shall be deemed to arise under the Constitution and laws of the United States and shall be removable under section 1441 of title 28.

(h) Relationship to other laws

Nothing in this section shall be construed to limit any otherwise available immunity, privilege, or defense under any other provision of law.

(i) Applicability

This section shall apply to a civil action pending on or filed after July 10, 2008.

(Pub. L. 95–511, title VIII, § 802, as added Pub. L. 110–261, title II, § 201, July 10, 2008, 122 Stat. 2468.)

REFERENCES IN TEXT

Section 1805b of this title, referred to in subsec. (a)(3), was repealed by Pub. L. 110–261, title IV, § 403(a)(1)(A), July 10, 2008, 122 Stat. 2473.

§ 1885b. Preemption

(a) In general

No State shall have authority to—

(1) conduct an investigation into an electronic communication service provider's alleged assistance to an element of the intelligence community;

(2) require through regulation or any other means the disclosure of information about an electronic communication service provider's alleged assistance to an element of the intelligence community;

(3) impose any administrative sanction on an electronic communication service provider for assistance to an element of the intelligence community; or

(4) commence or maintain a civil action or other proceeding to enforce a requirement that an electronic communication service provider disclose information concerning alleged assistance to an element of the intelligence community.

(b) Suits by the United States

The United States may bring suit to enforce the provisions of this section.

(c) Jurisdiction

The district courts of the United States shall have jurisdiction over any civil action brought by the United States to enforce the provisions of this section.

(d) Application

This section shall apply to any investigation, action, or proceeding that is pending on or commenced after July 10, 2008.

(Pub. L. 95–511, title VIII, § 803, as added Pub. L. 110–261, title II, § 201, July 10, 2008, 122 Stat. 2470.)

§ 1885c. Reporting

(a) Semiannual report

Not less frequently than once every 6 months, the Attorney General shall, in a manner consistent with national security, the Rules of the House of Representatives, the Standing Rules of the Senate, and Senate Resolution 400 of the 94th Congress or any successor Senate resolution, fully inform the congressional intelligence committees, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives concerning the implementation of this subchapter.

(b) Content

Each report made under subsection (a) shall include—

(1) any certifications made under section 1885a of this title;

(2) a description of the judicial review of the certifications made under section 1885a of this title; and

(3) any actions taken to enforce the provisions of section 1885b of this title.

(Pub. L. 95–511, title VIII, § 804, as added Pub. L. 110–261, title II, § 201, July 10, 2008, 122 Stat. 2470.)

CHAPTER 37—NATIONAL SECURITY SCHOLARSHIPS, FELLOWSHIPS, AND GRANTS

Sec.
1901. Short title, findings, and purposes.
1902. Scholarship, fellowship, and grant program.
1903. National Security Education Board.
1904. National Security Education Trust Fund.
1905. Regulations and administrative provisions.
1906. Annual report.
1907. Government Accountability Office audits.
1908. Definitions.
1909. Fiscal year 1992 funding.
1910. Funding.
1911. Additional annual authorization of appropriations.
1912. Funding for scholarship program for advanced English language studies by heritage community citizens.

§ 1901. Short title, findings, and purposes

(a) Short title

This chapter may be cited as the ''David L. Boren National Security Education Act of 1991''.

(b) Findings

The Congress makes the following findings:

(1) The security of the United States is and will continue to depend on the ability of the United States to exercise international leadership.

(2) The ability of the United States to exercise international leadership is, and will increasingly continue to be, based on the political and economic strength of the United States, as well as on United States military strength around the world.

(3) Recent changes in the world pose threats of a new kind to international stability as Cold War tensions continue to decline while economic competition, regional conflicts, terrorist activities, and weapon proliferations have dramatically increased.

(4) The future national security and economic well-being of the United States will depend substantially on the ability of its citizens to communicate and compete by knowing the languages and cultures of other countries.

(5) The Federal Government has an interest in ensuring that the employees of its departments and agencies with national security responsibilities are prepared to meet the challenges of this changing international environment.

(6) The Federal Government also has an interest in taking actions to alleviate the prob-

lem of American undergraduate and graduate students being inadequately prepared to meet the challenges posed by increasing global interaction among nations.

(7) American colleges and universities must place a new emphasis on improving the teaching of foreign languages, area studies, counterproliferation studies, and other international fields to help meet those challenges.

(c) Purposes

The purposes of this chapter are as follows:

(1) To provide the necessary resources, accountability, and flexibility to meet the national security education needs of the United States, especially as such needs change over time.

(2) To increase the quantity, diversity, and quality of the teaching and learning of subjects in the fields of foreign languages, area studies, counterproliferation studies, and other international fields that are critical to the Nation's interest.

(3) To produce an increased pool of applicants for work in the departments and agencies of the United States Government with national security responsibilities.

(4) To expand, in conjunction with other Federal programs, the international experience, knowledge base, and perspectives on which the United States citizenry, Government employees, and leaders rely.

(5) To permit the Federal Government to advocate the cause of international education.

(Pub. L. 102–183, title VIII, § 801, Dec. 4, 1991, 105 Stat. 1271; Pub. L. 102–496, title IV, § 404(a), Oct. 24, 1992, 106 Stat. 3185; Pub. L. 105–272, title III, § 305(a)(1), Oct. 20, 1998, 112 Stat. 2400.)

AMENDMENTS

1998—Subsecs. (b)(7), (c)(2). Pub. L. 105–272 inserted ''counterproliferation studies,'' after ''area studies,''.

1992—Subsec. (a). Pub. L. 102–496 amended subsec. (a) generally, inserting ''David L. Boren''.

§ 1902. Scholarship, fellowship, and grant program

(a) Program required

(1) In general

The Secretary of Defense shall carry out a program for—

(A) awarding scholarships to undergraduate students who—

(i) are United States citizens in order to enable such students to study, for at least one academic semester or equivalent term, in foreign countries that are critical countries (as determined under section 1903(d)(4)(A) of this title) in those languages and study areas where deficiencies exist (as identified in the assessments undertaken pursuant to section 1906(d) of this title); and

(ii) pursuant to subsection (b)(2)(A) of this section, enter into an agreement to work in a national security position or work in the field of higher education in the area of study for which the scholarship was awarded;

(B) awarding fellowships to graduate students who—

(i) are United States citizens to enable such students to pursue education as part of a graduate degree program of a United States institution of higher education in the disciplines of foreign languages, area studies, counterproliferation studies, and other international fields relating to the national security interests of the United States that are critical areas of those disciplines (as determined under section 1903(d)(4)(B) of this title) and in which deficiencies exist (as identified in the assessments undertaken pursuant to section 1906(d) of this title); and

(ii) pursuant to subsection (b)(2)(B) of this section, enter into an agreement to work in a national security position or work in the field of education in the area of study for which the fellowship was awarded;

(C) awarding grants to institutions of higher education to enable such institutions to establish, operate, or improve programs in foreign languages, area studies, counterproliferation studies, and other international fields that are critical areas of those disciplines (as determined under section 1903(d)(4)(C) of this title);

(D) awarding grants to institutions of higher education to carry out activities under the National Flagship Language Initiative (described in subsection (i) of this section); and

(E) awarding scholarships to students who—

(i) are United States citizens who—

(I) are native speakers (referred to as ''heritage community citizens'') of a foreign language that is identified as critical to the national security interests of the United States who should be actively recruited for employment by Federal security agencies with a need for linguists; and

(II) are not proficient at a professional level in the English language with respect to reading, writing, and other skills required to carry out the national security interests of the United States, as determined by the Secretary,

to enable such students to pursue English language studies at an institution of higher education of the United States to attain proficiency in those skills; and

(ii) enter into an agreement to work in a position in a similar manner (as determined by the Secretary) as agreements entered into pursuant to subsection (b)(2)(A) of this section.

(2) Funding allocations

Of the amount available for obligation out of the National Security Education Trust Fund or from a transfer under section 1910(c) of this title for any fiscal year for the purposes stated in paragraph (1), the Secretary shall have a goal of allocating—

(A) ⅓ of such amount for the awarding of scholarships pursuant to paragraph (1)(A);

(B) ⅓ of such amount for the awarding of fellowships pursuant to paragraph (1)(B); and

(C) ⅓ of such amount for the awarding of grants pursuant to paragraph (1)(C).

The funding allocation under this paragraph shall not apply to grants under paragraph (1)(D) for the National Flagship Language Initiative described in subsection (i) of this section or for the scholarship program under paragraph (1)(E). For the authorization of appropriations for the National Flagship Language Initiative, see section 1911 of this title. For the authorization of appropriations for the scholarship program under paragraph (1)(E), see section 1912 of this title.

(3) Consultation with National Security Education Board

The program required under this chapter shall be carried out in consultation with the National Security Education Board established under section 1903 of this title.

(4) Contract authority

The Secretary may enter into one or more contracts, with private national organizations having an expertise in foreign languages, area studies, counterproliferation studies, and other international fields, for the awarding of the scholarships, fellowships, and grants described in paragraph (1) in accordance with the provisions of this chapter. The Secretary may enter into such contracts without regard to section 5 of title 41 or any other provision of law that requires the use of competitive procedures. In addition, the Secretary may enter into personal service contracts for periods up to one year for program administration, except that not more than 10 such contracts may be in effect at any one time.

(b) Service agreement

In awarding a scholarship or fellowship under the program, the Secretary or contract organization referred to in subsection (a)(4) of this section, as the case may be, shall require a recipient of any fellowship or any scholarship to enter into an agreement that, in return for such assistance, the recipient—

(1) will maintain satisfactory academic progress, as determined in accordance with regulations issued by the Secretary, and agrees that failure to maintain such progress shall constitute grounds upon which the Secretary or contract organization referred to in subsection (a)(4) of this section may terminate such assistance;

(2)(A) will (in accordance with regulations prescribed by the Secretary of Defense in coordination with the heads of the other Federal departments and agencies concerned) begin work not later than three years after the recipient's completion of degree study during which scholarship assistance was provided under the program—

(i) for not less than one year in a position certified by the Secretary of Defense, in coordination with the Director of National Intelligence, the Secretary of Homeland Security, and the Secretary of State (as appropriate), as contributing to the national security of the United States in the Department of Defense, any element of the intelligence community, the Department of Homeland Security, or the Department of State;

(ii) for not less than one year in a position in a Federal agency or office that is identified by the Secretary of Defense under subsection (g) as having national security responsibilities if the recipient demonstrates to the Secretary that no position is available in the departments and agencies covered by clause (i); or

(iii) for not less than one academic year in a position in the field of education in a discipline related to the study supported by the program if the recipient demonstrates to the Secretary of Defense that no position is available in the departments, agencies, and offices covered by clauses (i) and (ii); or

(B) will (in accordance with such regulations) begin work not later than two years after the recipient's completion or termination of study for which fellowship assistance was provided under the program—

(i) for not less than one year in a position certified by the Secretary of Defense, in coordination with the Director of National Intelligence, the Secretary of Homeland Security, and the Secretary of State (as appropriate), as contributing to the national security of the United States in the Department of Defense, any element of the intelligence community, the Department of Homeland Security, or the Department of State;

(ii) for not less than one year in a position in a Federal agency or office that is identified by the Secretary of Defense under subsection (g) as having national security responsibilities if the recipient demonstrates to the Secretary that no position is available in the departments and agencies covered by clause (i); or

(iii) for not less than one academic year in a position in the field of education in a discipline related to the study supported by the program if the recipient demonstrates to the Secretary of Defense that no position is available in the departments, agencies, and offices covered by clauses (i) and (ii); and

(3) if the recipient fails to meet either of the obligations set forth in paragraph (1) or (2), will reimburse the United States Government for the amount of the assistance provided the recipient under the program, together with interest at a rate determined in accordance with regulations issued by the Secretary.

(c) Evaluation of progress in language skills

The Secretary shall, through the National Security Education Program office, administer a test of the foreign language skills of each recipient of a scholarship or fellowship under this chapter before the commencement of the study or education for which the scholarship or fellowship is awarded and after the completion of such study or education. The purpose of these tests is to evaluate the progress made by recipients of scholarships and fellowships in developing foreign language skills as a result of assistance under this chapter.

(d) Distribution of assistance

In selecting the recipients for awards of scholarships, fellowships, or grants pursuant to this chapter, the Secretary or a contract organiza-

tion referred to in subsection (a)(4) of this section, as the case may be, shall take into consideration (1) the extent to which the selections will result in there being an equitable geographic distribution of such scholarships, fellowships, or grants (as the case may be) among the various regions of the United States, and (2) the extent to which the distribution of scholarships and fellowships to individuals reflects the cultural, racial, and ethnic diversity of the population of the United States.

(e) Merit review

The Secretary shall award scholarships, fellowships, and grants under the program based upon a merit review process.

(f) Limitation on use of program participants

No person who receives a grant, scholarship, or fellowship or any other type of assistance under this chapter shall, as a condition of receiving such assistance or under any other circumstances, be used by any department, agency, or entity of the United States Government engaged in intelligence activities to undertake any activity on its behalf during the period such person is pursuing a program of education for which funds are provided under the program carried out under this chapter.

(g) Determination of agencies and offices of Federal Government having national security responsibilities

(1) The Secretary, in consultation with the Board, shall annually determine and develop a list identifying each agency or office of the Federal Government having national security responsibilities at which a recipient of a fellowship or scholarship under this chapter will be able to make the recipient's foreign area and language skills available to such agency or office. The Secretary shall submit the first such list to the Congress and include each subsequent list in the annual report to the Congress, as required by section 1906(b)(6) of this title.

(2) Notwithstanding section 1904 of this title, funds may not be made available from the Fund to carry out this chapter for fiscal year 1997 until 30 days after the date on which the Secretary of Defense submits to the Congress the first such list required by paragraph (1).

(h) Temporary employment and retention of certain participants

(1) In general

The Secretary of Defense may—

(A) appoint or retain a person provided scholarship or fellowship assistance under the program in a position in the Department of Defense on an interim basis during the period of the person's pursuit of a degree under the program and for a period not to exceed two years after completion of the degree, but only if, in the case of the period after completion of the degree, there is an active investigation to provide security clearance to the person for an appropriate permanent position in the Department of Defense under subsection (b)(2); and

(B) if there is no appropriate permanent position available for the person after the end of the periods described in subparagraph (A), separate the person from employment with the Department without regard to any other provision of law, in which event the service agreement of the person under subsection (b) shall terminate.

(2) Treatment of certain service

The period of service of a person covered by paragraph (1) in a position on an interim basis under that paragraph shall, after completion of the degree, be treated as a period of service for purposes of satisfying the obligated service requirements of the person under the service agreement of the person under subsection (b).

(i) Use of awards to attend the Foreign Language Center of the Defense Language Institute

(1) The Secretary shall provide for the admission of award recipients to the Foreign Language Center of the Defense Language Institute (hereinafter in this subsection referred to as the ''Center''). An award recipient may apply a portion of the applicable scholarship or fellowship award for instruction at the Center on a space-available basis as a Department of Defense sponsored program to defray the additive instructional costs.

(2) Except as the Secretary determines necessary, an award recipient who receives instruction at the Center shall be subject to the same regulations with respect to attendance, discipline, discharge, and dismissal as apply to other persons attending the Center.

(3) In this subsection, the term ''award recipient'' means an undergraduate student who has been awarded a scholarship under subsection (a)(1)(A) of this section or a graduate student who has been awarded a fellowship under subsection (a)(1)(B) of this section who—

(A) is in good standing;

(B) has completed all academic study in a foreign country, as provided for under the scholarship or fellowship; and

(C) would benefit from instruction provided at the Center.

(j) National Flagship Language Initiative

(1) Under the National Flagship Language Initiative, institutions of higher education shall establish, operate, or improve activities designed to train students in programs in a range of disciplines to achieve advanced levels of proficiency in those foreign languages that the Secretary identifies as being the most critical in the interests of the national security of the United States.

(2) An undergraduate student who has been awarded a scholarship under subsection (a)(1)(A) of this section or a graduate student who has been awarded a fellowship under subsection (a)(1)(B) of this section may participate in the activities carried out under the National Flagship Language Initiative.

(3) An institution of higher education that receives a grant pursuant to subsection (a)(1)(D) of this section shall give special consideration to applicants who are employees of the Federal Government.

(4) For purposes of this subsection, the Foreign Language Center of the Defense Language Institute and any other educational institution that provides training in foreign languages oper-

ated by the Department of Defense or an agency in the intelligence community is deemed to be an institution of higher education, and may carry out the types of activities permitted under the National Flagship Language Initiative.

(5) An undergraduate or graduate student who participates in training in a program under paragraph (1) and has not already entered into a service agreement under subsection (b) of this section shall enter into a service agreement under subsection (b) of this section applicable to an undergraduate or graduate student, as the case may be, with respect to participation in such training in a program under paragraph (1).

(6)(A) An employee of a department or agency of the Federal Government who participates in training in a program under paragraph (1) shall agree in writing—

(i) to continue in the service of the department or agency of the Federal Government employing the employee for the period of such training;

(ii) to continue in the service of such department or agency, following completion by the employee of such training, for a period of two years for each year, or part of the year, of such training;

(iii) if, before the completion by the employee of such training, the employment of the employee is terminated by such department or agency due to misconduct by the employee, or by the employee voluntarily, to reimburse the United States for the total cost of such training (excluding the employee's pay and allowances) provided to the employee; and

(iv) if, after the completion by the employee of such training but before the completion by the employee of the period of service required by clause (ii), the employment of the employee by such department or agency is terminated either by such department or agency due to misconduct by the employee, or by the employee voluntarily, to reimburse the United States in an amount that bears the same ratio to the total cost of such training (excluding the employee's pay and allowances) provided to the employee as the unserved portion of such period of service bears to the total period of service required by clause (ii).

(C)[1] Subject to subparagraph (D), the obligation to reimburse the United States under an agreement under subparagraph (A) is for all purposes a debt owing the United States.

(D) The head of the element of the intelligence community concerned may release an employee, in whole or in part, from the obligation to reimburse the United States under an agreement under subparagraph (A) when, in the discretion of the head of the element, the head of the element determines that equity or the interests of the United States so require.

(Pub. L. 102–183, title VIII, § 802, Dec. 4, 1991, 105 Stat. 1271; Pub. L. 102–496, title IV, § 404(b), (c), Oct. 24, 1992, 106 Stat. 3185; Pub. L. 103–178, title III, § 311(b)(2), (d), Dec. 3, 1993, 107 Stat. 2037; Pub. L. 104–201, div. A, title X, § 1078(b)–(d), (f)(2), Sept. 23, 1996, 110 Stat. 2664–2666; Pub. L. 105–272, title III, § 305(a)(2), Oct. 20, 1998, 112 Stat. 2400; Pub. L. 107–296, title XIII, § 1332(b), Nov. 25, 2002, 116 Stat. 2300; Pub. L. 107–306, title III, §§ 332, 333(a)(1)–(3), Nov. 27, 2002, 116 Stat. 2395, 2396; Pub. L. 108–136, div. A, title IX, § 925(a), Nov. 24, 2003, 117 Stat. 1578; Pub. L. 108–487, title VI, §§ 601(b), 602(a)(1), 603(a)(1), (2), Dec. 23, 2004, 118 Stat. 3952–3954; Pub. L. 109–364, div. A, title IX, § 945(a), (b), Oct. 17, 2006, 120 Stat. 2367; Pub. L. 110–181, div. A, title IX, § 953, Jan. 28, 2008, 122 Stat. 292.)

AMENDMENTS

2008—Subsec. (b)(2)(A)(iii). Pub. L. 110–181, § 953(1), added cl. (iii).

Subsec. (b)(2)(B)(iii). Pub. L. 110–181, § 953(2), added cl. (iii).

2006—Subsec. (b)(2). Pub. L. 109–364, § 945(a), amended par. (2) generally. Prior to amendment, par. (2) read as follows: ''will—

''(A) in the case of a recipient of a scholarship, after the recipient's completion of the study for which scholarship assistance was provided under the program, work in a position in the Department of Defense or other element of the intelligence community that is certified by the Secretary as appropriate to utilize the unique language and region expertise acquired by the recipient pursuant to such study for a period specified by the Secretary, which period shall include one year of service for each year, or portion thereof, for which such scholarship assistance was provided; or

''(B) in the case of a recipient of a fellowship, after the recipient's completion of the study for which the fellowship assistance was provided under the program, work in a position described in subparagraph (A) that is certified by the Secretary as appropriate to utilize the unique language and region expertise acquired by the recipient pursuant to such study for a period specified by the Secretary, which period shall (at the discretion of the Secretary) include not less than one nor more than three years for each year, or portion thereof, for which such fellowship assistance was provided; and''.

Subsecs. (h) to (j). Pub. L. 109–364, § 945(b), added subsec. (h) and redesignated former subsecs. (h) and (i) as (i) and (j), respectively.

2004—Subsec. (a)(1)(E). Pub. L. 108–487, § 603(a)(1), added subpar. (E).

Subsec. (a)(2). Pub. L. 108–487, § 603(a)(2), which directed the amendment of the matter following par. (2) by inserting in the first sentence ''or for the scholarship program under paragraph (1)(E)'' after ''under paragraph (1)(D) for the National Flagship Language Initiative described in subsection (i) of this section'' and by inserting at end ''For the authorization of appropriations for the scholarship program under paragraph (1)(E), see section 1912 of this title.'', was executed to the concluding provisions of par. (2) to reflect the probable intent of Congress.

Pub. L. 108–487, § 601(b), in introductory provisions, inserted ''or from a transfer under section 1910(c) of this title'' after ''National Security Education Trust Fund''.

Subsecs. (i)(5), (6). Pub. L. 108–487, § 602(a)(1), added pars. (5) and (6).

2003—Subsec. (b)(2). Pub. L. 108–136 added subpars. (A) and (B) and struck out former subpars. (A) and (B) which also contained provisions relating to recipients of scholarships and fellowships, respectively.

2002—Subsec. (a)(1)(D). Pub. L. 107–306, § 333(a)(1), added subpar. (D).

Subsec. (a)(2). Pub. L. 107–306, § 333(a)(3), inserted at end ''The funding allocation under this paragraph shall not apply to grants under paragraph (1)(D) for the National Flagship Language Initiative described in subsection (i) of this section. For the authorization of appropriations for the National Flagship Language Initiative, see section 1911 of this title.''

Subsec. (b)(2)(A)(ii). Pub. L. 107–296, § 1332(b)(1), added cl. (ii) and struck out former cl. (ii) which read as fol-

[1] So in original. No subpar. (B) has been enacted.

lows: ''if the recipient demonstrates to the Secretary (in accordance with such regulations) that no national security position is available, work in the field of higher education in a discipline relating to the foreign country, foreign language, area study, counterproliferation study, or international field of study for which the scholarship was awarded, for a period specified by the Secretary, which period shall be determined in accordance with clause (i); or''.

Subsec. (b)(2)(B)(ii). Pub. L. 107–296, § 1332(b)(2), added cl. (ii) and struck out former cl. (ii) which read as follows: ''if the recipient demonstrates to the Secretary (in accordance with such regulations) that no national security position is available upon the completion of the degree, work in the field of higher education in a discipline relating to the foreign country, foreign language, area study, counterproliferation study, or international field of study for which the fellowship was awarded, for a period specified by the Secretary, which period shall be established in accordance with clause (i); and''.

Subsec. (h). Pub. L. 107–306, § 332, added subsec. (h).

Subsec. (i). Pub. L. 107–306, § 333(a)(2), added subsec. (i).

1998—Subsec. (a)(1)(B)(i), (C), (4). Pub. L. 105–272, § 305(a)(2)(A), inserted ''counterproliferation studies,'' after ''area studies,''.

Subsec. (b)(2)(A)(ii), (B)(ii). Pub. L. 105–272, § 305(a)(2)(B), inserted ''counterproliferation study,'' after ''area study,''.

1996—Subsec. (a)(1)(A). Pub. L. 104–201, § 1078(b)(1), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: ''awarding scholarships to undergraduate students who are United States citizens in order to enable such students to study, for at least one academic semester or equivalent term, in foreign countries that are critical countries (as determined under section 1903(d)(4)(A) of this title) in those language and study areas where deficiencies exist (as identified in the assessments undertaken pursuant to section 1906(d) of this title);''.

Subsec. (a)(1)(B)(i). Pub. L. 104–201, § 1078(b)(2)(A), inserted ''relating to the national security interests of the United States'' after ''international fields''.

Subsec. (a)(1)(B)(ii). Pub. L. 104–201, § 1078(b)(2)(B), substituted ''subsection (b)(2)(B)'' for ''subsection (b)(2)'' and ''work in a national security position or work in'' for ''work for an agency or office of the Federal Government or in''.

Subsec. (b). Pub. L. 104–201, § 1078(c)(1), in introductory provisions, substituted ''or any scholarship'' for '', or of scholarships that provide assistance for periods that aggregate 12 months or more,''.

Subsec. (b)(2). Pub. L. 104–201, § 1078(c)(2), amended par. (2) generally. Prior to amendment, par. (2) read as follows: ''will, upon completion of such recipient's baccalaureate degree or education under the program, as the case may be, and in accordance with regulations issued by the Secretary, work for the Federal Government or in the field of education in the area of study for which the scholarship or fellowship was awarded for a period specified by the Secretary, which period for the recipients of scholarships shall be no more than the same period for which scholarship assistance was provided and for the recipients of fellowships shall be not less than one and not more than three times the period for which the fellowship assistance was provided; and''.

Subsecs. (c) to (f). Pub. L. 104–201, § 1078(d), added subsec. (c) and redesignated former subsecs. (c) to (e) as (d) to (f), respectively.

Subsec. (g). Pub. L. 104–201, § 1078(f)(2), added subsec. (g).

1993—Subsec. (a)(1)(A). Pub. L. 103–178, § 311(b)(2)(A), (d), struck out comma after ''term,'' and inserted before semicolon at end ''in those language and study areas where deficiencies exist (as identified in the assessments undertaken pursuant to section 1906(d) of this title)''.

Subsec. (a)(1)(B)(i). Pub. L. 103–178, § 311(b)(2)(B), inserted before semicolon at end ''and in which deficiencies exist (as identified in the assessments undertaken pursuant to section 1906(d) of this title)''.

1992—Subsec. (a)(1)(A). Pub. L. 102–496, § 404(b)(1), inserted ''or equivalent term,'' after ''semester''.

Subsec. (a)(1)(B)(i). Pub. L. 102–496, § 404(b)(2), substituted ''as part of a graduate degree program of a United States institution of higher education'' for ''in the United States''.

Subsec. (a)(4). Pub. L. 102–496, § 404(b)(3), inserted at end ''In addition, the Secretary may enter into personal service contracts for periods up to one year for program administration, except that not more than 10 such contracts may be in effect at any one time.''

Subsecs. (e), (f). Pub. L. 102–496, § 404(c), redesignated subsec. (f) as (e) and struck out former subsec. (e) which read as follows: ''The Secretary shall administer the program through the Defense Intelligence College.''

EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108–487, title VI, § 602(a)(2), Dec. 23, 2004, 118 Stat. 3953, provided that: ''The amendment made by paragraph (1) [amending this section] shall apply to training under section 802(i) [now 802(j)] of the David L. Boren National Security Act of 1991 [50 U.S.C. 1902(i), now 1902(j)] that begins on or after the date that is 90 days after the date of the enactment of this Act [Dec. 23, 2004].''

Amendment by Pub. L. 108–487 effective Dec. 23, 2004, except as otherwise provided, see section 801 of Pub. L. 108–487, set out as a note under section 2656f of Title 22, Foreign Relations and Intercourse.

EFFECTIVE DATE OF 2003 AMENDMENT

Pub. L. 108–136, div. A, title IX, § 925(b), Nov. 24, 2003, 117 Stat. 1578, provided that:

''(1) The amendment made by subsection (a) [amending this section] shall apply with respect to service agreements entered into under the David L. Boren National Security Education Act of 1991 [50 U.S.C. 1901 et seq.] on or after the date of the enactment of this Act [Nov. 24, 2003].

''(2) The amendment made by subsection (a) shall not affect the force, validity, or terms of any service agreement entered into under the David L. Boren National Security Education Act of 1991 before the date of the enactment of this Act that is in force as of that date.''

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107–306, title III, § 333(c), Nov. 27, 2002, 116 Stat. 2397, provided that: ''The amendments made by this section [enacting section 1911 of this title and amending this section and section 1903 of this title] shall take effect on the date the Secretary of Defense submits the report required under section 334 of this Act [116 Stat. 2397] and notifies the appropriate committees of Congress (as defined in subsection (c) of that section) that the programs carried out under the David L. Boren National Security Education Act of 1991 [50 U.S.C. 1901 et seq.] are being managed in a fiscally and programmatically sound manner.''

Amendment by Pub. L. 107–296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107–296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

CONSTRUCTION

Pub. L. 107–306, title III, § 333(d), Nov. 27, 2002, 116 Stat. 2397, provided that: ''Nothing in this section [enacting section 1911 of this title, amending this section and section 1903 of this title, and enacting provisions set out as notes under this section] shall be construed as affecting any program or project carried out under the David L. Boren National Security Education Act of 1991 [50 U.S.C. 1901 et seq.] as in effect on the date that precedes the date of the enactment of this Act [Nov. 27, 2002].''

INCREASE IN NUMBER OF PARTICIPATING EDUCATIONAL INSTITUTIONS

Pub. L. 108–487, title VI, § 602(c), Dec. 23, 2004, 118 Stat. 3953, provided that: ''The Secretary of Defense shall

take such actions as the Secretary considers appropriate to increase the number of qualified educational institutions that receive grants under the National Flagship Language Initiative under section 802(i) of the David L. Boren National Security Education Act of 1991 [50 U.S.C. 1902(i)] to establish, operate, or improve activities designed to train students in programs in a range of disciplines to achieve advanced levels of proficiency in those foreign languages that the Secretary identifies as being the most critical to the national security of the United States.''

CLARIFICATION OF AUTHORITY TO SUPPORT STUDIES ABROAD

Pub. L. 108–487, title VI, § 602(d), Dec. 23, 2004, 118 Stat. 3953, provided that: ''Educational institutions that receive grants under the National Flagship Language Initiative may support students who pursue total immersion foreign language studies overseas of foreign languages that are critical to the national security of the United States.''

§ 1903. National Security Education Board

(a) Establishment

The Secretary of Defense shall establish a National Security Education Board.

(b) Composition

The Board shall be composed of the following individuals or the representatives of such individuals:

(1) The Secretary of Defense, who shall serve as the chairman of the Board.

(2) The Secretary of Education.

(3) The Secretary of State.

(4) The Secretary of Commerce.

(5) The Director of Central Intelligence.

(6) The Chairperson of the National Endowment for the Humanities.

(7) Six individuals appointed by the President, by and with the advice and consent of the Senate, who shall be experts in the fields of international, language, area, and counterproliferation studies education and who may not be officers or employees of the Federal Government.

(c) Term of appointees

Each individual appointed to the Board pursuant to subsection (b)(6) of this section shall be appointed for a period specified by the President at the time of the appointment, but not to exceed four years. Such individuals shall receive no compensation for service on the Board but may receive reimbursement for travel and other necessary expenses.

(d) Functions

The Board shall perform the following functions:

(1) Develop criteria for awarding scholarships, fellowships, and grants under this chapter, including an order of priority in such awards that favors individuals expressing an interest in national security issues or pursuing a career in a national security position.

(2) Provide for wide dissemination of information regarding the activities assisted under this chapter.

(3) Establish qualifications for students desiring scholarships or fellowships, and institutions of higher education desiring grants, under this chapter, including, in the case of students desiring a scholarship or fellowship, a requirement that the student have a demonstrated commitment to the study of the discipline for which the scholarship or fellowship is to be awarded.

(4) After taking into account the annual analyses of trends in language, international, area, and counterproliferation studies under section 1906(b)(1) of this title, make recommendations to the Secretary regarding—

(A) which countries are not emphasized in other United States study abroad programs, such as countries in which few United States students are studying and countries which are of importance to the national security interests of the United States, and are, therefore, critical countries for the purposes of section 1902(a)(1)(A) of this title;

(B) which areas within the disciplines described in section 1902(a)(1)(B) of this title relating to the national security interests of the United States are areas of study in which United States students are deficient in learning and are, therefore, critical areas within those disciplines for the purposes of that section;

(C) which areas within the disciplines described in section 1902(a)(1)(C) of this title are areas in which United States students, educators, and Government employees are deficient in learning and in which insubstantial numbers of United States institutions of higher education provide training and are, therefore, critical areas within those disciplines for the purposes of that section;

(D) how students desiring scholarships or fellowships can be encouraged to work for an agency or office of the Federal Government involved in national security affairs or national security policy upon completion of their education; and

(E) which foreign languages are critical to the national security interests of the United States for purposes of section 1902(a)(1)(D) of this title (relating to grants for the National Flagship Language Initiative) and section 1902(a)(1)(E) of this title (relating to the scholarship program for advanced English language studies by heritage community citizens).

(5) Encourage applications for fellowships under this chapter from graduate students having an educational background in any academic discipline, particularly in the areas of science or technology.

(6) Provide the Secretary biennially with a list of scholarship recipients and fellowship recipients, including an assessment of their foreign area and language skills, who are available to work in a national security position.

(7) Not later than 30 days after a scholarship or fellowship recipient completes the study or education for which assistance was provided under the program, provide the Secretary with a report fully describing the foreign area and language skills obtained by the recipient as a result of the assistance.

(8) Review the administration of the program required under this chapter.

(Pub. L. 102–183, title VIII, § 803, Dec. 4, 1991, 105 Stat. 1273; Pub. L. 102–496, title IV, § 404(d), Oct.

24, 1992, 106 Stat. 3186; Pub. L. 104–201, div. A, title X, § 1078(e), Sept. 23, 1996, 110 Stat. 2666; Pub. L. 105–272, title III, § 305(a)(3), (b), Oct. 20, 1998, 112 Stat. 2401; Pub. L. 105–277, div. G, title XIII, § 1335(g), Oct. 21, 1998, 112 Stat. 2681–788; Pub. L. 107–306, title III, § 333(a)(4), Nov. 27, 2002, 116 Stat. 2396; Pub. L. 108–487, title VI, § 603(a)(3), Dec. 23, 2004, 118 Stat. 3954.)

AMENDMENTS

2004–Subsec. (d)(4)(E). Pub. L. 108–487 inserted ''and section 1902(a)(1)(E) of this title (relating to the scholarship program for advanced English language studies by heritage community citizens)'' before period.

2002—Subsec. (d)(4)(E). Pub. L. 107–306 added subpar. (E).

1998—Subsec. (b)(6). Pub. L. 105–277, § 1335(g)(1), redesignated par. (7) as (6) and struck out former par. (6) which read as follows: ''The Secretary of Energy.''

Pub. L. 105–272, § 305(b), amended par. (6) generally. Prior to amendment, par. (6) read as follows: ''The Director of the United States Information Agency.''

Subsec. (b)(7). Pub. L. 105–277, § 1335(g)(1)(B), redesignated par. (8) as (7). Former par. (7) redesignated (6).

Subsec. (b)(8). Pub. L. 105–277, § 1335(g)(1)(B), redesignated par. (8) as (7).

Pub. L. 105–272, § 305(a)(3), substituted ''area, and counterproliferation'' for ''and area''.

Subsec. (c). Pub. L. 105–277, § 1335(g)(2), substituted ''subsection (b)(6)'' for ''subsection (b)(7)''.

Subsec. (d)(4). Pub. L. 105–272, § 305(a)(3), substituted ''area, and counterproliferation'' for ''and area'' in introductory provisions.

1996—Subsec. (d)(1). Pub. L. 104–201, § 1078(e)(1), inserted before period at end '', including an order of priority in such awards that favors individuals expressing an interest in national security issues or pursuing a career in a national security position''.

Subsec. (d)(4). Pub. L. 104–201, § 1078(e)(2)(A), in introductory provisions, substituted ''After taking into account the annual analyses of trends in language, international, and area studies under section 1906(b)(1) of this title, make recommendations'' for ''Make recommendations''.

Subsec. (d)(4)(A). Pub. L. 104–201, § 1078(e)(2)(B), substituted ''and countries which are of importance to the national security interests of the United States'' after ''are studying''.

Subsec. (d)(4)(B). Pub. L. 104–201, § 1078(e)(2)(C), substituted ''relating to the national security interests of the United States'' after ''section 1902(a)(1)(B) of this title''.

Subsec. (d)(5) to (8). Pub. L. 104–201, § 1078(e)(3), (4), added pars. (5) to (7) and redesignated former par. (5) as (8).

1992—Subsec. (b)(7). Pub. L. 102–496, § 404(d)(2), added par. (7). Former par. (7) redesignated (8).

Subsec. (b)(8). Pub. L. 102–496, § 404(d)(1), (3), redesignated par. (7) as (8), substituted ''Six individuals'' for ''Four individuals'', and inserted before period at end ''and who may not be officers or employees of the Federal Government''.

CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108–458, set out as a note under section 401 of this title.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–306 effective on the date the Secretary of Defense submits the report required under section 334 of Pub. L. 107–306 and notifies the appropriate committees of Congress that the programs carried out under this chapter are being managed in a fiscally and programmatically sound manner, see section 333(c) of Pub. L. 107–306, set out as a note under section 1902 of this title.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105–277 effective on earlier of Oct. 1, 1999, or date of abolition of the United States Information Agency pursuant to reorganization plan described in section 6601 of Title 22, Foreign Relations and Intercourse, see section 1301 of Pub. L. 105–277, set out as an Effective Date note under section 6531 of Title 22.

§ 1904. National Security Education Trust Fund

(a) Establishment of Fund

There is established in the Treasury of the United States a trust fund to be known as the ''National Security Education Trust Fund''. The assets of the Fund consist of amounts appropriated to the Fund and amounts credited to the Fund under subsection (e) of this section.

(b) Availability of sums in Fund

Sums in the Fund shall, to the extent provided in appropriations Acts, be available—

(1) for awarding scholarships, fellowships, and grants in accordance with the provisions of this chapter; and

(2) for properly allocable costs of the Federal Government for the administration of the program under this chapter.

(c) Investment of Fund assets

The Secretary of the Treasury shall invest in full the amount in the Fund that is not immediately necessary for expenditure. 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 on original issue at the issue price or by purchase of outstanding obligations at the market price. 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 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 ⅛ of 1 percent, the rate of interest of such special obligations shall be the multiple of ⅛ of 1 percent next lower than such average rate. Such special obligations shall be issued only if the Secretary of the Treasury determines that the purchases of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States or original issue or at the market price, is not in the public interest.

(d) Authority to sell obligations

Any obligation acquired by the Fund (except special obligations issued exclusively to the Fund) may be sold by the Secretary of the Treasury at the market price, and such special

obligations may be redeemed at par plus accrued interest.

(e) Amounts credited to Fund

(1) 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.

(2) Any amount paid to the United States under section 1902(b)(3) of this title shall be credited to and form a part of the Fund.

(3) Any gifts of money shall be credited to and form a part of the Fund.

(Pub. L. 102–183, title VIII, § 804, Dec. 4, 1991, 105 Stat. 1274; Pub. L. 102–496, title IV, § 404(e), Oct. 24, 1992, 106 Stat. 3186; Pub. L. 103–160, div. A, title III, § 375, Nov. 30, 1993, 107 Stat. 1637.)

AMENDMENTS

1993—Subsec. (b). Pub. L. 103–160, § 375(b), struck out ''(1)'' before ''Sums in the Fund'', redesignated former subpars. (A) and (B) as pars. (1) and (2), respectively, and struck out former par. (2) which read as follows: ''No amount may be appropriated to the Fund, or obligated from the Fund, unless authorized by law.''

Subsec. (e)(3). Pub. L. 103–160, § 375(a), added par. (3).

1992—Subsec. (c). Pub. L. 102–496 substituted ''expenditure'' for ''obligation'' in first sentence.

§ 1905. Regulations and administrative provisions

(a) Regulations

The Secretary may prescribe regulations to carry out the program required by this chapter. Before prescribing any such regulations, the Secretary shall submit a copy of the proposed regulations to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives. Such proposed regulations may not take effect until 30 days after the date on which they are submitted to those committees.

(b) Acceptance and use of gifts

In order to conduct the program required by this chapter, the Secretary may—

(1) receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be used for the purpose of conducting the program required by this chapter; and

(2) may use, sell, or otherwise dispose of such property for that purpose.

(c) Voluntary services

In order to conduct the program required by this chapter, the Secretary may accept and use the services of voluntary and noncompensated personnel.

(d) Necessary expenditures

Expenditures necessary to conduct the program required by this chapter shall be paid from the Fund, subject to section 1904(b) of this title.

(Pub. L. 102–183, title VIII, § 805, Dec. 4, 1991, 105 Stat. 1275.)

§ 1906. Annual report

(a) Annual report

(1) The Secretary shall submit to the President and to the congressional intelligence committees an annual report of the conduct of the program required by this chapter.

(2) The report submitted to the President shall be submitted each year at the time that the President's budget for the next fiscal year is submitted to Congress pursuant to section 1105 of title 31.

(3) The report submitted to the congressional intelligence committees shall be submitted on the date provided in section 415b of this title.

(b) Contents of report

Each such report shall contain—

(1) an analysis of the trends within language, international, area, and counterproliferation studies, along with a survey of such areas as the Secretary determines are receiving inadequate attention;

(2) the effect on those trends of activities under the program required by this chapter;

(3) an analysis of the assistance provided under the program for the previous fiscal year, to include the subject areas being addressed and the nature of the assistance provided;

(4) an analysis of the performance of the individuals who received assistance under the program during the previous fiscal year, to include the degree to which assistance was terminated under the program and the extent to which individual recipients failed to meet their obligations under the program;

(5) an analysis of the results of the program for the previous fiscal year, and cumulatively, to include, at a minimum—

(A) the percentage of individuals who have received assistance under the program who subsequently became employees of the United States Government;

(B) in the case of individuals who did not subsequently become employees of the United States Government, an analysis of the reasons why they did not become employees and an explanation as to what use, if any, was made of the assistance by those recipients; and

(C) the uses made of grants to educational institutions;

(6) the current list of agencies and offices of the Federal Government required to be developed by section 1902(g) of this title; and

(7) any legislative changes recommended by the Secretary to facilitate the administration of the program or otherwise to enhance its objectives.

(c) Submission of initial report

The first report under this section shall be submitted at the time the budget for fiscal year 1994 is submitted to Congress.

(d) Consultation

During the preparation of each report required by subsection (a) of this section, the Secretary shall consult with the members of the Board specified in paragraphs (1) through (7) of section 1903(b) of this title. Each such member shall submit to the Secretary an assessment of their hiring needs in the areas of language and area studies and a projection of the deficiencies in such areas. The Secretary shall include all assessments in the report required by subsection (a) of this section.

(Pub. L. 102–183, title VIII, § 806, Dec. 4, 1991, 105 Stat. 1276; Pub. L. 103–178, title III, § 311(b)(1), Dec. 3, 1993, 107 Stat. 2037; Pub. L. 104–201, div. A, title X, § 1078(f)(3), Sept. 23, 1996, 110 Stat. 2667; Pub. L. 105–272, title III, § 305(a)(4), Oct. 20, 1998, 112 Stat. 2401; Pub. L. 107–306, title VIII, § 811(b)(7)(A), Nov. 27, 2002, 116 Stat. 2425.)

AMENDMENTS

2002—Subsec. (a). Pub. L. 107–306 designated first and second sentences as pars. (1) and (2), respectively, in par. (1), substituted ''the congressional intelligence committees'' for ''the Congress'', in par. (2), inserted ''submitted to the President'' after ''The report'', and added par. (3).

1998—Subsec. (b)(1). Pub. L. 105–272 substituted ''area, and counterproliferation'' for ''and area''.

1996—Subsec. (b)(5) to (7). Pub. L. 104–201 struck out ''and'' at end of par. (5), added par. (6), and redesignated former par. (6) as (7).

1993—Subsec. (d). Pub. L. 103–178 added subsec. (d).

§ 1907. Government Accountability Office audits

The conduct of the program required by 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. Representatives of the Government Accountability Office shall have access to all books, accounts, records, reports, and files and all other papers, things, or property of the Department of Defense pertaining to such activities and necessary to facilitate the audit.

(Pub. L. 102–183, title VIII, § 807, Dec. 4, 1991, 105 Stat. 1276; Pub. L. 108–271, § 8(b), July 7, 2004, 118 Stat. 814.)

AMENDMENTS

2004—Pub. L. 108–271 substituted ''Government Accountability Office'' for ''General Accounting Office'' in section catchline and in two places in text.

§ 1908. Definitions

For the purpose of this chapter:

(1) The term ''Board'' means the National Security Education Board established pursuant to section 1903 of this title.

(2) The term ''Fund'' means the National Security Education Trust Fund established pursuant to section 1904 of this title.

(3) The term ''institution of higher education'' has the meaning given that term by section 1001 of title 20.

(4) The term ''national security position'' means a position—

(A) having national security responsibilities in a[1] agency or office of the Federal Government that has national security responsibilities, as determined under section 1902(g) of this title; and

(B) in which the individual in such position makes their foreign language skills available to such agency or office.

(5) The term ''congressional intelligence committees'' means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

[1] So in original. Probably should be ''an''.

(Pub. L. 102–183, title VIII, § 808, Dec. 4, 1991, 105 Stat. 1276; Pub. L. 104–201, div. A, title X, § 1078(f)(1), Sept. 23, 1996, 110 Stat. 2666; Pub. L. 105–244, title I, § 102(a)(15), Oct. 7, 1998, 112 Stat. 1622; Pub. L. 107–306, title VIII, § 811(b)(7)(B), Nov. 27, 2002, 116 Stat. 2426.)

AMENDMENTS

2002—Par. (5). Pub. L. 107–306 added par. (5).

1998—Par. (3). Pub. L. 105–244 substituted ''section 1001'' for ''section 1141(a)''.

1996—Par. (4). Pub. L. 104–201 added par. (4).

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 Title 20, Education.

§ 1909. Fiscal year 1992 funding

(a) Authorization of appropriations to Fund

There is hereby authorized to be appropriated to the Fund for fiscal year 1992 the sum of $150,000,000.

(b) Authorization of obligations from Fund

During fiscal year 1992, there may be obligated from the Fund such amounts as may be provided in appropriations Acts, not to exceed $35,000,000. Amounts made available for obligation from the Fund for fiscal year 1992 shall remain available until expended.

(Pub. L. 102–183, title VIII, § 809, Dec. 4, 1991, 105 Stat. 1277.)

§ 1910. Funding

(a) Fiscal years 1993 and 1994

Amounts appropriated to carry out this chapter for fiscal years 1993 and 1994 shall remain available until expended.

(b) Fiscal years 1995 and 1996

There is authorized to be appropriated from, and may be obligated from, the Fund for each of the fiscal years 1995 and 1996 not more than the amount credited to the Fund in interest only for the preceding fiscal year under section 1904(e) of this title.

(c) Funding from Intelligence Community Management Account for fiscal years beginning with fiscal year 2005

In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, the Director of National Intelligence shall transfer to the Secretary from amounts appropriated for the Intelligence Community Management Account for each fiscal year, beginning with fiscal year 2005, $8,000,000 to carry out the scholarship, fellowship, and grant programs under subparagraphs (A), (B), and (C), respectively, of section 1902(a)(1) of this title.

(Pub. L. 102–183, title VIII, § 810, as added Pub. L. 103–178, title III, § 311(c), Dec. 3, 1993, 107 Stat. 2037; amended Pub. L. 108–487, title VI, § 601(a), Dec. 23, 2004, 118 Stat. 3951.)

AMENDMENTS

2004—Subsec. (c). Pub. L. 108–487 added subsec. (c).

§ 1911. Additional annual authorization of appropriations

(a) In general

In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, there is authorized to be appropriated to the Secretary for each fiscal year, beginning with fiscal year 2003, $10,000,000, to carry out the grant program for the National Flagship Language Initiative under section 1902(a)(1)(D) of this title.

(b) Funding from Intelligence Community Management Account for fiscal years beginning with fiscal year 2005

In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, the Director of National Intelligence shall transfer to the Secretary from amounts appropriated for the Intelligence Community Management Account for each fiscal year, beginning with fiscal year 2005, $6,000,000 to carry out the grant program for the National Flagship Language Initiative under section 1902(a)(1)(D) of this title.

(c) Availability of appropriated funds

Amounts made available under this section shall remain available until expended.

(Pub. L. 102–183, title VIII, § 811, as added Pub. L. 107–306, title III, § 333(b), Nov. 27, 2002, 116 Stat. 2397; amended Pub. L. 108–487, title VI, § 602(b), Dec. 23, 2004, 118 Stat. 3953.)

AMENDMENTS

2004—Subsecs. (b), (c). Pub. L. 108–487 added subsecs. (b) and (c) and struck out heading and text of former subsec. (b). Text read as follows: ''Amounts appropriated pursuant to the authorization of appropriations under subsection (a) of this section shall remain available until expended.''

EFFECTIVE DATE

Section effective on the date the Secretary of Defense submits the report required under section 334 of Pub. L. 107–306 and notifies the appropriate committees of Congress that the programs carried out under this chapter are being managed in a fiscally and programmatically sound manner, see section 333(c) of Pub. L. 107–306, set out as an Effective Date of 2002 Amendment note under section 1902 of this title.

§ 1912. Funding for scholarship program for advanced English language studies by heritage community citizens

(a) Funding from Intelligence Community Management Account

In addition to amounts that may be made available to the Secretary under the Fund for a fiscal year, the Director of National Intelligence shall transfer to the Secretary from amounts appropriated for the Intelligence Community Management Account for each fiscal year, beginning with fiscal year 2005, $2,000,000 to carry out the scholarship programs for English language studies by certain heritage community citizens under section 1902(a)(1)(E) of this title.

(b) Availability of funds

Amounts made available under subsection (a) of this section shall remain available until expended.

(Pub. L. 102–183, title VIII, § 812, as added Pub. L. 108–487, title VI, § 603(b), Dec. 23, 2004, 118 Stat. 3954.)

CHAPTER 38—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY

SUBCHAPTER I—DEFINITIONS

Sec.
2001. Definitions relating to the system.
2002. Definitions relating to participants and annuitants.

SUBCHAPTER II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

PART A—ESTABLISHMENT OF SYSTEM

2011. CIARDS system.
2012. Central Intelligence Agency Retirement and Disability Fund.
2013. Participants in CIARDS system.
2014. Annuitants.

PART B—CONTRIBUTIONS

2021. Contributions to fund.

PART C—COMPUTATION OF ANNUITIES

2031. Computation of annuities.
2032. Annuities for former spouses.
2033. Election of survivor benefits for certain former spouses divorced as of November 15, 1982.
2034. Survivor annuity for certain other former spouses.
2035. Retirement annuity for certain former spouses.
2036. Survivor annuities for previous spouses.

PART D—BENEFITS ACCRUING TO CERTAIN PARTICIPANTS

2051. Retirement for disability or incapacity; medical examination; recovery.
2052. Death in service.
2053. Voluntary retirement.
2054. Discontinued service benefits.
2055. Mandatory retirement.
2056. Eligibility for annuity.

PART E—LUMP-SUM PAYMENTS

2071. Lump-sum payments.

PART F—PERIOD OF SERVICE FOR ANNUITIES

2081. Computation of length of service.
2082. Prior service credit.
2083. Credit for service while on military leave.

PART G—MONEYS

2091. Estimate of appropriations needed.
2092. Investment of moneys in fund.
2093. Payment of benefits.
2094. Attachment of moneys.
2095. Recovery of payments.

PART H—RETIRED PARTICIPANTS RECALLED, REINSTATED, OR REAPPOINTED IN AGENCY OR REEMPLOYED IN GOVERNMENT

2111. Recall.
2112. Reemployment.
2113. Reemployment compensation.

PART I—VOLUNTARY CONTRIBUTIONS

2121. Voluntary contributions.

PART J—COST-OF-LIVING ADJUSTMENT OF ANNUITIES

2131. Cost-of-living adjustment of annuities.

PART K—CONFORMITY WITH CIVIL SERVICE RETIREMENT SYSTEM

2141. Authority to maintain existing areas of conformity between Civil Service and Central Intelligence Agency Retirement and Disability Systems.