

2008—Pub. L. 110-181, div. A, title IX, §955(g)(2), Jan. 28, 2008, 122 Stat. 296, added item 2117.

Pub. L. 110-181, div. A, title IX, §954(a)(2), Jan. 28, 2008, 122 Stat. 293, added item 2113a at the end.

1996—Pub. L. 104-201, div. A, title IX, §907(a)(2), Sept. 23, 1996, 110 Stat. 2620, added item 2112a.

Pub. L. 104-106, div. A, title VII, §741(b), title X, §1072(c)(2), Feb. 10, 1996, 110 Stat. 385, 446, substituted “Administration of University” for “Board of Regents” in item 2113 and added item 2116.

1990—Pub. L. 101-510, div. A, title XIV, §1484(b)(2)(B), Nov. 5, 1990, 104 Stat. 1716, struck out item 2117 “Authorization for appropriations”.

1983—Pub. L. 98-94, title XII, §1268(12)(B), Sept. 24, 1983, 97 Stat. 706, struck out item 2116 “Reports to Congress”.

1979—Pub. L. 96-107, title VIII, §803(c)(3), Nov. 9, 1979, 93 Stat. 812, substituted “permitted” for “electing” and “service” for “duty” in item 2115.

§ 2112. Establishment

(a) There is hereby authorized to be established within 25 miles of the District of Columbia a Uniformed Services University of the Health Sciences (hereinafter in this chapter referred to as the “University”), at a site or sites to be selected by the Secretary of Defense, with authority to grant appropriate advanced degrees. It shall be so organized as to graduate not less than 100 medical students annually.

(b) Except as provided in subsection (a), the numbers of persons to be graduated from the University shall be prescribed by the Secretary of Defense. In so prescribing the number of persons to be graduated from the University, the Secretary of Defense shall institute actions necessary to ensure the maximum number of first-year enrollments in the University consistent with the academic capacity of the University and the needs of the uniformed services for medical personnel.

(c) The development of the University may be by such phases as the Secretary of Defense may prescribe subject to the requirements of subsection (a).

(Added Pub. L. 92-426, §2(a), Sept. 21, 1972, 86 Stat. 713; amended Pub. L. 96-107, title VIII, §803(a), Nov. 9, 1979, 93 Stat. 811; Pub. L. 96-513, title V, §511(63), (64), Dec. 12, 1980, 94 Stat. 2925, 2926; Pub. L. 104-106, div. A, title X, §1072(b)(1), Feb. 10, 1996, 110 Stat. 446; Pub. L. 107-107, div. A, title X, §1048(e)(8), Dec. 28, 2001, 115 Stat. 1228.)

AMENDMENTS

2001—Subsec. (a). Pub. L. 107-107 struck out “, with the first class graduating not later than September 21, 1982” before period at end.

1996—Subsec. (b). Pub. L. 104-106 struck out “, upon recommendation of the Board of Regents,” before “institute actions necessary”.

1980—Subsec. (a). Pub. L. 96-513 inserted “in this chapter” after “hereinafter”, and substituted “September 21, 1982” for “10 years after the date of the enactment of this chapter”.

1979—Subsec. (b). Pub. L. 96-107 inserted provisions respecting the maximum number of first-year enrollments in the University.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

SHORT TITLE

Pub. L. 92-426, §1, Sept. 21, 1972, 86 Stat. 713, provided: “That this Act [enacting this chapter and chapter 105

of this title] may be cited as the ‘Uniformed Services Health Professions Revitalization Act of 1972.’”

TRANSFER OF FUNCTIONS

For transfer of authority of Board of Regents of Uniformed Services University of the Health Sciences to Secretary of Defense, see section 8091 of Pub. L. 101-511, set out as a note under section 2113 of this title.

CONTINUATION OF UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

Pub. L. 104-106, div. A, title X, §1071, Feb. 10, 1996, 110 Stat. 445, as amended by Pub. L. 104-201, div. A, title IX, §907(b)(2), Sept. 23, 1996, 110 Stat. 2620, provided that:

“(a) POLICY.—Congress reaffirms—

“(1) the prohibition set forth in subsection (a) of section 922 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2829; 10 U.S.C. 2112 note) regarding closure of the Uniformed Services University of the Health Sciences; and

“(2) the expression of the sense of Congress set forth in subsection (b) of such section regarding the budgetary commitment to continuation of the University.

“(b) Repealed. Pub. L. 104-201, div. A, title IX, §907(b)(2), Sept. 23, 1996, 110 Stat. 2620. See section 2112a(b) of this title.]

“(c) BUDGETARY COMMITMENT TO CONTINUATION.—It is the sense of Congress that the Secretary of Defense should budget for the operation of the Uniformed Services University of the Health Sciences during fiscal year 1997 at a level at least equal to the level of operations conducted at the University during fiscal year 1995.”

Pub. L. 103-337, div. A, title IX, §922, Oct. 5, 1994, 108 Stat. 2829, as amended by Pub. L. 104-201, div. A, title IX, §907(b)(1), Sept. 23, 1996, 110 Stat. 2620, provided that:

“(a) Repealed. Pub. L. 104-201, div. A, title IX, §907(b)(1), Sept. 23, 1996, 110 Stat. 2620. See section 2112a(a) of this title.]

“(b) BUDGETARY COMMITMENT TO CONTINUATION.—It is the sense of Congress that the Secretary of Defense should budget for the ongoing operation of the Uniformed Services University of the Health Sciences as an institution of professional education that is vital to the education and training each year of significant numbers of personnel of the uniformed services for careers as uniformed services health care providers.

“(c) GAO EVALUATION.—Not later than June 1, 1995, the Comptroller General of the United States shall submit to Congress a detailed report on the Uniformed Services University of the Health Sciences. The report shall include the following:

“(1) A comparison of the cost of obtaining physicians for the Armed Forces from the University with the cost of obtaining physicians from other sources.

“(2) An assessment of the retention rate needs of the Armed Forces for physicians in relation to the respective retention rates of physicians obtained from the University and physicians obtained from other sources and the factors that contribute to retention rates among military physicians obtained from all sources.

“(3) A review of the quality of the medical education provided at the University with the quality of medical education provided by other sources of military physicians.

“(4) A review of the overall issue of the special needs of military medicine and how those special needs are being met by physicians obtained from University and physicians obtained from other sources.

“(5) An assessment of the extent to which the University has responded to the 1990 report of the Inspector General of the Department of Defense, including recommendations as to resolution of any continuing issues relating to management and internal fiscal

controls of the University, including issues relating to the Henry M. Jackson Foundation for the Advancement of Military Medicine identified in the 1990 report.

“(6) Such other recommendations as the Comptroller General considers appropriate.”

F. EDWARD HÉBERT SCHOOL OF MEDICINE

Pub. L. 98-94, title XII, §1265, Sept. 24, 1983, 97 Stat. 704, provided that: “The School of Medicine of the Uniformed Services University of the Health Sciences shall after the date of the enactment of this Act [Sept. 24, 1983] be known and designated as the ‘F. Edward Hébert School of Medicine’. Any reference to such school of medicine in any law, regulation, map, document, or other record of the United States shall after such date be deemed to be a reference to such school of medicine as the F. Edward Hébert School of Medicine.”

§ 2112a. Continued operation of University

(a) CLOSURE PROHIBITED.—The University may not be closed.

(b) PERSONNEL STRENGTH.—During the five-year period beginning on October 1, 1996, the personnel staffing levels for the University may not be reduced below the personnel staffing levels for the University as of October 1, 1993.

(Added Pub. L. 104-201, div. A, title IX, §907(a)(1), Sept. 23, 1996, 110 Stat. 2620.)

PRIOR PROVISIONS

Provisions similar to those in subsec. (a) of this section were contained in Pub. L. 103-337, div. A, title IX, §922(a), Oct. 5, 1994, 108 Stat. 2829, which was set out as a note under section 2112 of this title prior to repeal by Pub. L. 104-201, §907(b)(1).

Provisions similar to those in subsec. (b) of this section were contained in Pub. L. 104-106, div. A, title X, §1071(b), Feb. 10, 1996, 110 Stat. 445, which was set out as a note under section 2112 of this title prior to repeal by Pub. L. 104-201, §907(b)(2).

§ 2113. Administration of University

(a) The business of the University shall be conducted by the Secretary of Defense with funds appropriated for and provided by the Department of Defense.

(b) The Secretary shall appoint a President of the University (hereinafter in this chapter referred to as the “President”).

(c)(1) The Secretary, after considering the recommendations of the President, shall obtain the services of such military and civilian professors, instructors, and administrative and other employees as may be necessary to operate the University. Civilian members of the faculty and staff shall be employed under salary schedules and granted retirement and other related benefits prescribed by the Secretary (after due consideration by the Secretary) so as to place the employees of the University on a comparable basis with the employees of fully accredited schools of the health professions identified by the Secretary for purposes of this paragraph.

(2) The Secretary may confer academic titles, as appropriate, upon military and civilian members of the faculty.

(3) The military members of the faculty shall include a professor of military, naval, or air science as the Secretary may determine.

(4) The limitations in sections 5307 and 5373 of title 5 do not apply to the authority of the Secretary under paragraph (1) to prescribe salary

schedules and other related benefits. In no event may the total amount of compensation paid to an employee under paragraph (1) in any year (including salary, allowances, differentials, bonuses, awards, and other similar cash payments) exceed the total amount of annual compensation (excluding expenses) specified in section 102 of title 3.

(d) The Secretary may negotiate agreements with agencies of the Federal Government to utilize on a reimbursable basis appropriate existing Federal medical resources located in or near the District of Columbia. Under such agreements the facilities concerned will retain their identities and basic missions. The Secretary may negotiate affiliation agreements with an accredited university or universities in or near the District of Columbia. Such agreements may include provisions for payments for educational services provided students participating in Department of Defense educational programs. The Secretary may enter into an agreement under which the University would become part of a national university of health sciences should such an institution be established in the vicinity of the District of Columbia.

(e) The Secretary of Defense may establish the following educational programs at the University:

(1) Postdoctoral, postgraduate, and technological institutes.

(2) A graduate school of nursing.

(3) Other schools or programs that the Secretary determines necessary in order to operate the University in a cost-effective manner.

(f) The Secretary shall also establish programs in continuing medical education for military members of the health professions to the end that high standards of health care may be maintained within the military medical services.

(g)(1) The Secretary also is authorized—

(A) to enter into contracts with, accept grants from, and make grants to the Henry M. Jackson Foundation for the Advancement of Military Medicine established under section 178 of this title, or any other nonprofit entity, for the purpose of carrying out cooperative enterprises in medical research, medical consultation, and medical education;

(B) to make available to the Henry M. Jackson Foundation for the Advancement of Military Medicine, or any other nonprofit entity, on such terms and conditions as the Secretary determines appropriate, such space, facilities, equipment, and support services within the University as the Secretary considers necessary to accomplish cooperative enterprises undertaken by such Foundation, or nonprofit entity, and the University;

(C) to enter into contracts with the Henry M. Jackson Foundation for the Advancement of Military Medicine, or any other nonprofit entity, under which the Secretary may furnish the services of such professional, technical, or clerical personnel as may be necessary to fulfill cooperative enterprises undertaken by such foundation, or nonprofit entity, and the University;

(D) to accept, hold, administer, invest, and spend any gift, devise, or bequest of personal property made to the University, including