

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 lan-

guages 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 Secretary of Homeland Security.
- (6) The Secretary of Energy.
- (7) The Director of National Intelligence.
- (8) The Chairperson of the National Endowment for the Humanities.

(9) Six individuals appointed by the President, 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)(7) 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.

(9) To the extent provided by the Secretary of Defense, oversee and coordinate the activities of the National Language Service Corps under section 1913 of this title, including—

(A) assessing on a periodic basis whether the Corps is addressing the needs identified by the heads of departments and agencies of the Federal Government for personnel with skills in various foreign languages;

(B) recommending plans for the Corps to address foreign language shortfalls and requirements of the departments and agencies of the Federal Government;

(C) recommending effective ways to increase public awareness of the need for foreign languages skills and career paths in the Federal Government that use those skills; and

(D) overseeing the Corps efforts to work with Executive agencies and State and

Local<sup>1</sup> governments to respond to inter-agency plans and agreements to address overall foreign language shortfalls and to utilize personnel to address the various types of crises that warrant foreign language skills.

(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; Pub. L. 112-81, div. A, title X, § 1087, Dec. 31, 2011, 125 Stat. 1603; Pub. L. 112-166, § 2(c)(2), Aug. 10, 2012, 126 Stat. 1284; Pub. L. 112-239, div. A, title IX, § 954(b), Jan. 2, 2013, 126 Stat. 1896.)

### Editorial Notes

#### AMENDMENTS

2013—Subsec. (b)(5) to (9). Pub. L. 112-239, § 954(b)(1), added pars. (5) to (7), redesignated former pars. (6) and (7) as (8) and (9), respectively, and struck out former par. (5) which read as follows: “The Director of Central Intelligence.”

Subsec. (d)(9). Pub. L. 112-239, § 954(b)(2), added par. (9).

2012—Subsec. (b)(7). Pub. L. 112-166, which directed striking the phrase “by and with the advice and consent of the Senate,” could not be executed because the phrase did not appear after execution of amendment by Pub. L. 112-81, § 1087(a). See 2011 Amendment note below.

2011—Subsec. (b)(7). Pub. L. 112-81, § 1087(a), struck out “by and with the advice and consent of the Senate,” after “President.”

Subsec. (c). Pub. L. 112-81, § 1087(b), substituted “subsection (b)(7)” for “subsection (b)(6)”.

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

<sup>1</sup> So in original. Probably should not be capitalized.

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”.

#### Statutory Notes and Related Subsidiaries

##### 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 3001 of this title.

##### EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–166 effective 60 days after Aug. 10, 2012, and applicable to appointments made on and after that effective date, including any nomination pending in the Senate on that date, see section 6(a) of Pub. L. 112–166, set out as a note under section 113 of Title 6, Domestic Security.

##### 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).

#### (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.)

#### Editorial Notes

##### 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.