

111TH CONGRESS
1ST SESSION

S. 2789

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

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2009

Mr. VOINOVICH (for himself, Mrs. GILLIBRAND, and Mr. KAUFMAN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To establish a scholarship program to encourage outstanding undergraduate and 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.**

4 This Act may be cited as the “Roosevelt Scholars Act
5 of 2009”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) According to the Government Accountability
9 Office, about $\frac{1}{3}$ of Federal employees who were em-

1 employed by the Federal Government at the end of fis-
2 cal year 2007 will become eligible to retire by 2012.
3 Proportions of workers eligible to retire are pro-
4 jected to be especially high in certain occupations,
5 some of them mission-critical, as well as in key lead-
6 ership positions. The Government will lose additional
7 employees to non-retirement attrition.

8 (2) The Office of Personnel Management esti-
9 mates that about 550,000 Federal employees will
10 leave the Government in the next 5 years, the major-
11 ity through retirement, and a recent survey by the
12 Partnership for Public Service indicates that Federal
13 agencies will need to hire nearly 273,000 new em-
14 ployees to fill mission-critical positions (including
15 highly specialized professionals, such as scientists,
16 engineers, physicians, mathematicians, and econo-
17 mists) through September 2012.

18 (3) The ability of the Federal Government to
19 perform mission-critical functions depends on a
20 strong, well-trained, and highly engaged Federal
21 workforce.

22 (4) Heavy educational debt and lack of knowl-
23 edge about Federal job opportunities drive many
24 students to seek employment in the private sector,

1 making it difficult for the Federal Government to re-
2 place needed talent in mission-critical positions.

3 (5) A new scholarship program to help finance
4 undergraduate- and graduate-level education and to
5 connect students directly with mission-critical Fed-
6 eral positions would help build a much-needed pipe-
7 line of talent for the Government.

8 **SEC. 3. DEFINITIONS.**

9 For purposes of this Act—

10 (1) the term “Foundation” means the Theodore
11 Roosevelt Scholarship Foundation, as described in
12 section 4(a);

13 (2) the term “Board” means the Board of
14 Trustees of the Theodore Roosevelt Scholarship
15 Foundation, as described in section 4(b);

16 (3) the term “Fund” means the Theodore Roo-
17 sevelt Memorial Scholarship Trust Fund, as de-
18 scribed in section 8;

19 (4) the term “Federal agency” means an Exec-
20 utive agency, as defined by section 105 of title 5,
21 United States Code;

22 (5) the term “State” includes the District of
23 Columbia;

24 (6) the term “graduate student” means a stu-
25 dent in a master’s, law, or doctoral degree program

1 at a university accredited by a nationally recognized
2 accrediting agency or association;

3 (7) the term “undergraduate student” means a
4 student enrolled or accepted for enrollment at a uni-
5 versity accredited by a nationally recognized accred-
6 iting agency or association; and

7 (8) the term “mission-critical occupational
8 area” refers to those positions that a Federal agency
9 identifies as essential to achieving its strategic goals,
10 as determined through the workforce analysis proc-
11 ess of the Federal agency’s workforce planning sys-
12 tem.

13 **SEC. 4. THEODORE ROOSEVELT SCHOLARSHIP FOUNDA-**
14 **TION.**

15 (a) **ESTABLISHMENT.**—There is established, as an
16 independent establishment in the executive branch of the
17 Government, a foundation to be known as the “Theodore
18 Roosevelt Scholarship Foundation”.

19 (b) **BOARD OF TRUSTEES.**—The Foundation shall be
20 subject to the supervision and direction of a Board of
21 Trustees. The Board shall be composed of 9 members,
22 plus 1 non-voting ex officio member, as follows:

23 (1) 2 members of the Senate, 1 appointed by
24 the majority leader and 1 appointed by the minority
25 leader of the Senate.

1 (2) 2 members of the House of Representatives,
2 1 appointed by the majority leader and 1 appointed
3 by the minority leader of the House of Representa-
4 tives.

5 (3) 5 members, not more than 3 of whom shall
6 be of the same political party, shall be appointed by
7 the President, with the advice and consent of the
8 Senate, from among individuals who—

9 (A) have demonstrated leadership or exper-
10 tise in public service or higher education; or

11 (B) represent a Federal agency or a pro-
12 fessional association related to mission-critical
13 occupational areas.

14 (4) The Director of the Office of Personnel
15 Management (or a designee) shall serve as a non-
16 voting, ex officio member of the Board.

17 (c) TERM OF OFFICE.—

18 (1) IN GENERAL.—Except as provided in para-
19 graph (2) or (3), the term of each member (other
20 than the ex officio member) shall be 6 years.

21 (2) INITIAL APPOINTEES.—As designated by
22 the President at the time of appointment, of the
23 members first appointed—

24 (A) 1 member appointed under subsection

25 (b)(2) and 2 members appointed under sub-

1 section (b)(3) shall be appointed for a term of
2 2 years;

3 (B) 1 member appointed under subsection
4 (b)(1) and 2 members appointed under sub-
5 section (b)(3) shall be appointed for a term of
6 4 years; and

7 (C) 1 member appointed under subsection
8 (b)(1), 1 member appointed under subsection
9 (b)(2), and 1 member appointed under sub-
10 section (b)(3) shall be appointed for a term of
11 6 years.

12 (3) VACANCIES.—Any member appointed to fill
13 a vacancy occurring before the expiration of the
14 term for which the member's predecessor was ap-
15 pointed shall be appointed only for the remainder of
16 that term. A vacancy on the Board shall be filled in
17 the manner in which the original appointment was
18 made.

19 (d) COMPENSATION.—Members of the Board shall
20 serve without pay, but shall be entitled to reimbursement
21 for travel, subsistence, and other necessary expenses in-
22 curred in the performance of their duties as members of
23 the Board.

1 **SEC. 5. ROOSEVELT SCHOLARS.**

2 (a) IN GENERAL.—The Foundation shall award
3 scholarships to undergraduate students and graduate stu-
4 dents who demonstrate outstanding potential for a career
5 in a mission-critical occupational area within the Federal
6 Government. The recipient of a scholarship under this Act
7 shall be known as a “Roosevelt Scholar”.

8 (b) SELECTION PROCESS.—

9 (1) NATIONWIDE COMPETITION.—The Founda-
10 tion shall—

11 (A) provide for the conduct of an annual
12 Nationwide competition, including an applica-
13 tion and interview process, for the purpose of
14 selecting Roosevelt Scholars; and

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

17 (2) CRITERIA AND PROCEDURES.—The Foun-
18 dation shall adopt selection criteria and procedures
19 to ensure a diverse cohort of scholarship recipients
20 each year who at the time of applying for a scholar-
21 ship under this Act—

22 (A) are enrolled or accepted for enrollment
23 at an accredited full-time undergraduate or
24 graduate degree granting program in a dis-
25 cipline that is determined by the Foundation to
26 be directly related to 1 or more mission-critical

1 occupational areas within the Federal Govern-
2 ment;

3 (B) have been nominated by an appro-
4 priate faculty member or other representative of
5 the institution of higher education in which
6 they are enrolled, of which they are a graduate,
7 or to which they are seeking admission, or by
8 another individual approved by the Foundation,
9 who has direct knowledge of the candidate's
10 academic or work experience; and

11 (C) are citizens or legal permanent resi-
12 dents of the United States.

13 (3) SCHOLARSHIP AMOUNTS.—Each student
14 awarded a scholarship under this Act shall receive,
15 for each academic year in which such student is en-
16 rolled full time in the undergraduate or graduate de-
17 gree program described in paragraph (2)(A), the
18 cost of tuition plus a stipend, except that—

19 (A) the stipend awarded under this Act to
20 a student for an academic year may not exceed
21 the lesser of—

22 (i) a monthly living stipend of not
23 more than \$300 per month and an amount
24 equal to the cost to the student, for such
25 academic year, of—

1 (I) room and board;

2 (II) books; and

3 (III) materials and fees associ-
4 ated with coursework; or

5 (ii) \$12,000 (adjusted annually to re-
6 flect any increase in the consumer price
7 index for all urban consumers, as pub-
8 lished by the Bureau of Labor Statistics);

9 (B) the total scholarship awarded under
10 this Act to a student for an academic year, for
11 tuition and stipend combined, may not exceed—

12 (i) \$60,000 (adjusted at the same
13 time and in the same manner as the dollar
14 amount under subparagraph (A)(ii));
15 minus

16 (ii) the sum of all scholarships,
17 grants, or other similar cash awards re-
18 ceived by the student for such academic
19 year from any source apart from this Act;
20 and

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

25 (c) SCHOLARSHIP CONDITIONS.—

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

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

21 **SEC. 6. REQUIREMENTS FOR ROOSEVELT SCHOLARS.**

22 (a) SERVICE REQUIREMENT.—

23 (1) IN GENERAL.—Each student awarded a
24 scholarship under this Act shall be required to enter
25 into a service agreement with the Foundation which

1 provides for such student to complete, in return for
2 the scholarship, a specified period of service with the
3 Federal Government. Under the agreement, the pe-
4 riod of service shall be for the number of years equal
5 to the total number of academic years for which the
6 student received a scholarship under this Act, except
7 that the total period of service shall not be less than
8 3 years nor more than 5 years.

9 (2) FAILURE TO FULFILL.—

10 (A) IN GENERAL.—An agreement under
11 this section shall provide that an individual
12 shall, in the event that such individual fails to
13 meet the service requirement under paragraph
14 (1), be required to repay to the Foundation the
15 amount equal to—

16 (i) the total amount of scholarship
17 monies (tuition and stipends combined) re-
18 ceived by the individual under such agree-
19 ment; multiplied by

20 (ii) a fraction, the numerator of which
21 is the amount of service not completed and
22 the denominator of which is the total pe-
23 riod of service agreed to.

24 (B) AMOUNT TREATED AS A LOAN.—An
25 amount under this paragraph shall be treated

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

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

17 (b) INTERNSHIP REQUIREMENT.—

18 (1) IN GENERAL.—Roosevelt Scholars shall be
19 required to complete at least 1 internship related to
20 their field of study in a Federal agency while earn-
21 ing their undergraduate, graduate, or other ad-
22 vanced degree.

23 (2) REGULATIONS.—The Foundation, in con-
24 sultation with the Director of the Office of Per-
25 sonnel Management, shall prescribe any regulations

1 necessary to carry out this subsection, including pro-
2 visions under which the internship requirement spec-
3 ified by subsection (b) may be waived in appropriate
4 circumstances.

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

12 (d) AVAILABILITY AS A SOURCE OF INFORMATION.—

13 (1) IN GENERAL.—While earning their under-
14 graduate, graduate, or other advanced degree and
15 during their period of obligated service (as described
16 in subsection (a)), Roosevelt Scholars shall be re-
17 quired, in accordance with such terms as the Foun-
18 dation shall establish, to serve as a resource for—

19 (A) individuals interested in becoming a
20 Roosevelt Scholar or seeking other scholarship
21 opportunities or temporary or permanent em-
22 ployment with the Federal Government;

23 (B) faculty, career services professionals,
24 and other personnel at universities who advise

1 students on career opportunities with the Fed-
2 eral 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 Director of the Office of Personnel
16 Management, may provide for Roosevelt Scholars to
17 receive any training which they might need in order
18 to carry out their responsibilities under this sub-
19 section.

20 **SEC. 7. SPECIAL HIRING AUTHORITY.**

21 Under such regulations as the Director of the Office
22 of Personnel Management shall prescribe, a Federal agen-
23 cy may make a noncompetitive appointment (in the ex-
24 cepted service, as defined by section 2103 of title 5,
25 United States Code, leading to conversion to career or ca-

1 reer-conditional employment) of any Roosevelt Scholar
2 who has successfully completed the program of study for
3 which the scholarship was granted. A noncompetitive ap-
4 pointment under this section shall be for a period not to
5 exceed 2 years, and shall be to a mission-critical occupa-
6 tional area, with the possibility of an extension for 1 addi-
7 tional year by the employing agency. At the end of the
8 period of the noncompetitive appointment, conversion to
9 career or career-conditional employment in a mission-crit-
10 ical position shall be granted to those Roosevelt Scholars
11 who meet all qualification, suitability, and performance re-
12 quirements.

13 **SEC. 8. THEODORE ROOSEVELT MEMORIAL SCHOLARSHIP**
14 **TRUST FUND.**

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

22 (b) **INVESTMENT OF FUND ASSETS.**—

23 (1) **IN GENERAL.**—At the request of the Foun-
24 dation, it shall be the duty of the Secretary of the
25 Treasury to invest in full the amounts appropriated

1 to the Fund. Such investments may be made only in
2 interest-bearing obligations of the United States
3 issued directly to the Fund.

4 (2) INTEREST.—The purposes for which obliga-
5 tions of the United States may be issued under
6 chapter 31 of title 31 are hereby extended to author-
7 ize the issuance at par of special obligations directly
8 to the Fund. Such special obligations shall bear in-
9 terest at a rate equal to the average rate of interest,
10 computed as to the end of the calendar month next
11 preceding the date of such issue, borne by all mar-
12 ketable interest-bearing obligations of the United
13 States then forming a part of the public debt; except
14 that where such average rate is not a multiple of $\frac{1}{8}$
15 of 1 per centum, the rate of interest of such special
16 obligations shall be the multiple of $\frac{1}{8}$ of 1 per cen-
17 tum next lower than such average rate. All requests
18 of the Foundation to the Secretary of the Treasury
19 provided for in this section shall be binding upon the
20 Secretary.

21 (c) AUTHORITY TO SELL OBLIGATIONS.—At the re-
22 quest of the Foundation, the Secretary of the Treasury
23 shall redeem any obligation issued directly to the Fund.
24 Obligations issued to the Fund under subsection (b)(2) of
25 this section shall be redeemed at par plus accrued interest.

1 Any other obligations issued directly to the Fund shall be
2 redeemed at the market price.

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

9 **SEC. 9. EXPENDITURES AND AUDIT OF TRUST FUND.**

10 (a) AUTHORIZATION OF FUNDING.—The Secretary of
11 the Treasury may pay to the Foundation from the interest
12 and earnings of the Fund such sums as the Board deter-
13 mines are necessary and appropriate to enable the Foun-
14 dation to carry out the purposes of this Act.

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

1 **SEC. 10. EXECUTIVE SECRETARY OF THE FOUNDATION.**

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

9 (b) APPOINTMENT.—The Executive Secretary shall
10 be appointed by the Board and shall be a member of the
11 Senior Executive Service. The Executive Secretary shall
12 have demonstrated significant management experience
13 and shall possess a high level of expertise in the recruit-
14 ment and retention of personnel.

15 (c) TERM OF OFFICE.—The Executive Secretary
16 shall serve for a term of 5 years, and may be reappointed.
17 The Executive Secretary may be removed by a vote of $\frac{2}{3}$
18 of the Board membership.

19 (d) COMPENSATION.—The Board shall appoint and
20 fix the compensation of the Executive Secretary at a rate
21 not to exceed the maximum rate for a member of the Sen-
22 ior Executive Service.

23 **SEC. 11. ADMINISTRATIVE PROVISIONS.**

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

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

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

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

13 (4) receive money and other property donated,
14 bequeathed, or devised, without condition or restric-
15 tion other than that it be used for the purposes of
16 the Foundation, and to use, sell, or otherwise dis-
17 pose of such property for the purpose of carrying
18 out its functions;

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

23 (6) enter into contracts, grants, or other ar-
24 rangements, or modifications thereof, to carry out
25 such provisions of this Act, and such contracts or

1 modifications may, with the concurrence of $\frac{2}{3}$ of the
2 members of the Board, be entered into without per-
3 formance or other bonds, and without regard to sec-
4 tion 5 of title 41, United States Code;

5 (7) rent office space in the District of Colum-
6 bia; and

7 (8) make other necessary expenditures.

8 (b) ANNUAL REPORTS.—The Foundation shall sub-
9 mit to the President and to the Congress an annual report
10 on its operations under this Act.

11 (c) CONTRACT AUTHORITY.—The Foundation may
12 enter into contracts under this Act only to such extent
13 or in such amounts as may be provided for in advance
14 in appropriations Acts.

15 **SEC. 12. ADDITIONAL FUNCTIONS OF THE FOUNDATION.**

16 (a) IN GENERAL.—In addition to its other functions,
17 the Foundation shall—

18 (1) create, maintain, and promote an online di-
19 rectory of all Federal scholarship opportunities avail-
20 able to individuals pursuing temporary or permanent
21 employment with the Federal Government;

22 (2) in consultation with the Director of the Of-
23 fice of Personnel Management and the Chief Human
24 Capital Officers Council, create and maintain an on-

1 line directory of current mission-critical occupational
2 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;

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; and

19 (iii) increase financial resources avail-
20 able for the Roosevelt Scholars program
21 and other Federal scholarship programs.

22 (b) SECURITY CLEARANCES.—The Foundation may,
23 consistent with regulations of the Director of the Office
24 of Personnel Management, request and fund security
25 clearances for Roosevelt Scholars, as necessary.

1 **SEC. 13. EXCLUSION OF ROOSEVELT SCHOLARSHIP**
2 **AWARDS FROM GROSS INCOME.**

3 (a) **IN GENERAL.**—Section 117 of the Internal Rev-
4 enue Code of 1986 (relating to qualified scholarships) is
5 amended by adding at the end the following:

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

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

12 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

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

○