

117TH CONGRESS
1ST SESSION

S. 3096

To make amendments to the Barry Goldwater Scholarship and Excellence
in Education Act.

IN THE SENATE OF THE UNITED STATES

OCTOBER 28, 2021

Mr. KELLY (for himself, Ms. COLLINS, Mrs. FEINSTEIN, and Mr. WYDEN) in-
troduced the following bill; which was read twice and referred to the Com-
mittee on Health, Education, Labor, and Pensions

A BILL

To make amendments to the Barry Goldwater Scholarship
and Excellence in Education Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Barry Goldwater
5 Scholarship and Excellence in Education Modernization
6 Act”.

1 **SEC. 2. AMENDMENTS TO THE BARRY GOLDWATER SCHOL-**
 2 **ARSHIP AND EXCELLENCE IN EDUCATION**
 3 **ACT.**

4 (a) CLARIFYING AMENDMENTS TO DEFINITIONS.—

5 Section 1403 of the Barry Goldwater Scholarship and Ex-
 6 cellence in Education Act (20 U.S.C. 4702) is amended—

7 (1) by striking paragraph (5) and inserting the
 8 following:

9 “(5) The term ‘State’ means each of the 50
 10 States, the District of Columbia, the Commonwealth
 11 of Puerto Rico, Guam, the United States Virgin Is-
 12 lands, American Samoa, the Commonwealth of the
 13 Northern Marianas, the Republic of the Marshall Is-
 14 lands, the Federated States of Micronesia, and the
 15 Republic of Palau.”; and

16 (2) in paragraph (6) by inserting “, a resident
 17 of a State,” after “national of the United States”.

18 (b) BARRY GOLDWATER SCHOLARSHIP AND EXCEL-
 19 LENCE IN EDUCATION AWARDS.—

20 (1) Section 1405(a) of the Barry Goldwater
 21 Scholarship and Excellence in Education Program
 22 (20 U.S.C. 4704(a)) is amended—

23 (A) in the subsection heading, by striking
 24 “AWARD OF SCHOLARSHIPS AND FELLOW-
 25 SHIPS” and inserting “AWARD OF SCHOLAR-

1 SHIPS, FELLOWSHIPS, AND RESEARCH INTERN-
2 SHIPS”;

3 (B) in paragraph (1)—

4 (i) by striking “scholarships and fel-
5 lowships” and inserting “scholarships, fel-
6 lowships, and research internships” each
7 place the term appears; and

8 (ii) by striking “science and mathe-
9 matics” and inserting “the natural
10 sciences, engineering, and mathematics”;

11 (C) in paragraph (2), by striking “mathe-
12 matics and the natural sciences” and inserting
13 “the natural sciences, engineering, and mathe-
14 matics”;

15 (D) in paragraph (3), by striking “mathe-
16 matics and the natural sciences” and inserting
17 “the natural sciences, engineering, and mathe-
18 matics”;

19 (E) by redesignating paragraph (4) as
20 paragraph (5);

21 (F) in paragraph (5), as so redesignated,
22 by striking “scholarships and fellowships” and
23 inserting “scholarships, fellowships, and re-
24 search internships”; and

1 (G) by inserting after paragraph (3) the
2 following:

3 “(4) Research internships shall be awarded to
4 outstanding undergraduate students who intend to
5 pursue careers in the natural sciences, engineering,
6 and mathematics, which shall be prioritized for stu-
7 dents attending community colleges.”.

8 (2) Section 1405(b) of the Barry Goldwater
9 Scholarship and Excellence in Education Program
10 (20 U.S.C. 4704(b)) is amended by adding at the
11 end the following: “Recipients of research intern-
12 ships under this title shall be known as ‘Barry Gold-
13 water Interns’.”.

14 (c) STIPENDS.—Section 1406 of the Barry Goldwater
15 Scholarship and Excellence in Education Act (20 U.S.C.
16 4705) is amended by adding at the end the following:
17 “Each person awarded a research internship under this
18 title shall receive a stipend as may be prescribed by the
19 Board, which shall not exceed the maximum stipend
20 amount awarded for a scholarship or fellowship.”.

21 (d) SCHOLARSHIP AND RESEARCH INTERNSHIP CON-
22 DITIONS.—Section 1407 of the Barry Goldwater Scholar-
23 ship and Excellence in Education Act (20 U.S.C. 4706)
24 is amended—

1 (1) in the section heading, by inserting “**AND**
2 **RESEARCH INTERNSHIP**” after “**SCHOLARSHIP**”;

3 (2) in subsection (a), by striking the subsection
4 heading and inserting “**SCHOLARSHIP CONDITIONS**”;

5 (3) in subsection (b), by striking the subsection
6 heading and inserting “**REPORTS ON SCHOLAR-**
7 **SHIPS**”; and

8 (4) by inserting at the end the following:

9 “(c) **RESEARCH INTERNSHIP CONDITIONS.**—A per-
10 son awarded a research internship under this title may
11 receive payments authorized under this title only during
12 such periods as the Foundation finds that the person is
13 maintaining satisfactory proficiency and is not engaging
14 in gainful employment other than employment approved
15 by the Foundation pursuant to regulations of the Board.

16 “(d) **REPORTS ON RESEARCH INTERNSHIPS.**—The
17 Foundation may require reports containing such informa-
18 tion in such form and to be filed at such times as the
19 Foundation determines to be necessary from any person
20 awarded a research internship under this title. Such re-
21 ports may be accompanied by a certificate from an appro-
22 priate official at the institution of higher education or in-
23 ternship employer, approved by the Foundation, stating
24 that such person is maintaining satisfactory progress in

1 the internship, and is not engaged in gainful employment,
2 except as otherwise provided in subsection (e).”.

3 (e) SUSTAINABLE INVESTMENTS OF FUNDS.—Sec-
4 tion 1408 of the Barry Goldwater Scholarship and Excel-
5 lence in Education Act (20 U.S.C. 4707) is amended—

6 (1) in subsection (a), by striking “subsection
7 (d)” and inserting “subsection (f)”;

8 (2) by redesignating subsections (c) and (d) as
9 subsections (e) and (f), respectively; and

10 (3) by inserting after subsection (b) the fol-
11 lowing:

12 “(c) INVESTMENT IN SECURITIES.—Notwithstanding
13 subsection (b), the Secretary of the Treasury may invest
14 not more than 40 percent of the fund’s assets in securities
15 other than public debt securities of the United States, if—

16 “(1) the Secretary receives a determination
17 from the Board that such investments are necessary
18 to enable the Foundation to carry out the purposes
19 of this title; and

20 “(2) the securities in which such funds are in-
21 vested are traded in established United States mar-
22 kets.

23 “(d) CONSTRUCTION.—Nothing in this section shall
24 be construed to limit the authority of the Board to in-
25 crease the number of scholarships provided under section

1 1405, or to increase the amount of the stipend authorized
2 by section 1406, as the Board considers appropriate and
3 is otherwise consistent with the requirements of this
4 title.”.

5 (f) ADMINISTRATIVE PROVISIONS.—Section 1411(a)
6 of the Barry Goldwater Scholarship and Excellence in
7 Education Act (20 U.S.C. 4710(a)) is amended—

8 (1) by striking paragraph (1) and inserting the
9 following:

10 “(1) appoint and fix the rates of basic pay of
11 such personnel (in addition to the Executive Sec-
12 retary appointed under section 1410) as may be nec-
13 essary to carry out the provisions of this chapter,
14 without regard to the provisions in chapter 33 of
15 title 5, United States Code, governing appointment
16 in the competitive service or the provisions of chap-
17 ter 51 and subchapter III of chapter 53 of such
18 title, except that—

19 “(A) a rate of basic pay set under this
20 paragraph may not exceed the maximum rate
21 provided for employees in grade GS–15 of the
22 General Schedule under section 5332 of title 5,
23 United States Code; and

24 “(B) the employee shall be entitled to the
25 applicable locality-based comparability payment

1 under section 5304 of title 5, United States
2 Code, subject to the applicable limitation estab-
3 lished under subsection (g) of such section;”;

4 (2) in paragraph (2) by striking “grade GS–18
5 under section 5332 of such title” and inserting
6 “level IV of the Executive Schedule”;

7 (3) in paragraph (7), by striking “and” at the
8 end;

9 (4) by redesignating paragraph (8) as para-
10 graph (10); and

11 (5) by inserting after paragraph (7) the fol-
12 lowing:

13 “(8) expend not more than 5 percent of the
14 Foundation’s annual operating budget on programs
15 that, in addition to or in conjunction with the Foun-
16 dation’s scholarship financial awards, support the
17 development of Barry Goldwater Scholars and Barry
18 Goldwater interns throughout their professional ca-
19 reers;

20 “(9) expend not more than 5 percent of the
21 Foundation’s annual operating budget to pay the
22 costs associated with fundraising activities, including
23 public and private gatherings; and”.

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