

by this section [amending this section and sections 2163, 4314, 4321, 7048, 7101, 7102, 9314, and 9317 of this title] shall apply to any degree granting authority established, modified, or redesignated on or after the date of enactment of this Act [Oct. 14, 2008] for an institution of professional military education referred to in such amendments.”

§ 2162. Preparation of budget requests for operation of professional military education schools

(a) UNIFORM COST ACCOUNTING.—The Secretary of Defense, with the advice and assistance of the Chairman of the Joint Chiefs of Staff, shall promulgate a uniform cost accounting system for use by the Secretaries of the military departments in preparing budget requests for the operation of professional military education schools.

(b) PREPARATION OF BUDGET REQUESTS.—(1) Amounts requested for a fiscal year for the operation of each professional military education school shall be set forth as a separate budget request in the materials submitted by the Secretary of Defense to Congress in support of the budget request for the Department of Defense.

(2) As executive agent for funding professional development education at the National Defense University, including the Joint Forces Staff College, the Secretary of Defense, with the advice of the Chairman of the Joint Chiefs of Staff, shall prepare the annual budget for professional development education operations at the National Defense University and set forth that request as a separate budget request in the materials submitted to Congress in support of the budget request for the Department of Defense. Nothing in the preceding sentence affects policies in effect on December 28, 2001, with respect to budgeting for the funding of logistical and base operations support for components of the National Defense University through the military departments.

(3) The Secretary of a military department preparing a budget request for a professional military education school shall carefully consider the views of the Chairman of the Joint Chiefs of Staff, particularly with respect to the amount of the request for the operation of the schools of the National Defense University and the joint professional military education curricula of the other professional military education schools.

(c) COMPARISON OF BUDGET REQUESTS.—Materials prepared in support of the budget request for a professional military education school shall describe whether the amount requested for that school is comparable to the amounts requested for other professional military education schools, taking into consideration the size and activities of the schools.

(d) PROFESSIONAL MILITARY EDUCATION SCHOOLS.—This section applies to each of the following professional military education schools:

- (1) The National Defense University.
- (2) The Army War College.
- (3) The College of Naval Warfare.
- (4) The Air War College.
- (5) The United States Army Command and General Staff College.
- (6) The College of Naval Command and Staff.

(7) The Air Command and Staff College.

(8) The Marine Corps University.

(Added Pub. L. 101-510, div. A, title IX, §911(a), Nov. 5, 1990, 104 Stat. 1625; amended Pub. L. 105-85, div. A, title IX, §921(b), Nov. 18, 1997, 111 Stat. 1862; Pub. L. 107-107, div. A, title V, §527(b), Dec. 28, 2001, 115 Stat. 1102; Pub. L. 107-314, div. A, title X, §1062(a)(7), Dec. 2, 2002, 116 Stat. 2650.)

AMENDMENTS

2002—Subsec. (b)(2). Pub. L. 107-314 substituted “December 28, 2001,” for “the date of the enactment of this paragraph”.

2001—Subsec. (b)(2), (3). Pub. L. 107-107 added par. (2) and redesignated former par. (2) as (3).

1997—Subsec. (d). Pub. L. 105-85 amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows:

“(d) DEFINITIONS.—In this section:

“(1) The term ‘professional military education school’ means—

“(A) the National Defense University;

“(B) the Army War College;

“(C) the College of Naval Warfare;

“(D) the Air War College;

“(E) the United States Army Command and General Staff College;

“(F) the College of Naval Command and Staff;

“(G) the Air Command and Staff College; or

“(H) the Marine Corps Command and Staff College.

“(2) The term ‘National Defense University’ means the National War College, the Armed Forces Staff College, and the Industrial College of the Armed Forces.”

EFFECTIVE DATE

Pub. L. 101-510, div. A, title IX, §911(b)(c), Nov. 5, 1990, 104 Stat. 1626, provided that: “Section 2162 of title 10, United States Code, as added by subsection (a), shall apply with respect to fiscal years after fiscal year 1991.”

EXECUTIVE AGENT FOR FUNDING PROFESSIONAL DEVELOPMENT EDUCATION

Pub. L. 107-107, div. A, title V, §527(a), Dec. 28, 2001, 115 Stat. 1101, provided that:

“(1) Effective beginning with fiscal year 2003, the Secretary of Defense shall be the executive agent for funding professional development education operations of all components of the National Defense University, including the Joint Forces Staff College. The Secretary may not delegate the Secretary’s functions and responsibilities under the preceding sentence to the Secretary of a military department.

“(2) Nothing in this subsection affects policies in effect on the date of the enactment of this Act [Dec. 28, 2001] with respect to—

“(A) the reporting of the President of the National Defense University to the Chairman of the Joint Chiefs of Staff; or

“(B) provision of logistical and base operations support for components of the National Defense University by the military departments.”

§ 2163. Degree granting authority for National Defense University

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

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