

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, §913, 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Prior sections 1134c-1 and 1134c-2 were repealed by Pub.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,

§171(b), Oct. 12, 1976, 90 Stat. 2160, related to the award of fellowships and the approval of graduate programs, prior to the general amendment of part B of subchapter IX of this chapter by Pub. L. 96-374.

Another prior section 1134f, Pub. L. 89-329, title IX, §914, as added Pub. L. 90-575, title II, §261, Oct. 16, 1968, 82 Stat. 1045, provided for stipends for public service fellowships, prior to repeal by Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 304.

Section 1134g, Pub. L. 89-329, title IX, §924, as added Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 765; amended Pub. L. 103-208, §2(j)(32), Dec. 20, 1993, 107 Stat. 2483, authorized appropriations for Patricia Roberts Harris Fellowship program.

Another prior section 1134g, Pub. L. 89-329, title IX, §924, as added Pub. L. 96-374, title IX, §902(a), Oct. 3, 1980, 94 Stat. 1484, authorized appropriations for fiscal years 1981 to 1985 for grant program to assist graduate and professional students, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134g, Pub. L. 89-329, title IX, §924, as added Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 307; amended Pub. L. 94-482, title I, §171(b), Oct. 12, 1976, 90 Stat. 2161, related to fellowship stipends, additional allowances to institutions of higher education, and deductions, prior to the general amendment of part B of subchapter IX of this chapter by Pub. L. 96-374.

Another prior section 1134g, Pub. L. 89-329, title IX, §915, as added Pub. L. 90-575, title II, §261, Oct. 16, 1968, 82 Stat. 1045, provided for public service fellowship conditions, prior to repeal by Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 304.

Section 1134h, Pub. L. 89-329, title IX, §931, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1552; amended Pub. L. 100-50, §20(1), June 3, 1987, 101 Stat. 360; Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 765; Pub. L. 103-208, §2(j)(33), Dec. 20, 1993, 107 Stat. 2483, authorized award of Jacob K. Javits fellowships and provided that award recipients be known as "Jacob K. Javits Fellows". See section 1134 of this title.

Another prior section 1134h, Pub. L. 89-329, title IX, §931, as added Pub. L. 96-374, title IX, §903, Oct. 3, 1980, 94 Stat. 1484; amended Pub. L. 99-159, title VIII, §802, Nov. 22, 1985, 99 Stat. 908, authorized award of fellowships for graduate study in arts, humanities, and social sciences, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134h, Pub. L. 89-329, title IX, §925, as added Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 307; amended Pub. L. 94-482, title I, §171(b), Oct. 12, 1976, 90 Stat. 2162, set out conditions attached to 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 1134h, Pub. L. 89-329, title IX, §921, as added Pub. L. 90-575, title II, §261, Oct. 16, 1968, 82 Stat. 1046, defined "State", "institution of higher education", "public service" and "academic year", prior to repeal by Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 304.

Section 1134i, Pub. L. 89-329, title IX, §932, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1553; amended Pub. L. 100-50, §20(2), (3), June 3, 1987, 101 Stat. 360; Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 766; Pub. L. 103-208, §2(j)(34), (35), Dec. 20, 1993, 107 Stat. 2483, related to Jacob K. Javits Fellows Program Fellowship Board and to allocation of fellowships. See section 1134a of this title.

Another prior section 1134i, Pub. L. 89-329, title IX, §932, as added Pub. L. 96-374, title IX, §903, Oct. 3, 1980, 94 Stat. 1485, related to allocation of fellowships for graduate study in arts, humanities, and social sciences, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134i, Pub. L. 89-329, title IX, §941, as added Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 308; amended Pub. L. 94-482, title I, §171(c)(1), Oct. 12, 1976, 90 Stat. 2162; Pub. L. 96-49, §9(c),

Aug. 13, 1979, 93 Stat. 353, related to award of public service fellowships, prior to repeal by section 902(b) of Pub. L. 96-374.

Another prior section 1134i, Pub. L. 89-329, title IX, §922, as added Pub. L. 90-575, title II, §261, Oct. 16, 1968, 82 Stat. 1046, related to coordination of Federal assistance respecting education for the public service, prior to repeal by Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 304.

Section 1134j, Pub. L. 89-329, title IX, §933, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1554; amended Pub. L. 100-50, §20(4), June 3, 1987, 101 Stat. 360; Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 767; Pub. L. 103-208, §2(j)(36), Dec. 20, 1993, 107 Stat. 2483, related to payment of stipends to award recipients. See section 1134b of this title.

Another prior section 1134j, Pub. L. 89-329, title IX, §933, as added Pub. L. 96-374, title IX, §903, Oct. 3, 1980, 94 Stat. 1486, related to stipends paid to individuals awarded fellowships for graduate study in arts, humanities, and social sciences, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134j, Pub. L. 89-329, title IX, §942, as added Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 308; amended Pub. L. 94-482, title I, §171(c)(2), Oct. 12, 1976, 90 Stat. 2163, related to the allocation of public service fellowships, prior to repeal by section 902(b) of Pub. L. 96-374.

Another prior section 1134j, Pub. L. 89-329, title IX, §923, as added Pub. L. 90-575, title II, §261, Oct. 16, 1968, 82 Stat. 1046; amended Pub. L. 92-318, title I, §131(d)(2)(E), June 23, 1972, 86 Stat. 260, prohibited any grant, contract, or fellowship for study at schools or departments of divinity, prior to repeal by Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 304.

Section 1134k, Pub. L. 89-329, title IX, §934, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1554; amended Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 767, related to fellowship conditions. See section 1134c of this title.

Another prior section 1134k, Pub. L. 89-329, title IX, §934, as added Pub. L. 96-374, title IX, §903, Oct. 3, 1980, 94 Stat. 1486, related to conditions on continuance of fellowships for graduate study in arts, humanities, and social sciences, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134k, Pub. L. 89-329, title IX, §943, as added Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 308; amended Pub. L. 94-482, title I, §171(c)(3), Oct. 12, 1976, 90 Stat. 2163, related to requisite approval of programs of graduate or professional study, prior to repeal by section 902(b) of Pub. L. 96-374.

Another prior section 1134k, Pub. L. 89-329, title IX, §924, as added Pub. L. 90-575, title II, §261, Oct. 16, 1968, 82 Stat. 1046, provided for annual report of the Secretary to Congress of activities relating to education for public service, prior to repeal by Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 304.

Section 1134k-1, Pub. L. 89-329, title IX, §935, as added Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 768, authorized appropriations for Jacob K. Javits Fellowship program. See section 1134d of this title.

Section 1134l, Pub. L. 89-329, title IX, §941, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1555; amended Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 768; Pub. L. 103-208, §2(j)(37), Dec. 20, 1993, 107 Stat. 2484, stated purpose of graduate assistance in areas of national need grant program.

Another prior section 1134l, Pub. L. 89-329, title IX, §941, as added Pub. L. 96-374, title IX, §904, Oct. 3, 1980, 94 Stat. 1486, authorized assistance for training in legal profession, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134l, Pub. L. 89-329, title IX, §944, as added Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 309; amended Pub. L. 94-482, title I, §171(c)(4), Oct. 12, 1976, 90 Stat. 2163, related to payments to persons awarded public service fellowships, prior to repeal by section 902(b) of Pub. L. 96-374.

Another prior section 1134l, Pub. L. 89-329, title IX, §925, as added Pub. L. 90-575, title II, §261, Oct. 16, 1968,

82 Stat. 1046, authorized appropriations for education for the public service, prior to repeal by Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 304.

Section 1134m, Pub. L. 89-329, title IX, §942, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1555; amended Pub. L. 100-369, §7(c), July 18, 1988, 102 Stat. 837; Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 768, authorized grants to academic departments and programs to provide assistance to graduate students. See section 1135 of this title.

Another prior section 1134m, Pub. L. 89-329, title IX, §942, as added Pub. L. 96-374, title IX, §904, Oct. 3, 1980, 94 Stat. 1487, authorized appropriations for fiscal years 1981 to 1985 for program of assistance for training in legal profession, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134m, Pub. L. 89-329, title IX, §945, as added Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 309, related to conditions attached to public service fellowships, prior to repeal by section 902(b) of Pub. L. 96-374.

Section 1134n, Pub. L. 89-329, title IX, §943, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1556; amended Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 769; Pub. L. 103-208, §2(j)(38), Dec. 20, 1993, 107 Stat. 2484, related to institutional eligibility for grants. See section 1135a of this title.

Another prior section 1134n, Pub. L. 89-329, title IX, §951, as added Pub. L. 96-374, title IX, §905, Oct. 3, 1980, 94 Stat. 1487, authorized assistance for law school clinical experience programs, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134n, Pub. L. 89-329, title IX, §961, as added Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 309; amended Pub. L. 94-482, title I, §171(d)(1)-(3), Oct. 12, 1976, 90 Stat. 2163; Pub. L. 96-49, §9(d), Aug. 13, 1979, 93 Stat. 353, provided for a program of fellowships for other purposes, prior to repeal by section 902(b) of Pub. L. 96-374.

Section 1134o, Pub. L. 89-329, title IX, §944, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1556; amended Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 770, related to criteria for applications for grants. See section 1135b of this title.

Another prior section 1134o, Pub. L. 89-329, title IX, §952, as added Pub. L. 96-374, title IX, §905, Oct. 3, 1980, 94 Stat. 1488, related to applications for assistance for law school clinical experience programs, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134o, Pub. L. 89-329, title IX, §962, as added Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 310, related to the award of fellowships for other purposes, prior to repeal by section 902(b) of Pub. L. 96-374.

Section 1134p, Pub. L. 89-329, title IX, §945, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1557; amended Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 770; Pub. L. 103-208, §2(j)(39), Dec. 20, 1993, 107 Stat. 2484, related to awards to graduate students. See section 1135c of this title.

Another prior section 1134p, Pub. L. 89-329, title IX, §953, as added Pub. L. 96-374, title IX, §905, Oct. 3, 1980, 94 Stat. 1488, authorized appropriations for fiscal years 1981 to 1985 for providing assistance for law school clinical experience programs, prior to the general amendment of subchapter IX of this chapter by Pub. L. 99-498.

Another prior section 1134p, Pub. L. 89-329, title IX, §963, as added Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 310; amended Pub. L. 94-482, title I, §171(d)(4), Oct. 12, 1976, 90 Stat. 2163, related to the amount of payments to persons awarded fellowships for other purposes, prior to repeal by section 902(b) of Pub. L. 96-374.

Section 1134q, Pub. L. 89-329, title IX, §946, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1558; amended Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 771; Pub. L. 103-208, §2(j)(40), Dec. 20, 1993, 107 Stat. 2484, related to additional assistance for cost of education. See section 1135d of this title.

Another prior section 1134q, Pub. L. 89-329, title IX, §964, as added Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 311, related to fellowship conditions in program of fellowships other than public service fellowships or fellowships for graduate and professional study, prior to repeal by Pub. L. 96-374, title IX, §902(b), Oct. 3, 1980, 94 Stat. 1484, eff. Oct. 1, 1980.

Section 1134q-1, Pub. L. 89-329, title IX, §947, as added Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 771, authorized appropriations for graduate assistance in areas of national need grant program.

Section 1134r, Pub. L. 89-329, title IX, §951, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1558; amended Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 772; Pub. L. 103-208, §2(j)(41), Dec. 20, 1993, 107 Stat. 2484, authorized grants for faculty development fellowship awards and provided that fellowship recipients be known as "Faculty Development Fellows".

Another prior section 1134r, Pub. L. 89-329, title IX, §965, as added Pub. L. 92-318, title I, §181(a), June 23, 1972, 86 Stat. 311, authorized appropriations for program of fellowships other than public service fellowships or fellowships for graduate and professional study, prior to repeal by Pub. L. 96-374, title IX, §902(b), Oct. 3, 1980, 94 Stat. 1484, eff. Oct. 1, 1980.

Section 1134r-1, Pub. L. 89-329, title IX, §952, as added Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 773, related to amount of fellowships.

Another prior section 1134r-1, Pub. L. 89-329, title IX, §966, as added Pub. L. 93-380, title VIII, §836(a), Aug. 21, 1974, 88 Stat. 605; amended Pub. L. 94-482, title I, §171(d)(5), Oct. 12, 1976, 90 Stat. 2164; Pub. L. 96-49, §9(e), Aug. 13, 1979, 93 Stat. 353, related to a program of assistance for training in legal profession, prior to repeal by Pub. L. 96-374, title IX, §902(b), Oct. 3, 1980, 94 Stat. 1484, eff. Oct. 1, 1980.

Section 1134r-2, Pub. L. 89-329, title IX, §953, as added Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 773, related to applications required for grants.

Another prior section 1134r-2, Pub. L. 89-329, title IX, §971, as added Pub. L. 94-482, title I, §171(e), Oct. 12, 1976, 90 Stat. 2164, related to an annual report on graduate and assistance program, prior to repeal by Pub. L. 96-374, title IX, §902(b), Oct. 3, 1980, 94 Stat. 1484, eff. Oct. 1, 1980, and also by Pub. L. 96-470, title I, §106(b), Oct. 19, 1980, 94 Stat. 2238.

Section 1134r-3, Pub. L. 89-329, title IX, §954, as added Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 774, related to fellowship agreements.

Section 1134r-4, Pub. L. 89-329, title IX, §955, as added Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 774, related to fellowship repayment provisions.

Section 1134r-5, Pub. L. 89-329, title IX, §956, as added Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 774, related to exceptions to repayment provisions.

Section 1134r-6, Pub. L. 89-329, title IX, §957, as added Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 775, authorized appropriations for faculty development fellowship program.

Section 1134s, Pub. L. 89-329, title IX, §961, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1558; amended Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 775, authorized program for assistance for training in legal profession.

Another prior section 1134s, Pub. L. 89-329, title IX, §981, as added Pub. L. 92-318, title X, §1001(b), June 23, 1972, 86 Stat. 380, related to a program of general assistance to graduate schools, prior to repeal by Pub. L. 96-374, title IX, §902(b), Oct. 3, 1980, 94 Stat. 1484, eff. Oct. 1, 1980. Subsequent to repeal, subsec. (f) of that section was repealed by Pub. L. 96-470, title I, §106(c), Oct. 19, 1980, 94 Stat. 2238.

Section 1134t, Pub. L. 89-329, title IX, §962, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat. 1559; amended Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 776, authorized appropriations for program for assistance for training in legal profession.

Section 1134u, Pub. L. 89-329, title IX, §971, as added Pub. L. 99-498, title IX, §901(a), Oct. 17, 1986, 100 Stat.

1560; amended Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 776, authorized grants and contracts for programs to provide law school clinical experience programs.

Section 1134v, Pub. L. 89-329, title IX, §972, as added Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 777, related to applications for grants or contracts.

Section 1134w, Pub. L. 89-329, title IX, §973, as added Pub. L. 102-325, title IX, §901, July 23, 1992, 106 Stat. 777, authorized appropriations for law school clinical experience programs.

AMENDMENTS

2008—Pub. L. 110-315 substituted “fiscal year 2009 and each of the five succeeding fiscal years to carry out this subpart” for “fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years to carry out this subpart”.

SUBPART 2—GRADUATE ASSISTANCE IN AREAS OF NATIONAL NEED

§ 1135. Grants to academic departments and programs of institutions

(a) Grant authority

(1) In general

The Secretary shall make grants to academic departments, programs and other academic units of institutions of higher education that provide courses of study leading to a graduate degree, including a master's or doctoral degree, in order to enable such institutions to provide assistance to graduate students in accordance with this subpart.

(2) Additional grants

The Secretary may also make grants to such departments, programs and other academic units of institutions of higher education granting graduate degrees which submit joint proposals involving nondegree granting institutions which have formal arrangements for the support of doctoral dissertation research with degree-granting institutions. Nondegree granting institutions eligible for awards as part of such joint proposals include any organization which—

(A) is described in section 501(c)(3) of title 26, and is exempt from tax under section 501(a) of such title;

(B) is organized and operated substantially to conduct scientific and cultural research and graduate training programs;

(C) is not a private foundation;

(D) has academic personnel for instruction and counseling who meet the standards of the institution of higher education in which the students are enrolled; and

(E) has necessary research resources not otherwise readily available in such institutions to such students.

(b) Award and duration of grants

(1) Awards

The principal criterion for the award of grants shall be the relative quality of the graduate programs presented in competing applications. Consistent with an allocation of awards based on quality of competing applications, the Secretary shall, in awarding such grants, promote an equitable geographic distribution among eligible public and private institutions of higher education.

(2) Duration and amount

(A) Duration

The Secretary shall award a grant under this subpart for a period of 3 years.

(B) Amount

The Secretary shall award a grant to an academic department, program or unit of an institution of higher education under this subpart for a fiscal year in an amount that is not less than \$100,000 and not greater than \$750,000.

(3) Reallotment

Whenever the Secretary determines that an academic department, program or unit of an institution of higher education is unable to use all of the amounts available to the department, program or unit under this subpart, the Secretary shall, on such dates during each fiscal year as the Secretary may fix, reallot the amounts not needed to academic departments, programs and units of institutions which can use the grants authorized by this subpart.

(c) Preference to continuing grant recipients

(1) In general

The Secretary shall make new grant awards under this subpart only to the extent that each previous grant recipient under this subpart has received continued funding in accordance with subsection (b)(2)(A).

(2) Ratable reduction

To the extent that appropriations under this subpart are insufficient to comply with paragraph (1), available funds shall be distributed by ratably reducing the amounts required to be awarded under subsection (b)(2)(A).

(Pub. L. 89-329, title VII, §711, as added Pub. L. 105-244, title VII, §701, Oct. 7, 1998, 112 Stat. 1790; amended Pub. L. 110-315, title VII, §703(e)(1), Aug. 14, 2008, 122 Stat. 3347.)

Editorial Notes

PRIOR PROVISIONS

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

A prior section 1135, Pub. L. 89-329, title X, §1001, as added Pub. L. 96-374, title X, §1001(a), Oct. 3, 1980, 94 Stat. 1489; amended Pub. L. 102-325, title X, §1001, July 23, 1992, 106 Stat. 778, related to Fund for the Improvement of Postsecondary Education, prior to repeal by Pub. L. 105-244, §3, title VII, §702, Oct. 7, 1998, 112 Stat. 1585, 1803, effective Oct. 1, 1998. See section 1138 of this title.

Another prior section 1135, Pub. L. 89-329, title X, §1001, as added Pub. L. 92-318, title I, §186(a)(1), June 23, 1972, 86 Stat. 312; amended Pub. L. 93-380, title VIII, §837, Aug. 21, 1974, 88 Stat. 606; Pub. L. 94-482, title I, §176(a)(3)-(5), title V, §501(a)(20), Oct. 12, 1976, 90 Stat. 2165, 2236; Pub. L. 95-180, §1(c), Nov. 15, 1977, 91 Stat. 1372; Pub. L. 96-49, §53(a), Aug. 13, 1979, 93 Stat. 354, related to development plans for expansion or improvement of postsecondary education programs in community colleges, prior to repeal by section 1001(a) of Pub. L. 96-374.

Another prior section 1135, Pub. L. 89-329, title X, §1001, as added Pub. L. 90-575, title II, §271, Oct. 16, 1968, 82 Stat. 1047, contained Congressional statement of purpose respecting improvement of graduate programs, prior to the general amendment of subchapter X of this chapter by Pub. L. 92-318.