

of the Foundation, see section 16 of Pub. L. 90-407, set out as a note under section 1862 of this title.

§ 1869. Scholarships and graduate fellowships

(a) In general

The Foundation is authorized to award scholarships and graduate fellowships for study and research in the sciences or in engineering at appropriate nonprofit American or nonprofit foreign institutions selected by the recipient of such aid, for stated periods of time. Persons shall be selected for such scholarships and fellowships from among citizens, nationals or lawfully admitted permanent resident aliens of the United States, and such selections shall be made solely on the basis of ability; but in any case in which two or more applicants for scholarships or fellowships, as the case may be, are deemed by the Foundation to be possessed of substantially equal ability, and there are not sufficient scholarships or fellowships, as the case may be, available to grant one to each of such applicants, the available scholarship or scholarships or fellowship or fellowships shall be awarded to the applicants in such manner as will tend to result in a wide distribution of scholarships and fellowships throughout the United States. Nothing contained in this chapter shall prohibit the Foundation from refusing or revoking a scholarship or fellowship award, in whole or in part, in the case of any applicant or recipient, if the Board is of the opinion that such award is not in the best interests of the United States.

(b) Amount

The Director shall establish for each year the amount to be awarded for scholarships and fellowships under this section for that year. Each such scholarship and fellowship shall include a cost of education allowance of \$12,000, subject to any restrictions on the use of cost of education allowance as determined by the Director.

(May 10, 1950, ch. 171, § 10, 64 Stat. 152; Pub. L. 86-232, § 5, Sept. 8, 1959, 73 Stat. 468; Pub. L. 86-550, June 29, 1960, 74 Stat. 256; Pub. L. 87-835, § 2, Oct. 16, 1962, 76 Stat. 1070; Pub. L. 90-407, § 8, July 18, 1968, 82 Stat. 364; Pub. L. 99-159, title I, § 110(a)(13), Nov. 22, 1985, 99 Stat. 891; Pub. L. 99-383, § 7(c), Aug. 21, 1986, 100 Stat. 814; Pub. L. 101-589, title III, § 302(c), Nov. 16, 1990, 104 Stat. 2895; Pub. L. 111-358, title V, § 510(d), Jan. 4, 2011, 124 Stat. 4010.)

AMENDMENTS

2011—Pub. L. 111-358 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

1990—Pub. L. 101-589 substituted “, nationals or lawfully admitted permanent resident aliens” for “or nationals” in second sentence.

1986—Pub. L. 99-383 struck out “, within the limits of funds made available specifically for such purpose pursuant to section 1875 of this title,” after “The Foundation is authorized to award”.

1985—Pub. L. 99-159 substituted “study and research in the sciences or in engineering” for “scientific study or scientific work in the mathematical, physical, medical, biological, engineering, social, and other sciences”.

1968—Pub. L. 90-407 inserted social sciences to the enumerated list of sciences, and substituted “throughout the United States” for “among the States, Territories, possessions, and the District of Columbia”.

1962—Pub. L. 87-835 authorized the Foundation to refuse or revoke a scholarship or fellowship award if

they believe such award is not in the best interests of the United States.

1960—Pub. L. 86-550 authorized the selection of nationals for scholarships and fellowships.

1959—Pub. L. 86-232 substituted “appropriate” for “accredited” and struck out “of higher education” after “foreign institutions”.

GRADUATE STUDENT SUPPORT

Pub. L. 111-358, title V, § 510(a), (b), Jan. 4, 2011, 124 Stat. 4010, provided that:

“(a) FINDING.—The Congress finds that—

“(1) the Integrative Graduate Education and Research Traineeship program is an important program for training the next generation of scientists and engineers in team-based interdisciplinary research and problem solving, and for providing them with the many additional skills, such as communication skills, needed to thrive in diverse STEM careers; and

“(2) the Integrative Graduate Education and Research Traineeship program is no less valuable to the preparation and support of graduate students than the Foundation’s Graduate Research Fellowship program.

“(b) EQUAL TREATMENT OF IGERT AND GRF.—Beginning in fiscal year 2011, the Director shall increase or, if necessary, decrease funding for the Foundation’s Integrative Graduate Education and Research Traineeship program (or any program by which it is replaced) at least at the same rate as it increases or decreases funding for the Graduate Research Fellowship program.”

[For definitions of terms used in section 510(a), (b) of Pub. L. 111-358, set out above, see section 2 of Pub. L. 111-358, set out as a note under section 6621 of this title, and section 502 of Pub. L. 111-358, set out as a note under section 1862p of this title.]

CONTINUATION OF EXISTING OFFICES, PROCEDURES, AND ORGANIZATION OF THE NATIONAL SCIENCE FOUNDATION

Amendment by Pub. L. 90-407 intended to continue in effect the existing offices, procedures, and organization of the Foundation, see section 16 of Pub. L. 90-407, set out as a note under section 1862 of this title.

§ 1869a. Contracts for precollege science or engineering curriculum development activities; inspection of materials by parent or guardian

After August 9, 1975, the Director of the National Science Foundation, shall require, as a condition of any award made by the National Science Foundation for the purpose of precollege science or engineering curriculum development activities, that the awardee, and any subcontractors involved in the distribution, marketing, or selling of such science or engineering curricula, shall include in any testing agreement, sales contract, or other comparable legal instrument a provision requiring that all instructional materials, including teacher’s manuals, films, tapes, or other supplementary instructional materials developed or provided under such award, subcontract, or other legal instrument, will be made available within the school district using such materials for inspection by parents or guardians of children engaged in educational programs or projects of that school district. In addition, the Director of the National Science Foundation shall take such action as may be necessary and feasible to modify awards made for the purpose of precollege science or engineering curriculum development and implementation activities on or before August 9, 1975, to include such a provision in all possible cases.

(Pub. L. 94-86, §2(b), Aug. 9, 1975, 89 Stat. 428; Pub. L. 99-159, title I, §110(b), Nov. 22, 1985, 99 Stat. 892.)

CODIFICATION

Section was not enacted as part of the National Science Foundation Act of 1950 which comprises this chapter.

AMENDMENTS

1985—Pub. L. 99-159 inserted “or engineering” after “science” in three places.

§ 1869b. Issuance of instructions to grantees of pre-college curriculum projects

The National Science Foundation is directed to issue instructions to grantees for pre-college curriculum projects covering the protection of pre-college students and procedures for involving such students in pre-college education research and development, pilot-testing, evaluation, and revision of experimental and innovative pre-college curriculum projects funded by the Foundation. These instructions shall require such grantees to obtain written approval of the school board or comparable authority responsible for the schools prior to the involvement of such students.

(Pub. L. 95-99, §8, formerly §9, Aug. 15, 1977, 91 Stat. 833; renumbered §8, Pub. L. 99-159, title I, §109(h), Nov. 22, 1985, 99 Stat. 890.)

CODIFICATION

Section was not enacted as part of the National Science Foundation Act of 1950 which comprises this chapter.

§ 1869c. Low-income scholarship program

(1) Establishment

The Director of the National Science Foundation (referred to in this section as the “Director”) shall award scholarships to low-income individuals to enable such individuals to pursue associate, undergraduate, or graduate level degrees in mathematics, engineering, or computer science.

(2) Eligibility

(A) In general

To be eligible to receive a scholarship under this section, an individual—

(i) must be a citizen of the United States, a national of the United States (as defined in section 1101(a) of title 8), an alien admitted as a refugee under section 1157 of title 8, or an alien lawfully admitted to the United States for permanent residence;

(ii) shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require; and

(iii) shall certify to the Director that the individual intends to use amounts received under the scholarship to enroll or continue enrollment at an institution of higher education (as defined in section 1001(a) of title 20) in order to pursue an associate, undergraduate, or graduate level degree in mathematics, engineering, computer science, or other technology and science programs designated by the Director.

(B) Ability

Awards of scholarships under this section shall be made by the Director solely on the basis of the ability of the applicant, except that in any case in which 2 or more applicants for scholarships are deemed by the Director to be possessed of substantially equal ability, and there are not sufficient scholarships available to grant one to each of such applicants, the available scholarship or scholarships shall be awarded to the applicants in a manner that will tend to result in a geographically wide distribution throughout the United States of recipients’ places of permanent residence.

(3) Limitation

The amount of a scholarship awarded under this section shall be determined by the Director, except that the Director shall not award a scholarship in an amount exceeding \$10,000 per year. The Director may renew scholarships for up to 4 years.

(4) Funding

The Director shall carry out this section only with funds made available under section 1356(s)(3) of title 8. The Director may use no more than 50 percent of such funds for undergraduate programs for curriculum development, professional and workforce development, and to advance technological education. Funds for these other programs may be used for purposes other than scholarships.

(5) Federal Register

Not later than 60 days after December 8, 2004, the Director shall publish in the Federal Register a list of eligible programs of study.

(Pub. L. 105-277, div. C, title IV, §414(d), Oct. 21, 1998, 112 Stat. 2681-653; Pub. L. 106-313, title I, §110(b), Oct. 17, 2000, 114 Stat. 1256; Pub. L. 108-447, div. J, title IV, §429, Dec. 8, 2004, 118 Stat. 3360.)

REFERENCES IN TEXT

Section 1157 of title 8, referred to in par. (2)(A)(i), was in the original “section 207 of the Immigration and Nationality”, and was translated as reading section 207 of the Immigration and Nationality Act to reflect the probable intent of Congress.

CODIFICATION

Section was enacted as part of the American Competitiveness and Workforce Improvement Act of 1998, and also as part of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, and not as part of the National Science Foundation Act of 1950 which comprises this chapter.

AMENDMENTS

2004—Par. (2)(A)(iii). Pub. L. 108-447, §429(a), substituted “computer science, or other technology and science programs designated by the Director” for “or computer science”.

Par. (3). Pub. L. 108-447, §429(b), substituted “\$10,000 per year” for “\$3,125 per year”.

Par. (4). Pub. L. 108-447, §429(c), inserted at end “The Director may use no more than 50 percent of such funds for undergraduate programs for curriculum development, professional and workforce development, and to advance technological education. Funds for these other programs may be used for purposes other than scholarships.”

Par. (5). Pub. L. 108-447, §429(d), added par. (5).