

and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

CHAPTER 110—EDUCATIONAL ASSISTANCE FOR MEMBERS HELD AS CAPTIVES AND THEIR DEPENDENTS

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AMENDMENTS

1990—Pub. L. 101-510, div. A, title XIV, §1484(i)(5), Nov. 5, 1990, 104 Stat. 1718, inserted “administered by” after “programs” in item 2185.

1989—Pub. L. 101-189, div. A, title XVI, §1621(a)(7)(B), Nov. 29, 1989, 103 Stat. 1603, substituted “programs the Department of Veterans Affairs” for “programs administered by the Veterans’ Administration” in item 2185.

§ 2181. Definitions

In this chapter:

(1) The terms “captive status” and “former captive” have the meanings given those terms in section 559 of title 37.

(2) The term “dependent” has the meaning given that term in section 551 of that title.

(Added Pub. L. 99-399, title VIII, §806(d)(1), Aug. 27, 1986, 100 Stat. 887, and Pub. L. 100-26, §7(k)(6), Apr. 21, 1987, 101 Stat. 284.)

AMENDMENTS

1987—Pub. L. 100-26, substituted “The terms ‘captive’” for “‘Captive’” in par. (1) and “The term ‘dependent’” for “‘Dependent’” in par. (2).

EFFECTIVE DATE

Pub. L. 99-399, title VIII, §806(d)(3), Aug. 27, 1986, 100 Stat. 888, provided that: “Chapter 110 of title 10, United States Code, as added by paragraph (1), shall apply with respect to persons whose captive status begins after January 21, 1981.”

§ 2182. Educational assistance: dependents of captives

(a) Under regulations prescribed by the President, the Secretary concerned shall pay (by advancement or reimbursement) a dependent of a person who is in a captive status for expenses incurred, while attending an educational or training institution, for—

- (1) subsistence;
- (2) tuition;
- (3) fees;
- (4) supplies;
- (5) books;
- (6) equipment; and
- (7) other educational expenses.

(b) Except as provided in section 2184 of this title, payments shall be available under this section for a dependent of a person who is in a captive status for education or training that occurs—

(1) after that person is in a captive status for not less than 90 days; and

(2) on or before—

(A) the end of any semester or quarter (as appropriate) that begins before the date on which the captive status of that person terminates;

(B) the earlier of the end of any course that began before such date or the end of the 16-week period following that date if the educational or training institution is not operated on a semester or quarter system; or

(C) a date specified by the Secretary concerned in order to respond to special circumstances.

(c) If a person in a captive status or a former captive dies and the death is incident to the captivity, payments shall be available under this section for a dependent of that person for education or training that occurs after the date of the death of that person.

(d) The provisions of this section shall not apply to any dependent who is eligible for assistance under chapter 35 of title 38 or similar assistance under any other provision of law.

(Added Pub. L. 99-399, title VIII, §806(d)(1), Aug. 27, 1986, 100 Stat. 887.)

DELEGATION OF FUNCTIONS

Functions of the President under this section delegated to the Secretary of Defense, see section 3 of Ex. Ord. No. 12598, June 17, 1987, 52 F.R. 23421, set out as a note under section 5569 of Title 5, Government Organization and Employees.

§ 2183. Educational assistance: former captives

(a) In order to respond to special circumstances, the Secretary concerned may pay (by advancement or reimbursement) a person who is a former captive for expenses incurred, while attending an educational or training institution, for—

- (1) subsistence;
- (2) tuition;
- (3) fees;
- (4) supplies;
- (5) books;
- (6) equipment; and
- (7) other educational expenses.

(b) Except as provided in section 2184 of this title, payments shall be available under this section for a person who is a former captive for education or training that occurs—

(1) after the termination of the status of that person as a captive; and

(2) on or before—

(A) the end of any semester or quarter (as appropriate) that begins before the end of the 10-year period beginning on the date on which the status of that person as a captive terminates; or

(B) if the educational or training institution is not operated on a semester or quarter system, the earlier of the end of any course that began before such date or the end of the 16-week period following that date.

(c) Payments shall be available under this section only to the extent that such payments are not otherwise authorized by law.

(Added Pub. L. 99-399, title VIII, §806(d)(1), Aug. 27, 1986, 100 Stat. 888.)

§ 2184. Termination of assistance

Assistance under this chapter—

(1) shall be discontinued for any person whose conduct or progress is unsatisfactory under standards consistent with those established under section 3524 of title 38; and

(2) may not be provided for any person for more than 45 months (or the equivalent in other than full-time education or training).

(Added Pub. L. 99-399, title VIII, §806(d)(1), Aug. 27, 1986, 100 Stat. 888; amended Pub. L. 103-337, div. A, title X, §1070(e)(7), Oct. 5, 1994, 108 Stat. 2859.)

AMENDMENTS

1994—Par. (1). Pub. L. 103-337 substituted “3524” for “1724”.

§ 2185. Programs to be consistent with programs administered by the Department of Veterans Affairs

Regulations prescribed to carry out this chapter shall provide that the programs under this chapter shall be consistent with the educational assistance programs under chapters 35 and 36 of title 38.

(Added Pub. L. 99-399, title VIII, §806(d)(1), Aug. 27, 1986, 100 Stat. 888; amended Pub. L. 101-189, div. A, title XVI, §1621(a)(7)(A), Nov. 29, 1989, 103 Stat. 1603.)

AMENDMENTS

1989—Pub. L. 101-189 substituted “the Department of Veterans Affairs” for “the Veterans’ Administration” in section catchline.

CHAPTER 111—SUPPORT OF SCIENCE, MATHEMATICS, AND ENGINEERING EDUCATION

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- 2191. Graduate fellowships.
- 2192. Improvement of education in technical fields: general authority regarding education in science, mathematics, and engineering.
- 2192a. Science, Mathematics, and Research for Transformation (SMART) Defense Education Program.
- 2193. Improvement of education in technical fields: grants for higher education in science and mathematics.
- 2193a. Improvement of education in technical fields: general authority for support of elementary and secondary education in science and mathematics.
- 2193b. Improvement of education in technical fields: program for support of elementary and secondary education in science, mathematics, and technology.
- 2194. Education partnerships.
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- 2199. Definitions.

AMENDMENTS

2006—Pub. L. 109-163, div. A, title XI, §1104(d)(2), Jan. 6, 2006, 119 Stat. 3450, added item 2192a.

1999—Pub. L. 106-65, div. A, title V, §580(d)(3), Oct. 5, 1999, 113 Stat. 633, added items 2192, 2193, 2193a, and 2193b and struck out former items 2192 “Science, mathematics, and engineering education” and 2193 “Science and mathematics education improvement program”.

1992—Pub. L. 102-484, div. D, title XLII, §4238(b)(2), Oct. 23, 1992, 106 Stat. 2694, substituted “experts” for “managers” in item 2197.

1991—Pub. L. 102-190, div. A, title VIII, §§825(a)(2), 828(b), Dec. 5, 1991, 105 Stat. 1442, 1444, struck out item 2196 “Definition” and added items 2196 to 2199.

1990—Pub. L. 101-510, div. A, title II, §247(a)(2)(A), (C), Nov. 5, 1990, 104 Stat. 1523, substituted “SUPPORT OF SCIENCE, MATHEMATICS, AND ENGINEERING EDUCATION” for “NATIONAL DEFENSE SCIENCE AND ENGINEERING GRADUATE FELLOWSHIPS” in chapter heading and added items 2192 to 2196.

ENCOURAGEMENT OF CONTRACTOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH (STEM) PROGRAMS

Pub. L. 112-81, div. A, title VIII, §862, Dec. 31, 2011, 125 Stat. 1521, provided that:

“(a) IN GENERAL.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall develop programs and incentives to ensure that Department of Defense contractors take appropriate steps to—

“(1) enhance undergraduate, graduate, and doctoral programs in science, technology, engineering and math (in this section referred to as ‘STEM’ disciplines);

“(2) make investments, such as programming and curriculum development, in STEM programs within elementary and secondary schools;

“(3) encourage employees to volunteer in Title I schools in order to enhance STEM education and programs;

“(4) make personnel available to advise and assist faculty at such colleges and universities in the performance of STEM research and disciplines critical to the functions of the Department of Defense;

“(5) establish partnerships between the offeror and historically Black colleges and universities and minority institutions for the purpose of training students in scientific disciplines;

“(6) award scholarships and fellowships, and establish cooperative work-education programs in scientific disciplines; or

“(7) conduct recruitment activities at historically black colleges and universities and other minority-serving institutions or offer internships or apprenticeships.

“(b) IMPLEMENTATION.—Not later than 270 days after the date of the enactment of this Act [Dec. 31, 2011], the Under Secretary shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of Senate and House of Representatives] a report on the steps taken to implement the requirements of this section.”

§ 2191. Graduate fellowships

(a) The Secretary of Defense shall prescribe regulations providing for the award of fellowships to citizens and nationals of the United States who agree to pursue graduate degrees in science, engineering, or other fields of study designated by the Secretary to be of priority interest to the Department of Defense.

(b) A fellowship awarded pursuant to regulations prescribed under subsection (a) shall be known as a “National Defense Science and Engineering Graduate Fellowship”.

(c) National Defense Science and Engineering Graduate Fellowships shall be awarded solely on the basis of academic ability. The Secretary shall take all appropriate actions to encourage applications for such fellowships of persons who are members of groups (including minority