

under section 113(c) of this title, for the period covered by the report, the following information (which shall be shown for the Department of Defense as a whole and separately for the Army, Navy, Air Force, and Marine Corps and each reserve component):

(1) The number of officers who successfully completed a joint professional military education Phase II course and were not selected for promotion.

(2) The number of officer students and faculty members assigned by each service to the professional military schools of the other services and to the joint schools.

(Added Pub. L. 108-375, div. A, title V, § 532(a)(2), Oct. 28, 2004, 118 Stat. 1900; amended Pub. L. 109-364, div. A, title X, § 1071(a)(15), Oct. 17, 2006, 120 Stat. 2399.)

#### AMENDMENTS

2006—Par. (1). Pub. L. 109-364 substituted “Phase” for “phase”.

### CHAPTER 108—DEPARTMENT OF DEFENSE SCHOOLS

Sec.	
2161.	Degree granting authority for National Intelligence University.
2162.	Preparation of budget requests for operation of professional military education schools.
2163.	Degree granting authority for National Defense University.
2164.	Department of Defense domestic dependent elementary and secondary schools.
2165.	National Defense University: component institutions.
2166.	Western Hemisphere Institute for Security Cooperation.
2167.	National Defense University: admission of private sector civilians to professional military education program.
2167a.	Defense Cyber Investigations Training Academy: admission of private sector civilians to receive instruction.
2168.	Defense Language Institute Foreign Language Center: degree of Associate of Arts in foreign language.
2169.	School of Nursing: establishment.

#### AMENDMENTS

2013—Pub. L. 112-239, div. A, title IX, § 922(b)(2), Jan. 2, 2013, 126 Stat. 1879, substituted “National Intelligence University” for “National Defense Intelligence College” in item 2161.

2009—Pub. L. 111-84, div. A, title V, § 525(a)(3)(B), title IX, § 901(b), Oct. 28, 2009, 123 Stat. 2286, 2423, added items 2167a and 2169.

2008—Pub. L. 110-417, [div. A], title V, § 543(a)(2), (b)(2), Oct. 14, 2008, 122 Stat. 4457, 4458, added items 2161 and 2163 and struck out former items 2161 “Joint Military Intelligence College: academic degrees” and 2163 “National Defense University: master’s degree programs”.

Pub. L. 110-181, div. A, title V, § 526(b)(2), Jan. 28, 2008, 122 Stat. 105, added item 2163 and struck out former item 2163 “National Defense University: master of science degrees”.

2006—Pub. L. 109-163, div. A, title V, § 521(b), Jan. 6, 2006, 119 Stat. 3240, substituted “National Defense University: master of science degrees” for “National Defense University: masters of science in national security strategy and in national resource strategy” in item 2163.

2001—Pub. L. 107-107, div. A, title V, §§ 528(a)(2), 531(b), Dec. 28, 2001, 115 Stat. 1103, 1104, added items 2167 and 2168.

2000—Pub. L. 106-398, § 1 [[div. A], title IX, § 911(c)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-228, added item 2166.

1997—Pub. L. 105-107, title V, § 501(b), Nov. 20, 1997, 111 Stat. 2262, substituted “Joint Military Intelligence College: academic degrees” for “Defense Intelligence School; master of science of strategic intelligence” in item 2261.

Pub. L. 105-85, div. A, title IX, § 921(a)(2), Nov. 18, 1997, 111 Stat. 1862, added item 2165.

1994—Pub. L. 103-337, div. A, title III, § 351(b), Oct. 5, 1994, 108 Stat. 2730, added item 2164.

1993—Pub. L. 103-160, div. A, title IX, § 922(b), Nov. 30, 1993, 107 Stat. 1731, added item 2163.

1990—Pub. L. 101-510, div. A, title IX, § 911(b)(1), (2), Nov. 5, 1990, 104 Stat. 1626, substituted “DEPARTMENT OF DEFENSE SCHOOLS” for “GRANTING OF ADVANCED DEGREES AT DEPARTMENT OF DEFENSE SCHOOLS” as chapter heading and added item 2162.

#### ASIA-PACIFIC CENTER FOR SECURITY STUDIES: REIMBURSEMENT WAIVER FOR PERSONNEL OF FOREIGN NATIONS

Pub. L. 107-248, title VIII, § 8073, Oct. 23, 2002, 116 Stat. 1553, provided that: “During the current fiscal year and hereafter, the Secretary of Defense may waive reimbursement of the cost of conferences, seminars, courses of instruction, or similar educational activities of the Asia-Pacific Center for Security Studies for military officers and civilian officials of foreign nations if the Secretary determines that attendance by such personnel, without reimbursement, is in the national security interest of the United States: *Provided*, That costs for which reimbursement is waived pursuant to this section shall be paid from appropriations available for the Asia-Pacific Center.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 107-117, div. A, title VIII, § 8081, Jan. 10, 2002, 115 Stat. 2265.

Pub. L. 106-259, title VIII, § 8080, Aug. 9, 2000, 114 Stat. 692.

Pub. L. 106-79, title VIII, § 8085, Oct. 25, 1999, 113 Stat. 1251.

Pub. L. 105-262, title VIII, § 8086, Oct. 17, 1998, 112 Stat. 2318.

Pub. L. 105-56, title VIII, § 8094, Oct. 8, 1997, 111 Stat. 1242.

Pub. L. 104-208, div. A, title I, § 101(b) [title VIII, § 8121], Sept. 30, 1996, 110 Stat. 3009-71, 3009-115.

#### REGIONAL DEFENSE COUNTER-TERRORISM FELLOWSHIP PROGRAM

Pub. L. 107-117, div. A, title VIII, § 8125, Jan. 10, 2002, 115 Stat. 2275, provided that: “In addition to amounts provided elsewhere in this Act [see Tables for classification], \$17,900,000 is hereby appropriated for the Secretary of Defense, to remain available until expended, to establish a Regional Defense Counter-terrorism Fellowship Program: *Provided*, That funding provided herein may be used by the Secretary to fund foreign military officers to attend U.S. military educational institutions and selected regional centers for non-lethal training: *Provided further*, That United States Regional Commanders in Chief will be the nominative authority for candidates and schools for attendance with joint staff review and approval by the Secretary of Defense: *Provided further*, That the Secretary of Defense shall establish rules to govern the administration of this program.”

#### ATTENDANCE AT PROFESSIONAL MILITARY EDUCATION SCHOOLS BY MILITARY PERSONNEL OF THE NEW MEMBER NATIONS OF NATO

Pub. L. 106-65, div. A, title XII, § 1223, Oct. 5, 1999, 113 Stat. 787, provided that:

“(a) FINDING.—Congress finds that it is in the national interest of the United States to fully integrate Poland, Hungary, and the Czech Republic (the new member nations of the North Atlantic Treaty Organization) into the NATO alliance as quickly as possible.

“(b) MILITARY EDUCATION AND TRAINING PROGRAMS.—The Secretary of each military department shall give due consideration to according a high priority to the attendance of military personnel of Poland, Hungary, and the Czech Republic at professional military education schools and training programs in the United States, including the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, the National Defense University, the war colleges of the Armed Forces, the command and general staff officer courses of the Armed Forces, and other schools and training programs of the Armed Forces that admit personnel of foreign armed forces.”

SENSE OF CONGRESS ON GRADE OF HEADS OF SENIOR PROFESSIONAL MILITARY EDUCATION SCHOOLS

Pub. L. 103-337, div. A, title IX, §914, Oct. 5, 1994, 108 Stat. 2829, provided that: “It is the sense of Congress that an officer serving in a position as the head of one of the senior professional military education schools of the Department of Defense (or of the separate military departments) should, while so serving, hold a grade not less than the grade (or its equivalent) held by the officer serving in that position on the date of the enactment of this Act [Oct. 5, 1994].”

MILITARY DEPARTMENT AFFILIATION OF WAR COLLEGE STUDENTS

Pub. L. 104-208, div. A, title I, §101(b) [title VIII, §8069], Sept. 30, 1996, 110 Stat. 3009-71, 3009-102, which provided that, for resident classes entering war colleges after Sept. 30, 1997, Department of Defense was to require that not less than 20 percent of total of United States military students at each war college was to be from military departments other than hosting military department and provided that each military department was to recognize attendance at sister military department war college as equivalent of attendance at its own war college for promotion and advancement of personnel, was from the Department of Defense Appropriations Act, 1997, and was not repeated in subsequent appropriations acts. Similar provisions were contained in the following prior appropriation acts:

Pub. L. 104-61, title VIII, §8084, Dec. 1, 1995, 109 Stat. 667.

Pub. L. 103-335, title VIII, §8108A, Sept. 30, 1994, 108 Stat. 2646.

AUTHORITY FOR MILITARY SCHOOL FACULTY MEMBERS AND STUDENTS TO ACCEPT HONORARIA FOR CERTAIN SCHOLARLY AND ACADEMIC ACTIVITIES

Pub. L. 102-484, div. A, title V, §542, Oct. 23, 1992, 106 Stat. 2413, related to conditions for and exceptions to authority of Department of Defense school faculty and students to accept honoraria for appearance, speech, or article published in bona fide publication, prior to repeal by Pub. L. 107-314, div. A, title VI, §653(a), Dec. 2, 2002, 116 Stat. 2581.

[Pub. L. 107-314, div. A, title VI, §653(b), Dec. 2, 2002, 116 Stat. 2581, provided that: “The repeal made by subsection (a) [repealing section 542 of Pub. L. 102-484, formerly set out above] shall apply with respect to appearances made, speeches presented, and articles published on or after October 1, 2002.”]

**§ 2161. Degree granting authority for National Intelligence University**

(a) AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the President of the National Intelligence University may, upon the recommendation of the faculty of the National Intelligence University, confer appropriate degrees upon graduates who meet the degree requirements.

(b) LIMITATION.—A degree may not be conferred under this section unless—

(1) the Secretary of Education has recommended approval of the degree in accord-

ance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

(2) the National Intelligence University is accredited by the appropriate civilian academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—(1) When seeking to establish degree granting authority under this section, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives—

(A) a copy of the self assessment questionnaire required by the Federal Policy Governing Granting of Academic Degrees by Federal Agencies, at the time the assessment is submitted to the Department of Education’s National Advisory Committee on Institutional Quality and Integrity; and

(B) the subsequent recommendations and rationale of the Secretary of Education regarding the establishment of the degree granting authority.

(2) Upon any modification or redesignation of existing degree granting authority, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing the rationale for the proposed modification or redesignation and any subsequent recommendation of the Secretary of Education on the proposed modification or redesignation.

(3) The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report containing an explanation of any action by the appropriate academic accrediting agency or organization not to accredit the National Intelligence University to award any new or existing degree.

(Added Pub. L. 96-450, title IV, §406(a), Oct. 14, 1980, 94 Stat. 1980; amended Pub. L. 105-107, title V, §501(a), Nov. 20, 1997, 111 Stat. 2261; Pub. L. 110-417, [div. A], title V, §543(a)(1), Oct. 14, 2008, 122 Stat. 4456; Pub. L. 112-239, div. A, title IX, §922(a), (b)(1), Jan. 2, 2013, 126 Stat. 1879.)

AMENDMENTS

2013—Pub. L. 112-239 substituted “National Intelligence University” for “National Defense Intelligence College” wherever appearing in section catchline and text.

2008—Pub. L. 110-417 amended section generally. Prior to amendment, section related to conferral of academic degrees by the Joint Military Intelligence College.

1997—Pub. L. 105-107 substituted “Joint Military Intelligence College: academic degrees” for “Defense Intelligence School: master of science of strategic intelligence” in section catchline and amended text generally. Prior to amendment, text read as follows: “Under regulations prescribed by the Secretary of Defense, the Commandant of the Defense Intelligence School may, upon recommendation by the faculty of such school, confer the degree of master of science of strategic intelligence upon graduates of the school who have fulfilled the requirements for that degree.”

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-417, [div. A], title V, §543(j), Oct. 14, 2008, 122 Stat. 4465, provided that: “The amendments made