

Pub. L. 114-329, § 501(e)(1)(A), which directed substitution of “manufacturing extension center” for “regional center”, was executed by making the substitution after “means a” outside of the defined term, to reflect the probable intent of Congress.

1998—Par. (2). Pub. L. 105-244 substituted “section 101 of the Higher Education Act of 1965” for “section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a))”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of Title 20, Education.

CHAPTER 112—CYBER SCHOLARSHIP PROGRAM

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Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232, div. A, title XVI, § 1633(b)(2), Aug. 13, 2018, 132 Stat. 2125, added item 2200c and struck out former item 2200c “Centers of Academic Excellence in Cyber Education”.

2017—Pub. L. 115-91, div. A, title XVI, § 1649(d)(1)(A), (2), Dec. 12, 2017, 131 Stat. 1752, 1753, substituted “CYBER” for “INFORMATION SECURITY” in chapter heading and “Centers of Academic Excellence in Cyber Education” for “Centers of Academic Excellence in Information Assurance Education” in item 2200c.

§ 2200. Programs; purpose

(a) IN GENERAL.—To encourage the recruitment and retention of Department of Defense personnel who have the computer and network security skills necessary to meet the cyber requirements of the Department of Defense, the Secretary of Defense may carry out programs in accordance with this chapter to provide financial support for education in disciplines relevant to those requirements at institutions of higher education.

(b) TYPES OF PROGRAMS.—The programs authorized under this chapter are as follows:

(1) Scholarships for pursuit of programs of education in cyber disciplines at institutions of higher education.

(2) Grants to institutions of higher education.

(c) NAME OF PROGRAM.—The programs authorized under this chapter shall be known as the “Cyber Scholarship Program”.

(Added Pub. L. 106-398, § 1 [[div. A], title IX, § 922(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-233; amended Pub. L. 115-91, div. A, title XVI, § 1649(a), (d)(1)(B), Dec. 12, 2017, 131 Stat. 1752.)

Editorial Notes

AMENDMENTS

2017—Subsec. (a). Pub. L. 115-91, § 1649(d)(1)(B)(i), substituted “the cyber requirements of the Department of

Defense” for “Department of Defense information assurance requirements”.

Subsec. (b)(1). Pub. L. 115-91, § 1649(d)(1)(B)(ii), substituted “cyber disciplines” for “information assurance”.

Subsec. (c). Pub. L. 115-91, § 1649(a), added subsec. (c).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Pub. L. 115-91, div. A, title XVI, § 1649(e)(1), Dec. 12, 2017, 131 Stat. 1753, provided that: “The Information Security Scholarship program under chapter 112 of title 10, United States Code, is redesignated as the ‘Cyber Scholarship program’. Any reference in a law (other than this section), map, regulation, document, paper, or other record of the United States to the Information Security Scholarship program shall be deemed to be a reference to the Cyber Scholarship Program.”

DEPARTMENT OF DEFENSE CYBER SERVICE ACADEMY

Pub. L. 117-263, div. A, title XV, § 1535, Dec. 23, 2022, 136 Stat. 2907, as amended by Pub. L. 118-31, div. A, title XV, §§ 1531(c)(6), 1533, 1534, Dec. 22, 2023, 137 Stat. 563, 565, 566, provided that:

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Homeland Security, the heads of the elements of the intelligence community, and the Director of the Office of Personnel and Management, shall establish a program to provide financial support for pursuit of programs of education at institutions of high education in covered disciplines.

“(2) COVERED DISCIPLINES.—For purposes of the Program, a covered discipline is a discipline that the Secretary of Defense determines is critically needed and is cyber- or digital technology-related, including the following:

“(A) Computer-related arts and sciences.

“(B) Cyber-related engineering.

“(C) Cyber-related law and policy.

“(D) Applied analytics related sciences, data management, and digital engineering, including artificial intelligence and machine learning.

“(E) Such other disciplines relating to cyber, cybersecurity, digital technology, or supporting functions as the Secretary of Defense considers appropriate.

“(3) DESIGNATION.—The program established under paragraph (1) shall be known as the ‘Department of Defense Cyber Service Academy’ (in this section referred to as the ‘Program’).

“(b) PROGRAM DESCRIPTION AND COMPONENTS.—The Program shall—

“(1) provide scholarships through institutions of higher education to students who are enrolled in programs of education at such institutions leading to degrees or specialized program certifications in covered disciplines; and

“(2) prioritize the placement of scholarship recipients fulfilling the post-award employment obligation under this section.

“(c) SCHOLARSHIP AMOUNTS.—

“(1) AMOUNT OF ASSISTANCE.—(A) Each scholarship under the Program shall be in such amount as the Secretary determines necessary—

“(i) to pay all educational expenses incurred by that person, including tuition, fees, cost of books, and laboratory expenses, for the pursuit of the program of education for which the assistance is provided under the Program; and

“(ii) to provide a stipend for room and board.

“(B) The Secretary shall ensure that expenses paid are limited to those educational expenses normally incurred by students at the institution of higher education involved.

“(2) SUPPORT FOR INTERNSHIP ACTIVITIES.—The financial assistance for a person under this section

may also be provided to support internship activities of the person in the Department of Defense and combat support agencies in periods between the academic years leading to the degree or specialized program certification for which assistance is provided the person under the Program.

“(3) PERIOD OF SUPPORT.—Each scholarship under the Program shall be for not more than 5 years.

“(4) ADDITIONAL STIPEND.—Students demonstrating financial need, as determined by the Secretary, may be provided with an additional stipend under the Program.

“(5) MINIMUM NUMBER OF SCHOLARSHIP AWARDS.—

“(A) IN GENERAL.—The Secretary of Defense shall award not fewer than 1,000 scholarships under the Program in fiscal year 2026 and in each fiscal year thereafter.

“(B) WAIVER.—The Secretary of Defense may award fewer than the number of scholarships required under subparagraph (A) in a fiscal year if the Secretary determines and notifies the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] that fewer scholarships are necessary to address workforce needs.

“(d) POST-AWARD EMPLOYMENT OBLIGATIONS.—Each scholarship recipient, as a condition of receiving a scholarship under the Program, shall enter into an agreement under which the recipient agrees to work for a period equal to the length of the scholarship, following receipt of the student's degree or specialized program certification, in the cyber- and digital technology-related missions of the Department or an element of the intelligence community, in accordance with the terms and conditions specified by the head concerned in regulations the head concerned shall promulgate to carry out this subsection.

“(e) HIRING AUTHORITY.—In carrying out this section, specifically with respect to enforcing the obligations and conditions of employment under subsection (d), the head concerned may use any authority otherwise available to the head concerned for the recruitment, employment, and retention of civilian personnel within the Department, including authority under section 1599f of title 10, United States Code, or within an element of the intelligence community, as the case may be.

“(f) ELIGIBILITY.—To be eligible to receive a scholarship under the Program, an individual shall—

“(1) be a citizen or lawful permanent resident of the United States;

“(2) demonstrate a commitment to a career in improving the security of information technology or advancing the development and application of digital technology;

“(3) have demonstrated a high level of competency in relevant knowledge, skills, and abilities, as defined by the national cybersecurity awareness and education program under section 303 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7443);

“(4) be a full-time student, or have been accepted as a full-time student, in a program leading to a degree or specialized program certification in a covered discipline at an institution of higher education;

“(5) enter into an agreement accepting and acknowledging the post award employment obligations, pursuant to section (d);

“(6) accept and acknowledge the conditions of support under section (g); and

“(7) meet such other requirements for a scholarship as determined appropriate by the Secretary.

“(g) CONDITIONS OF SUPPORT.—

“(1) IN GENERAL.—As a condition of receiving a scholarship under this section, a recipient shall agree to provide the Office of Personnel Management (in coordination with the Department of Defense) and the institutions of higher education described in subsection (a)(1) with annual verifiable documentation of post-award employment and up-to-date contact information.

“(2) TERMS.—A scholarship recipient under the Program shall be liable to the United States as provided in subsection (i) if the individual—

“(A) fails to maintain an acceptable level of academic standing at the applicable institution of higher education, as determined by the Secretary;

“(B) is dismissed from the applicable institution of higher education for disciplinary reasons;

“(C) withdraws from the eligible degree program before completing the Program;

“(D) declares that the individual does not intend to fulfill the post-award employment obligation under this section;

“(E) fails to maintain or fulfill any of the post-graduation or post-award obligations or requirements of the individual; or

“(F) fails to fulfill the requirements of paragraph (1).

“(h) MONITORING COMPLIANCE.—As a condition of participating in the Program, an institution of higher education shall—

“(1) enter into an agreement with the head concerned to monitor the compliance of scholarship recipients with respect to their post-award employment obligations; and

“(2) provide to the head concerned and the Director of the Office of Personnel Management, on an annual basis, the post-award employment documentation required under subsection (g)(1) for scholarship recipients through the completion of their post-award employment obligations.

“(i) AMOUNT OF REPAYMENT.—

“(1) LESS THAN 1 YEAR OF SERVICE.—If a circumstance described in subsection (g)(2) occurs before the completion of 1 year of a post-award employment obligation under the Program, the total amount of scholarship awards received by the individual under the Program shall be considered a debt to the Government and repaid in its entirety.

“(2) 1 OR MORE YEARS OF SERVICE.—If a circumstance described in subparagraph (D) or (E) of subsection (g)(2) occurs after the completion of 1 or more years of a post-award employment obligation under the Program, the total amount of scholarship awards received by the individual under the Program, reduced by the ratio of the number of years of service completed divided by the number of years of service required, shall be considered a debt to the Government and repaid in accordance with subsection (j).

“(j) REPAYMENTS.—A debt described subsection (i) shall be subject to repayment, together with interest thereon accruing from the date of the scholarship award, in accordance with terms and conditions specified by the head concerned in regulations promulgated to carry out this subsection.

“(k) COLLECTION OF REPAYMENT.—

“(1) IN GENERAL.—In the event that a scholarship recipient is required to repay the scholarship award under the Program, the institution of higher education providing the scholarship shall—

“(A) determine the repayment amounts and notify the recipient, the head concerned, and the Director of the Office of Personnel Management of the amounts owed; and

“(B) collect the repayment amounts within a period of time as determined by the head concerned.

“(2) RETURNED TO TREASURY.—Except as provided in paragraph (8), any repayment under this subsection shall be returned to the Treasury of the United States.

“(3) RETAIN PERCENTAGE.—An institution of higher education may retain a percentage of any repayment the institution collects under this subsection to defray administrative costs associated with the collection. The head concerned shall establish a single, fixed percentage that will apply to all eligible entities.

“(l) PUBLIC INFORMATION.—

“(1) EVALUATION.—The Secretary, in coordination with the Director of the Office of Personnel Manage-

ment, shall periodically evaluate and make public, in a manner that protects the personally identifiable information of scholarship recipients, information on the success of recruiting individuals for scholarships under the Program and on hiring and retaining those individuals in the Department of Defense workforce, including information on—

“(A) placement rates;
“(B) where students are placed, including job titles and descriptions;

“(C) salary ranges for students not released from obligations under this section;

“(D) how long after graduation students are placed;

“(E) how long students stay in the positions they enter upon graduation;

“(F) how many students are released from obligations; and

“(G) what, if any, remedial training is required.

“(2) REPORTS.—The Secretary, in consultation with the Office of Personnel Management, shall submit, not less frequently than once every two years, to Congress a report, including—

“(A) the results of the evaluation under paragraph (1);

“(B) the disparity in any reporting between scholarship recipients and their respective institutions of higher education; and

“(C) any recent statistics regarding the size, composition, and educational requirements of the relevant Department of Defense workforce.

“(3) RESOURCES.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall provide consolidated and user-friendly online resources for prospective scholarship recipients, including, to the extent practicable—

“(A) searchable, up-to-date, and accurate information about participating institutions of higher education and job opportunities relating to covered disciplines; and

“(B) a modernized description of careers in covered disciplines.

“(m) ALLOCATION OF FUNDING.—

“(1) IN GENERAL.—Not less than 50 percent of the amount available for financial assistance under this section for a fiscal year shall be available only for providing financial assistance for the pursuit of programs of education referred to in subsection (b)(1) at institutions of higher education that have established, improved, or are administering programs of education in disciplines under the grant program established in section 2200b of title 10, United States Code, as determined by the Secretary.

“(2) ASSOCIATE DEGREES.—Not less than five percent of the amount available for financial assistance under this section for a fiscal year shall be available for providing financial assistance for the pursuit of an associate degree at an institution described in paragraph (1).

“(n) BOARD OF DIRECTORS.—In order to help identify workforce needs and trends relevant to the Program, the Secretary may establish a board of directors for the Program that consists of representatives of Federal departments and agencies.

“(o) COMMENCEMENT OF PROGRAM.—The Secretary shall commence the Program as early as practicable, with the first scholarships awarded under the Program for the academic year beginning no later than the fall semester of 2024.

“(p) [sic; two subsecs. (p) have been enacted] DISCHARGE THROUGH DIRECTOR.—In carrying out this section, the Secretary of Defense shall act through the Director of the office established under section 2192c of title 10, United States Code.

“(p) [sic] INTERAGENCY CONSIDERATIONS.—

“(1) IN GENERAL.—Subject to paragraph (2), a scholarship recipient may satisfy their post-award employment obligation under this section by working for an element of the intelligence community that is not part of the Department of Defense only if—

“(A) the Secretary of Defense has entered into an agreement with the head of that element authorizing the placement of scholarship recipients under the Program in positions within that element;

“(B) under such agreement, the head of that element has agreed to reimburse the Department of Defense for the scholarship program costs associated with any scholarship recipient so placed; and

“(C) the scholarship recipient has satisfied appropriate hiring criteria and security clearance requirements applicable to that element.

“(2) LIMITATION ON PERCENTAGE PER GRADUATING CLASS.—Not more than 10 percent of each graduating class of scholarship recipients under the Program may be placed in positions not within the Department of Defense unless the Secretary of Defense submits to the congressional defense committees a certification that the Department of Defense is unable to facilitate placements in positions within the Department of Defense for such excess percentage.

“(q) DEFINITIONS.—In this section:

“(1) The term ‘head concerned’ means—

“(A) The [sic] Secretary of Defense, with respect to matters concerning the Department of Defense; or

“(B) the head of an element of the intelligence community, with respect to matters concerning that element.

“(2) The term ‘intelligence community’ has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).’

PROGRAM TO ESTABLISH CYBER INSTITUTES AT INSTITUTIONS OF HIGHER LEARNING

Pub. L. 115-232, div. A, title XVI, §1640, Aug. 13, 2018, 132 Stat. 2130, as amended by Pub. L. 116-283, div. A, title XVII, §1710, Jan. 1, 2021, 134 Stat. 4086; Pub. L. 118-31, div. A, title XV, §1531(c)(1), Dec. 22, 2023, 137 Stat. 562, provided that:

“(a) PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a program to establish a Cyber Institute at institutions of higher learning selected under subsection (b) for purposes of accelerating and focusing the development of foundational expertise in critical cyber operational skills for future military and civilian leaders of the Armed Forces and the Department of Defense, including such leaders of the reserve components.

“(b) SELECTED INSTITUTIONS OF HIGHER LEARNING.—

“(1) IN GENERAL.—The Secretary of Defense shall select institutions of higher learning for purposes of the program established under subsection (a) from among institutions of higher learning that have a Reserve Officers’ Training Corps program.

“(2) CONSIDERATION OF SENIOR MILITARY COLLEGES.—In selecting institutions of higher learning under paragraph (1), the Secretary shall consider the senior military colleges with Reserve Officers’ Training Corps programs.

“(c) ELEMENTS.—Each institute established under the program authorized by subsection (a) shall include the following:

“(1) Programs to provide future military and civilian leaders of the Armed Forces or the Department of Defense who possess cyber operational expertise from beginning through advanced skill levels. Such programs shall include instruction and practical experiences that lead to recognized certifications and degrees in the cyber field.

“(2) Programs of targeted strategic foreign language proficiency training for such future leaders that—

“(A) are designed to significantly enhance critical cyber operational capabilities; and

“(B) are tailored to current and anticipated readiness requirements.

“(3) Programs related to mathematical foundations of cryptography and courses in cryptographic theory and practice designed to complement and reinforce cyber education along with the strategic language programs critical to cyber operations.

“(4) Programs related to data science and courses in data science theory and practice designed to complement and reinforce cyber education along with the strategic language programs critical to cyber operations.

“(5) Programs designed to develop early interest and cyber talent through summer programs, dual enrollment opportunities for cyber, strategic language, data science, and cryptography related courses.

“(6) Training and education programs to expand the pool of qualified cyber instructors necessary to support cyber education in regional school systems.

“(d) PARTNERSHIPS WITH DEPARTMENT OF DEFENSE AND THE ARMED FORCES.—Any institute established under the program authorized by subsection (a) may enter into a partnership with one or more components of the Armed Forces, active or reserve, or any agency of the Department of Defense to facilitate the development of critical cyber skills for students who may pursue a military career.

“(e) PARTNERSHIPS.—Any institute established under the program authorized by subsection (a) may enter into a partnership with one or more local educational agencies to facilitate the development of critical cyber skills.

“(f) SENIOR MILITARY COLLEGES DEFINED.—The term ‘senior military colleges’ has the meaning given such term in section 2111a(f) of title 10, United States Code.

“(g) REPORT TO CONGRESS.—Not later than September 30, 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the effectiveness of the Cyber Institutes and on opportunities to expand the Cyber Institutes to additional select institutions of higher learning that have a Reserve Officers’ Training Corps program.

“(h) DISCHARGE THROUGH DIRECTOR.—In carrying out this section, the Secretary of Defense shall act through the Director of the office established under section 2192c of title 10, United States Code.”

REPORT

Pub. L. 106-398, § 1 [[div. A], title IX, § 922(c)], Oct. 30, 2000, 114 Stat. 1654, 1654A-236, directed the Secretary of Defense to submit to committees of Congress a plan for implementing the programs under this chapter not later than Apr. 1, 2001.

§ 2200a. Scholarship program

(a) AUTHORITY.—The Secretary of Defense may, subject to subsection (f), provide financial assistance in accordance with this section to a person—

(1) who is pursuing an associate, baccalaureate, advanced degree, or certificate in a cyber discipline referred to in section 2200(a) of this title at an institution of higher education; and

(2) who enters into an agreement with the Secretary as described in subsection (b).

(b) SERVICE AGREEMENT FOR SCHOLARSHIP RECIPIENTS.—(1) To receive financial assistance under this section—

(A) a member of the armed forces shall enter into an agreement to serve on active duty in the member’s armed force for the period of obligated service determined under paragraph (2);

(B) an employee of the Department of Defense shall enter into an agreement to continue in the employment of the department for the period of obligated service determined under paragraph (2); and

(C) a person not referred to in subparagraph (A) or (B) shall enter into an agreement—

(i) to enlist or accept a commission in one of the armed forces and to serve on active duty in that armed force for the period of obligated service determined under paragraph (2); or

(ii) to accept and continue employment in the Department of Defense for the period of obligated service determined under paragraph (2).

(2) For the purposes of this subsection, the period of obligated service for a recipient of financial assistance under this section shall be the period determined by the Secretary of Defense as being appropriate to obtain adequate service in exchange for the financial assistance and otherwise to achieve the goals set forth in section 2200(a) of this title. In no event may the period of service required of a recipient be less than the period equal to three-fourths of the total period of pursuit of a degree for which the Secretary agrees to provide the recipient with financial assistance under this section. The period of obligated service is in addition to any other period for which the recipient is obligated to serve on active duty or in the civil service, as the case may be.

(3) An agreement entered into under this section by a person pursuing an academic degree shall include terms that provide the following:

(A) That the period of obligated service begins on a date after the award of the degree that is determined under the regulations prescribed under section 2200d of this title.

(B) That the person will maintain satisfactory academic progress, as determined in accordance with those regulations, and that failure to maintain such progress constitutes grounds for termination of the financial assistance for the person under this section.

(C) Any other terms and conditions that the Secretary of Defense determines appropriate for carrying out this section.

(c) AMOUNT OF ASSISTANCE.—The amount of the financial assistance provided for a person under this section shall be the amount determined by the Secretary of Defense as being necessary to pay all educational expenses incurred by that person, including tuition, fees, cost of books, laboratory expenses, and expenses of room and board. The expenses paid, however, shall be limited to those educational expenses normally incurred by students at the institution of higher education involved.

(d) USE OF ASSISTANCE FOR SUPPORT OF INTERNSHIPS.—The financial assistance for a person under this section may also be provided to support internship activities of the person at the Department of Defense in periods between the academic years leading to the degree for which assistance is provided the person under this section.

(e) REPAYMENT FOR PERIOD OF UNSERVED OBLIGATED SERVICE.—(1) A member of an armed force who does not complete the period of active duty specified in the service agreement under subsection (b) shall be subject to the repayment provisions of section 303a(e) or 373 of title 37.

(2) A civilian employee of the Department of Defense who voluntarily terminates service before the end of the period of obligated service re-