

provided under subsection (a) by October 1, 2001, at a particular installation, the Secretary of the Army shall require (on and after that date) that male recruits in basic training at such installation be housed in barracks or other troop housing facilities that are only for males and that female recruits in basic training at such installation be housed in barracks or other troop housing facilities that are only for females.

(c) CONSTRUCTION PLANNING.—In planning for the construction of housing to be used for housing recruits during basic training, the Secretary of the Army shall ensure that the housing is to be constructed in a manner that facilitates the housing of male recruits and female recruits separately and securely from each other.

(d) BASIC TRAINING DEFINED.—In this section, the term ‘basic training’ means the initial entry training program of the Army that constitutes the basic training of new recruits.

(Added Pub. L. 105–261, div. A, title V, §521(a)(1), Oct. 17, 1998, 112 Stat. 2009.)

#### IMPLEMENTATION

Pub. L. 105–261, div. A, title V, §521(a)(3), Oct. 17, 1998, 112 Stat. 2010, provided that: “The Secretary of the Army shall implement section 4319 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.”

#### § 4320. Recruit basic training: privacy

The Secretary of the Army shall require that access by drill sergeants and other training personnel to a living area in which recruits are housed during basic training shall be limited after the end of the training day, other than in the case of an emergency or other exigent circumstance, to drill sergeants and other training personnel who are of the same sex as the recruits housed in that living area or to superiors in the chain of command of those recruits who, if not of the same sex as the recruits housed in that living area, are accompanied by a member (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.  
4331. Establishment; Superintendent; faculty.