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H. R. 4868

To make the diversity of the American people a resource to promote national security.

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2002

Mr. CROWLEY introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To make the diversity of the American people a resource to promote national security.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE, FINDINGS, AND PURPOSES.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Minority National Security Scholarship Act of 2002”.

6 (b) FINDINGS.—The Congress makes the following
7 findings:

8 (1) The security of the United States will con-
9 tinue to depend on the ability of the United States

1 to understand, shape, and react to political, eco-
2 nomic, and social developments around the world.

3 (2) Ethno-national conflicts continue to rage
4 around the world, and such conflicts are often ac-
5 companied by the proliferation of weapons, human
6 rights violations, economic and commercial decline,
7 trafficking in women and children, the drafting of
8 children into military service, and threats to Amer-
9 ican citizens and business interests.

10 (3) International terrorist organizations like al-
11 Qaeda have established footholds in a number of
12 countries, including both allies and adversaries of
13 the United States, and attempt to use such footholds
14 as bases from which to launch terrorist attacks on
15 the United States and American interests abroad.

16 (4) The future national security and economic
17 well-being of the United States will depend substan-
18 tially on the ability of its citizens to understand, in-
19 fluence, and respond to ethno-national conflicts and
20 the social and political factors that cause others to
21 support international terrorist groups. American eco-
22 nomic interests will also depend on the ability of
23 U.S. citizens to communicate and compete by know-
24 ing the languages and cultures of other countries.

1 (5) The Federal Government has an interest in
2 ensuring that the employees of its departments and
3 agencies with national security responsibilities are
4 prepared to meet the challenges of this changing
5 international environment.

6 (6) The Federal Government also has an inter-
7 est in taking actions to alleviate the problem of
8 American undergraduate and graduate students
9 being inadequately prepared to meet the challenges
10 posed by increasing global interaction among na-
11 tions.

12 (7) American colleges and universities must
13 place a new emphasis on improving the teaching of
14 foreign languages, area studies, and other inter-
15 national fields, particularly of those far-flung regions
16 and newly independent countries that have pre-
17 viously not been the focus of study in American in-
18 stitutions of higher learning, to help meet those
19 challenges.

20 (8) By virtue of their intimate understanding of
21 foreign languages, cultures, and locations, members
22 of minority groups have the potential to offer the
23 Federal Government their insights into political, eco-
24 nomic, and social developments abroad, and the Fed-
25 eral Government should take whatever steps are nec-

1 essary to encourage members of minority groups to
2 use their skills to promote United States national se-
3 curity by making a career in the foreign affairs, se-
4 curity, or intelligence agencies of the Federal Gov-
5 ernment. Furthermore, if the United States is to
6 penetrate terrorist organizations like al-Qaeda or
7 hostile adversaries of any kind in hopes of pre-
8 venting future attacks on the United States or on
9 American interests, the Federal Government must
10 take full advantage of the diversity of the American
11 citizenry.

12 (c) PURPOSES.—The purposes of this Act are as fol-
13 lows:

14 (1) To provide the necessary resources, ac-
15 countability, and flexibility to meet the national se-
16 curity education needs of the United States.

17 (2) To increase the quantity, diversity, and
18 quality of the teaching and learning of subjects in
19 the fields of foreign languages, area studies, and
20 other international fields that are critical to the Na-
21 tion's interest.

22 (3) To produce an increased pool of applicants
23 for work in the departments and agencies of the
24 United States Government with responsibilities for
25 issues affecting national security.

1 (4) To expand, in conjunction with other Fed-
2 eral programs, the international experience, knowl-
3 edge base, and perspectives on which the United
4 States citizenry, Government employees, and leaders
5 rely.

6 (5) To provide enhanced opportunities for mem-
7 bers of minority groups to serve their country and
8 contribute to United States national security by con-
9 tributing to the work of the foreign affairs, security,
10 or intelligence agencies of the Federal Government.

11 **SEC. 2. SCHOLARSHIP, FELLOWSHIP, AND GRANT PRO-**
12 **GRAM.**

13 (a) PROGRAM REQUIRED.—The Secretary of Edu-
14 cation shall establish a program to—

15 (1) award scholarships to minority under-
16 graduate students who are United States citizens in
17 order to enable such students to study, for at least
18 one academic semester, in foreign countries that are
19 critical countries (as determined under section
20 3(4)(A));

21 (2) award fellowships to minority graduate stu-
22 dents who—

23 (A) are United States citizens to enable
24 such students to pursue education in the United
25 States in the disciplines of foreign languages,

1 area studies, and other international fields that
2 are critical areas of those disciplines (as deter-
3 mined under section 3(4)(B)); and

4 (B) pursuant to subsection (d), enter into
5 an agreement to work for an agency or office
6 of the Federal Government or in the field of
7 education in the area of study for which the fel-
8 lowship was awarded; and

9 (3) award grants to institutions of higher edu-
10 cation to enable such institutions to establish, oper-
11 ate, or improve programs in foreign languages, area
12 studies, and other international fields that are crit-
13 ical areas of those disciplines (as determined under
14 section 3(4)(C)) and that will primarily serve stu-
15 dents who are members of minority groups.

16 (b) FUNDING ALLOCATIONS.—Of the amounts avail-
17 able to carry out the programs under subsection (a) for
18 any fiscal year, the Secretary of Education shall have a
19 goal of allocating—

20 (1) $\frac{1}{3}$ of such amount for the awarding of
21 scholarships pursuant to subsection (a)(1);

22 (2) $\frac{1}{3}$ of such amount for the awarding of fel-
23 lowships pursuant to subsection (a)(2); and

24 (3) $\frac{1}{3}$ of such amount for the awarding of
25 grants pursuant to subsection (a)(3).

1 (c) CONTRACT AUTHORITY.—The Secretary of Edu-
2 cation may enter into one or more contracts, with private
3 national organizations having an expertise in foreign lan-
4 guages, area studies, and other international fields, for the
5 awarding of the scholarships, fellowships, and grants de-
6 scribed in subsection (a) in accordance with the provisions
7 of this Act. The Secretary of Education may enter into
8 such contracts without regard to section 3709 of the Re-
9 vised Statutes (41 U.S.C. 5) or any other provision of law
10 that requires the use of competitive procedures.

11 (d) SERVICE AGREEMENT.—In awarding a scholar-
12 ship or fellowship under the program, the Secretary of
13 Education or contract organization referred to in sub-
14 section (c), as the case may be, shall require a recipient
15 of any fellowship, or of scholarships that provide assist-
16 ance for periods that aggregate 12 months or more, to
17 enter into an agreement that, in return for such assist-
18 ance, the recipient—

19 (1) will maintain satisfactory academic
20 progress, as determined in accordance with regula-
21 tions issued by the Secretary of Education, and
22 agrees that failure to maintain such progress shall
23 constitute grounds upon which the Secretary or con-
24 tract organization referred to in subsection (c) may
25 terminate such assistance;

1 (2) will, upon completion of such recipient's
2 baccalaureate degree or education under the pro-
3 gram, as the case may be, and in accordance with
4 regulations issued by the Secretary, work for the
5 Federal Government or in the field of education in
6 the area of study for which the scholarship or fellow-
7 ship was awarded for a period specified by the Sec-
8 retary, which period for the recipients of scholar-
9 ships shall be no more than the same period for
10 which scholarship assistance was provided and for
11 the recipients of fellowships shall be not less than
12 one and not more than three times the period for
13 which the fellowship assistance was provided; and

14 (3) if the recipient fails to meet either of the
15 obligations set forth in paragraph (1) or (2), will re-
16 imburse the United States Government for the
17 amount of the assistance provided the recipient
18 under the program, together with interest at a rate
19 determined in accordance with regulations issued by
20 the Secretary.

21 (e) DISTRIBUTION OF ASSISTANCE.—In selecting the
22 recipients for awards of scholarships, fellowships, or
23 grants pursuant to this Act, the Secretary of Education
24 or a contract organization referred to in subsection (c),
25 as the case may be, shall take into consideration:

1 (1) the extent to which the selections will result
2 in there being an equitable geographic distribution
3 of such scholarships, fellowships, or grants (as the
4 case may be) among the various regions of the
5 United States, and

6 (2) the extent to which the distribution of schol-
7 arships and fellowships to individuals reflects the
8 cultural, racial, and ethnic diversity of the minority
9 population of the United States.

10 (f) MERIT REVIEW.—The Secretary of Education
11 shall award scholarships, fellowships, and grants under
12 the program based upon a merit review process.

13 **SEC. 3. POLICY GUIDANCE.**

14 The Secretary of Education shall provide guidance
15 regarding the implementation of this Act by—

16 (1) developing criteria for awarding scholar-
17 ships, fellowships, and grants under this Act;

18 (2) widely disseminating information regarding
19 the activities assisted under this Act;

20 (3) establishing qualifications for students de-
21 siring scholarships or fellowships, and institutions of
22 higher education desiring grants, under this Act, in-
23 cluding, in the case of students desiring a scholar-
24 ship or fellowship, a requirement that the student
25 have a demonstrated commitment to the study of the

1 discipline for which the scholarship or fellowship is
2 to be awarded;

3 (4) making determinations regarding—

4 (A) which countries are not emphasized in
5 other United States study abroad programs,
6 such as countries in which few United States
7 minority students are studying, and are, there-
8 fore, critical countries for the purposes of sec-
9 tion 2(a)(1);

10 (B) which areas within the disciplines de-
11 scribed in section 2(a)(2) are areas of study in
12 which United States minority students are defi-
13 cient in learning and are, therefore, critical
14 areas within those disciplines for the purposes
15 of that section;

16 (C) which areas within the disciplines de-
17 scribed in section 2(a)(3) are areas in which
18 United States minority students, educators, and
19 Government employees are deficient in learning
20 and in which insubstantial numbers of United
21 States institutions of higher education serving
22 primarily minority students provide training
23 and are, therefore, critical areas within those
24 disciplines for the purposes of that section; and

1 (D) how minority students desiring schol-
2 arships or fellowships can be encouraged to
3 work for an agency or office of the Federal
4 Government involved in national security affairs
5 or national security policy upon completion of
6 their education; and

7 (5) review the administration of the program
8 required under this Act.

9 **SEC. 4. ADMINISTRATIVE PROVISIONS**

10 (a) ACCEPTANCE AND USE OF GIFTS.—In order to
11 conduct the program required by this Act, the Secretary
12 of Education may—

13 (1) receive money and other property donated,
14 bequeathed, or devised, without condition or restric-
15 tion other than that it be used for the purpose of
16 conducting the program required by this Act; and

17 (2) may use, sell, or otherwise dispose of such
18 property for that purpose.

19 (b) VOLUNTARY SERVICES.—In order to conduct the
20 program required by this Act, the Secretary of Education
21 may accept and use the services of voluntary and noncom-
22 pensated personnel.

23 **SEC. 5. ANNUAL REPORT.**

24 (a) ANNUAL REPORT.—The Secretary of Education
25 shall submit to the President and to the Congress an an-

1 nual report of the conduct of the program required by this
2 Act.

3 (b) CONTENTS OF REPORT.—Each such report shall
4 include the following:

5 (1) An analysis of the trends within language,
6 international, and area studies, along with a survey
7 of such areas as the Secretary determines are receiv-
8 ing inadequate attention.

9 (2) An analysis of minority participation in lan-
10 guage, international, and area studies.

11 (3) The effect on those trends of activities
12 under the program required by this Act.

13 (4) An analysis of the assistance provided under
14 the program for the previous fiscal year, to include
15 the subject areas being addressed and the nature of
16 the assistance provided.

17 (5) An analysis of the performance of the indi-
18 viduals who received assistance under the program
19 during the previous fiscal year, to include the degree
20 to which assistance was terminated under the pro-
21 gram and the extent to which individual recipients
22 failed to meet their obligations under the program.

23 (6) An analysis of the results of the program
24 for the previous fiscal year, and cumulatively, to in-
25 clude, at a minimum—

1 (A) the percentage of individuals who have
2 received assistance under the program who sub-
3 sequently became employees of the United
4 States Government;

5 (B) in the case of individuals who did not
6 subsequently become employees of the United
7 States Government, an analysis of the reasons
8 why they did not become employees and an ex-
9 planation as to what use, if any, was made of
10 the assistance by those recipients; and

11 (C) the uses made of grants to educational
12 institutions.

13 (7) Any legislative changes recommended by the
14 Secretary to facilitate the administration of the pro-
15 gram or otherwise to enhance its objectives.

16 (c) SUBMISSION OF INITIAL REPORT.—The first re-
17 port under this section shall be submitted at the time the
18 budget for fiscal year 2005 is submitted to Congress.

19 **SEC. 6. GENERAL ACCOUNTING OFFICE AUDITS.**

20 The conduct of the program required by this Act may
21 be audited by the General Accounting Office under such
22 rules and regulations as may be prescribed by the Comp-
23 troller General of the United States. Representatives of
24 the General Accounting Office shall have access to all
25 books, accounts, records, reports, and files and all other

1 papers, things, or property of the Department of Edu-
2 cation pertaining to such activities and necessary to facili-
3 tate the audit.

4 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) AUTHORIZATION.—There are authorized to be ap-
6 propriated to carry out this Act—

7 (1) \$10,000,000 for each of the fiscal years
8 2003 through 2007; and

9 (2) \$12,000,000 for each fiscal year thereafter.

10 (b) CARRY-OVER OF FUNDS PERMITTED.—Funds
11 appropriated pursuant to subsection (a) are authorized to
12 remain available until expended.

13 **SEC. 8. DEFINITION OF ELIGIBLE MINORITY.**

14 For the purpose of this Act, the term “minority”
15 means an individual who is a member of any of the fol-
16 lowing groups:

17 (1) American Indian or Alaska Native.

18 (2) Asian (to include individuals of East Asian,
19 South Asian, and Central Asian descent).

20 (3) Arab.

21 (4) African American.

22 (5) Native Hawaiian or other Pacific Islander.

23 (6) Hispanic or Latino.

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