

107TH CONGRESS  
2D SESSION

# S. 3155

To authorize the President to establish and maintain the Foreign Language and Cultural Institute program.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 13, 2002

Mr. HELMS introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To authorize the President to establish and maintain the Foreign Language and Cultural Institute program.

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.**

4       This Act may be cited as the “Language Mastery  
5       Support Act of 2002”.

6       **SEC. 2. PURPOSE.**

7       The purpose of this Act is to establish a program of  
8       study and overseas training in critical foreign languages  
9       and cultures, including the establishment of a Foreign  
10      Language and Cultural Institute, in order to—

1           (1) increase in Federal Government service the  
2           number of persons possessing critical skills that are  
3           in short supply;

4           (2) create a pool of prospective candidates for  
5           employment in those agencies of the Federal Govern-  
6           ment that rely on significant levels of overseas as-  
7           signments;

8           (3) provide monetary and employment incen-  
9           tives for candidates to participate in the program;

10          (4) facilitate the identification of potential Fed-  
11          eral Government employees with the pool of prospec-  
12          tive candidates;

13          (5) provide additional opportunities for can-  
14          didate development and evaluation;

15          (6) substantially shorten the delay between  
16          identification of a desirable candidate and entry  
17          upon service by the candidate;

18          (7) minimize the necessity for training during  
19          the initial period of employment;

20          (8) provide for “cross-fertilization” through the  
21          incorporation of both private sector and Government  
22          instructors in the faculty of the Institute;

23          (9) reduce the underutilization of existing Gov-  
24          ernment and educational facilities; and

1           (10) achieve these objectives for a minimal cost,  
2           that would be partially offset by a reduction in the  
3           amount of initial training provided by participating  
4           agencies for new employees.

5 **SEC. 3. DEFINITIONS.**

6       In this Act:

7           (1) **APPROVED FACILITIES.**—The term  
8       “approved facilities” means—

9           (A) excess Government facilities, including  
10       former military installations; and

11          (B) institutions of higher education that  
12       are underutilized in the summer months.

13          (2) **BOARD.**—The term “Board” means the  
14       Interagency Critical Foreign Languages and Cul-  
15       tures Board established by section 4(c).

16          (3) **CRITICAL FOREIGN LANGUAGES AND CUL-**  
17       **TURES.**—The term “critical foreign languages and  
18       cultures” means foreign languages and cultures—

19          (A) identified by the Board as necessary  
20       for the effective implementation of United  
21       States national security policy; and

22          (B) with respect to which there exists a  
23       shortage of skilled personnel among the per-  
24       sonnel of participating agencies.

1           (4) INSTITUTE.—The term “Institute” means  
2           the program established under section 4(a).

3           (5) INSTITUTION OF HIGHER EDUCATION.—The  
4           term “institution of higher education” has the  
5           meaning given the term in section 101(a) of the  
6           Higher Education Act of 1965 (20 U.S.C. 1001(a)).

7           (6) PARTICIPANT.—The term “participant”  
8           means a person who is enrolled in the Institute.

9           (7) PARTICIPATING AGENCY.—The term  
10          “participating agency” means the Department of  
11          State, the Department of Defense, the Central Intel-  
12          ligence Agency, the Defense Intelligence Agency, the  
13          National Security Agency, and the Federal Bureau  
14          of Investigation.

15          (8) PARTICIPATION AGREEMENT.—The term  
16          “participation agreement” means an agreement be-  
17          tween the Institute and a person otherwise eligible  
18          for enrollment in the Institute under which—

19                (A) the person agrees—

20                   (i) to respond to any offer of employ-  
21                   ment extended by a participating agency,  
22                   not later than 30 days after the com-  
23                   mencement of the participant’s final aca-  
24                   demic year, by accepting or rejecting such  
25                   employment; and

1 (ii) to serve in that agency for a pe-  
 2 riod not less than the period specified in  
 3 the agreement; and

4 (B) the Institute agrees to provide the al-  
 5 lowances established by the Board pursuant to  
 6 section 4(g)(1).

7 **SEC. 4. ESTABLISHMENT OF THE INSTITUTE.**

8 (a) IN GENERAL.—To carry out the purpose of sec-  
 9 tion 2, the President is authorized to establish and main-  
 10 tain a study and training program described in section 5  
 11 that shall be known as the “Foreign Language and Cul-  
 12 tural Institute”.

13 (b) IMPLEMENTATION.—The President shall exercise  
 14 the authority of subsection (a) through the Interagency  
 15 Critical Foreign Languages and Cultures Board estab-  
 16 lished in subsection (c).

17 (c) ESTABLISHMENT OF INTERAGENCY BOARD.—

18 (1) ESTABLISHMENT.—There is established an  
 19 Interagency Critical Foreign Languages and Cul-  
 20 tures Board that shall consist of seven members, as  
 21 follows:

22 (A) One member appointed by the Presi-  
 23 dent from among individuals in the private sec-  
 24 tor having expertise in matters within the pur-

1           pose of this Act, who shall serve as Chairman  
2           of the Board.

3                   (B) Six members, of whom one each shall  
4           be an official of a participating agency, who  
5           shall be designated by the head of the agency  
6           to serve on the Board.

7           (2) DUTIES OF THE BOARD.—The Board shall,  
8           under the supervision of the Chairman—

9                   (A) develop the curriculum of the Institute;

10                   (B) provide policy recommendations to the  
11           President regarding the administration of the  
12           Institute;

13                   (C) establish procedures for the operation  
14           of the Institute; and

15                   (D) provide oversight for the operation of  
16           the Institute.

17           (3) TERMS.—The term of office for the Chair-  
18           man and for each other member of the Board shall  
19           be three years.

20           (4) COMPENSATION.—

21                   (A) IN GENERAL.—Except as provided in  
22           subparagraphs (B) and (C), each member of  
23           the Board shall serve without compensation.

24                   (B) COMPENSATION OF THE CHAIRMAN.—

25           The Chairman shall be paid at the rate of basic

1 pay for positions classified at level III of the  
2 Executive Schedule under section 5314 of title  
3 5, United States Code.

4 (C) TRAVEL EXPENSES.—The members of  
5 the Board shall be allowed travel expenses, in-  
6 cluding per diem in lieu of subsistence, at rates  
7 authorized for employees of agencies under sub-  
8 chapter I of chapter 57 of title 5, United States  
9 Code, while away from their homes or regular  
10 places of business in the performance of service  
11 for the Board.

12 (5) ADMINISTRATIVE SUPPORT.—The Secretary  
13 of State shall provide such staff personnel and other  
14 administrative services as may be necessary to sup-  
15 port the Board. Additional staff may be provided by  
16 participating agencies.

17 **SEC. 5. PROGRAM DESCRIPTION.**

18 (a) REGULAR PROGRAM.—Each participant in the  
19 Institute shall undertake a program of study and training  
20 in critical foreign languages and cultures that shall pri-  
21 marily consist of courses of study or training taken at ac-  
22 credited institutions of higher learning during the normal  
23 academic year.

24 (b) SUPPLEMENTAL INSTRUCTION.—

1           (1) IN GENERAL.—The program described in  
2           subsection (a) shall be supplemented by instruction  
3           at Institute facilities approved by the Board, at least  
4           one of which shall be located in each major geo-  
5           graphic region in the United States.

6           (2) PROGRAM PERIODS.—Such supplemental in-  
7           struction shall be given through the Institute during  
8           specified periods in each of three consecutive years,  
9           as follows:

10                (A) For the first year of participation,  
11                courses of study taken during the summer pe-  
12                riod between the participant's sophomore and  
13                junior undergraduate years.

14                (B) For the second year of participation,  
15                courses of study or training which may include  
16                training at diplomatic missions or consular  
17                posts, taken during the summer period between  
18                the participant's junior and senior under-  
19                graduate years or at such times as the Board  
20                may determine.

21                (C) For the third year of participation,  
22                courses of study, or training which may include  
23                training at diplomatic or consular posts, taken  
24                during the summer period that follows award of  
25                a baccalaureate or equivalent degree to the par-



1            participant or at such times as the Board may de-  
 2            termine.

3            (3) ADDITIONAL ACTIVITIES.—Supplemental in-  
 4            struction under this subsection may include such  
 5            other activities as the Board may determine. The  
 6            Board may modify the instruction provided for  
 7            under subparagraph (A), (B), or (C) of paragraph  
 8            (2).

9            (c) ELIGIBILITY.—To be enrolled as a participant in  
 10          the Institute a person shall—

11            (1) be a citizen of the United States;

12            (2) be enrolled as a sophomore, junior, or sen-  
 13            ior in an institution of higher education or graduate  
 14            of such an institution during the preceding year;

15            (3) be selected for participation in the Institute  
 16            under procedures prescribed by the Board; and

17            (4) have entered into a participation agreement  
 18            pursuant to procedures established by the Board.

19            (d) CONDITIONAL OFFER OF EMPLOYMENT.—

20            (1) IN GENERAL.—If a participating agency  
 21            elects to employ a participant, the agency shall ex-  
 22            tend to the participant, not later than the com-  
 23            mencement of the final academic year of the partici-  
 24            pant, an offer of employment in the agency condi-  
 25            tioned upon satisfactory completion of the Institute

1 program by the participant as specified in the par-  
2 ticipation agreement.

3 (2) STATUTORY CONSTRUCTION.—Nothing in  
4 this Act is intended to alter or restrict any qualifica-  
5 tions for employment established by any of the par-  
6 ticipating agencies.

7 (e) SUCCESSFUL COMPLETION.—The Board shall es-  
8 tablish criteria to be met by participants the satisfaction  
9 of which shall entitle participants to a certificate acknowl-  
10 edging their satisfactory completion of the Institute pro-  
11 gram.

12 (f) CURRICULUM.—

13 (1) IN GENERAL.—The Board shall develop the  
14 Institute curriculum and shall assign such personnel  
15 provided under section 4(c)(4) as may be necessary  
16 for instruction under the curriculum and for ade-  
17 quate administrative support. In addition, the Board  
18 is authorized under section 3109(b) of title 5,  
19 United States Code, to enter into contracts with in-  
20 structors employed at institutions of higher edu-  
21 cation or equivalent institutions and for other serv-  
22 ices necessary to provide for the establishment and  
23 operation of the Institute.

24 (2) SUPPLEMENTAL INSTRUCTION.—With the  
25 prior approval of the Board, a participant may enroll

1 in courses of study at institutions of higher  
2 education with advanced syllabi in foreign affairs,  
3 languages, economics, religion, art, and history in  
4 lieu of one of the periods of instruction provided for  
5 under paragraph (1), (2), or (3) of subsection (b).

6 (g) FINANCIAL ASSISTANCE.—

7 (1) STIPEND.—The Board shall establish a  
8 schedule of stipends to be provided to program par-  
9 ticipants to offset the costs of tuition, fees, and  
10 books, not to exceed the comparable allowances es-  
11 tablished for the Reserve Officer Training Corps  
12 pursuant to section 209 of title 37, United States  
13 Code.

14 (2) DEBT RELIEF.—

15 (A) IN GENERAL.—The head of a partici-  
16 pating agency that employs an individual who  
17 has satisfactorily completed the Institute pro-  
18 gram is authorized to provide for the repayment  
19 of student loans made to the participant for ex-  
20 penses incurred while the participant was en-  
21 rolled in the Institute.

22 (B) FACTORS FOR EXERCISE OF DISCRE-  
23 TION.—In determining whether, or to what ex-  
24 tent, to provide loan repayment under subpara-  
25 graph (A), the head of the participating agency

1           shall consider the individual's length of Govern-  
2           ment service, acceptance of hardship postings,  
3           possession of critical foreign languages and cul-  
4           tural skills, and proficiency in critical foreign  
5           languages.

6 **SEC. 6. ANNUAL REPORT.**

7           Not later than December 1 of each year, the Chair-  
8   man of the Board shall submit to the Committee on For-  
9   eign Relations of the Senate and the Committee on Inter-  
10   national Relations of the House of Representatives a re-  
11   port that—

12           (1) summarizes the activities of the Institute  
13       over the previous academic year ending on Sep-  
14       tember 30;

15           (2) describes the programs planned for the cur-  
16       rent and succeeding two academic years; and

17           (3) provides statistical data on—

18                (A) the number of applicants for participa-  
19       tion in the Institute;

20                (B) the number of participants enrolled in  
21       the Institute;

22                (C) the number of participants who have  
23       successfully completed the Institute program;

1 (D) the number of employment offers ex-  
2 tended to participants from participating agen-  
3 cies;

4 (E) the number of employment offers ac-  
5 cepted by participants;

6 (F) the costs associated with the oper-  
7 ations of the Institute, together with an  
8 itemization of the costs associated with the op-  
9 erations of the Board; and

10 (G) any other information that the Chair-  
11 man of the Board determines to be useful for  
12 evaluating the operations of the Institute.

13 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) IN GENERAL.—There is authorized to be appro-  
15 priated to the President \$7,500,000 for the fiscal year  
16 2003 to carry out this Act.

17 (b) AVAILABILITY OF FUNDS.—Amounts appro-  
18 priated pursuant to subsection (a) are authorized to re-  
19 main available until expended.

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