

for which the program participant is assigned, the program participant's employment with the Agency is terminated either by the Agency due to misconduct by the program participant or by the program participant voluntarily, prior to the program participant's completion of the service obligation period described in subparagraph (B), in an amount that bears the same ratio to the total cost of the education (excluding the program participant's pay and allowances) provided to the program participant as the unserved portion of the service obligation period described in subparagraph (B) bears to the total period of the service obligation described in subparagraph (B).

(2) Subject to paragraph (3), the obligation to reimburse the United States under an agreement described in paragraph (1), including interest due on such obligation, is for all purposes a debt owing the United States.

(3)(A) A discharge in bankruptcy under title 11 shall not release a person from an obligation to reimburse the United States required under an agreement described in paragraph (1) if the final decree of the discharge in bankruptcy is issued within five years after the last day of the combined period of service obligation described in subparagraphs (A) and (B) of paragraph (1).

(B) The Secretary of Defense may release a person, in whole or in part, from the obligation to reimburse the United States under an agreement described in paragraph (1) when, in his discretion, the Secretary determines that equity or the interests of the United States so require.

(C) The Secretary of Defense shall permit a program participant assigned under this section who, prior to commencing a second academic year of such assignment, voluntarily terminates the assignment or the program participant's employment with the Agency, to satisfy his obligation under an agreement described in paragraph (1) to reimburse the United States by reimbursement according to a schedule of monthly payments which results in completion of reimbursement by a date five years after the date of termination of the assignment or employment or earlier at the option of the program participant.

(e) Recruitment of individuals

Agency efforts to recruit individuals at educational institutions for participation in the undergraduate and graduate training program established by this section shall be made openly and according to the common practices of universities and employers recruiting at such institutions.

(f) Applicability of other laws

Chapter 41 of title 5 and subsections (a) and (b) of section 3324 of title 31 shall not apply with respect to this section.

(g) Regulations

The Secretary of Defense may issue such regulations as may be necessary to implement this section.

(h) Program name

The undergraduate and graduate training program established under this section shall be known as the Louis Stokes Educational Scholarship Program.

(Pub. L. 86-36, § 16, as added Pub. L. 99-569, title V, § 505, Oct. 27, 1986, 100 Stat. 3200; amended Pub. L. 111-259, title III, § 312(a)-(d), Oct. 7, 2010, 124 Stat. 2663, 2664; Pub. L. 118-31, div. G, title IX, § 7901(i), Dec. 22, 2023, 137 Stat. 1107; Pub. L. 118-159, div. F, title LXIX, § 6902(b), Dec. 23, 2024, 138 Stat. 2517.)

Editorial Notes

CODIFICATION

Section was formerly classified in a note under section 402 of this title prior to editorial reclassification as this section.

AMENDMENTS

2024—Subsec. (d)(3)(C). Pub. L. 118-159 substituted “a program participant” for “an program participant”.

2023—Subsec. (d)(1). Pub. L. 118-31 substituted “program participant must” for “program participant, must”.

2010—Subsec. (a). Pub. L. 111-259, § 312(a)(1), inserted “and graduate” after “undergraduate” and substituted “a baccalaureate or graduate” for “the baccalaureate”.

Subsec. (b). Pub. L. 111-259, § 312(b)(1), substituted “civilians who may or may not be employees” for “civilian employees”.

Pub. L. 111-259, § 312(a)(2), inserted “or graduate” after “undergraduate”.

Subsec. (c). Pub. L. 111-259, § 312(b)(2)(A), substituted “program participants” for “employees”.

Subsec. (d)(1). Pub. L. 111-259, § 312(b)(2)(B)(i)(I), which directed substitution of “a program participant,” for “an employee of the Agency,” in introductory provisions, was executed by making the substitution for “an employee of the Agency” in introductory provisions, to reflect the probable intent of Congress.

Subsec. (d)(1)(A). Pub. L. 111-259, § 312(b)(2)(B)(i)(II), substituted “program participant” for “employee”.

Subsec. (d)(1)(C). Pub. L. 111-259, § 312(c), substituted “terminated—” and cls. (i) to (iii) for “terminated either by the Agency due to misconduct by the employee or by the employee voluntarily; and”.

Pub. L. 111-259, § 312(b)(2)(B)(i)(III), substituted “program participant” for “employee” and “program participant’s” for “employee’s” wherever appearing.

Subsec. (d)(1)(D). Pub. L. 111-259, § 312(b)(2)(B)(i)(IV), substituted “program participant” for “employee” and “program participant’s” for “employee’s” wherever appearing.

Subsec. (d)(3)(C). Pub. L. 111-259, § 312(b)(2)(B)(ii), substituted “program participant” for “employee” in two places and “program participant’s” for “employee’s”.

Subsec. (e). Pub. L. 111-259, § 312(d), struck out par. (2) designation before “Agency efforts” and struck out par. (1) which read as follows: “When an employee is assigned under this section to an institution, the Agency shall disclose to the institution to which the employee is assigned that the Agency employs the employee and that the Agency funds the employee’s education.”

Subsec. (e)(2). Pub. L. 111-259, § 312(a)(3), inserted “and graduate” after “undergraduate”.

Subsec. (h). Pub. L. 111-259, § 312(a)(4), added subsec. (h).

§ 3615. Repealed. Pub. L. 103-359, title VIII, § 806(b)(2), Oct. 14, 1994, 108 Stat. 3442

Section, Pub. L. 86-36, § 17, as added Pub. L. 102-88, title V, § 503, Aug. 14, 1991, 105 Stat. 436, related to post-employment assistance for certain National Security Agency employees.

Section was formerly classified in a note under section 402 of this title and repealed prior to editorial reclassification as this section.

Another section 17 of Pub. L. 86-36 was renumbered section 18 and is classified to section 3616 of this title.

§ 3616. Transportation of remains of certain employees

(a) The Secretary of Defense may pay the expenses referred to in section 5742(b) of title 5 in the case of any employee of the National Security Agency who dies while on a rotational tour of duty within the United States or while in transit to or from such tour of duty.

(b) For the purposes of this section, the term “rotational tour of duty”, with respect to an employee, means a permanent change of station involving the transfer of the employee from the National Security Agency headquarters to another post of duty for a fixed period established by regulation to be followed at the end of such period by a permanent change of station involving a transfer of the employee back to such headquarters.

(Pub. L. 86-36, § 18, formerly § 17, as added Pub. L. 102-183, title IV, § 405, Dec. 4, 1991, 105 Stat. 1267; renumbered § 18, Pub. L. 102-496, title III, § 304(a), Oct. 24, 1992, 106 Stat. 3183.)

Editorial Notes

CODIFICATION

Section was formerly classified in a note under section 402 of this title prior to editorial reclassification as this section.

§ 3617. National Security Agency Emerging Technologies Panel

(a) Establishment

There is established the National Security Agency Emerging Technologies Panel. The Panel is a standing panel of the National Security Agency. The Panel shall be appointed by, and shall report directly to, the Director of the National Security Agency.

(b) Duties

The Panel shall study and assess, and periodically advise the Director on, the research, development, and application of existing and emerging science and technology advances, advances in encryption, and other topics.

(c) Applicability of chapter 10 of title 5

Chapter 10 of title 5 shall not apply with respect to the Panel.

(Pub. L. 86-36, § 19, as added Pub. L. 108-487, title V, § 501, Dec. 23, 2004, 118 Stat. 3950; amended Pub. L. 117-286, § 4(a)(320), Dec. 27, 2022, 136 Stat. 4341.)

Editorial Notes

CODIFICATION

Section was formerly classified in a note under section 402 of this title prior to editorial reclassification as this section.

AMENDMENTS

2022—Subsec. (c). Pub. L. 117-286 substituted “Chapter 10 of title 5” for “The Federal Advisory Committee Act (5 U.S.C. App.)”.

§ 3618. Collection of service charges for certification or validation of information assurance products

(a) Collection

The Director may collect charges for evaluating, certifying, or validating information as-

urance products under the National Information Assurance Program or successor program.

(b) Establishment of charges

The charges collected under subsection (a) shall be established through a public rule-making process in accordance with Office of Management and Budget Circular No. A-25.

(c) Limitation on charges

Charges collected under subsection (a) shall not exceed the direct costs of the program referred to in that subsection.

(d) Reimbursement or advance payment

The appropriation or fund bearing the cost of the service for which charges are collected under the program referred to in subsection (a) may be reimbursed, or the Director may require advance payment subject to such adjustment on completion of the work as may be agreed upon.

(e) Crediting of amounts collected

Amounts collected under this section shall be credited to the account or accounts from which costs associated with such amounts have been or will be incurred, to reimburse or offset the direct costs of the program referred to in subsection (a).

(Pub. L. 86-36, § 20, as added Pub. L. 109-364, div. A, title IX, § 933, Oct. 17, 2006, 120 Stat. 2363.)

Editorial Notes

CODIFICATION

Section was formerly classified in a note under section 402 of this title prior to editorial reclassification as this section.

§ 3619. Senior Chief Petty Officer Shannon Kent Award for Distinguished Female Personnel

(a) Establishment

The Director of the National Security Agency shall establish an honorary award for the recognition of female personnel of the National Security Agency for distinguished career contributions in support of the mission of the Agency as civilian employees or members of the Armed Forces assigned to the Agency. The award shall be known as the “Senior Chief Petty Officer Shannon Kent Award” and shall consist of a design determined appropriate by the Director.

(b) Award

The Director shall award the Senior Chief Petty Officer Shannon Kent Award to female civilian employees, members of the Armed Forces, or former civilian employees or members, whom the Director determines meet the criteria under subsection (a).

(Pub. L. 86-36, § 21, as added Pub. L. 116-260, div. W, title IV, § 403, Dec. 27, 2020, 134 Stat. 2378.)

§ 3620. Congressional notification of intelligence collection adjustments

(a) Notification

Not later than 30 days after the date on which the Director of the National Security Agency determines the occurrence of an intelligence collection adjustment, the Director shall submit to the congressional intelligence committees,