

community to the educational institution for any purpose and duration that the head of the element considers appropriate.

(2) Notwithstanding any other provision of law relating to the transfer of surplus property, the transfer to the educational institution of any computer equipment, or other equipment, that is—

(A) commonly used by educational institutions;

(B) surplus to the needs of the element of the intelligence community; and

(C) determined by the head of the element to be appropriate for support of such agreement.

(3) The provision of dedicated personnel to the educational institution—

(A) to teach courses in foreign languages that are critical to the capability of the intelligence community to carry out the national security activities of the United States; or

(B) to assist in the development for the educational institution of courses and materials on such languages.

(4) The involvement of faculty and students of the educational institution in research projects of the element of the intelligence community.

(5) Cooperation with the educational institution in developing a program under which students receive academic credit at the educational institution for work on research projects of the element of the intelligence community.

(6) The provision of academic and career advice and assistance to students of the educational institution.

(7) The provision of cash awards and other items that the head of the element of the intelligence community considers appropriate.

(July 26, 1947, ch. 343, title X, §1012, as added Pub. L. 108-487, title VI, §612(a)(2), Dec. 23, 2004, 118 Stat. 3956.)

CODIFICATION

Section was formerly classified to section 441j-1 of this title prior to editorial reclassification and renumbering as this section.

§ 3203. Voluntary services

(a) Authority to accept services

Notwithstanding section 1342 of title 31 and subject to subsection (b) of this section, the Foreign Languages Program under section 3201 of this title shall include authority for the head of a covered element of the intelligence community to accept from any dedicated personnel voluntary services in support of the activities authorized by this part.

(b) Requirements and limitations

(1) In accepting voluntary services from an individual under subsection (a) of this section, the head of a covered element of the intelligence community shall—

(A) supervise the individual to the same extent as the head of the element would supervise a compensated employee of that element providing similar services; and

(B) ensure that the individual is licensed, privileged, has appropriate educational or experiential credentials, or is otherwise qualified under applicable law or regulations to provide such services.

(2) In accepting voluntary services from an individual under subsection (a) of this section, the head of a covered element of the intelligence community may not—

(A) place the individual in a policymaking position, or other position performing inherently governmental functions; or

(B) compensate the individual for the provision of such services.

(c) Authority to recruit and train individuals providing services

The head of a covered element of the intelligence community may recruit and train individuals to provide voluntary services under subsection (a) of this section.

(d) Status of individuals providing services

(1) Subject to paragraph (2), while providing voluntary services under subsection (a) of this section or receiving training under subsection (c) of this section, an individual shall be considered to be an employee of the Federal Government only for purposes of the following provisions of law:

(A) Section 552a of title 5 (relating to maintenance of records on individuals).

(B) Chapter 11 of title 18 (relating to conflicts of interest).

(2)(A) With respect to voluntary services under paragraph (1) provided by an individual that are within the scope of the services accepted under that paragraph, the individual shall be deemed to be a volunteer of a governmental entity or nonprofit institution for purposes of the Volunteer Protection Act of 1997 (42 U.S.C. 14501 et seq.).

(B) In the case of any claim against such an individual with respect to the provision of such services, section 4(d) of such Act (42 U.S.C. 14503(d)) shall not apply.

(3) Acceptance of voluntary services under this section shall have no bearing on the issuance or renewal of a security clearance.

(e) Reimbursement of incidental expenses

(1) The head of a covered element of the intelligence community may reimburse an individual for incidental expenses incurred by the individual in providing voluntary services under subsection (a) of this section. The head of a covered element of the intelligence community shall determine which expenses are eligible for reimbursement under this subsection.

(2) Reimbursement under paragraph (1) may be made from appropriated or nonappropriated funds.

(f) Authority to install equipment

(1) The head of a covered element of the intelligence community may install telephone lines and any necessary telecommunication equipment in the private residences of individuals who provide voluntary services under subsection (a) of this section.

(2) The head of a covered element of the intelligence community may pay the charges in-

curred for the use of equipment installed under paragraph (1) for authorized purposes.

(3) Notwithstanding section 1348 of title 31, the head of a covered element of the intelligence community may use appropriated funds or non-appropriated funds of the element in carrying out this subsection.

(July 26, 1947, ch. 343, title X, §1013, as added Pub. L. 108-487, title VI, §612(a)(2), Dec. 23, 2004, 118 Stat. 3957.)

REFERENCES IN TEXT

The Volunteer Protection Act of 1997, referred to in subsec. (d)(2)(A), is Pub. L. 105-19, June 18, 1997, 111 Stat. 218, which is classified generally to chapter 139 (§14501 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 14501 of Title 42 and Tables.

CODIFICATION

Section was formerly classified to section 441j-2 of this title prior to editorial reclassification and renumbering as this section.

§ 3204. Regulations

(a) In general

The Secretary of Defense and the Director of National Intelligence shall jointly prescribe regulations to carry out the Foreign Languages Program.

(b) Elements of the intelligence community

The head of each covered element of the intelligence community shall prescribe regulations to carry out sections 3202 and 3203 of this title with respect to that element including the following:

- (1) Procedures to be utilized for the acceptance of voluntary services under section 3203 of this title.
- (2) Procedures and requirements relating to the installation of equipment under section 3203(f) of this title.

(July 26, 1947, ch. 343, title X, §1014, as added Pub. L. 108-487, title VI, §612(a)(2), Dec. 23, 2004, 118 Stat. 3958.)

CODIFICATION

Section was formerly classified to section 441j-3 of this title prior to editorial reclassification and renumbering as this section.

§ 3205. Definitions

In this part:

(1) The term “covered element of the intelligence community” means an agency, office, bureau, or element referred to in subparagraphs (B) through (L) of section 3003(4) of this title.

(2) The term “educational institution” means—

- (A) a local educational agency (as that term is defined in section 7801 of title 20);
- (B) an institution of higher education (as defined in section 1002 of title 20, other than institutions referred to in subsection (a)(1)(C) of such section); or
- (C) any other nonprofit institution that provides instruction of foreign languages in languages that are critical to the capability

of the intelligence community to carry out national security activities of the United States.

(3) The term “dedicated personnel” means employees of the intelligence community and private citizens (including former civilian employees of the Federal Government who have been voluntarily separated, and members of the United States Armed Forces who have been honorably discharged, honorably separated, or generally discharged under honorable circumstances and rehired on a voluntary basis specifically to perform the activities authorized under this part).

(July 26, 1947, ch. 343, title X, §1015, as added Pub. L. 108-487, title VI, §612(a)(2), Dec. 23, 2004, 118 Stat. 3958; amended Pub. L. 114-95, title IX, §9215(tt), (hhh), Dec. 10, 2015, 129 Stat. 2183, 2187.)

CODIFICATION

Section was formerly classified to section 441j-4 of this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2015—Par. (2)(A). Pub. L. 114-95, §9215(tt), (hhh), made similar amendments, resulting in the substitution of “section 7801 of title 20)” for “section 7801(26) of title 20)”.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of Title 20, Education.

PART C—ADDITIONAL EDUCATION PROVISIONS

§ 3221. Assignment of intelligence community personnel as language students

(a) In general

The Director of National Intelligence, acting through the heads of the elements of the intelligence community, may assign employees of such elements in analyst positions requiring foreign language expertise as students at accredited professional, technical, or other institutions of higher education for training at the graduate or undergraduate level in foreign languages required for the conduct of duties and responsibilities of such positions.

(b) Authority for reimbursement of costs of tuition and training

(1) The Director of National Intelligence may reimburse an employee assigned under subsection (a) of this section for the total cost of the training described in that subsection, including costs of educational and supplementary reading materials.

(2) The authority under paragraph (1) shall apply to employees who are assigned on a full-time or part-time basis.

(3) Reimbursement under paragraph (1) may be made from appropriated or nonappropriated funds.

(c) Relationship to compensation as an analyst

Reimbursement under this section to an employee who is an analyst is in addition to any benefits, allowances, travel expenses, or other