such individual’s first stipend under this subpart in academic year 2009-2010 or any succeeding academic year, such stipend shall be set at a level of support equal to that provided by the National Science Foundation Graduate Research Fellowship Program for such academic year, except such amount shall be adjusted as necessary so as not to exceed the fellow’s demonstrated level of need determined in accordance with part F of subchapter IV.

(b) Institutional payments

(1) In general

(A) The Secretary shall (in addition to stipends paid to individuals under this subpart) pay to the institution of higher education, for each individual awarded a fellowship under this subpart at such institution, an institutional allowance. Except as provided in subparagraph (B), such allowance shall be, for academic year 2009-2010 and succeeding academic years, the same amount as the institutional payment made for academic year 2008-2009, adjusted for academic year 2009-2010 and annually thereafter in accordance with inflation as determined by the Department of Labor’s Consumer Price Index for the previous calendar year.

(B) The institutional allowance paid under subparagraph (A) shall be reduced by the amount the institution charges and collects from a fellowship recipient for tuition and other expenses as part of the recipient’s instructional program.

(2) Special rules

(A) Beginning March 1, 1992, any applicant for a fellowship under this subpart who has been notified in writing by the Secretary that such applicant has been selected to receive such a fellowship and is subsequently notified that the fellowship award has been withdrawn, shall receive such fellowship unless the Secretary subsequently makes a determination that such applicant submitted fraudulent information on the application.

(B) Subject to the availability of appropriations, amounts payable to an institution by the Secretary pursuant to this subsection shall not be reduced for any purpose other than the purposes specified under paragraph (1).

(Pub. L. 89-329, title VII, § 703, as added Pub. L. 105-244, title VII, § 701, Oct. 7, 1998, 112 Stat. 1789; amended Pub. L. 110-315, title VII, § 702(c)(1), Aug. 14, 2008, 122 Stat. 3346.)

Editorial Notes

PRIOR PROVISIONS

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

A prior section 1134b, Pub. L. 89-329, title IX, § 912, as added Pub. L. 102-325, title IX, § 901, July 23, 1992, 106 Stat. 761, related to submission and contents of application for assistance, 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 1134b, Pub. L. 89-329, title IX, § 903, as added Pub. L. 99-498, title IX, § 901(a), Oct. 17, 1986, 100 Stat. 1550, related to use of award funds, prior to the general amendment of part A of subchapter IX of this chapter by Pub. L. 102-325.

Another prior section 1134b, Pub. L. 89-329, title IX, § 903, as added Pub. L. 92-318, title I, § 181(a), June 23, 1972, 86 Stat. 305; amended Pub. L. 94-482, title I, § 171(a)(4), Oct. 12, 1976, 90 Stat. 2160; Pub. L. 96-374, title IX, § 901(b), title XIII, § 1391(a)(1), Oct. 3, 1980, 94 Stat. 1482, 1503, related to the uses of funds appropriated to make 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 1134b, Pub. L. 89-329, title IX, § 904, as added Pub. L. 90-575, title II, § 261, Oct. 16, 1968, 82 Stat. 1044, related to application for grants or contracts to strengthen and improve education for the public service, providing in subsec. (a) for requisites of application, subsec. (b) for allocation of grants and contracts, and subsec. (c) for payment of compensation of students employed in public service and participation of Federal agencies and departments, prior to repeal by Pub. L. 92-318.

A prior section 703 of Pub. L. 89-329 was classified to section 1132a-2 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

AMENDMENTS

2008—Subsec. (a). Pub. L. 110-315, § 702(c)(1)(A), substituted “2009-2010” for “1999-2000” and “Foundation Graduate Research Fellowship Program for such academic year” for “Foundation graduate fellowships”.

Subsec. (b)(1)(A). Pub. L. 110-315, § 702(c)(1)(B), added subpar. (A) and struck out former subpar. (A) which read as follows: “The Secretary shall (in addition to stipends paid to individuals under this subpart) pay to the institution of higher education, for each individual awarded a fellowship under this subpart at such institution, an institutional allowance. Except as provided in subparagraph (B), such allowance shall be, for 1999-2000 and succeeding academic years, the same amount as the institutional payment made for 1998-1999 under section 1134j(b) of this title (as such section was in effect on the day before October 7, 1998) adjusted for 1999-2000 and annually thereafter in accordance with inflation as determined by the Department of Labor’s Consumer Price Index for the previous calendar year.”

§ 1134c. Fellowship conditions

(a) Requirements for receipt

An individual awarded a fellowship under the provisions of this subpart shall continue to re-

ceive payments provided in section 1134b of this title only during such periods as the Secretary finds that such individual is maintaining satisfactory proficiency in, and devoting essentially full time to, study or research in the field in which such fellowship was awarded, in an institution of higher education, and is not engaging in gainful employment other than part-time employment by such institution in teaching, research, or similar activities, approved by the Secretary.

(b) Reports from recipients

The Secretary is authorized to require reports containing such information in such form and filed at such times as the Secretary determines necessary from any person awarded a fellowship under the provisions of this subpart. The reports shall be accompanied by a certificate from an appropriate official at the institution of higher education, library, archive, or other research center approved by the Secretary, stating that such individual is making satisfactory progress in, and is devoting essentially full time to the program for which the fellowship was awarded.

(Pub. L. 89-329, title VII, § 704, as added Pub. L. 105-244, title VII, § 701, Oct. 7, 1998, 112 Stat. 1789.)

Editorial Notes

PRIOR PROVISIONS

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

A prior section 1134c, Pub. L. 89-329, title IX, § 903, as added Pub. L. 102-325, title IX, § 901, July 23, 1992, 106 Stat. 762, related to use of funds by grant recipients, 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 1134c, Pub. L. 89-329, title IX, § 904, as added Pub. L. 92-318, title I, § 181(a), June 23, 1972, 86 Stat. 306; amended Pub. L. 96-374, title XIII, § 1391(a)(1), Oct. 3, 1980, 94 Stat. 1503, authorized studies and research activities on the need for, and improvement of, graduate programs, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134c, Pub. L. 89-329, title IX, § 911, as added Pub. L. 90-575, title II, § 261, Oct. 16, 1968, 82 Stat. 1044, provided for authorization to award public service fellowships, prior to repeal by Pub. L. 92-318.

A prior section 704 of Pub. L. 89-329 was classified to section 1132a-3 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

Prior sections 1134c-1 and 1134c-2 were repealed by Pub. L. 105-244, § 3, title VII, § 702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.

Section 1134c-1, Pub. L. 89-329, title IX, § 914, as added Pub. L. 102-325, title IX, § 901, July 23, 1992, 106 Stat. 762, related to information collection.

Section 1134c-2, Pub. L. 89-329, title IX, § 915, as added Pub. L. 102-325, title IX, § 901, July 23, 1992, 106 Stat. 762, authorized appropriations for part A of former subchapter IX of this chapter.

§ 1134d. Authorization of appropriations

There are authorized to be appropriated \$30,000,000 for fiscal year 2009 and each of the five succeeding fiscal years to carry out this subpart.

(Pub. L. 89-329, title VII, § 705, as added Pub. L. 105-244, title VII, § 701, Oct. 7, 1998, 112 Stat. 1790; amended Pub. L. 110-315, title VII, § 702(d), Aug. 14, 2008, 122 Stat. 3346.)

Editorial Notes

PRIOR PROVISIONS

Provisions similar to this section were contained in section 1134k-1 of this title, prior to repeal by Pub. L. 105-244.

A prior section 1134d, Pub. L. 89-329, title IX, § 921, as added Pub. L. 99-498, title IX, § 901(a), Oct. 17, 1986, 100 Stat. 1550; amended Pub. L. 102-325, title IX, § 901, July 23, 1992, 106 Stat. 762, stated purpose of the Patricia Roberts Harris Fellowship program and provided that a recipient of an award under that program be known as a "Patricia Roberts Harris Graduate Fellow", 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 1134d, Pub. L. 89-329, title IX, § 921, as added Pub. L. 96-374, title IX, § 902(a), Oct. 3, 1980, 94 Stat. 1482, set forth Congressional statement of purpose, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134d, Pub. L. 89-329, title IX, § 921, as added Pub. L. 92-318, title I, § 181(a), June 23, 1972, 86 Stat. 306; amended Pub. L. 94-482, title I, § 171(b), Oct. 12, 1976, 90 Stat. 2160, authorized appropriations for carrying out the program of fellowships for graduate and professional study, prior to the general amendment of part B of subchapter IX of this chapter by Pub. L. 96-374.

Another prior section 1134d, Pub. L. 89-329, title IX, § 912, as added Pub. L. 90-575, title II, § 261, Oct. 16, 1968, 82 Stat. 1045, provided for allocation of public service fellowships, prior to repeal by Pub. L. 92-318, title I, § 181(a), June 23, 1972, 86 Stat. 304.

A prior section 705 of Pub. L. 89-329 was classified to section 1132a-4 of this title, prior to the general amendment of this subchapter by Pub. L. 96-374.

Prior sections 1134e to 1134w were repealed by Pub. L. 105-244, § 3, title VII, § 702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998.

Section 1134e, Pub. L. 89-329, title IX, § 922, as added Pub. L. 99-498, title IX, § 901(a), Oct. 17, 1986, 100 Stat. 1550; amended Pub. L. 102-325, title IX, § 901, July 23, 1992, 106 Stat. 763; Pub. L. 103-208, § 2(j)(28), Dec. 20, 1993, 107 Stat. 2482, authorized Patricia Roberts Harris Fellowship program.

Another prior section 1134e, Pub. L. 89-329, title IX, § 922, as added Pub. L. 96-374, title IX, § 902(a), Oct. 3, 1980, 94 Stat. 1482, authorized program of grants to assist graduate and professional study, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134e, Pub. L. 89-329, title IX, § 922, as added Pub. L. 92-318, title I, § 181(a), June 23, 1972, 86 Stat. 306; amended Pub. L. 94-482, title I, § 171(b), Oct. 12, 1976, 90 Stat. 2160; Pub. L. 96-49, § 9(b), Aug. 13, 1979, 93 Stat. 353, related to the authorization, duration, and extension of the period of fellowships, the awarding of vacated fellowships, and the question of the interruption of studies of fellowship recipients, prior to the general amendment of part B of subchapter IX of this chapter by Pub. L. 96-374.

Another prior section 1134e, Pub. L. 89-329, title IX, § 913, as added Pub. L. 90-575, title II, § 261, Oct. 16, 1968, 82 Stat. 1045, provided for approval of programs, prior to repeal by Pub. L. 92-318, title I, § 181(a), June 23, 1972, 86 Stat. 304.

Section 1134f, Pub. L. 89-329, title IX, § 923, as added Pub. L. 99-498, title IX, § 901(a), Oct. 17, 1986, 100 Stat. 1552; amended Pub. L. 102-325, title IX, § 901, July 23, 1992, 106 Stat. 764; Pub. L. 103-208, § 2(j)(29)-(31), Dec. 20, 1993, 107 Stat. 2482, 2483, related to award of fellowships.

Another prior section 1134f, Pub. L. 89-329, title IX, § 923, as added Pub. L. 96-374, title IX, § 902(a), Oct. 3, 1980, 94 Stat. 1484, related to award of fellowships to graduate and professional students, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134f, Pub. L. 89-329, title IX, § 923, as added Pub. L. 92-318, title I, § 181(a), June 23, 1972, 86 Stat. 306; amended Pub. L. 94-482, title I,