

“(1) for fiscal year 1987, \$4,000,000, and
“(2) for each succeeding fiscal year, such sums as
may be necessary to carry out such provisions.”

EFFECTIVE DATE OF 1988 AMENDMENT

For effective date and applicability of amendment by
Pub. L. 100-297, see section 6303 of Pub. L. 100-297, set
out as a note under section 1071 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 4414, 4425 of this
title.

**CHAPTER 57—JAMES MADISON MEMORIAL
FELLOWSHIP PROGRAM**

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§ 4501. Purpose

It is the purpose of this chapter to establish
the James Madison Fellowship Program which
is designed to encourage graduate study of the
American Constitution, its roots, its formation,
its principles, and its development.

(Pub. L. 99-500, § 101(b) [title VIII, § 802], Oct. 18,
1986, 100 Stat. 1783-39, 1783-76, and Pub. L. 99-591,
§ 101(b) [title VIII, § 802], Oct. 30, 1986, 100 Stat.
3341-39, 3341-76.)

CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

SHORT TITLE

Section 101(b) [title VIII, § 801] of Pub. L. 99-500 and
Pub. L. 99-591 provided that: “This title [enacting this
chapter] may be cited as the ‘James Madison Memorial
Fellowship Act’.”

§ 4502. Foundation

(a) Establishment

In order to commemorate the bicentennial of
the Constitution, there is established, as an
independent establishment of the executive
branch, the James Madison Memorial Fellow-
ship Foundation.

(b) Board of Trustees; membership; term of office

(1) The Foundation shall be subject to the su-
pervision and direction of a Board of Trustees.
The Board shall be composed of thirteen mem-
bers, as follows:

(A) Two Members of the Senate, of different
political parties, shall be appointed by the
President upon the recommendation of the
President pro tempore of the Senate, in con-
sultation with the Majority Leader and Minor-
ity Leader of the Senate.

(B) Two Members of the House of Represent-
atives, of different political parties, shall be
appointed by the President upon the recom-
mendation of the Speaker of the House, in
consultation with the Minority Leader of the
House of Representatives.

(C) Two members of the Federal judiciary
shall be appointed by the President upon the
recommendation of the Chief Justice of the
United States.

(D) Six members, not more than three of
whom shall be of the same political party,
shall be appointed by the President with the
advice and consent of the Senate, of whom one
shall be a chief executive officer of a State,
two shall be members of the general public,
and three shall be members of the academic
community, appointed upon the recommenda-
tion of the Librarian of Congress.

(E) The Secretary of Education or his des-
ignate shall serve ex officio as a member of
the Board, but shall not be eligible to serve as
Chairman.

(2) The term of office of each member of the
Board shall be six years; except that (A) the
members first taking office shall serve as des-
ignated by the President, four for terms of two
years, five for terms of four years, and four for
terms of six years, and (B) any member ap-
pointed to fill a vacancy shall serve for the re-
mainder of the term for which his predecessor
was appointed, and shall be appointed in the
same manner as the original appointment for
that vacancy was made. This provision shall not
apply to members ex officio.

(3) A member of the Board whose term has ex-
pired may continue to serve until the earlier of—

(A) the date on which a successor has taken
office; or

(B) the date on which the Congress adjourns
sine die to end the session of Congress that
commences after the date on which the mem-
ber's term expired.

(c) Officers

Members of the Board shall elect from the
members of the Board a Chairman and such

other officers as may be necessary to carry out the duties of the Foundation.

(d) Reimbursement for expenses

(1) Subject to paragraph (2), members of the Board shall serve without pay.

(2) Members of the Board and the President, Executive Secretary, and other personnel of the Foundation shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of their duties at rates applicable to judges of the United States under section 456(a) of title 28.

(Pub. L. 99-500, §101(b) [title VIII, §803], Oct. 18, 1986, 100 Stat. 1783-39, 1783-76, and Pub. L. 99-591, §101(b) [title VIII, §803], Oct. 30, 1986, 100 Stat. 3341-39, 3341-76; Pub. L. 101-208, §1, Dec. 7, 1989, 103 Stat. 1836; Pub. L. 102-221, §1(1), Dec. 11, 1991, 105 Stat. 1676.)

CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

AMENDMENTS

1991—Subsec. (b)(3). Pub. L. 102-221 added par. (3).

1989—Subsec. (d). Pub. L. 101-208 amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: "Members of the Board shall serve without pay, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of their duties."

§ 4503. Fellowship recipients

(a) The Foundation is authorized to award fellowships to outstanding students and teachers who will pursue graduate study leading to the degree of Master of Arts in teaching or other appropriate masters degree for teachers, with a major in social studies or American history. Each recipient must take at least twelve semester hours, or its equivalent in topics directly related to the Constitution of the United States, as determined by the Board.

(b)(1) James Madison fellowships shall be awarded to individuals who are, or who desire to become, social studies and American history teachers in accordance with paragraphs (2) and (3).

(2) Junior fellowships shall be awarded to graduate students who are about to complete or have recently completed their undergraduate course of study, and plan to begin graduate work on a relatively full-time basis.

(3) Senior fellowships shall be awarded to experienced teachers who wish to undertake work for a graduate degree on a part-time basis during summers or in evening programs.

(Pub. L. 99-500, §101(b) [title VIII, §804], Oct. 18, 1986, 100 Stat. 1783-39, 1783-77, and Pub. L. 99-591, §101(b) [title VIII, §804], Oct. 30, 1986, 100 Stat. 3341-39, 3341-77.)

CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

§ 4504. Period for award

Junior fellowships shall be granted for such periods as the Foundation may prescribe but not to exceed two academic years. Senior fellowship shall be granted for such periods as the Foundation may prescribe, but not to exceed five calendar years.

(Pub. L. 99-500, §101(b) [title VIII, §805], Oct. 18, 1986, 100 Stat. 1783-39, 1783-77, and Pub. L. 99-591, §101(b) [title VIII, §805], Oct. 30, 1986, 100 Stat. 3341-39, 3341-77.)

CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

§ 4505. Recipient's choice of institution

Fellowship recipients may attend any institution of higher education in the United States with an accredited graduate program which offers courses of study or training which emphasize the origins of the Constitution of the United States, its principles, its development, and its comparison with other forms of government, as determined according to criteria established by the Foundation.

(Pub. L. 99-500, §101(b) [title VIII, §806], Oct. 18, 1986, 100 Stat. 1783-39, 1783-77, and Pub. L. 99-591, §101(b) [title VIII, §806], Oct. 30, 1986, 100 Stat. 3341-39, 3341-77.)

CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

§ 4506. Recipient's eligibility

Each student awarded a fellowship under this chapter shall demonstrate the potential, and a serious intention, to follow a career of educating students in secondary schools. Each institution of higher education at which such a student is in attendance shall make reasonable efforts to encourage such a student to meet the objectives of this section.

Each student receiving a Fellowship under this chapter¹ shall enter into an agreement under which the recipient shall:

(a) within a 5-year period after completing the education for which the fellowship was awarded, teach on a full-time basis students in secondary school for a period of not less than one year for each year for which assistance² was received;

(b) repay all of the Fellowship assistance received plus interest at the rate of 6% per annum and, if applicable, reasonable collection fees for each school year for which assistance was received for which such recipient failed to teach as provided in paragraph (a); and

(c) not be considered to be in violation of the agreement entered into during any period during which the recipient:

(1) is pursuing a full-time course of study related to the field of teaching at an eligible institution;

(2) is serving, not in excess of 3 years, as a member of the armed services of the United States;

(3) is temporarily totally disabled for a period of time not to exceed 3 years as established by sworn affidavit of a qualified physician;

(4) is unable to secure employment for a period not to exceed 12 months by reason of the care required by a spouse who is disabled;

¹ See References in Text note below.

² So in original. Probably should be "assistance".