### 111TH CONGRESS 1ST SESSION H.R. 3510

To establish a scholarship program to encourage outstanding graduate students in mission-critical fields to pursue a career in the Federal Government.

#### IN THE HOUSE OF REPRESENTATIVES

#### JULY 31, 2009

Mr. PRICE of North Carolina (for himself, Mr. CASTLE, Mr. VAN HOLLEN, Mr. MORAN of Virginia, Mr. SARBANES, Ms. BORDALLO, Mr. MCDERMOTT, Mr. CONNOLLY of Virginia, Ms. JACKSON-LEE of Texas, Mr. HODES, Ms. NORTON, and Mr. PLATTS) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committees on Oversight and Government Reform and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

## A BILL

- To establish a scholarship program to encourage outstanding graduate students in mission-critical fields to pursue a career in the Federal Government.
  - 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; TABLE OF CONTENTS.

- 4 (a) SHORT TITLE.—This Act may be cited as the
- 5 "Roosevelt Scholars Act of 2009".

#### 1 (b) TABLE OF CONTENTS.—The table of contents is

- 2 as follows:
  - Sec. 1. Short title; table of contents.
  - Sec. 2. Findings.
  - Sec. 3. Definitions.
  - Sec. 4. Theodore Roosevelt Scholarship Foundation.
  - Sec. 5. Roosevelt Scholars.
  - Sec. 6. Requirements for Roosevelt Scholars.
  - Sec. 7. Special hiring authority.
  - Sec. 8. Theodore Roosevelt Memorial Scholarship Trust Fund.
  - Sec. 9. Expenditures and audit of Trust Fund.
  - Sec. 10. Executive Secretary of the Foundation.
  - Sec. 11. Administrative provisions.
  - Sec. 12. Additional functions of the Foundation.
  - Sec. 13. Exclusion of Roosevelt Scholarship awards from gross income.
  - Sec. 14. Authorization of appropriations.

#### 3 SEC. 2. FINDINGS.

- 4 Congress finds the following:
- 5 (1) According to the Government Accountability 6 Office, about one-third of Federal employees who 7 were employed by the Federal Government at the 8 end of fiscal year 2007 will become eligible to retire 9 by 2012. Proportions of workers eligible to retire are 10 projected to be especially high in certain occupations—some of them mission critical—as well as in 11 12 key leadership positions. The Government will lose 13 additional employees to non-retirement attrition.
- 14 (2) The Office of Personnel Management esti15 mates that about 550,000 Federal employees will
  16 leave the Government in the next 5 years, the major17 ity through retirement, and a recent survey indicates
  18 that Federal agencies will need to hire nearly
  19 193,000 new employees to fill mission-critical posi-

1	tions (including highly specialized professionals, such
2	as scientists, engineers, physicians, mathematicians,
3	and economists) through September 2009.
4	(3) The ability of the Federal Government to
5	perform mission-critical functions depends on a
6	strong, well-trained, and highly engaged Federal
7	workforce.
8	(4) Heavy educational debt and lack of knowl-
9	edge about Federal job opportunities drive many
10	students to seek employment in the private sector,
11	making it difficult for the Federal Government to re-
12	place needed talent in mission-critical positions.
13	(5) A new scholarship program to help finance
14	graduate-level education and to connect students di-
15	rectly with mission-critical Federal positions would
16	help build a much needed pipeline of talent for the
17	Government.
18	SEC. 3. DEFINITIONS.
19	For purposes of this Act—
20	(1) the term "Foundation" means the Theodore
21	Roosevelt Scholarship Foundation, as described in
22	section 4(a);
23	(2) the term "Board" means the Board of
24	Trustees of the Theodore Roosevelt Scholarship
25	Foundation, as described in section 4(b);

1	(3) the term "Fund" means the Theodore Roo-
2	sevelt Memorial Scholarship Fund, as described in
3	section 8;
4	(4) the term "Federal agency" means an Exec-
5	utive agency, as defined by section 105 of title 5,
6	United States Code;
7	(5) the term "State" includes the District of
8	Columbia;
9	(6) the term "graduate student" means a stu-
10	dent in a master's, law, or doctoral degree program
11	at a university accredited by a nationally recognized
12	accrediting agency or association; and
13	(7) the term "mission-critical occupational
14	area" refers to those positions that a Federal agency
15	identifies as essential to achieving its strategic goals,
16	as determined through the workforce analysis proc-
17	ess of the Federal agency's workforce planning sys-
18	tem.
19	SEC. 4. THEODORE ROOSEVELT SCHOLARSHIP FOUNDA-
20	TION.
21	(a) ESTABLISHMENT.—There is established, as an
22	independent establishment in the executive branch of the
23	Government, a foundation to be known as the "Theodore

 $24 \ \ {\rm Roosevelt\ Scholarship\ Foundation''}.$ 

1	(b) BOARD OF TRUSTEES.—The Foundation shall be
2	subject to the supervision and direction of a Board of
3	Trustees. The Board shall be composed of 9 members,
4	plus 1 non-voting ex officio member, as follows:
5	(1) Two members shall be appointed by the
6	House of Representatives, one appointed by the
7	Speaker, and one appointed by the minority leader.
8	(2) Two members shall be appointed by the
9	Senate, one appointed by the majority leader, and
10	one appointed by the minority leader.
11	(3) Five members, not more than 3 of whom
12	shall be of the same political party, shall be ap-
13	pointed by the President, with the advice and con-
14	sent of the Senate, from among individuals who—
15	(A) have demonstrated leadership or exper-
16	tise in public service or higher education; or
17	(B) represent a Federal agency or a pro-
18	fessional association related to mission-critical
19	occupational areas.
20	(4) The Director of the Office of Personnel
21	Management (or a designee), who shall serve as a
22	non-voting, ex officio member of the Board.
23	(c) TERM OF OFFICE.—

1	(1) IN GENERAL.—Except as provided in para-
2	graph $(2)$ or $(3)$ , the term of each member (other
3	than the ex officio member) shall be 6 years.
4	(2) INITIAL APPOINTEES.—As designated by
5	the President at the time of appointment, of the
6	members first appointed—
7	(A) 1 member appointed under subsection
8	(b)(2) and 2 members appointed under sub-
9	section $(b)(3)$ shall be appointed for a term of
10	2 years;
11	(B) 1 member appointed under subsection
12	(b)(1) and 2 members appointed under sub-
13	section $(b)(3)$ shall be appointed for a term of
14	4 years; and
15	(C) 1 member appointed under subsection
16	(b)(1), 1 member appointed under subsection
17	(b)(2), and 1 member appointed under sub-
18	section $(b)(3)$ shall be appointed for a term of
19	6 years.
20	(3) VACANCIES.—Any member appointed to fill
21	a vacancy occurring before the expiration of the
22	term for which the member's predecessor was ap-
23	pointed shall be appointed only for the remainder of
24	that term. A vacancy on the Board shall be filled in

the manner in which the original appointment was
 made.

3 (d) COMPENSATION.—Members of the Board shall 4 serve without pay, but shall be entitled to reimbursement 5 for travel, subsistence, and other necessary expenses in-6 curred in the performance of their duties as members of 7 the Board.

#### 8 SEC. 5. ROOSEVELT SCHOLARS.

9 (a) IN GENERAL.—The Foundation shall award 10 scholarships to graduate students who demonstrate out-11 standing potential for a career in a mission-critical occu-12 pational area within the Federal Government. The recipi-13 ent of a scholarship under this Act shall be known as a 14 "Roosevelt Scholar".

15 (b) SELECTION PROCESS.—

16 (1) NATIONWIDE COMPETITION.—The Founda17 tion shall, directly or by contract—

18 (A) provide for the conduct of an annual
19 nationwide competition, including an application
20 and interview process, for the purpose of select21 ing Roosevelt Scholars; and

(B) market the scholarship program to di-verse populations.

24 (2) CRITERIA AND PROCEDURES.—The Foun25 dation shall adopt selection criteria and procedures

to ensure a diverse cohort of scholarship recipients each year who—

3 (A) at the time of applying for a scholar-4 ship under this Act, are enrolled in or seeking 5 admission to an accredited full-time graduate 6 degree program at an institution of higher edu-7 cation in a discipline that is determined by the 8 Foundation to be directly related to 1 or more 9 mission-critical occupational areas within the 10 Federal Government;

11 (B) have been nominated by an appro-12 priate faculty member or other representative of 13 the institution of higher education in which 14 they are enrolled, of which they are a graduate, 15 or to which they are seeking admission, or by 16 another individual, approved by the Foundation, 17 who has direct knowledge of the candidate's 18 academic or work experience; and

19 (C) are citizens or legal permanent residents of the United States.

(c) SCHOLARSHIP AMOUNTS.—Each student awarded
a scholarship under this Act shall receive, for each academic year in which such student is enrolled full time in
the graduate degree program described in subsection
(b)(2)(A), the cost of tuition plus a stipend, except that—

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1	(1) the stipend awarded under this Act to a
2	student for an academic year may not exceed the
3	lesser of—
4	(A) a monthly living stipend of not more
5	than \$300 per month and an amount equal to
6	the cost to the student, for such academic year,
7	of—
8	(i) room and board;
9	(ii) books; and
10	(iii) materials and fees associated with
11	coursework; or
12	(B) $$12,000$ (adjusted annually to reflect
13	any increase in the consumer price index for all
14	urban consumers, as published by the Bureau
15	of Labor Statistics);
16	(2) the total scholarship awarded under this
17	Act to a student for an academic year, for tuition
18	and stipend combined, may not exceed—
19	(A) $60,000$ (adjusted at the same time
20	and in the same manner as the dollar amount
21	under paragraph $(1)(B)$ , minus
22	(B) the sum of all scholarships, grants, or
23	other similar cash awards received by the stu-
24	dent for such academic year from any source
25	apart from this Act; and

(3) scholarships under this Act may be awarded
 to a student for such periods as the Foundation may
 prescribe, but not to exceed 5 academic years.

4 (d) Scholarship Conditions.—

5 (1) SATISFACTORY PROFICIENCY.—A student 6 awarded a scholarship under this Act shall continue 7 to receive the payments provided for under this Act 8 only during such periods as the Foundation finds 9 that such student is maintaining satisfactory pro-10 ficiency and devoting full time to study or research 11 designed to prepare such student for a career in the 12 Federal Government, unless otherwise approved by 13 the Foundation.

14 (2) REPORTS.—The Foundation may require 15 reports containing such information, in such form, 16 and to be filed at such times as the Foundation de-17 termines to be necessary from any student awarded 18 a scholarship under this Act. Such reports shall be 19 accompanied by a certificate from an appropriate of-20 ficial at the institution of higher education, approved 21 by the Foundation, stating that such individual is 22 making satisfactory progress in, and is devoting es-23 sentially full time to study or research, except as 24 otherwise provided in this subsection.

#### 1 SEC. 6. REQUIREMENTS FOR ROOSEVELT SCHOLARS.

2 (a) SERVICE REQUIREMENT.—

3 (1) IN GENERAL.—Each student awarded a 4 scholarship under this Act shall be required to enter 5 into a service agreement with the Foundation which 6 provides for such student to complete, in return for 7 the scholarship, a specified period of service with the 8 Federal Government. Under the agreement, the pe-9 riod of service shall be for the number of years equal to the total number of academic years for which the 10 11 student received a scholarship under this Act, except 12 that the total period of service shall not be less than 13 3 years nor more than 5 years.

(2) FAILURE TO FULFILL.—An agreement
under this section shall provide that an individual
shall, in the event that such individual fails to meet
the service requirement under paragraph (1), be required to repay to the Foundation the amount equal
to—

20 (A) the total amount of scholarship monies
21 (tuition and stipends combined) received by the
22 individual under such agreement, multiplied by

(B) a fraction, the numerator of which is
the amount of service not completed and the denominator of which is the total period of service
agreed to.

1 An amount under this paragraph shall be treated as 2 a Federal Direct Unsubsidized Stafford Loan under 3 part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a and following), and shall be 4 5 subject to repayment, together with interest thereon 6 accruing from the date of the scholarship award, in 7 accordance with terms and conditions specified by 8 the Secretary of Education in regulations under this 9 subpart.

10 (3) REGULATIONS.—The Foundation, in con-11 sultation with the Office of Personnel Management, 12 shall prescribe any regulations necessary to carry 13 out this subsection, including provisions under which 14 the service requirement specified by paragraph (1)15 or a repayment otherwise required under paragraph 16 (2) may be waived, in whole or in part, or deferred, 17 in appropriate circumstances.

18 (b) INTERNSHIP REQUIREMENT.—

19 (1) IN GENERAL.—Roosevelt Scholars shall be
20 required to complete at least 1 internship related to
21 their field of study in a Federal agency while earn22 ing their graduate or other advanced degree.

23 (2) REGULATIONS.—The Foundation, in con24 sultation with the Office of Personnel Management,
25 shall prescribe any regulations necessary to carry

out this subsection, including provisions under which
 the internship requirement specified by subsection
 (b) may be waived in appropriate circumstances.

4 (c) PARTICIPATION IN EXTRACURRICULAR ACTIVI-5 TIES.—While earning their graduate or other advanced 6 degree and during their period of obligated service (as de-7 scribed in subsection (a)), Roosevelt Scholars shall be re-8 quired, in accordance with such terms as the Foundation 9 shall establish, to participate in extracurricular activities 10 as described in section 12(a)(5).

(d) AVAILABILITY AS A SOURCE OF INFORMATION.—
(1) IN GENERAL.—While earning their graduate
or other advanced degree and during their period of
obligated service (as described in subsection (a)),
Roosevelt Scholars shall be required, in accordance
with such terms as the Foundation shall establish,
to serve as a resource for—

18 (A) individuals interested in becoming a
19 Roosevelt Scholar or seeking temporary or per20 manent employment with the Federal Govern21 ment;

(B) faculty, career services professionals,
and other personnel at institutions of higher
education who advise students on career and

1	other scholarship opportunities with the Federal
2	Government; and
3	(C) Federal agencies which might be inter-
4	ested in promoting, at the institution of higher
5	education at which the student is enrolled, ca-
6	reer opportunities with the Federal Govern-
7	ment.
8	(2) Memoranda of understanding.—The
9	Foundation may enter into memoranda of under-
10	standing with any institution of higher education re-
11	garding any facilities or resources that will be made
12	available to Roosevelt Scholars for purposes of this
13	subsection.
14	(3) TRAINING.—The Foundation, in coopera-
15	tion with the Office of Personnel Management, may
16	provide for Roosevelt Scholars to receive any train-
17	ing which they might need in order to carry out
18	their responsibilities under this subsection.
19	SEC. 7. SPECIAL HIRING AUTHORITY.
20	Under such regulations as the Office of Personnel
21	Management shall prescribe, a Federal agency may make
22	a noncompetitive appointment (in the excepted service, as
23	defined by section 2103 of title 5, United States Code,

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24 leading to conversion to career or career-conditional em-25 ployment) of any Roosevelt Scholar who has successfully

completed the program of study for which the scholarship 1 2 was granted. A noncompetitive appointment under this 3 section shall be for a period not to exceed 2 years, and 4 shall be to a mission-critical position, with the possibility 5 of an extension for one additional year by the employing agency. At the end of the period of the noncompetitive 6 7 appointment, conversion to career or career-conditional 8 employment in a mission-critical position shall be granted 9 to those Roosevelt Scholars who meet all qualification, 10 suitability, and performance requirements.

# 11 SEC. 8. THEODORE ROOSEVELT MEMORIAL SCHOLARSHIP 12 TRUST FUND.

(a) ESTABLISHMENT.—There is established in the
Treasury of the United States a trust fund to be known
as the "Theodore Roosevelt Memorial Scholarship Trust
Fund" to be administered by the Foundation. The Fund
shall consist of amounts appropriated to it pursuant to
section 14 and amounts paid into the Fund pursuant to
section 11(a)(4).

20 (b) INVESTMENT IN INTEREST-BEARING OBLIGA-21 TIONS.—

(1) IN GENERAL.—Upon request by the Foundation, it shall be the duty of the Secretary of the
Treasury to invest such currently available portions
of the Fund as are not, in the judgment of the Sec-

retary, immediately required for payments from the
 Fund. Such investments may be made only in inter est-bearing obligations of the United States or in ob ligations guaranteed as to both principal and inter est by the United States.

6 (2) ACQUISITION OF OBLIGATIONS.—The pur-7 poses for which obligations of the United States may 8 be issued under chapter 31 of title 31, United States 9 Code, are hereby extended to authorize the issuance 10 at par of special obligations directly to the Fund. 11 Such special obligations shall bear interest at a rate 12 equal to the average rate of interest, computed as to 13 the end of the calendar month next preceding the 14 date of such issue, borne by all marketable interest-15 bearing obligations of the United States then form-16 ing a part of the public debt; except that where such 17 average rate is not a multiple of one-eighth of 1 per 18 centum, the rate of interest of such special obliga-19 tions shall be the multiple of one-eighth of 1 per 20 centum next lower than such average rate. All re-21 quests of the Foundation to the Secretary of the 22 Treasury provided for in this section shall be binding 23 upon the Secretary.

24 (c) AUTHORITY TO SELL OBLIGATIONS.—At the re-25 quest of the Foundation, the Secretary of the Treasury

shall redeem any obligation issued directly to the Fund.
 Obligations issued to the Fund under subsection (b)(2)
 shall be redeemed at par plus accrued interest. Any other
 obligations issued directly to the Fund shall be redeemed
 at the market price.

6 (d) FROM CERTAIN PROCEEDS TRANSACTIONS 7 CREDITED TO FUND.—In addition to the appropriations 8 received pursuant to section 14, the interest on, and the 9 proceeds from the sale or redemption of, any obligations 10 held in the Fund pursuant to section 11(a), shall be credited to and form a part of the Fund. 11

#### 12 SEC. 9. EXPENDITURES AND AUDIT OF TRUST FUND.

(a) AUTHORIZATION OF FUNDING.—The Secretary of
the Treasury may pay to the Foundation from the interest
and earnings of the Fund such sums as the Board determines are necessary and appropriate to enable the Foundation to carry out the purposes of this Act.

18 (b) Audits by Government Accountability OF-FICE.—The activities of the Foundation under this Act 19 20 may be audited by the Government Accountability Office 21 under such rules and regulations as may be prescribed by 22 the Comptroller General. Representatives of the Govern-23 ment Accountability Office shall have access to all books, 24 accounts, records, reports, and files and all other papers, 25 things, or property belonging to or in use by the Founda1 tion, pertaining to such activities and necessary to facili-2 tate the audit.

#### **3** SEC. 10. EXECUTIVE SECRETARY OF THE FOUNDATION.

4 (a) IN GENERAL.—There shall be an Executive Sec5 retary of the Foundation, who shall be the chief executive
6 officer of the Foundation and shall carry out the functions
7 of the Foundation, subject to the supervision and direction
8 of the Board. The Executive Secretary shall carry out such
9 other functions consistent with the provisions of this Act
10 as the Board may delegate.

(b) APPOINTMENT.—The Executive Secretary shall
be appointed by the Board and shall be a member of the
Senior Executive Service. The Executive Secretary shall
have demonstrated significant management experience
and shall possess a high level of expertise in the recruitment and retention of personnel.

17 (c) TERM OF OFFICE.—The Executive Secretary
18 shall serve for a term of 5 years, and may be reappointed.
19 The Executive Secretary may be removed by a vote of <sup>2</sup>/<sub>3</sub>
20 of the Board membership.

(d) COMPENSATION.—The Board shall appoint and
fix the compensation of the Executive Secretary at a rate
not to exceed the maximum rate for a member of the Senior Executive Service.

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#### 1 SEC. 11. ADMINISTRATIVE PROVISIONS.

2 (a) POWERS OF THE FOUNDATION.—In order to
3 carry out this Act, the Foundation may—

4 (1) appoint and fix the compensation of such
5 personnel as may be necessary, at rates not to ex6 ceed level IV of the Executive Schedule under sec7 tion 5315 of title 5, United States Code;

8 (2) procure temporary and intermittent services 9 of experts and consultants as are necessary to the 10 extent authorized by section 3109 of title 5, United 11 States Code, but at rates not to exceed the rate for 12 level IV of the Executive Schedule under section 13 5315 of title 5, United States Code;

14 (3) prescribe such regulations as it considers
15 necessary to carry out its functions under this Act;

(4) receive money and other property donated,
bequeathed, or devised, without condition or restriction other than that it be used for the purposes of
the Foundation; and to use, sell, or otherwise dispose of such property for the purpose of carrying
out its functions;

(5) accept and utilize the services of voluntary
and non-compensated personnel and reimburse them
for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code;

1	(6) enter into contracts, grants, or other ar-
2	rangements, or modifications thereof, to carry out
3	such provisions of this Act, and such contracts or
4	modifications may, with the concurrence of $^{2\!/\!3}$ of the
5	members of the Board, be entered into without per-
6	formance or other bonds, and without regard to sec-
7	tion 5 of title 41, United States Code;
8	(7) rent office space in the District of Colum-
9	bia; and
10	(8) make other necessary expenditures.
11	(b) ANNUAL REPORTS.—The Foundation shall sub-
12	mit to the President and to the Congress an annual report
13	on its operations under this Act.
14	(c) CONTRACT AUTHORITY.—The Foundation may
15	enter into contracts under this Act only to such extent
16	or in such amounts as may be provided for in advance
17	in appropriations Acts.
18	SEC. 12. ADDITIONAL FUNCTIONS OF THE FOUNDATION.
19	(a) IN GENERAL.—In addition to its other functions,
20	the Foundation shall—
21	(1) create, maintain, and promote an on-line di-
22	rectory of all Federal scholarship opportunities avail-
23	able to individuals pursuing temporary or permanent
24	employment with the Federal Government;

1	(2) create and maintain an online directory of
2	current mission-critical occupational areas;
3	(3) partner with Federal agencies to place Roo-
4	sevelt Scholars in positions in the Federal Govern-
5	ment;
6	(4) to the extent practical, assist Federal agen-
7	cies and other Federal scholarship foundations in
8	placing Federal scholarship recipients in positions in
9	the Federal Government;
10	(5) work with nonprofit organizations to design
11	and implement mandatory extracurricular programs
12	and activities that—
13	(A) promote team-building and create a
14	network and community for past, present, and
15	future Roosevelt Scholars;
16	(B) motivate Roosevelt Scholars to become
17	career Federal employees;
18	(C) are offered regularly during each year
19	in which an individual is receiving a Roosevelt
20	Scholarship, including during intervals between
21	periods of enrollment;
22	(D) expose Roosevelt Scholars to the busi-
23	ness, political, demographic, cultural, and eco-
24	nomic climate of the Federal Government; and

1	(E) help Roosevelt Scholars to develop
2	leadership qualities; and
3	(6) within 2 years after the date of the enact-
4	ment of this Act, submit to Congress (and make
5	available to the public) a report regarding—
6	(A) any barriers to appointing Roosevelt
7	Scholars and other Federal scholarship recipi-
8	ents to positions in the Federal Government;
9	and
10	(B) recommendations to—
11	(i) remove barriers to appointing Roo-
12	sevelt Scholars and other Federal scholar-
13	ship recipients to positions in the Federal
14	Government; and
15	(ii) educate Federal agencies on the
16	best use of personnel flexibilities in the ap-
17	pointment of Federal scholarship recipi-
18	ents, including Roosevelt Scholars.
19	(b) Security Clearances.—The Foundation may,
20	consistent with regulations of the Office of Personnel
21	Management, request and fund security clearances for
22	Roosevelt Scholars, as necessary.

23

3 (a) IN GENERAL.—Section 117 of the Internal Rev4 enue Code of 1986 (relating to qualified scholarships) is
5 amended by adding at the end the following new sub6 section:

7 "(e) ROOSEVELT SCHOLARSHIPS.—Gross income
8 shall not include any amount awarded under section 5 of
9 the Roosevelt Scholars Act of 2009.".

(b) EFFECTIVE DATE.—The amendment made by
this section shall apply to taxable years beginning after
the date of the enactment of this Act.

#### 13 SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out
this section \$10,000,000 for fiscal year 2010 and such
sums as may be necessary for succeeding fiscal years.

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