

Subsec. (c)(3). Pub. L. 106-65, § 535(a)(2), substituted “\$120,000” for “\$50,000”.

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-364, div. A, title V, § 531(d), Oct. 17, 2006, 120 Stat. 2199, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on the date of the enactment of this Act [Oct. 17, 2006]. The amendments made by subsections (b) and (c) [amending sections 6957a and 9345 of this title] shall take effect on October 1, 2008.”

§ 4345a. Foreign and cultural exchange activities

(a) ATTENDANCE AUTHORIZED.—The Secretary of the Army may authorize the Academy to permit students, officers, and other representatives of a foreign country to attend the Academy for periods of not more than four weeks if the Secretary determines that the attendance of such persons contributes significantly to the development of foreign language, cross cultural interactions and understanding, and cultural immersion of cadets.

(b) COSTS AND EXPENSES.—The Secretary may pay the travel, subsistence, and similar personal expenses of persons incurred to attend the Academy under subsection (a).

(c) EFFECT OF ATTENDANCE.—Persons attending the Academy under subsection (a) are not considered to be students enrolled at the Academy and are in addition to persons receiving instruction at the Academy under section 4344 or 4345 of this title.

(d) SOURCE OF FUNDS; LIMITATION.—(1) The Academy shall bear the costs of the attendance of persons under subsection (a) from funds appropriated for the Academy and from such additional funds as may be available to the Academy from a source, other than appropriated funds, to support cultural immersion, regional awareness, or foreign language training activities in connection with their attendance.

(2) Expenditures from appropriated funds in support of activities under this section may not exceed \$40,000 during any fiscal year.

(Added Pub. L. 110-417, [div. A], title V, § 541(a)(1), Oct. 14, 2008, 122 Stat. 4454; amended Pub. L. 113-291, div. A, title V, § 553(a), Dec. 19, 2014, 128 Stat. 3377.)

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-291 substituted “four weeks” for “two weeks”.

§ 4346. Cadets: requirements for admission

(a) To be eligible for admission to the Academy a candidate must be at least 17 years of age and must not have passed his twenty-third birthday on July 1 of the year in which he enters the Academy.

(b) To be admitted to the Academy, an appointee must show, by an examination held under regulations prescribed by the Secretary of the Army, that he is qualified in the subjects prescribed by the Secretary.

(c) A candidate designated as a principal or an alternate for appointment as a cadet shall appear for physical examination at a time and place designated by the Secretary.

(d) To be admitted to the Academy, an appointee must take and subscribe to the following oath—

“I, _____, do solemnly swear that I will support the Constitution of the United States, and bear true allegiance to the National Government; that I will maintain and defend the sovereignty of the United States, paramount to any and all allegiance, sovereignty, or fealty I may owe to any State or country whatsoever; and that I will at all times obey the legal orders of my superior officers, and the Uniform Code of Military Justice.”

If a candidate for admission refuses to take this oath, his appointment is terminated.

(Aug. 10, 1956, ch. 1041, 70A Stat. 242; Pub. L. 104-201, div. A, title V, § 555(b), Sept. 23, 1996, 110 Stat. 2527.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4346(a)	10:1092b (less provisos).	June 30, 1950, ch. 421, § 2 (less provisos), 64 Stat. 304.
4346(b)	10:1096.	R.S. 1319; restated Mar. 2, 1901, ch. 804 (1st proviso under “Permanent Establishment”), 31 Stat. 911.
4346(c)	10:1095.	Aug. 9, 1912, ch. 275 (2d proviso under “Permanent Establishment”), 37 Stat. 252.
4346(d)	10:1099.	R.S. 1320.

In subsection (a), the words “Effective January 1, 1951” are omitted as executed. The word “Calendar” is omitted as surplusage. The words “must not have passed his twenty-second birthday” are substituted for the words “not more than twenty-two years of age”, to make it clear that a person whose twenty-second birthday falls on July 1 of the year of admission is eligible (see opinion of the Judge Advocate General of the Army (JAGA 1952/7083, 2 Sept. 1952)).

In subsection (b), the words “To be” are substituted for the words “before they shall be”. The words “must show * * * that he is qualified” are substituted for the words “shall be required to be well versed”. The words “from time to time” are omitted as surplusage.

In subsection (c), the word “shall” is substituted for the word “may”, since the nominee is required to appear for the examination. The word “appear” is substituted for the words “present himself”. The words “at a place” are substituted for the words “at West Point, New York, or other prescribed places”.

In subsection (d), the word “county” is omitted as surplusage. The words “Uniform Code of Military Justice” are substituted for the words “rules and articles governing the armies of the United States”, since the Articles of War have been superseded by the Uniform Code of Military Justice. The words “his appointment is terminated” are substituted for the words “shall be dismissed from the service”, since a cadet who has not taken the oath is not yet a member.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-201 substituted “twenty-third birthday” for “twenty-second birthday”.

TEMPORARY AUTHORITY TO WAIVE MAXIMUM AGE LIMITATION ON ADMISSION TO THE MILITARY SERVICE ACADEMIES

Pub. L. 112-81, div. A, title V, § 553, Dec. 31, 2011, 125 Stat. 1413, as amended by Pub. L. 114-92, div. A, title X, § 1072(b), Nov. 25, 2015, 129 Stat. 995, provided that:

“(a) WAIVER FOR CERTAIN ENLISTED MEMBERS.—The Secretary of the military department concerned may waive the maximum age limitation specified in section 4346(a), 6958(a)(1), or 9346(a) of title 10, United States Code, for the admission of an enlisted member of the Armed Forces to the United States Military Academy,