

SUBCHAPTER IV—GENERAL PROVISIONS

§§ 4661 to 4664. Repealed. Pub. L. 100-297, title I, § 1003(e), Apr. 28, 1988, 102 Stat. 293

Section 4661, Pub. L. 99-570, title IV, §4141, Oct. 27, 1986, 100 Stat. 3207-135, related to definitions for chapter.

Section 4662, Pub. L. 99-570, title IV, §4142, Oct. 27, 1986, 100 Stat. 3207-136, related to functions of Secretary of Education.

Section 4663, Pub. L. 99-570, title IV, §4143, Oct. 27, 1986, 100 Stat. 3207-136, related to participation of children and teachers from private nonprofit schools.

Section 4664, Pub. L. 99-570, title IV, §4144, Oct. 27, 1986, 100 Stat. 3207-136, related to materials distributed or produced under chapter.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective July 1, 1988, see section 6303 of Pub. L. 100-297, set out as an Effective Date of 1988 Amendment note under section 1071 of this title.

§ 4665. Transferred**Editorial Notes**

CODIFICATION

Section, Pub. L. 99-570, title IV, §4302, Oct. 27, 1986, 100 Stat. 3207-153, which established National Trust for Drug-Free Youth, was transferred to section 3225 of this title, then to section 7105 of this title, and subsequently omitted from the Code.

CHAPTER 59—BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION PROGRAM

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§ 4701. Findings

The Congress makes the following findings:

(1) Senator Barry Goldwater of the State of Arizona has served his country for 56 years as a soldier and statesman, including service in the United States Senate for a period of 30 years.

(2) Senator Goldwater has a distinguished record as a Senator, including service as Chairman of the Select Committee on Intelligence of the Senate and as Chairman of the Committee on Armed Services of the Senate.

(3) Senator Goldwater has long maintained a special interest in the education of America's youth, particularly in the fields of science and mathematics.

(4) It would, therefore, be a fitting tribute to the leadership, courage, and vision of Senator

Goldwater to establish in his name a scholarship program to foster and encourage excellence in science and mathematics.

(Pub. L. 99-661, div. A, title XIV, §1402, Nov. 14, 1986, 100 Stat. 4008.)

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2021 AMENDMENT

Pub. L. 117-81, div. F, title LXIII, §6301, Dec. 27, 2021, 135 Stat. 2393, provided that: "This title [amending sections 4702, 4704 to 4707, and 4710 of this title] may be cited as the 'Barry Goldwater Scholarship and Excellence in Education Modernization Act of 2021'."

SHORT TITLE

Pub. L. 99-661, div. A, title XIV, §1401, Nov. 14, 1986, 100 Stat. 4007, provided that: "This title [enacting this chapter] may be cited as the 'Barry Goldwater Scholarship and Excellence in Education Act'."

§ 4702. Definitions

In this chapter:

(1) The term "Foundation" means the Barry Goldwater Scholarship and Excellence in Education Foundation established under section 4703(a) of this title.

(2) The term "Board" means the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation established under section 4703(b) of this title.

(3) The term "fund" means the Barry Goldwater Scholarship and Excellence in Education Fund provided for under section 4707 of this title.

(4) The term "institution of higher education" means any such institution as defined in section 1001 of this title.

(5) The term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, the Republic of Palau, and any other territory or possession of the United States.

(6) The term "eligible person" means—

(A) a permanent resident alien of the United States;

(B) a citizen or national of the United States;

(C) a citizen of the Republic of the Marshall Islands, the Federal States of Micronesia, or the Republic of Palau; or

(D) any person who may be admitted to lawfully engage in occupations and establish residence as a nonimmigrant in the United States as permitted under the Compact of Free Association agreements with the Republic of the Marshall Islands, the Federal States of Micronesia, or the Republic of Palau.

(Pub. L. 99-661, div. A, title XIV, §1403, Nov. 14, 1986, 100 Stat. 4008; Pub. L. 105-244, title I, §102(a)(6)(H), Oct. 7, 1998, 112 Stat. 1618; Pub. L. 117-81, div. F, title LXIII, §6302, Dec. 27, 2021, 135 Stat. 2393.)

Editorial Notes

AMENDMENTS

2021—Par. (5). Pub. L. 117-81, §6302(1), added par. (5) and struck out former par. (5) which read as follows:

“The term ‘State’ means each of the several States, the District of Columbia, 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.”

Par. (6). Pub. L. 117-81, §6302(2), added par. (6) and struck out former par. (6) which read as follows: “The term ‘eligible person’ means a citizen or national of the United States or a permanent resident alien of the United States.”

1998—Par. (4). Pub. L. 105-244 substituted “section 1001” for “section 1141(a)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of this title.

Executive Documents

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

§ 4703. Establishment of Barry Goldwater Scholarship and Excellence in Education Foundation

(a) Establishment

There is established, as an independent establishment of the executive branch of the United States Government, the Barry Goldwater Scholarship and Excellence in Education Foundation.

(b) Board of Trustees

The Foundation shall be subject to the supervision and direction of the Board of Trustees. The Board shall be composed of 13 members, as follows:

(1) Two members from the Senate, one appointed by the majority leader and one appointed by the minority leader of the Senate.

(2) Two members from the House of Representatives, one appointed by the majority leader and one appointed by the minority leader of the House of Representatives.

(3) Eight members, not more than four of whom shall be of the same political party, to be appointed by the President, by and with the advice and consent of the Senate.

(4) The Secretary of Education, or his designee, who shall serve ex officio as a member of the Board but shall not be eligible to serve as Chairman.

(c) Term of office

(1) 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;

(B) a 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; and

(C) notwithstanding the term limitation provided for under this paragraph, a member appointed under subsection (b) may continue to serve under such appointment until the successor to the member is appointed.

(2) A Member of Congress appointed to the Board under clause (1) or (2) of subsection (b) may not serve as a member of the Board for more than a total of six years.

(d) Travel and subsistence pay

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.

(Pub. L. 99-661, div. A, title XIV, §1404, Nov. 14, 1986, 100 Stat. 4008; Pub. L. 100-26, §3(10), Apr. 21, 1987, 101 Stat. 274; Pub. L. 102-190, div. A, title X, §1089(1), Dec. 5, 1991, 105 Stat. 1485; Pub. L. 103-160, div. A, title XI, §1179(a), Nov. 30, 1993, 107 Stat. 1770.)

Editorial Notes

AMENDMENTS

1993—Subsec. (c)(1)(C). Pub. L. 103-160 added subpar. (C).

1991—Subsec. (b)(3). Pub. L. 102-190 struck out before period at end “, at least one of whom shall be a representative of the aerospace industry and at least one of whom shall be a representative of a private foundation concerned with aerospace education”.

1987—Subsec. (c)(2). Pub. L. 100-26 substituted “clause (1) or (2)” for “clause (2) or (3)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-26 applicable as if included in Pub. L. 99-661 when enacted on Nov. 14, 1986, see section 12(a) of Pub. L. 100-26, set out as a note under section 776 of Title 10, Armed Forces.

§ 4704. Barry Goldwater scholarship and excellence in education awards

(a) Award of scholarships, fellowships, and research internships

(1) The Foundation may award scholarships, fellowships, and research internships to eligible persons for study in the fields of the natural sciences, engineering, and mathematics. Such scholarships, fellowships, and research internships shall be awarded to persons as provided in this chapter who meet the minimum criteria established by the Foundation.

(2) Scholarships shall be awarded to outstanding undergraduate students who intend to pursue careers in the natural sciences, engineering, and mathematics, which shall be prioritized for students attending community colleges and minority-serving institutions specified in section 1067q(a) of this title.

(3) Fellowships shall be awarded to outstanding graduate students who intend to pursue advanced degrees in the natural sciences, engineering, and mathematics.

(4) Research internships shall be awarded to outstanding undergraduate students who intend to pursue careers in the natural sciences, engineering, and mathematics, which shall be prioritized for students attending community