

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 groups, women, and disabled persons) which historically have been underrepresented in science and technology fields. Recipients shall be selected on the basis of a nationwide competition. The award of a fellowship under this section may not be predicated on the geographic region in which the recipient lives or the geographic re-

gion in which the recipient will pursue an advanced degree.

(d) The regulations prescribed under this section shall include—

(1) the criteria for award of fellowships;

(2) the procedures for selecting recipients;

(3) the basis for determining the amount of a fellowship; and

(4) the maximum amount that may be awarded to an individual during an academic year.

(Added Pub. L. 101-189, div. A, title VIII, §843(d)(1), Nov. 29, 1989, 103 Stat. 1516.)

§ 2192. Improvement of education in technical fields: general authority regarding education in science, mathematics, and engineering

(a) The Secretary of Defense, in consultation with the Secretary of Education, shall, on a continuing basis—

(1) identify actions which the Department of Defense may take to improve education in the scientific, mathematics, and engineering skills necessary to meet the long-term national defense needs of the United States for personnel proficient in such skills; and

(2) establish and conduct programs to carry out such actions.

(b)(1) In furtherance of the authority of the Secretary of Defense under any provision of this chapter or any other provision of law to support educational programs in science, mathematics, engineering, and technology, the Secretary of Defense may, unless otherwise specified in such provision—

(A) enter into contracts and cooperative agreements with eligible entities;

(B) make grants of financial assistance to eligible entities;

(C) provide cash awards and other items to eligible entities;

(D) accept voluntary services from eligible entities; and

(E) support national competition judging, other educational event activities, and associated award ceremonies in connection with these educational programs.

(2) The Secretary of Defense may carry out the authority in paragraph (1) through the Secretaries of the military departments.

(3) In this subsection:

(A) The term “eligible entity” includes a department or agency of the Federal Government, a State, a political subdivision of a State, an individual, and a not-for-profit or other organization in the private sector.

(B) The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, American Samoa, and any other territory or possession of the United States.

(c) The Secretary shall designate an individual within the Office of the Secretary of Defense to advise and assist the Secretary regarding matters relating to science, mathematics, and engineering education and training.

(Added Pub. L. 101-510, div. A, title II, §247(a)(1), Nov. 5, 1990, 104 Stat. 1521; amended Pub. L.

106-65, div. A, title V, § 580(d)(1), Oct. 5, 1999, 113 Stat. 633; Pub. L. 108-136, div. A, title II, § 233, Nov. 24, 2003, 117 Stat. 1423; Pub. L. 111-383, div. A, title II, § 211(a), Jan. 7, 2011, 124 Stat. 4162.)

AMENDMENTS

2011—Subsec. (b)(2), (3). Pub. L. 111-383 added par. (2) and redesignated former par. (2) as (3).

2003—Subsecs. (b), (c). Pub. L. 108-136 added subsec. (b) and redesignated former subsec. (b) as (c).

1999—Pub. L. 106-65 amended section catchline generally. Prior to amendment, catchline read as follows: "Science, mathematics, and engineering education".

SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION (SMART) DEFENSE SCHOLARSHIP PILOT PROGRAM

Pub. L. 108-375, div. A, title XI, § 1105, Oct. 28, 2004, 118 Stat. 2074, as amended by Pub. L. 109-163, div. A, title X, § 1056(d), title XI, § 1104(a)-(c), Jan. 6, 2006, 119 Stat. 3440, 3448, 3449; Pub. L. 111-383, div. A, title X, § 1075(h)(5), Jan. 7, 2011, 124 Stat. 4377, which related to a pilot program to provide financial assistance for education in science, mathematics, engineering, and technology skills and disciplines that were determined to be critical to the national security functions of the Department of Defense, was repealed and restated in section 2192a of this title by Pub. L. 109-163, div. A, title XI, § 1104(d)(1)(B), (e)(1), Jan. 6, 2006, 119 Stat. 3450.

DEPARTMENT OF DEFENSE SUPPORT FOR SCIENCE, MATHEMATICS, AND ENGINEERING EDUCATION

Pub. L. 102-190, div. A, title VIII, § 829, Dec. 5, 1991, 105 Stat. 1444, directed Secretary of Defense to develop and submit to Congress a master plan for activities by Department of Defense during each of fiscal years 1993 through 1997 to support education in science, mathematics, and engineering at all levels of education in the United States, with each such plan to be developed in consultation with Secretary of Education, prior to repeal by Pub. L. 104-106, div. A, title X, § 1063(c), Feb. 10, 1996, 110 Stat. 444.

§ 2192a. Science, Mathematics, and Research for Transformation (SMART) Defense Education Program

(a) **REQUIREMENT FOR PROGRAM.**—The Secretary of Defense shall carry out a program to provide financial assistance for education in science, mathematics, engineering, and technology skills and disciplines that, as determined by the Secretary, are critical to the national security functions of the Department of Defense and are needed in the Department of Defense workforce.

(b) **FINANCIAL ASSISTANCE.**—(1) Under the program under this section, the Secretary of Defense may award a scholarship or fellowship in accordance with this section to a person who—

(A) is a citizen of the United States;

(B) is pursuing an associates degree, undergraduate degree, or advanced degree in a critical skill or discipline described in subsection (a) at an accredited institution of higher education; and

(C) enters into a service agreement with the Secretary of Defense as described in subsection (c).

(2) The amount of the financial assistance provided under a scholarship or fellowship awarded to a person under this subsection shall be an amount determined by the Secretary of Defense.

(3) Financial assistance provided under a scholarship or fellowship awarded under this

section may be paid directly to the recipient of such scholarship or fellowship or to an administering entity for disbursement of the funds.

(c) **SERVICE AGREEMENT FOR RECIPIENTS OF FINANCIAL ASSISTANCE.**—(1) To receive financial assistance under this section—

(A) in the case of an employee of the Department of Defense, the employee shall enter into a written agreement to continue in the employment of the department for the period of obligated service determined under paragraph (2); and

(B) in the case of a person not an employee of the Department of Defense, the person shall enter into a written agreement to accept and continue employment in the Department of Defense for the period of obligated service determined under paragraph (2).

(2) For the purposes of this subsection, the period of obligated service for a recipient of financial assistance under this section shall be the period determined by the Secretary of Defense as being appropriate to obtain adequate service in exchange for such financial assistance. The period of service required of a recipient may not be less than the total period of pursuit of a degree that is covered by such financial assistance. The period of obligated service is in addition to any other period for which the recipient is obligated to serve in the civil service of the United States.

(3) An agreement entered into under this subsection by a person pursuing an academic degree shall include any terms and conditions that the Secretary of Defense determines necessary to protect the interests of the United States or otherwise appropriate for carrying out this section.

(d) **EMPLOYMENT OF PROGRAM PARTICIPANTS.**—The Secretary of Defense—

(1) may, without regard to any provision of title 5 governing appointment of employees to competitive service positions within the Department of Defense, appoint to a position in the Department of Defense in the excepted service an individual who has successfully completed an academic program for which a scholarship or fellowship under this section was awarded and who, under the terms of the agreement for such scholarship or fellowship, at the time of such appointment, owes a service commitment to the Department; and

(2) may, upon satisfactory completion of 2 years of substantially continuous service by an incumbent who was appointed to an excepted service position under the authority of paragraph (1), convert the appointment of such individual, without competition, to a career or career conditional appointment.

(e) **REFUND FOR PERIOD OF UNSERVED OBLIGATED SERVICE.**—(1)(A) A participant in the program under this section who is not an employee of the Department of Defense and who voluntarily fails to complete the educational program for which financial assistance has been provided under this section, or fails to maintain satisfactory academic progress as determined in accordance with regulations prescribed by the Secretary of Defense, shall refund to the United States an appropriate amount, as determined by the Secretary.