

Subsec. (c)(2)(D). Pub. L. 105-261, §371(c)(2), added subpar. (D).

1996—Subsec. (d)(7). Pub. L. 104-201 added par. (7).

Subsec. (e)(4). Pub. L. 104-106 added par. (4).

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-261, div. A, title III, §371(c)(3), Oct. 17, 1998, 112 Stat. 1989, provided that: “The amendments made by this subsection [amending this section] shall apply with respect to academic years beginning on or after the date of the enactment of this Act [Oct. 17, 1998].”

SAVINGS PROVISION

Section 351(c) of Pub. L. 103-337 provided that: “Nothing in section 2164 of title 10, United States Code, as added by subsection (a), shall be construed as affecting the rights in existence on the date of the enactment of this Act [Oct. 5, 1994] of an employee of any school established under such section (or any other provision of law enacted before the date of the enactment of this Act that established a similar school) to negotiate or bargain collectively with the Secretary with respect to wages, hours, and other terms and conditions of employment.”

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 2165. National Defense University: component institutions

(a) IN GENERAL.—There is a National Defense University in the Department of Defense.

(b) COMPONENT INSTITUTIONS.—The National Defense University consists of the following institutions:

(1) The National War College.

(2) The Dwight D. Eisenhower School for National Security and Resource Strategy.

(3) The Joint Forces Staff College.

(4) The Institute for National Strategic Studies.

(5) The Information Resources Management College.

(6) Any other educational institution of the Department of Defense that the Secretary considers appropriate and designates as an institution of the university.

[(c) Repealed. Pub. L. 109-364, div. A, title IX, §904(b)(2)(B), Oct. 17, 2006, 120 Stat. 2353.]

(d) SOURCE OF FUNDS FOR PROFESSIONAL DEVELOPMENT EDUCATION OPERATIONS.—Funding for the professional development education operations of the National Defense University shall be provided from funds made available to the Secretary of Defense from the annual appropriation “Operation and Maintenance, Defense-wide”.

(e) ACCEPTANCE OF FACULTY RESEARCH GRANTS.—(1) The Secretary of Defense may authorize the President of the National Defense University to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of one of the institutions

comprising the University for a scientific, literary, or educational purpose.

(2) A qualifying research grant under this subsection is a grant that is awarded on a competitive basis by an entity referred to in paragraph (3) for a research project with a scientific, literary, or educational purpose.

(3) A grant may be accepted under this subsection only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

(4) The Secretary shall establish an account for administering funds received as research grants under this subsection. The President of the University shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

(5) Subject to such limitations as may be provided in appropriations Acts, appropriations available for the National Defense University may be used to pay expenses incurred by the University in applying for, and otherwise pursuing, the award of qualifying research grants.

(6) The Secretary shall prescribe regulations for the administration of this subsection.

(Added and amended Pub. L. 105-85, div. A, title IX, §§921(a)(1), 922(a), Nov. 18, 1997, 111 Stat. 1862, 1863; Pub. L. 105-261, div. A, title IX, §§904, 905(a), Oct. 17, 1998, 112 Stat. 2093; Pub. L. 106-398, §1 [[div. A], title IX, §913(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-230; Pub. L. 107-107, div. A, title V, §527(c)(1), Dec. 28, 2001, 115 Stat. 1102; Pub. L. 109-163, div. A, title V, §522(a), Jan. 6, 2006, 119 Stat. 3240; Pub. L. 109-364, div. A, title IX, §904(b)(2), Oct. 17, 2006, 120 Stat. 2353; Pub. L. 112-81, div. B, title XXVIII, §2861(b), Dec. 31, 2011, 125 Stat. 1701.)

AMENDMENTS

2011—Subsec. (b)(2). Pub. L. 112-81 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The Industrial College of the Armed Forces.”

2006—Subsec. (b)(6), (7). Pub. L. 109-364, §904(b)(2)(A), redesignated par. (7) as (6) and struck out former par. (6) which read as follows: “The Center for Hemispheric Defense Studies.”

Subsec. (c). Pub. L. 109-364, §904(b)(2)(B), struck out heading and text of subsec. (c). Text read as follows: “Funds available for the payment of personnel expenses under the Latin American cooperation authority set forth in section 1050 of this title are also available for the costs of the operation of the Center for Hemispheric Defense Studies.”

Subsec. (e). Pub. L. 109-163 added subsec. (e).

2001—Subsec. (d). Pub. L. 107-107 added subsec. (d).

2000—Subsec. (b)(3). Pub. L. 106-398 substituted “Joint Forces Staff College” for “Armed Forces Staff College”.

1998—Subsec. (b)(7). Pub. L. 105-261, §904, added par. (7).

Subsec. (c). Pub. L. 105-261, §905(a), added subsec. (c).

1997—Subsec. (b)(6). Pub. L. 105-85, §922(a), added par. (6).

CHANGE OF NAME

Pub. L. 112-81, div. B, title XXVIII, §2861, Dec. 31, 2011, 125 Stat. 1701, provided that:

“(a) REDESIGNATION.—The Industrial College of the Armed Forces is hereby renamed the ‘Dwight D. Eisenhower School for National Security and Resource Strategy’.

“(b) CONFORMING AMENDMENT.—[Amended section 2165(b)(2) of this title.]

“(c) REFERENCES.—Any reference to the Industrial College of the Armed Forces in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Dwight D. Eisenhower School for National Security and Resource Strategy.”

Pub. L. 106-398, §1 [[div. A], title IX, §913(a), (c)], Oct. 30, 2000, 114 Stat. 1654, 1654A-230, provided that:

“(a) CHANGE IN NAME.—The Armed Forces Staff College of the Department of Defense is hereby renamed the ‘Joint Forces Staff College’.

“(c) REFERENCES.—Any reference to the Armed Forces Staff College in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Joint Forces Staff College.”

EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-107, div. A, title V, §527(c)(2), Dec. 28, 2001, 115 Stat. 1102, provided that: “Subsection (d) of section 2165 of title 10, United States Code, as added by paragraph (1), shall become effective beginning with fiscal year 2003.”

CENTER FOR THE STUDY OF CHINESE MILITARY AFFAIRS

Pub. L. 106-65, div. A, title IX, §914, Oct. 5, 1999, 113 Stat. 721, provided that:

“(a) ESTABLISHMENT.—The Secretary of Defense shall establish a Center for the Study of Chinese Military Affairs as part of the National Defense University. The Center shall be organized under the Institute for National Strategic Studies of the University.

“(b) QUALIFICATIONS OF DIRECTOR.—The Director of the Center shall be an individual who is a distinguished scholar of proven academic, management, and leadership credentials with a superior record of achievement and publication regarding Chinese political, strategic, and military affairs.

“(c) MISSION.—The mission of the Center is to study and inform policymakers in the Department of Defense, Congress, and throughout the Government regarding the national goals and strategic posture of the People’s Republic of China and the ability of that nation to develop, field, and deploy an effective military instrument in support of its national strategic objectives. The Center shall accomplish that mission by a variety of means intended to widely disseminate the research findings of the Center.

“(d) STARTUP OF CENTER.—The Secretary of Defense shall establish the Center for the Study of Chinese Military Affairs not later than March 1, 2000. The first Director of the Center shall be appointed not later than June 1, 2000. The Center should be fully operational not later than June 1, 2001.

“(e) IMPLEMENTATION REPORT.—(1) Not later than January 1, 2001, the President of the National Defense University shall submit to the Secretary of Defense a report setting forth the President’s organizational plan for the Center for the Study of Chinese Military Affairs, the proposed budget for the Center, and the timetable for initial and full operations of the Center. The President of the National Defense University shall prepare that report in consultation with the Director of the Center and the Director of the Institute for National Strategic Studies of the University.

“(2) The Secretary of Defense shall transmit the report under paragraph (1), together with whatever comments the Secretary considers appropriate, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives not later than February 1, 2001.”

§ 2166. Western Hemisphere Institute for Security Cooperation

(a) ESTABLISHMENT AND ADMINISTRATION.—(1) The Secretary of Defense may operate an education and training facility for the purpose set forth in subsection (b). The facility shall be

known as the “Western Hemisphere Institute for Security Cooperation”.

(2) The Secretary may designate the Secretary of a military department as the Department of Defense executive agent for carrying out the responsibilities of the Secretary of Defense under this section.

(b) PURPOSE.—The purpose of the Institute is to provide professional education and training to eligible personnel of nations of the Western Hemisphere within the context of the democratic principles set forth in the Charter of the Organization of American States (such charter being a treaty to which the United States is a party), while fostering mutual knowledge, transparency, confidence, and cooperation among the participating nations and promoting democratic values, respect for human rights, and knowledge and understanding of United States customs and traditions.

(c) ELIGIBLE PERSONNEL.—(1) Subject to paragraph (2), personnel of nations of the Western Hemisphere are eligible for education and training at the Institute as follows:

- (A) Military personnel.
- (B) Law enforcement personnel.
- (C) Civilian personnel.

(2) The Secretary of State shall be consulted in the selection of foreign personnel for education or training at the Institute.

(d) CURRICULUM.—(1) The curriculum of the Institute shall include mandatory instruction for each student, for at least 8 hours, on human rights, the rule of law, due process, civilian control of the military, and the role of the military in a democratic society.

(2) The curriculum may include instruction and other educational and training activities on the following:

- (A) Leadership development.
- (B) Counterdrug operations.
- (C) Peace support operations.
- (D) Disaster relief.
- (E) Any other matter that the Secretary determines appropriate.

(e) BOARD OF VISITORS.—(1) There shall be a Board of Visitors for the Institute. The Board shall be composed of the following:

- (A) The chairman and ranking minority member of the Committee on Armed Services of the Senate, or a designee of either of them.
- (B) The chairman and ranking minority member of the Committee on Armed Services of the House of Representatives, or a designee of either of them.

(C) Six persons designated by the Secretary of Defense including, to the extent practicable, persons from academia and the religious and human rights communities.

(D) One person designated by the Secretary of State.

(E) The senior military officer responsible for training and doctrine for the Army or, if the Secretary of the Navy or the Secretary of the Air Force is designated as the executive agent of the Secretary of Defense under subsection (a)(2), the senior military officer responsible for training and doctrine for the Navy or Marine Corps or for the Air Force, respectively, or a designee of the senior military officer concerned.