

“(B) A representative from the Centers for Disease Control and Prevention of the Department of Health and Human Services.

“(C) A sexual assault policy and advocacy organization.

“(D) A civilian law enforcement agency.

“(E) A judicial policy organization.

“(F) A national crime victim policy organization.

“(5) The members of the task force shall be appointed not later than 120 days after the date of the enactment of this Act [Nov. 24, 2003].

“(g) CO-CHAIRS OF THE TASK FORCE.—There shall be two co-chairs of the task force. One of the co-chairs shall be designated by the Secretary of the Defense at the time of appointment from among the Department of Defense personnel on the task force. The other co-chair shall be selected from among the members appointed from outside the Department of Defense by those members.

“(h) ADMINISTRATIVE SUPPORT.—(1) Each member of the task force who is a member of the Armed Forces or a civilian officer or employee of the United States shall serve without compensation (other than compensation to which entitled as a member of the Armed Forces or an officer or employee of the United States, as the case may be). Other members of the task force shall be appointed in accordance with, and subject to, section 3161 of title 5, United States Code.

“(2) The Deputy Under Secretary of Defense for Personnel and Readiness, under the direction of the Under Secretary of Defense for Personnel and Readiness, shall provide oversight of the task force. The Washington Headquarters Services of the Department of Defense shall provide the task force with personnel, facilities, and other administrative support as necessary for the performance of the task force’s duties.

“(3) The Deputy Under Secretary shall coordinate with the Secretary of the Army to provide visits of the task force to the United States Military Academy and with the Secretary of the Navy to provide visits of the task force to the United States Naval Academy.

“(i) TERMINATION.—The task force shall terminate 90 days after the date on which the report of the task force is submitted to the Committees on Armed Services of the Senate and House of Representatives pursuant to subsection (d)(3).”

Pub. L. 108–136, div. A, title V, §527, Nov. 24, 2003, 117 Stat. 1468, which required the Superintendent of each United States military service academy to prescribe a policy on sexual harassment and violence applicable to personnel, to make an annual assessment to determine the effectiveness of policies, training, and procedures on sexual harassment and violence, and to submit an annual report to the Secretary of Defense on sexual harassment and violence involving personnel for each of the 2004 to 2008 academy program years, was repealed by Pub. L. 109–364, div. A, title V, §532(c), Oct. 17, 2006, 120 Stat. 2205.

**PROHIBITION ON IMPOSITION OF ADDITIONAL CHARGES OR FEES FOR ATTENDANCE AT CERTAIN ACADEMIES**

Pub. L. 103–337, div. A, title V, §553, Oct. 5, 1994, 108 Stat. 2772, as amended by Pub. L. 107–314, div. A, title X, §1041(b), Dec. 2, 2002, 116 Stat. 2646, prohibited imposition of additional charges or fees for attendance at United States military service academies, prior to repeal by Pub. L. 108–375, div. A, title V, §545(f), Oct. 28, 2004, 118 Stat. 1909.

**TEST PROGRAM TO EVALUATE USE OF PRIVATE PREPARATORY SCHOOLS FOR SERVICE ACADEMY PREPARATORY SCHOOL MISSION**

Pub. L. 103–160, div. A, title V, §536, Nov. 30, 1993, 107 Stat. 1659, required Secretary of Defense to conduct test program to determine efficiency and cost effectiveness of using schools in private sector as alternative to existing schools used for mission of operating military preparatory school program for one or more of the service academies, prior to repeal by Pub. L. 104–106, div. A, title V, §534, Feb. 10, 1996, 110 Stat. 315.

**COLONEL THOMAS HAWKINS JOHNSON VISITING SCHOLAR PROGRAM AND LECTURE SERIES**

Pub. L. 101–510, div. A, title XIV, §1466, Nov. 5, 1990, 104 Stat. 1700, provided that:

“(a) VISITING SCHOLAR PROGRAM.—(1) The Secretary of the Army shall establish a visiting scholar program at the United States Military Academy to be known as the ‘Thomas Hawkins Johnson Visiting Scholar Program’. The Secretary shall select not more than two scholars to participate in the program for an academic year. A person selected to participate in the program shall serve as an instructor at the Academy for two weeks during the academic year and perform such duties as the Secretary may assign.

“(2) There is authorized to be appropriated to the Secretary of the Army \$25,000 for each fiscal year to carry out this subsection.

“(b) LECTURE SERIES.—(1) The Secretary of Defense shall establish a lecture series at the National Defense University to be known as the ‘Thomas Hawkins Johnson Lecture Series’. The Secretary shall use the lecture series to bring prominent persons to the National Defense University to deliver lectures on topics relating to public policy, national security, and science.

“(2) There is authorized to be appropriated to the Secretary of Defense \$25,000 for each fiscal year to carry out this subsection.”

**§ 4332. Departments and professors: titles**

(a) The Secretary of the Army may prescribe the titles of each of the departments of instruction and the professors of the Academy. However, the change of the title of a department or officer does not affect the status, rank, or eligibility for promotion or retirement of, or otherwise prejudice, a professor at the Academy.

(b) Upon becoming the senior professor in a department, a permanent professor thereby becomes the head of that department.

(Aug. 10, 1956, ch. 1041, 70A Stat. 238.)

**HISTORICAL AND REVISION NOTES**

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
4332(a) .....	10:1061a.	Dec. 14, 1942, ch. 729, 56 Stat. 1049.
4332(b) .....	10:1087 (proviso).	June 26, 1946, ch. 495, §1 (proviso), 60 Stat. 312.

In subsection (a), the words “now or after December 14, 1942, established at” are omitted as surplusage. The word “precedence” is omitted as covered by the word “rank”. The words “pay, allowances” are omitted, since they are determined by the grade held. The words “from time to time”, “shall be known”, and “operate in any case or on any account” are omitted as surplusage.

**§ 4333. Superintendent; faculty: appointment and detail**

(a) The Superintendent and the Commandant of Cadets of the Academy shall be detailed to those positions by the President from any branch of the Army. Other officers on duty at the Academy, except the permanent professors, may be detailed from any branch of the Army.

(b) The permanent professors of the Academy shall be appointed by the President, by and with the advice and consent of the Senate.

(c) The director of admissions of the Academy shall be appointed by the President, by and with the advice and consent of the Senate, and shall perform such duties as the Superintendent of the Academy may prescribe with the approval of the Secretary of the Army.

(d) Any officer of the Regular Army in a grade above captain may be detailed to perform the duties of director of admissions without being appointed as director of admissions. Such a detail does not affect his position on the active-duty list.

(e) No graduate of the Academy may be appointed or detailed to serve at the Academy as a professor or instructor, or as an assistant to a professor or instructor, within two years after his graduation.

(Aug. 10, 1956, ch. 1041, 70A Stat. 238; Pub. L. 85-600, §1(9), Aug. 6, 1958, 72 Stat. 522; Pub. L. 95-551, §2, Oct. 30, 1978, 92 Stat. 2069; Pub. L. 96-513, title V, §502(24), Dec. 12, 1980, 94 Stat. 2910.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4333(a) .....	10:1062. 10:1063 (1st sentence, and 1st 26 words of last sentence).	R.S. 1313. R.S. 1314 (words before semicolon). July 26, 1894, ch. 167
4333(b) .....	10:1063 (last sentence, less 1st 26 words).	(words after semicolon in 7th clause), 28 Stat. 151.
4333(c) .....	10:1064.	

In subsection (a), the word “detailed” is substituted for the word “selected”, in 10:1062, and for the word “appointed”, in 10:1063, since historically the offices of superintendent and commandant of cadets have been filled by detail. The words “assistant professors, acting assistant professors, and the adjutant”, in 10:1063, are omitted as covered by the word “officers”, in 10:1062. The words “except the permanent professors” are inserted to conform to 10:1062.

In subsection (b), the words “by and with the advice and consent of the Senate” are inserted, since many of the statutes establishing particular permanent professorships from time to time have so provided, and historically it has been the uniform practice to make these appointments in this manner. 10:1063 (last 14 words) is omitted as obsolete and as covered by section 4349(b) of this title.

In subsection (c), the word “appointed” is substituted for the word “assigned”.

#### AMENDMENTS

1980—Subsec. (d). Pub. L. 96-513 struck out “regular or temporary” in first sentence, and substituted “active-duty list” for “applicable promotion list” in second sentence.

1978—Subsecs. (c), (d). Pub. L. 95-551 substituted “director of admissions” for “registrar” wherever appearing.

1958—Subsecs. (c) to (e). Pub. L. 85-600 added subsecs. (c) and (d) and redesignated former subsec. (c) as (e).

#### EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Sept. 15, 1981, see section 701 of Pub. L. 96-513, set out as a note under section 101 of this title.

#### DETAIL OF RETIRED OFFICER AS LIBRARIAN

Provisions authorizing the performance of the duties of the librarian at the United States Military Academy by a retired officer detailed on active duty, which were contained in Pub. L. 85-724, title III, Aug. 22, 1958, 72 Stat. 714, the Department of Defense Appropriation Act, 1959, were not contained in subsequent appropriation acts. Similar provisions were contained in the following prior acts:

Aug. 2, 1957, Pub. L. 85-117, title III, 71 Stat. 313.  
July 2, 1956, ch. 488, title III, 70 Stat. 456.  
July 13, 1955, ch. 358, title III, 69 Stat. 303.  
June 30, 1954, ch. 432, title IV, 68 Stat. 339.

Aug. 1, 1953, ch. 305, title III, 67 Stat. 338.  
July 10, 1952, ch. 630, title III, 66 Stat. 520.  
Oct. 18, 1951, ch. 512, title III, 65 Stat. 427.  
Sept. 6, 1950, ch. 896, Ch. X, title III, 64 Stat. 733.  
Oct. 29, 1949, ch. 787, title III, 63 Stat. 998.  
June 24, 1948, ch. 632, 62 Stat. 660.  
July 30, 1947, ch. 357, title I, 61 Stat. 563.  
July 16, 1946, ch. 583, 60 Stat. 555.  
July 3, 1945, ch. 265, 59 Stat. 398.  
June 28, 1944, ch. 303, 58 Stat. 588.  
July 1, 1943, ch. 185, 57 Stat. 361.  
July 2, 1942, ch. 477, 56 Stat. 624.  
June 30, 1941, ch. 262, 55 Stat. 384.  
June 13, 1940, ch. 343, 54 Stat. 370.  
Apr. 26, 1939, ch. 88, 53 Stat. 610.  
June 11, 1938, ch. 347, 52 Stat. 659.  
July 1, 1937, ch. 423, 50 Stat. 460.  
May 15, 1936, ch. 404, 49 Stat. 1297.  
Apr. 9, 1935, ch. 54, title I, 49 Stat. 138.  
Apr. 26, 1934, ch. 165, title I, 48 Stat. 631.

#### § 4333a. Superintendent: condition for detail to position

(a) RETIREMENT.—As a condition for detail to the position of Superintendent of the Academy, an officer shall acknowledge that upon termination of that detail the officer shall be retired pursuant to section 3921(a) of this title, unless such retirement is waived under section 3921(b) of this title.

(b) MINIMUM TOUR OF DUTY.—An officer who is detailed to the position of Superintendent of the Academy shall be so detailed for a period of not less than three years. In any case in which an officer serving as Superintendent is reassigned or retires before having completed three years service as Superintendent, or otherwise leaves that position (other than due to death) without having completed three years service in that position, the Secretary of the Army shall submit to Congress notice that such officer left the position of Superintendent without having completed three years service in that position, together with a statement of the reasons why that officer did not complete three years service in that position.

(Added Pub. L. 106-65, div. A, title V, §532(a)(1)(B), Oct. 5, 1999, 113 Stat. 603; amended Pub. L. 108-375, div. A, title V, §541(b)(1), Oct. 28, 2004, 118 Stat. 1902.)

#### AMENDMENTS

2004—Pub. L. 108-375 designated existing provisions as subsec. (a), inserted heading, inserted “pursuant to section 3921(a) of this title, unless such retirement is waived under section 3921(b) of this title” before period at end, and added subsec. (b).

#### APPLICATION OF SECTION TO SUPERINTENDENTS SERVING ON OCTOBER 5, 1999

Section not applicable to an officer serving on Oct. 5, 1999, in the position of Superintendent of the United States Military Academy, Naval Academy, or Air Force Academy for so long as that officer continues on and after that date to serve in that position without a break in service, see section 532(a)(5) of Pub. L. 106-65, set out as a note under section 3921 of this title.

#### § 4334. Command and supervision

(a) The supervision and charge of the Academy is in the Department of the Army, under officers of the Army detailed to that duty by the Secretary of the Army.

(b) The immediate government of the Academy is under the Superintendent, who is also