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-EXPCITE-

TITLE 38 - VETERANS' BENEFITS
PART V - BOARDS, ADMINISTRATIONS, AND SERVICES
CHAPTER 79 - INFORMATION SECURITY EDUCATION ASSISTANCE PROGRAM

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CHAPTER 79 - INFORMATION SECURITY EDUCATION ASSISTANCE PROGRAM

-MISC1-

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-CITE-

38 USC Sec. 7901 01/03/2012 (112-90)

-EXPCITE-

TITLE 38 - VETERANS' BENEFITS
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Sec. 7901. Programs; purpose

-STATUTE-

(a) In General. - To encourage the recruitment and retention of Department personnel who have the information security skills necessary to meet Department requirements, the Secretary may carry out programs in accordance with this chapter to provide financial support for education in computer science and electrical and computer engineering at accredited institutions of higher education.

(b) Types of Programs. - The programs authorized under this chapter are as follows:

(1) Scholarships for pursuit of doctoral degrees in computer science and electrical and computer engineering at accredited institutions of higher education.

(2) Education debt reduction for Department personnel who hold doctoral degrees in computer science and electrical and computer engineering at accredited institutions of higher education.

-SOURCE-

(Added Pub. L. 109-461, title IX, Sec. 903(a)(1), Dec. 22, 2006, 120 Stat. 3460.)

-End-

-CITE-

38 USC Sec. 7902

01/03/2012 (112-90)

-EXPCITE-

TITLE 38 - VETERANS' BENEFITS

PART V - BOARDS, ADMINISTRATIONS, AND SERVICES

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Sec. 7902. Scholarship program

-STATUTE-

(a) Authority. - (1) Subject to the availability of appropriations, the Secretary may establish a scholarship program under which the Secretary shall, subject to subsection (d), provide financial assistance in accordance with this section to a qualified person -

(A) who is pursuing a doctoral degree in computer science or electrical or computer engineering at an accredited institution of higher education; and

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

(2)(A) Except as provided in subparagraph (B), the Secretary may provide financial assistance under this section to an individual for up to five years.

(B) The Secretary may waive the limitation under subparagraph (A) if the Secretary determines that such a waiver is appropriate.

(b) Service Agreement for Scholarship Recipients. - (1) To receive financial assistance under this section an individual shall enter into an agreement to accept and continue employment in the Department 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 as being appropriate to obtain adequate service in exchange for the financial assistance and otherwise to achieve the goals set forth in section 7901(a) of this title. In no event may the period of service required of a recipient be less than the period equal to 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 a doctoral 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 7906 of this title.

(B) That the individual 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 individual under this section.

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

(c) Amount of Assistance. - (1) The amount of the financial

assistance provided for an individual under this section shall be the amount determined by the Secretary as being necessary to pay -

(A) the tuition and fees of the individual; and

(B) \$1,500 to the individual each month (including a month between academic semesters or terms leading to the degree for which such assistance is provided or during which the individual is not enrolled in a course of education but is pursuing independent research leading to such degree) for books, laboratory expenses, and expenses of room and board.

(2) In no case may the amount of assistance provided for an individual under this section for an academic year exceed \$50,000.

(3) In no case may the total amount of assistance provided for an individual under this section exceed \$200,000.

(4) Notwithstanding any other provision of law, financial assistance paid an individual under this section shall not be considered as income or resources in determining eligibility for, or the amount of benefits under, any Federal or federally assisted program.

(d) Repayment for Period of Unserved Obligated Service. - (1) An individual who receives financial assistance under this section shall repay to the Secretary an amount equal to the unearned portion of the financial assistance if the individual fails to satisfy the requirements of the service agreement entered into under subsection (b), except in circumstances authorized by the Secretary.

(2) The Secretary may establish, by regulations, procedures for determining the amount of the repayment required under this subsection and the circumstances under which an exception to the required repayment may be granted.

(3) An obligation to repay the Secretary under this subsection is, for all purposes, a debt owed the United States. A discharge in bankruptcy under title 11 does not discharge a person from such debt if the discharge order is entered less than five years after the date of the termination of the agreement or contract on which the debt is based.

(e) Waiver or Suspension of Compliance. - The Secretary shall prescribe regulations providing for the waiver or suspension of any obligation of an individual for service or payment under this section (or an agreement under this section) whenever noncompliance by the individual is due to circumstances beyond the control of the individual or whenever the Secretary determines that the waiver or suspension of compliance is in the best interest of the United States.

(f) Internships. - (1) The Secretary may offer a compensated internship to an individual for whom financial assistance is provided under this section during a period between academic semesters or terms leading to the degree for which such assistance is provided. Compensation provided for such an internship shall be in addition to the financial assistance provided under this section.

(2) An internship under this subsection shall not be counted toward satisfying a period of obligated service under this section.

(g) Ineligibility of Individuals Receiving Montgomery GI Bill Education Assistance Payments. - An individual who receives a payment of educational assistance under chapter 30, 31, 32, 34, or 35 of this title or chapter 1606 or 1607 of title 10 for a month in which the individual is enrolled in a course of education leading to a doctoral degree in information security is not eligible to receive financial assistance under this section for that month.

-SOURCE-

(Added Pub. L. 109-461, title IX, Sec. 903(a)(1), Dec. 22, 2006, 120 Stat. 3460.)

-MISC1-

EFFECTIVE DATE

Pub. L. 109-461, title IX, Sec. 903(c), Dec. 22, 2006, 120 Stat. 3464, provided that: "Section 7902 of title 38, United States Code, as added by subsection (a), may only apply with respect to financial assistance provided for an academic semester or term that begins on or after August 1, 2007."

-End-

-CITE-

38 USC Sec. 7903

01/03/2012 (112-90)

-EXPCITE-

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PART V - BOARDS, ADMINISTRATIONS, AND SERVICES
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Sec. 7903. Education debt reduction program

-STATUTE-

(a) Authority. - Subject to the availability of appropriations, the Secretary may establish an education debt reduction program under which the Secretary shall make education debt reduction payments under this section to qualified individuals eligible under subsection (b) for the purpose of reimbursing such individuals for payments by such individuals of principal and interest on loans described in paragraph (3) of that subsection.

(b) Eligibility. - An individual is eligible to participate in the program under this section if the individual -

(1) has completed a doctoral degree in computer science or electrical or computer engineering at an accredited institution of higher education during the five-year period preceding the date on which the individual is hired;

(2) is an employee of the Department who serves in a position related to information security (as determined by the Secretary); and

(3) owes any amount of principal or interest under a loan, the proceeds of which were used by or on behalf of that individual to pay costs relating to a doctoral degree in computer science or electrical or computer engineering at an accredited institution of higher education.

(c) Amount of Assistance. - (1) Subject to paragraph (2), the amount of education debt reduction payments made to an individual under this section may not exceed \$82,500 over a total of five years, of which not more than \$16,500 of such payments may be made in each year.

(2) The total amount payable to an individual under this section for any year may not exceed the amount of the principal and interest on loans referred to in subsection (b)(3) that is paid by the individual during such year.

(d) Payments. - (1) The Secretary shall make education debt

reduction payments under this section on an annual basis.

(2) The Secretary shall make such a payment -

(A) on the last day of the one-year period beginning on the date on which the individual is accepted into the program established under subsection (a); or

(B) in the case of an individual who received a payment under this section for the preceding fiscal year, on the last day of the one-year period beginning on the date on which the individual last received such a payment.

(3) Notwithstanding any other provision of law, education debt reduction payments under this section shall not be considered as income or resources in determining eligibility for, or the amount of benefits under, any Federal or federally assisted program.

(e) Performance Requirement. - The Secretary may make education debt reduction payments to an individual under this section for a year only if the Secretary determines that the individual maintained an acceptable level of performance in the position or positions served by the individual during the year.

(f) Notification of Terms of Provision of Payments. - The Secretary shall provide to an individual who receives a payment under this section notice in writing of the terms and conditions that apply to such a payment.

(g) Covered Costs. - For purposes of subsection (b)(3), costs relating to a course of education or training include -

(1) tuition expenses; and

(2) all other reasonable educational expenses, including fees, books, and laboratory expenses.

-SOURCE-

(Added Pub. L. 109-461, title IX, Sec. 903(a)(1), Dec. 22, 2006, 120 Stat. 3462; amended Pub. L. 111-275, title X, Sec. 1001(o), Oct. 13, 2010, 124 Stat. 2897.)

-MISC1-

AMENDMENTS

2010 - Subsec. (a). Pub. L. 111-275 substituted "paragraph (3)" for "paragraph (2)".

-End-

-CITE-

38 USC Sec. 7904

01/03/2012 (112-90)

-EXPCITE-

TITLE 38 - VETERANS' BENEFITS

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Sec. 7904. Preferences in awarding financial assistance

-STATUTE-

In awarding financial assistance under this chapter, the Secretary shall give a preference to qualified individuals who are otherwise eligible to receive the financial assistance in the following order of priority:

(1) Veterans with service-connected disabilities.

- (2) Veterans.
- (3) Persons described in section 4215(a)(1)(B) of this title.
- (4) Individuals who received or are pursuing degrees at institutions designated by the National Security Agency as Centers of Academic Excellence in Information Assurance Education.
- (5) Citizens of the United States.

-SOURCE-

(Added Pub. L. 109-461, title IX, Sec. 903(a)(1), Dec. 22, 2006, 120 Stat. 3463.)

-End-

-CITE-

38 USC Sec. 7905 01/03/2012 (112-90)

-EXPCITE-

TITLE 38 - VETERANS' BENEFITS
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Sec. 7905. Requirement of honorable discharge for veterans receiving assistance

-STATUTE-

No veteran shall receive financial assistance under this chapter unless the veteran was discharged from the Armed Forces under honorable conditions.

-SOURCE-

(Added Pub. L. 109-461, title IX, Sec. 903(a)(1), Dec. 22, 2006, 120 Stat. 3464.)

-End-

-CITE-

38 USC Sec. 7906 01/03/2012 (112-90)

-EXPCITE-

TITLE 38 - VETERANS' BENEFITS
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CHAPTER 79 - INFORMATION SECURITY EDUCATION ASSISTANCE PROGRAM

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Sec. 7906. Regulations

-STATUTE-

The Secretary shall prescribe regulations for the administration of this chapter.

-SOURCE-

(Added Pub. L. 109-461, title IX, Sec. 903(a)(1), Dec. 22, 2006, 120 Stat. 3464.)

-End-

-CITE-

38 USC Sec. 7907

01/03/2012 (112-90)

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TITLE 38 - VETERANS' BENEFITS

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Sec. 7907. Termination

-STATUTE-

The authority of the Secretary to make a payment under this chapter shall terminate on July 31, 2017.

-SOURCE-

(Added Pub. L. 109-461, title IX, Sec. 903(a)(1), Dec. 22, 2006, 120 Stat. 3464.)

-End-

-CITE-

38 USC PART VI - ACQUISITION AND DISPOSITION OF PROPERTY 01/03/2012 (112-90)

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TITLE 38 - VETERANS' BENEFITS

PART VI - ACQUISITION AND DISPOSITION OF PROPERTY

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PART VI - ACQUISITION AND DISPOSITION OF PROPERTY

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| 83. | Acceptance of Gifts and Bequests | 8301 |
| 85. | Disposition of Deceased Veterans' Personal Property | 8501 |

AMENDMENTS

1991 - Pub. L. 102-86, title IV, Sec. 401(b)(2), Aug. 14, 1991, 105 Stat. 422, inserted "; Enhanced-Use Leases of Real Property" in item for chapter 81.

Pub. L. 102-40, title IV, Sec. 402(c)(2), May 7, 1991, 105 Stat. 239, substituted "8101" for "5001" in item for chapter 81, "8201" for "5070" in item for chapter 82, "8301" for "5101" in item for chapter 83, and "8501" for "5201" in item for chapter 85.

1972 - Pub. L. 92-541, Sec. 2(b), Oct. 24, 1972, 86 Stat. 1107, added item for chapter 82.

-End-