

[title VIII, §801], Oct. 30, 1986, 100 Stat. 3341-39, 3341-76, 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 Fellowship Foundation.

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

(1) The Foundation shall be subject to the supervision and direction of a Board of Trustees. The Board shall be composed of thirteen members, 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 consultation with the Majority Leader and Minority Leader of the Senate.

(B) Two Members of the House of Representatives, of different political parties, shall be appointed by the President upon the recommendation 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 recommendation of the Librarian of Congress.

(E) The Secretary of Education or his designate 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 designated 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 appointed to fill a vacancy shall serve for the remainder 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 expired 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 member'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 chapter<sup>1</sup> 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 assistance<sup>2</sup> 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;

(5) is seeking and unable to find full-time employment for a single period not to exceed 12 months; or

(6) is seeking and unable to find full-time employment as a teacher.

(Pub. L. 99-500, §101(b) [title VIII, §807], Oct. 18, 1986, 100 Stat. 1783-39, 1783-77, and Pub. L. 99-591, §101(b) [title VIII, §807], Oct. 30, 1986, 100 Stat. 3341-39, 3341-77.)

REFERENCES IN TEXT

This chapter, referred to in provisions preceding par. (a), was in the original "this Act" and was translated as reading "this title" meaning title VIII of section 101(b) of Pub. L. 99-500 and Pub. L. 99-591 which enacted this chapter, to reflect the probable intent of Congress.

CODIFICATION

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

**§ 4507. Selection of fellowship recipients**

**(a) Criteria for selection**

Madison Fellows shall be selected for their academic achievements and their potential to become secondary school teachers of social studies and American history.

**(b) Competition for selection; application**

(1) The Foundation is authorized, either directly or by contract, to provide for the conduct of a nationwide competition for the selection of fellowship recipients. Each applicant must have a demonstrated interest in pursuing a course of study which emphasizes the Constitution, its principles, and its history, and have a demonstrated record of willingness to devote themselves to civil responsibility.

(2) Each application shall be accompanied by an essay explaining the importance of the study of the Constitution both to the applicant's career aspirations and contributions to public service, and to citizenship generally in a constitutional regime.

(3)(A) Each application shall include a description of a program of study for the graduate program, designating the courses to be taken, and the proposed Master's thesis, where appropriate.

(B) For the purpose of this paragraph, the Board of Trustees of the Foundation shall establish general criteria for programs in constitutional studies.

**(c) Regional selection of recipients**

The Foundation shall adopt selection procedures which shall assure that at least one Madison Fellow shall be selected each year from each State, the District of Columbia, and the Commonwealth of Puerto Rico, and considered as a single entity, Guam, the Virgin Islands, American Samoa, the Trust Territories of the Pacific Islands, and the Commonwealth of the Northern Marianas in which there are at least two resident applicants who meet the minimum criteria established by the Foundation; and, if sufficient funding is available, to invite applications from scholars overseas for study in the United States.

(Pub. L. 99-500, §101(b) [title VIII, §808], Oct. 18, 1986, 100 Stat. 1783-39, 1783-78, and Pub. L. 99-591, §101(b) [title VIII, §808], Oct. 30, 1986, 100 Stat. 3341-39, 3341-78.)

CODIFICATION

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

<sup>1</sup> See References in Text note below.

<sup>2</sup> So in original. Probably should be "assistance".