

(iv) any other issues relating to sexual harassment and sexual violence involving Academy personnel.

(d) ANNUAL REPORT.—(1) The Secretary of the Air Force shall direct the Superintendent of the Academy to submit to the Secretary a report on sexual harassment and sexual violence involving cadets or other personnel at the Academy for each Academy program year.

(2) Each report under paragraph (1) shall include, for the Academy program year covered by the report, the following:

(A) The number of sexual assaults, rapes, and other sexual offenses involving cadets or other Academy personnel that have been reported to Academy officials during the program year and, of those reported cases, the number that have been substantiated.

(B) The policies, procedures, and processes implemented by the Secretary of the Air Force and the leadership of the Academy in response to sexual harassment and sexual violence involving cadets or other Academy personnel during the program year.

(C) A plan for the actions that are to be taken in the following Academy program year regarding prevention of and response to sexual harassment and sexual violence involving cadets or other Academy personnel.

(3) Each report under paragraph (1) for an Academy program year that begins in an odd-numbered calendar year shall include the results of the survey conducted in that program year under subsection (c)(2).

(4)(A) The Secretary of the Air Force shall transmit to the Secretary of Defense, and to the Board of Visitors of the Academy, each report received by the Secretary under this subsection, together with the Secretary's comments on the report.

(B) The Secretary of Defense shall transmit each such report, together with the Secretary's comments on the report, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(Added Pub. L. 109-364, div. A, title V, § 532(a)(3), Oct. 17, 2006, 120 Stat. 2203.)

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 31, 2021, of provisions in subsec. (d)(4)(B) of this section requiring submittal of annual report to Congress, see section 1061 of Pub. L. 114-328, set out as a note under section 111 of this title.

#### FURTHER INFORMATION FROM CADETS AND MIDSHIPMEN AT THE SERVICE ACADEMIES ON SEXUAL ASSAULT AND SEXUAL HARASSMENT ISSUES

Secretary of a military department to provide for focus groups to ascertain information relating to sexual assault and sexual harassment issues in any year in which the Secretary is not required by law to conduct a survey on such matters at the service academy under the Secretary's jurisdiction and to include such information in the Secretary's annual report to Congress, see section 532(b) of Pub. L. 109-364, set out as a note under section 4361 of this title.

### § 9362. Support of athletic programs

(a) CORPORATION FOR SUPPORT AUTHORIZED.—(1) The Secretary of the Air Force may, in ac-

cordance with the laws of the State of incorporation, establish a corporation (in this section referred to as the "corporation") to support the athletic programs of the Academy. All stock of the corporation shall be owned by the United States and held in the name of and voted by the Secretary of the Air Force.

(2) The corporation shall operate exclusively for charitable, educational, and civic purposes to support the athletic programs of the Academy.

(b) CORPORATE ORGANIZATION.—The corporation shall be organized and operated—

(1) as a nonprofit corporation under section 501(c)(3) of the Internal Revenue Code of 1986;

(2) in accordance with this section; and

(3) pursuant to the laws of the State of incorporation, its articles of incorporation, and its bylaws.

(c) CORPORATE BOARD OF DIRECTORS.—(1) The members of the board of directors of the corporation shall serve without compensation as members of the board, except for reasonable travel and other related expenses for attendance at meetings of the board.

(2) The Secretary of the Air Force may authorize military and civilian personnel of the Air Force under section 1033 of this title to serve, in their official capacities, as members of the board of directors of the corporation, but such personnel shall not hold more than one-third of the directorships.

(d) TRANSFERS FROM NONAPPROPRIATED FUND OPERATION.—The Secretary of the Air Force may, subject to the acceptance of the corporation, transfer to the corporation all title to and ownership of the assets and liabilities of the Air Force nonappropriated fund instrumentality whose functions include providing support for the athletic programs of the Academy, including bank accounts and financial reserves in its accounts, equipment, supplies, and other personal property, but excluding any interest in real property.

(e) ACCEPTANCE OF SUPPORT.—

(1) SUPPORT RECEIVED FROM THE CORPORATION.—Notwithstanding section 1342 of title 31, the Secretary of the Air Force may accept from the corporation funds, supplies, equipment, and services for the support of the athletic programs of the Academy.

(2) FUNDS RECEIVED FROM OTHER SOURCES.—The Secretary may charge fees for the support of the athletic programs of the Academy. The Secretary may accept and retain fees for services and other benefits provided incident to the operation of its athletic programs, including fees from the National Collegiate Athletic Association, fees from athletic conferences, game guarantees from other educational institutions, fees for ticketing or licensing, and other consideration provided incidental to the execution of the athletic programs of the Academy.

(3) LIMITATIONS.—The Secretary shall ensure that contributions accepted under this subsection do not—

(A) reflect unfavorably on the ability of the Department of the Air Force, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

(B) compromise the integrity or appearance of integrity of any program of the Department of the Air Force, or any individual involved in such a program.

(f) LEASES AND LICENSES.—

(1) IN GENERAL.—The Secretary of the Air Force may, in accordance with section 2667 of this title, enter into leases or licenses with the corporation for the purpose of supporting the athletic programs of the Academy. Consideration provided under such a lease or license may be provided in the form of funds, supplies, equipment, and services for the support of the athletic programs of the Academy.

(2) SUPPORT SERVICES.—The Secretary may provide support services to the corporation without charge while the corporation conducts its support activities at the Academy. In this paragraph, the term “support services” includes utilities, office furnishings and equipment, communications services, records staging and archiving, audio and video support, and security systems in conjunction with the leasing or licensing of property. Any such support services may only be provided without any liability of the United States to the corporation.

(g) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary of the Air Force may enter into contracts and cooperative agreements with the corporation for the purpose of supporting the athletic programs of the Academy. Notwithstanding section 2304(k) of this title, the Secretary may enter such contracts or cooperative agreements on a sole source basis pursuant to section 2304(c)(5) of this title. Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property, services, or travel for the direct benefit or use of the athletic programs of the Academy.

(h) TRADEMARKS AND SERVICE MARKS.—

(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (g) may, consistent with section 2260 of this title (other than subsection (d) of such section), authorize the corporation to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Academy, subject to the approval of the Secretary of the Air Force.

(2) LIMITATIONS.—No licensing, marketing, or sponsorship agreement may be entered into under paragraph (1) if—

(A) such agreement would reflect unfavorably on the ability of the Department of the Air Force, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

(B) the Secretary determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Department of the Air Force, or any individual involved in such a program.

(i) RETENTION AND USE OF FUNDS.—Any funds received under this section may be retained for use in support of the athletic programs of the Academy and shall remain available until expended.

(Added Pub. L. 111–84, div. A, title V, §528(a), Oct. 28, 2009, 123 Stat. 2289; amended Pub. L. 113–291, div. A, title V, §554, Dec. 19, 2014, 128 Stat. 3377.)

REFERENCES IN TEXT

Section 501(c)(3) of the Internal Revenue Code of 1986, referred to in subsec. (b)(1), is classified to section 501(c)(3) of Title 26, Internal Revenue Code.

AMENDMENTS

2014—Subsecs. (e) to (i). Pub. L. 113–291 added subsecs. (e) to (i) and struck out former subsecs. (e) to (g) which related to acceptance of gifts, leases of real and personal property, and cooperative agreements, respectively.

[CHAPTER 905—REPEALED]

**[[§§ 9381 to 9383. Repealed. Pub. L. 114–328, div. A, title XII, § 1241(i)(2), Dec. 23, 2016, 130 Stat. 2508]**

Section 9381, added Pub. L. 103–160, div. A, title XI, §1178(b), Nov. 30, 1993, 107 Stat. 1769, established the Aviation Leadership Program. See section 348 of this title.

A prior section 9381, act Aug. 10, 1956, ch. 1041, 70A Stat. 568, defined “advanced training”, prior to repeal by Pub. L. 88–647, title III, §301(26), Oct. 13, 1964, 78 Stat. 1073. See section 2101 of this title.

Section 9382, added Pub. L. 103–160, div. A, title XI, §1178(b), Nov. 30, 1993, 107 Stat. 1769, related to the Secretary of the Air Force providing to a person receiving training transportation, supplies, equipment, clothing, billeting, food, and health services.

A prior section 9382, acts Aug. 10, 1956, ch. 1041, 70A Stat. 568; Sept. 2, 1958, Pub. L. 85–861, §33(a)(44), 72 Stat. 1567, related to establishment and composition of Air Force Reserve Officers’ Training Corps, prior to repeal by Pub. L. 88–647, title III, §301(26), Oct. 13, 1964, 78 Stat. 1073. See section 2102 of this title.

Section 9383, added Pub. L. 103–160, div. A, title XI, §1178(b), Nov. 30, 1993, 107 Stat. 1769, related to the Secretary of the Air Force paying a living allowance to a person receiving training.

Prior sections 9383 to 9387, act Aug. 10, 1956, ch. 1041, 70A Stat. 569, 570, related to Air Force Officers’ Training Corps and admission and training of medical, dental, pharmacy and veterinary students, set out courses of training, authorized operation and maintenance of training camps, provided for supplies and uniforms and for advanced training and compensation therefor, prior to repeal by Pub. L. 88–647, title III, §301(26), Oct. 13, 1964, 78 Stat. 1073. See chapter 103 of this title.

Prior section 9384 was amended by act Sept. 2, 1958, Pub. L. 85–861, §1(202), 72 Stat. 1541.

**CHAPTER 907—SCHOOLS AND CAMPS**

Sec.	
9411.	Establishment: purpose.
9412.	Operation.
9413.	Transportation and subsistence during travel.
9414.	Quartermaster and ordnance property: sales.
[9415.	Renumbered.]
9417.	Air War College: acceptance of grants for faculty research for scientific, literary, and educational purposes.

AMENDMENTS

2016—Pub. L. 114–328, div. A, title XII, §1241(o)(9), Dec. 23, 2016, 130 Stat. 2512, struck out item 9415 “Inter-American Air Forces Academy”.

2006—Pub. L. 109–163, div. A, title V, §522(f)(2), Jan. 6, 2006, 119 Stat. 3244, added item 9417.

1990—Pub. L. 101–510, div. A, title III, §330(b), Nov. 5, 1990, 104 Stat. 1535, added item 9415.