

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 organization 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).

(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.)

AMENDMENTS

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.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1903, 1904, 1906, 1908 of this title.

§ 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; and

(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.

(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.)

AMENDMENTS

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”.

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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1902, 1906, 1908 of this title.

§ 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 $\frac{1}{8}$ of 1 percent, the rate of interest of such special obligations shall be the multiple of $\frac{1}{8}$ 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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1902, 1905, 1908, 1910 of this title.

§ 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