

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.

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 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, sub-

sistence, 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;

(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.

¹ See References in Text note below.

² So in original. Probably should be “assistance”.

(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.

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.

§ 4508. Amount of fellowships

Each student awarded a fellowship shall receive a stipend which shall not exceed the cost to the student for tuition, fees, books, room and board, or \$12,000, whichever is less, for each academic year of study.

(Pub. L. 99-500, §101(b) [title VIII, §809], Oct. 18, 1986, 100 Stat. 1783-39, 1783-78, and Pub. L. 99-591, §101(b) [title VIII, §809], Oct. 30, 1986, 100 Stat. 3341-39, 3341-78.)

CODIFICATION

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

§ 4509. Fellowship conditions

(a) A student awarded a Madison Fellowship shall continue to receive payments only during

such periods as the Foundation finds that the student is maintaining satisfactory progress in an approved program of study or research. Recipients of junior fellowships shall devote essentially full time to their program of study.

(b) The Foundation is authorized to require reports from any fellowship recipient containing such information, in such form, and to be filed at such times as the Foundation determines to be necessary. Such reports shall be accompanied by a certificate from an appropriate official at the institution of higher education, approved by the Foundation, stating that such student is making satisfactory progress in a program of study or research, with such exceptions as the Foundation may establish.

(Pub. L. 99-500, §101(b) [title VIII, §810], Oct. 18, 1986, 100 Stat. 1783-39, 1783-79, and Pub. L. 99-591, §101(b) [title VIII, §810], Oct. 30, 1986, 100 Stat. 3341-39, 3341-79.)

CODIFICATION

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

§ 4510. James Madison Memorial Fellowship Trust Fund**(a) Establishment**

There shall be established in the Treasury of the United States a trust fund consisting of appropriations and amounts contributed by the Foundation for the Commemoration of the Constitution and other private sources to be available, in accordance with the provisions of this chapter, to carry out the provisions of this chapter.

(b) Investment of amounts appropriated

(1) At the request of the Trust Fund, it shall be the duty of the Secretary of the Treasury to invest in full the amounts appropriated and contributed to the fund. Such investments may be made only in interest-bearing obligations of the United States issued directly to the fund.

(2) The purposes for which obligations of the United States may be issued under chapter 31 of title 31 are hereby extended to authorize the issuance at par of special obligations directly to the fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. All requests of the Trust Fund to the Secretary of the Treasury provided for in this section shall be binding upon the Secretary.

(c) Sale of obligations acquired by fund

At the request of the Trust Fund, the Secretary of the Treasury shall redeem any obligation issued directly to the fund. Obligations issued to the fund under subsection (b)(2) of this section shall be redeemed at par plus accrued interest. Any other obligations issued directly to the fund shall be redeemed at the market price.

(d) Interest and proceeds from sale or redemption of obligations credited to fund

The interest on, and the proceeds from, the sale or redemption of any obligations held in the fund shall be credited to and form a part of the fund.

(Pub. L. 99-500, §101(b) [title VIII, §811], Oct. 18, 1986, 100 Stat. 1783-39, 1783-79, and Pub. L. 99-591, §101(b) [title VIII, §811], Oct. 30, 1986, 100 Stat. 3341-39, 3341-79; Pub. L. 102-221, §1(2), Dec. 11, 1991, 105 Stat. 1676; Pub. L. 108-7, div. J, title I, §126, Feb. 20, 2003, 117 Stat. 440.)

CODIFICATION

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

AMENDMENTS

2003—Subsec. (b). Pub. L. 108-7, §126(1), added heading and text of subsec. (b) and struck out former subsec. (b) which read as follows: “It shall be the duty of the Secretary of the Treasury to invest in full the amounts appropriated and contributed to the fund. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. Such special obligations shall be issued only if the Secretary determines that the purchase of other obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States or original issue at the market price, is not in the public interest.”

Subsec. (c). Pub. L. 108-7, §126(2), added heading and text of subsec. (c) and struck out former subsec. (c) which read as follows: “Any obligations acquired by the fund (except special obligations issued exclusively to the fund) may be sold by the Secretary at the market price, and such special obligations may be redeemed at par plus accrued interest.”

1991—Subsec. (a). Pub. L. 102-221 struck out “(1)” before “There shall be”, substituted “and other” for “an other” after “Constitution”, and struck out par. (2) which read as follows: “No funds in the Trust Fund may be available for fellowships until the contributions from private sources are equal to \$10,000,000.”

§ 4511. Expenditures and audit

(a) The Secretary of the Treasury is authorized to pay to the Foundation from the interest and earnings of the fund such sums as the Board determines are necessary and appropriate to enable the Foundation to carry out the provisions of this chapter.

(b) The activities of the Foundation under this chapter may be audited by the Government Accountability Office under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the Government Accountability Office shall have access to all books, accounts, records,

reports, and files and all other papers, things, or property belonging to or in use by the Foundation, pertaining to such activities and necessary to facilitate the audit.

(Pub. L. 99-500, §101(b) [title VIII, §812], Oct. 18, 1986, 100 Stat. 1783-39, 1783-80, and Pub. L. 99-591, §101(b) [title VIII, §812], Oct. 30, 1986, 100 Stat. 3341-39, 3341-80; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

CODIFICATION

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

AMENDMENTS

2004—Subsec. (b). Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office” in two places.

§ 4512. President and Executive Secretary of Foundation

(a)(1) The Board may appoint a President of the Foundation to serve full-time or part-time and for such a term as the Board shall determine.

(2) The President shall carry out such of the functions and duties of the Foundation as the Board may determine, subject to the supervision and direction of the Board.

(3) The President shall be compensated at a rate to be determined by the Board without regard to subchapter III of chapter 53 of title 5, not to exceed the rate for level III of the Executive Schedule under section 5314 of that title.

(4) Sections 5532,¹ 8344, and 8468 of title 5 shall not apply to a person while such person is serving as President of the Foundation.

(b)(1) There shall be an Executive Secretary of the Foundation who shall be appointed by the Board.

(2) The Executive Secretary shall be the chief operating officer of the Foundation and shall carry out the functions of the Foundation subject to the supervision and direction of the Board or the President, as determined by the Board.

(3) The Executive Secretary shall be compensated at the rate specified for employees placed in grade GS-18 of the General Schedule set forth in section 5332 of title 5.

(Pub. L. 99-500, §101(b) [title VIII, §813], Oct. 18, 1986, 100 Stat. 1783-39, 1783-80, and Pub. L. 99-591, §101(b) [title VIII, §813], Oct. 30, 1986, 100 Stat. 3341-39, 3341-80; Pub. L. 101-208, §2, Dec. 7, 1989, 103 Stat. 1836; Pub. L. 101-557, title V, §501, Nov. 15, 1990, 104 Stat. 2771; Pub. L. 101-589, title II, §253, Nov. 16, 1990, 104 Stat. 2895.)

REFERENCES IN TEXT

Section 5532 of title 5, referred to in subsec. (a)(4), was repealed by Pub. L. 106-65, div. A, title VI, §651(a)(1), Oct. 5, 1999, 113 Stat. 664.

CODIFICATION

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

AMENDMENTS

1990—Subsec. (a)(4). Pub. L. 101-557 and Pub. L. 101-589 amended par. (4) identically, striking out at end “The first sentence of this paragraph shall not, in the case of any individual, apply longer than December 31, 1990.”

¹ See References in Text note below.

1989—Pub. L. 101-208 amended section generally. Prior to amendment, section read as follows:

“(a) There shall be an Executive Secretary of the Foundation who shall be appointed by the Board. The Executive Secretary shall be the chief executive officer of the Foundation and shall carry out the functions of the Foundation subject to the supervision and direction of the Board.

“(b) The Executive Secretary of the Foundation shall be compensated at the rate specified for employees placed in grade GS-18 of the General Schedule set forth in section 5332 of title 5.”

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 4513. Administrative provisions

(a) General powers

The Foundation is authorized—

(1) to appoint and fix the compensation of such personnel as may be necessary to carry out this chapter,¹ without regard to the provisions of title 5 governing appointments in the competitive service, but at General Schedule pay rates not in excess of the maximum rate for grade GS-15 of the General Schedule under section 5332 of that title;

(2) to procure temporary and intermittent services of such experts and consultants as are necessary to the extent authorized by section 3109 of title 5, but at rates not to exceed the rate specified at the time of such service for grade GS-18 in section 5332 of such title;

(3) to prescribe such regulations as it deems necessary governing the manner in which its functions shall be carried out;

(4) to receive money and other property donated, bequeathed, or devised, without condition or restriction other than it be used for the purposes of the Foundation; and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions;

(5) to accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5;

(6) to enter into contracts, grants, or other arrangements, or modifications thereof, to carry out the provisions of this chapter, and such contracts or modifications thereof may, with the concurrence of two-thirds of the members of the Board, be entered into without performance or other bonds, and without regard to section 5 of title 41;

(7) to make advances, progress, and other payments which the Board deems necessary under this chapter without regard to the provisions of section 3324(a) and (b) of title 31;

(8) to rent office space in the District of Columbia or its environs;

(9) to conduct programs in addition to or in conjunction with the Fellowship program

which shall further the Foundation's purpose of encouraging research and study of constitutionalism in America;

(10) to expend not more than 5 percent of its annual operating budget to pay the costs of fundraising activities, including public and private gatherings; and

(11) to make other necessary expenditures.

(b) Annual report

The foundation² shall submit to the President and to the Congress an annual report of its operations under this chapter.

(c) Detailing of agency personnel to Foundation

On request of the Chairman of the Foundation, the head of a Federal agency may detail personnel of the agency to the Foundation to assist the Foundation in carrying out this chapter.¹ Details under this subsection shall be without reimbursement by the Foundation to the agency from which personnel are detailed.

(Pub. L. 99-500, § 101(b) [title VIII, § 814], Oct. 18, 1986, 100 Stat. 1783-39, 1783-80, and Pub. L. 99-591, § 101(b) [title VIII, § 814], Oct. 30, 1986, 100 Stat. 3341-39, 3341-80; Pub. L. 101-208, § 3, Dec. 7, 1989, 103 Stat. 1837.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a)(1) and (c), 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.

Provisions of title 5 governing appointments in the competitive service, referred to in subsec. (a)(1), are classified generally to section 3301 et seq. of Title 5, Government Organization and Employees.

CODIFICATION

In subsec. (a)(7), “section 3324(a) and (b) of title 31” substituted for “section 529 of title 31” on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

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

AMENDMENTS

1989—Subsec. (a)(1), Pub. L. 101-208, § 3(1)(A), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “to appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this chapter, except that in no case shall employees other than the Executive Secretary be compensated at a rate to exceed the rate provided for employees in grade GS-15 of the General Schedule set forth in section 5332 of title 5;”.

Subsec. (a)(8), Pub. L. 101-208, § 3(1)(B), amended par. (8) generally. Prior to amendment, par. (8) read as follows: “to rent office space;”.

Subsec. (a)(10), (11), Pub. L. 101-208, § 3(1)(C)-(E), added par. (10) and redesignated former par. (10) as (11).

Subsec. (c), Pub. L. 101-208, § 3(2), added subsec. (c).

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (b) of this section relating to submitting an annual report to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 176 of House Document No. 103-7.

§ 4514. Definitions

As used in this chapter—

¹ See References in Text note below.

² So in original. Probably should be capitalized.

(1) the term “Board” means the Board of Trustees of the James Madison Memorial Fellowship Foundation;

(2) the term “Foundation” means the James Madison Memorial Fellowship Foundation;

(3) the term “institution of higher education” has the same meaning given that term by section 1001 of this title; and

(4) the term “secondary school” has the same meaning given that term by section 7801 of this title.

(Pub. L. 99-500, §101(b) [title VIII, §815], Oct. 18, 1986, 100 Stat. 1783-39, 1783-81, and Pub. L. 99-591, §101(b) [title VIII, §815], Oct. 30, 1986, 100 Stat. 3341-39, 3341-81; Pub. L. 105-244, title I, §102(a)(6)(G), Oct. 7, 1998, 112 Stat. 1618; Pub. L. 107-110, title X, §1076(m), Jan. 8, 2002, 115 Stat. 2092.)

CODIFICATION

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

AMENDMENTS

2002—Par. (4). Pub. L. 107-110 substituted “7801” for “8801”.

1998—Par. (3). Pub. L. 105-244, §102(a)(6)(G)(i), substituted “section 1001” for “section 1141(a)”.

Par. (4). Pub. L. 105-244, §102(a)(6)(G)(ii), substituted “section 8801” for “section 1141(d)”.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-110 effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107-110, set out as an Effective Date note under section 6301 of this title.

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.

§ 4515. Appropriations

There are appropriated to the James Madison Memorial Trust Fund \$20,000,000 to carry out the provisions of this chapter, \$10,000,000 of which shall be available on November 1, 1987, and to remain available until expended; and \$10,000,000 of which shall be available on November 1, 1988, and to remain available until expended.

(Pub. L. 99-500, §101(b) [title VIII, §816], Oct. 18, 1986, 100 Stat. 1783-39, 1783-81, and Pub. L. 99-591, §101(b) [title VIII, §816], Oct. 30, 1986, 100 Stat. 3341-39, 3341-81.)

CODIFICATION

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

§ 4516. Constitutional Law Resource Centers

(a) Establishment

It is the purpose of this section to establish four centers where nationally recognized distinguished experts in Constitutional law will produce, on a periodic basis, articles of current interest relating to the Constitution of the United States which are suitable for use by James Madison scholars, educational institutions, law school reviews, bar associations, and the news media.

(b) Endowments

In order to encourage recipient universities to provide such a continuing service, four endow-

ments shall be established with funds from appropriations provided herein and such other amounts as may be contributed from other sources.

(c) Chair for Professor of Constitutional Law

The income from each endowment shall be used to help support a chair for a Professor of Constitutional law.¹ Each endowment shall be held in trust with the income from the portion provided herein used exclusively to contribute toward the salary and related costs of the professor filling the chair and for services directly related to the support of such professor such as secretarial and research services. The recipient university shall from sources other than that portion of the endowment funded herein furnish the office, classroom and related services suitable to such a member of the faculty.

The professor holding each chair shall file a copy of such articles with the Library of Congress, which shall make them available to libraries in the usual manner and the recipient of the endowment shall also make a copy available upon request by accredited educational institutions, bar associations, and general news media without royalty or charge other than the costs associated with printing or reprinting, handling and distribution.

(d) Investment of endowment

That portion of each endowment provided by this chapter² and any accumulations attributable to such grant shall be invested by the recipient university in interest bearing obligations of the United States or in obligations guaranteed both as to principal and interest by the United States and shall be subject to audit by the Government Accountability Office for the sole purpose of determining that such funds are accounted for or have been used as provided herein. If a grantee university elects to discontinue such chair and support services, the corpus of the endowment attributable to the Federal grant shall revert to the Treasury of the United States.

(e) Application for grant of endowment

The application for the grant for an endowment shall require only such information and supporting material as is reasonably necessary to assure that the funds will be used for the purposes described herein. Acceptance of the grant by each university shall constitute an agreement and obligation of that university to fulfill the obligations set forth in this section.

(f) Amount of grant of endowment; recipients of offer

The grants for each endowment shall be for \$300,000 and shall be offered to Howard University School of Law in Washington, D.C., Drake University School of Law in Des Moines, Iowa, the University of Akron School of Law in Akron, Ohio, and the University of South Carolina School of Law at Columbia, South Carolina.

(Pub. L. 99-500, §101(b) [title VIII, §817], Oct. 18, 1986, 100 Stat. 1783-39, 1783-81, and Pub. L. 99-591, §101(b) [title VIII, §817], Oct. 30, 1986, 100 Stat.

¹ So in original. Probably should be capitalized.

² See References in Text note below.

3341–39, 3341–81; Pub. L. 108–271, §8(b), July 7, 2004, 118 Stat. 814.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (d), 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.

AMENDMENTS

2004—Subsec. (d). Pub. L. 108–271 substituted “Government Accountability Office” for “General Accounting Office”.

TEMPORARY AUTHORITY TO RECEIVE, REVIEW, AND CERTIFY FOR PAYMENT GRANT APPLICATIONS

Pub. L. 100–202, §101(a) [title V, §501], Dec. 22, 1987, 101 Stat. 1329, 1329–29, provided in part: “That until the Board of Trustees of the James Madison Memorial Fellowship Foundation is appointed, the Commission on the Bicentennial of the United States Constitution is authorized to receive, review and certify for payment the applications for grants of endowment funds for the establishment of Constitutional Law Resource Centers as provided and appropriated under the James Madison Memorial Fellowship Act, title VIII, sections 817 and 818, Public Law 99–500 and Public Law 99–591 [20 U.S.C. 4516, 4517]”.

§ 4517. Appropriations for universities

There is hereby appropriated to each recipient University named above or to the trustee of the fund designated by the President of the University the sum of \$800,000 to carry out the provisions of section 4516 of this title, to be available on November 1, 1987, and to remain available until expended.

(Pub. L. 99–500, §101(b) [title VIII, §818], Oct. 18, 1986, 100 Stat. 1783–39, 1783–82, and Pub. L. 99–591, §101(b) [title VIII, §818], Oct. 30, 1986, 100 Stat. 3341–39, 3341–82.)

CODIFICATION

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

CHAPTER 58—DRUG-FREE SCHOOLS AND COMMUNITIES

§§ 4601, 4602. Repealed. Pub. L. 100–297, title I, § 1003(e), Apr. 28, 1988, 102 Stat. 293

Section 4601, Pub. L. 99–570, title IV, §4102, Oct. 27, 1986, 100 Stat. 3207–125, related to Congressional findings.

Section 4602, Pub. L. 99–570, title IV, §4103, Oct. 27, 1986, 100 Stat. 3207–125, related to purpose of chapter.

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.

SHORT TITLE

Pub. L. 99–570, title IV, §4101, Oct. 27, 1986, 100 Stat. 3207–125, which provided that subtitle B [§§4101 to 4144] of title IV of Pub. L. 99–570 was to be cited as the “Drug-Free Schools and Communities Act of 1986”, was repealed by Pub. L. 100–297, title I, §1003(e), Apr. 28, 1988, 102 Stat. 293.

WHITE HOUSE CONFERENCE FOR A DRUG FREE AMERICA

Pub. L. 99–570, title I, subtitle S (§1931 et seq.), Oct. 27, 1986, 100 Stat. 3207–56, as amended by Pub. L. 100–138,

Oct. 23, 1987, 101 Stat. 820, established the White House Conference for a Drug Free America, provided for its purpose, responsibilities, participants, authorization of appropriations, and required a final report to be submitted not later than July 31, 1988, with the President to report annually to Congress for three years thereafter on the status and implementation of the findings and recommendations of the Conference.

EXECUTIVE ORDER NO. 12595

Ex. Ord. No. 12595, May 5, 1987, 52 F.R. 17383, established and set forth the functions of the White House Conference for a Drug Free America.

SUBCHAPTER I—FINANCIAL ASSISTANCE FOR DRUG ABUSE EDUCATION AND PREVENTION PROGRAMS

§§ 4611, 4612. Repealed. Pub. L. 100–297, title I, § 1003(e), Apr. 28, 1988, 102 Stat. 293

Section 4611, Pub. L. 99–570, title IV, §4111, Oct. 27, 1986, 100 Stat. 3207–126, related to authorization of appropriations.

Section 4612, Pub. L. 99–570, title IV, §4112, Oct. 27, 1986, 100 Stat. 3207–126, related to reservations and State allotments.

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.

SUBCHAPTER II—STATE AND LOCAL PROGRAMS

§§ 4621 to 4626. Repealed. Pub. L. 100–297, title I, § 1003(e), Apr. 28, 1988, 102 Stat. 293

Section 4621, Pub. L. 99–570, title IV, §4121, Oct. 27, 1986, 100 Stat. 3207–127, related to use of allotments by States.

Section 4622, Pub. L. 99–570, title IV, §4122, Oct. 27, 1986, 100 Stat. 3207–127, related to State programs.

Section 4623, Pub. L. 99–570, title IV, §4123, Oct. 27, 1986, 100 Stat. 3207–128, related to State applications.

Section 4624, Pub. L. 99–570, title IV, §4124, Oct. 27, 1986, 100 Stat. 3207–128; Pub. L. 100–418, title VI, §6091(a), Aug. 23, 1988, 102 Stat. 1499, related to responsibilities of State educational agencies.

Section 4625, Pub. L. 99–570, title IV, §4125, Oct. 27, 1986, 100 Stat. 3207–129, related to local drug abuse education and prevention programs.

Section 4626, Pub. L. 99–570, title IV, §4126, Oct. 27, 1986, 100 Stat. 3207–130, related to local applications.

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.

SUBCHAPTER III—NATIONAL PROGRAMS

§§ 4641 to 4645. Repealed. Pub. L. 100–297, title I, § 1003(e), Apr. 28, 1988, 102 Stat. 293

Section 4641, Pub. L. 99–570, title IV, §4131, Oct. 27, 1986, 100 Stat. 3207–131, related to grants to institutions of higher education.

Section 4642, Pub. L. 99–570, title IV, §4132, Oct. 27, 1986, 100 Stat. 3207–132, related to Federal activities.

Section 4643, Pub. L. 99–570, title IV, §4133(a), Oct. 27, 1986, 100 Stat. 3207–133, related to programs for Indian youth.

Section 4644, Pub. L. 99–570, title IV, §4134, Oct. 27, 1986, 100 Stat. 3207–134, related to programs for Hawaiian natives.

Section 4645, Pub. L. 99–570, title IV, §4135, Oct. 27, 1986, 100 Stat. 3207–135, related to regional centers.