

(other than a recruit) who is of the same sex as the recruits housed in that living area.

(Added Pub. L. 105-261, div. A, title V, § 522(a)(1), Oct. 17, 1998, 112 Stat. 2012.)

IMPLEMENTATION

Pub. L. 105-261, div. A, title V, § 522(a)(3), Oct. 17, 1998, 112 Stat. 2012, provided that: “The Secretary of the Army shall implement section 4320 of title 10, United States Code, as added by paragraph (1), as rapidly as feasible and shall ensure that the provisions of that section are applied to all recruit basic training classes beginning not later than the first such class that enters basic training on or after April 15, 1999.”

§ 4321. Degree granting authority for United States Army War College

(a) AUTHORITY.—Under regulations prescribed by the Secretary of the Army, the Commandant of the United States Army War College may, upon the recommendation of the faculty and dean of the college, 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 accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

(2) the United States Army War College 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 United States Army War College to award any new or existing degree.

(Added Pub. L. 106-65, div. A, title V, § 542(a), Oct. 5, 1999, 113 Stat. 607; amended Pub. L. 110-417, [div. A], title V, § 543(d)(1), Oct. 14, 2008, 122 Stat. 4459.)

AMENDMENTS

2008—Pub. L. 110-417 amended section generally. Prior to amendment, text read as follows: “Under regulations prescribed by the Secretary of the Army, the Commandant of the United States Army War College, upon the recommendation of the faculty and dean of the college, may confer the degree of master of strategic studies upon graduates of the college who have fulfilled the requirements for that degree.”

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-417 applicable to any degree granting authority established, modified, or redesignated on or after Oct. 14, 2008, for an institution of professional military education referred to in such amendment, see section 543(j) of Pub. L. 110-417, set out as a note under section 2161 of this title.

CHAPTER 403—UNITED STATES MILITARY ACADEMY

Sec.	
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AMENDMENTS

2016—Pub. L. 114-328, div. A, title XII, § 1248(b)(2)(A), Dec. 23, 2016, 130 Stat. 2525, struck out items 4344 “Se-

lection of persons from foreign countries”, 4345 “Exchange program with foreign military academies”, and 4345a “Foreign and cultural exchange activities”.

2015—Pub. L. 114–92, div. A, title V, § 557(b), Nov. 25, 2015, 129 Stat. 827, added item 4362.

2008—Pub. L. 110–417, [div. A], title V, § 541(a)(2), Oct. 14, 2008, 122 Stat. 4455, added item 4345a.

2006—Pub. L. 109–364, div. A, title X, § 1071(g)(2), Oct. 17, 2006, 120 Stat. 2402, made technical correction to directory language of Pub. L. 108–375, § 544(a)(2). See 2004 Amendment note below.

Pub. L. 109–364, div. A, title V, § 532(d)(1), Oct. 17, 2006, 120 Stat. 2205, added item 4361.

2004—Pub. L. 108–375, div. A, title V, § 545(a)(2), Oct. 28, 2004, 118 Stat. 1908, added item 4360.

Pub. L. 108–375, div. A, title V, § 544(a)(2), Oct. 28, 2004, 118 Stat. 1906, as amended by Pub. L. 109–364, div. A, title X, § 1071(g)(2), Oct. 17, 2006, 120 Stat. 2402, added item 4359.

1999—Pub. L. 106–65, div. A, title V, § 532(a)(4)(B), div. B, title XXVIII, § 2871(a)(2), Oct. 5, 1999, 113 Stat. 603, 873, added items 4333a and 4357.

1998—Pub. L. 105–261, div. A, title X, § 1063(a)(2), Oct. 17, 1998, 112 Stat. 2130, added item 4358.

1997—Pub. L. 105–85, div. A, title V, § 542(a)(2), Nov. 18, 1997, 111 Stat. 1741, added item 4345.

1996—Pub. L. 104–106, div. A, title V, § 533(a)(2), Feb. 10, 1996, 110 Stat. 315, struck out item 4357 “Athletics program: athletic director; nonappropriated fund account”.

1994—Pub. L. 103–337, div. A, title V, § 556(a)(2), Oct. 5, 1994, 108 Stat. 2774, added item 4357.

1993—Pub. L. 103–160, div. A, title V, § 533(a)(2), Nov. 30, 1993, 107 Stat. 1658, added item 4338.

1983—Pub. L. 98–94, title X, § 1004(a)(3), Sept. 24, 1983, 97 Stat. 658, substituted “from foreign countries” for “from Canada and American Republics” in item 4344, and struck out item 4345 “Selection of Filipinos”.

1982—Pub. L. 97–295, § 1(41)(B), Oct. 12, 1982, 96 Stat. 1298, added item 4356.

1981—Pub. L. 97–60, title II, § 203(a)(2)(B), Oct. 14, 1981, 95 Stat. 1006, added item 4341a.

1978—Pub. L. 95–551, § 4(b), Oct. 30, 1978, 92 Stat. 2069, substituted “Establishment; Superintendent; faculty” for “Superintendent; faculty; adjutant; chaplain” in item 4331, “director of admissions” for “registrar” in item 4336, and struck out item 4338 “Director of music”.

1968—Pub. L. 90–623, § 2(7), Oct. 22, 1968, 82 Stat. 1314, struck out item 4339 “Organist and choirmaster; civilian instructors in departments of foreign languages and tactics; quarters, fuel, and light”.

1958—Pub. L. 85–600, § 1(12), Aug. 6, 1958, 72 Stat. 523, inserted “, registrar” in item 4336.

§ 4331. Establishment; Superintendent; faculty

(a) There is in the Department of the Army a United States Military Academy, at West Point, New York (hereinafter in this chapter referred to as the “Academy”), for the instruction and preparation for military service of selected persons called “cadets”. The organization of the Academy shall be prescribed by the Secretary of the Army.

(b) There shall be at the Academy the following:

- (1) A Superintendent.
- (2) A Dean of the Academic Board, who is a permanent professor.
- (3) A Commandant of Cadets.
- (4) Twenty-eight permanent professors.
- (5) A chaplain.
- (6) A director of admissions.

(Aug. 10, 1956, ch. 1041, 70A Stat. 238; Pub. L. 85–600, § 1(8), Aug. 6, 1958, 72 Stat. 522; Pub. L. 85–723, Aug. 21, 1958, 72 Stat. 711; Pub. L. 95–551,

§ 1, Oct. 30, 1978, 92 Stat. 2069; Pub. L. 96–513, title V, § 512(12), Dec. 12, 1980, 94 Stat. 2929; Pub. L. 102–484, div. A, title V, § 523(a), Oct. 23, 1992, 106 Stat. 2409; Pub. L. 103–160, div. A, title V, § 533(a)(3), Nov. 30, 1993, 107 Stat. 1658; Pub. L. 110–181, div. A, title V, § 507, Jan. 28, 2008, 122 Stat. 96.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4331(a)	10:1061. 10:1071. 10:1077. 10:1077a. 10:1078a. 10:1087 (less proviso). 10:1088. 10:1089 (1st 20 words).	R.S. 1309; Feb. 18, 1896, ch. 22 (less proviso), 29 Stat. 8. June 23, 1879, ch. 35, § 4 (less last 30 words), 21 Stat. 34. June 8, 1926, ch. 492 (1st par., less 1st proviso), 44 Stat. 703. Apr. 19, 1910, ch. 174 (1st and 2d provisos under “Permanent Establishment”), 36 Stat. 312; June 8, 1926, ch. 492 (1st proviso of 1st par.), 44 Stat. 703. Apr. 19, 1910, ch. 174 (8th par. under “Permanent Establishment”), 36 Stat. 312. May 26, 1934, ch. 353, 48 Stat. 806. June 26, 1946, ch. 495, § 1 (less proviso), 2, 3 (1st 20 words), 60 Stat. 312.
4331(b)		

In subsection (a), reference to the senior instructors of artillery, cavalry, and infantry, and the master of the sword, in 10:1061, are omitted as obsolete. The duties of the former master of the sword are presently performed by the director of physical education, detailed to that duty by the superintendent of the Academy from officers assigned to duty at that installation by the Secretary under section 3012(e) of this title. The words “and one assistant professor”, in 10:1061, are omitted as superseded by section 4333 of this title. The words “shall be constituted” are omitted as surplusage. The Act of June 8, 1926, ch. 492 (last proviso of 1st par.), 44 Stat. 703, is not contained in 10:1077a. It is also omitted from the revised section as executed.

The word “permanent” is inserted in subsection (a)(4), pursuant to 10:1087, which, by adding one permanent professor for each of the subjects of instruction named in clauses (A)–(I), inclusive, implies that there already was a permanent professor for each of those subjects. The subjects of instruction set forth in clauses (A)–(I), inclusive, are those for which a professor was authorized before the enactment of the source statute for 10:1087. The names of the subjects to be taught at the Academy are changed, where necessary, to conform to the names of those presently taught, pursuant to regulations and orders issued under the general authority for the change of titles of departments of instruction, contained in section 4332 of this title. These changes, published in general orders by authority of the Secretary of War and the Secretary of the Army, are as follows:

In clause (4)(A), the word “Electricity” is substituted for the words “chemistry, mineralogy, and geology”, in 10:1061, pursuant to General Orders 38, Hq USMA, 29 June 1946.

In clause (4)(C), the word “Foreign” is substituted for the word “modern”, in 10:1071, pursuant to General Orders No. 6, Hq USMA, 14 February 1949. The Act of June 23, 1879, ch. 35, § 4 (1st 47 words) is not contained in 10:1071. It is also omitted from the revised section as executed.

In clause (4)(E), the word “Mechanics” is substituted for the words “natural and experimental philosophy”, in 10:1061, pursuant to General Orders No. 3, Hq USMA, 11 February 1943.

In clause (4)(F), the words “Military Art and Engineering” are substituted for the words “civil and mili-