



**DEFENSE INTELLIGENCE AGENCY**  
WASHINGTON, D. C. 20301

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Memorandum For:

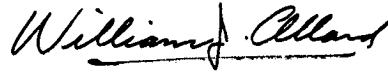
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Deputy Director for Legislation  
Office of Congressional Affairs  
Central Intelligence Agency

**SUBJECT: FY-1990 Intelligence Authorization Bill**

1. Forwarded herewith is a draft of legislation, patterned after an existing NSA statute, that would enable DIA to proceed with a minority-oriented critical skills program.
2. Our management was inspired by the successes attributed to their programs by NSA and CIA at the recent EEO conference. While it is now late in the process of putting together the Intelligence Authorization Bill for FY90, we hope that this worthy provision can still be included.

Enclosure a/s

  
WILLIAM J. ALLARD  
General Counsel

DEFENSE INTELLIGENCE AGENCY ACQUISITION OF CRITICAL SKILLS

SEC. ~~1609~~<sup>563</sup>(a) Chapter 83 of title 10, United States Code is amended by adding at the end thereof the following section:

"SEC 1609:(a) The purpose of this section is to establish an undergraduate training program, which may lead to the baccalaureate degree, to facilitate the recruitment of individuals, particularly minority high school students, with a demonstrated capability to develop skills critical to the mission of the Defense Intelligence Agency, including mathematics, computer science, engineering, foreign studies and foreign languages.

"(b) The Secretary of Defense is authorized, in his discretion, to assign civilian employees of the Defense Intelligence Agency as students at accredited professional, technical, or other institutions of higher learning for training at the undergraduate level in skills critical to effective performance of the mission of the Agency.

"(c) The Defense Intelligence Agency may pay, directly or by reimbursement to employees, expenses incident to assignments under subsection (b), in any fiscal year to the extent that appropriated funds are available for such purpose.

"(d)(1) To be eligible for assignment under subsection (b), an employee of the Agency must agree in writing

"(A) to continue in the service of the Agency for the assignment and to complete the educational course of training for which the employee is assigned;

"(B) to continue in the service of the Agency following completion of the assignment for a period of one-and-a-half years for each year of the assignment or part thereof;

"(C) to reimburse the United States for the total cost of education (excluding the employee's pay and allowances) provided under this section to the employee if, prior to the employee's completing the educational course of training for which the employee is assigned, the assignment or the employee's employment with the Agency is terminated either by the Agency due to misconduct by the employee or by the employee voluntarily; and

"(D) to reimburse the United States if, after completing the educational course of training for which the employee is assigned the employee's employment with the Agency is

terminated either by the Agency due to misconduct by the employee or by the employee voluntarily, prior to the employee'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 employee's pay and allowances) provided to the employee 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, United States Code, 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 an employee assigned under this section who, prior to commencing a second academic year of the assignment, voluntarily terminates the assignment or the employee'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 employee.

"(e)(1) 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.

"(2) Agency efforts to recruit individuals at educational institutions for participation in the undergraduate 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) Chapter 41 of title 5 and subsections (a) and (b) of section 3324 of title 31, United States Code, shall not apply

with respect to this section.

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

(b) The table of contents of chapter 83 of title 10, United States Code, is amended by adding at the end thereof the following:

1609: "Acquisition of Critical Skills"