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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 “Selection 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.
4331(b)	10:1073.	

HISTORICAL AND REVISION NOTES—CONTINUED

Revised section	Source (U.S. Code)	Source (Statutes at Large)
		May 26, 1934, ch. 353, 48 Stat. 806. June 26, 1946, ch. 495, §§ 1 (less proviso), 2, 3 (1st 20 words), 60 Stat. 312.

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 military engineering”, in 10:1061, pursuant to General Orders No. 3, Hq USMA, 11 February 1943.

In clause (4)(G), the words “Military Topography and Graphics” are substituted for the word “drawing”, in 10:1061, pursuant to General Orders No. 3, Hq USMA, 11 February 1943.

In clause (4)(H), the words “Physics and Chemistry” are substituted for the word “physics”, in 10:1078a, pursuant to General Orders No. 38, Hq USMA, 29 June 1946.

In clause (4)(I), the words “Social Sciences” are substituted for the words “economics, government, and history”, in 10:1077a, pursuant to General Orders No. 13, Hq USMA, 22 April 1947.

In clause (4)(B) and (I), the provisions of 10:1077 and 1077a relating to the appointment of a civilian in the department of English, and a professor of economics, government, and history, by the President, by and with the advice and consent of the Senate, are omitted as executed. The provisions of 10:1077a relating to the establishment of a Department of Economics, Government, and History are omitted as executed.

Subsection (a)(8) is inserted to complete the listing of the appointed officials of the Academy.

In subsection (a)(9), the word “director” is substituted for the word “teacher” to conform to section 4338 of this title.

AMENDMENTS

2008—Subsec. (b)(4). Pub. L. 110–181 amended par. (4) generally. Prior to amendment, par. (4) read as follows: “Twenty-two permanent professors.”

1993—Subsec. (c). Pub. L. 103–160 struck out subsec. (c) which read as follows:

“(1) The Secretary of the Army may employ as many civilians as professors, instructors, and lecturers at the Academy as the Secretary considers necessary.

“(2) The compensation of persons employed under this subsection shall be as prescribed by the Secretary.

“(3) The Secretary may delegate the authority conferred by this subsection to any person in the Department of the Army to the extent the Secretary considers proper. Such delegation may be made with or without the authority to make successive redelegations.”

1992—Subsec. (c). Pub. L. 102–484 added subsec. (c).

1980—Pub. L. 96–513 substituted “New York (hereinafter in this chapter referred to as the ‘Academy’)” for “New York, in this chapter called the ‘Academy’”.

1978—Pub. L. 95–551 substituted “Establishment; Superintendent; faculty” for “Superintendent; faculty; adjutant; chaplain” in section catchline.

Subsec. (a). Pub. L. 95–551 substituted provision establishing in the Department of the Army a Military Academy located at West Point, New York, for instruction and preparation of cadets for military service and providing that the organization of the Academy be prescribed by the Secretary of the Army for provision describing the faculty of the Academy as consisting of a Superintendent, a Dean of the Academic Board, a Commandant of Cadets, two permanent professors in each of nine enumerated academic fields, one permanent professor in each of the fields of Law, Ordnance, and Physical education, a professor of Military Hygiene, an adjutant, a registrar, a chaplain, and a director of music.

Subsec. (b). Pub. L. 95–551 substituted provision describing the faculty of the Academy as consisting of a Superintendent, a Dean of the Academic Board, a Commandant of Cadets, twenty-two permanent professors, a chaplain, and a director of admissions for provision making an officer, upon becoming the senior commissioned officer of the Medical Corps on active duty at the Academy, the professor of Military Hygiene.

1958—Subsec. (a)(5). Pub. L. 85–723 authorized a permanent professor of physical education.

Subsec. (a)(8) to (10). Pub. L. 85–600 added par. (8) and redesignated existing pars. (8) and (9) as (9) and (10), respectively.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96–513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96–513, set out as a note under section 101 of this title.

PRAYER AT MILITARY SERVICE ACADEMY ACTIVITIES

Pub. L. 109–163, div. A, title V, § 598, Jan. 6, 2006, 119 Stat. 3283, provided that:

“(a) IN GENERAL.—The superintendent of a service academy may have in effect such policy as the superintendent considers appropriate with respect to the offering of a voluntary, nondenominational prayer at an otherwise authorized activity of the academy, subject to the United States Constitution and such limitations as the Secretary of Defense may prescribe.

“(b) SERVICE ACADEMIES.—For purposes of this section, the term ‘service academy’ means any of the following:

- “(1) The United States Military Academy.
- “(2) The United States Naval Academy.
- “(3) The United States Air Force Academy.”

SEXUAL HARASSMENT AND VIOLENCE AT THE MILITARY SERVICE ACADEMIES

Pub. L. 108–375, div. A, title V, § 576, Oct. 28, 2004, 118 Stat. 1924, as amended by Pub. L. 111–84, div. A, title V, § 566, Oct. 28, 2009, 123 Stat. 2313, provided that:

“(a) EXTENSION OF TASK FORCE.—(1) The task force in the Department of Defense established by the Sec-

retary of Defense pursuant to section 526 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1466) [set out below] to examine matters relating to sexual harassment and violence at the United States Military Academy and United States Naval Academy shall continue in existence for a period of at least 18 months after the date as of which the task force would otherwise be terminated pursuant to subsection (i) of that section.

“(2) Upon the completion of the functions of the task force referred to in paragraph (1) pursuant to section 526 of the National Defense Authorization Act for Fiscal Year 2004, the name of the task force shall be changed to the Defense Task Force on Sexual Assault in the Military Services, and the task force shall then carry out the functions specified in this section. The task force shall not begin to carry out the functions specified in this section until it has completed its functions under such section 526.

“(3) Before the task force extended under this subsection begins to carry out the functions specified in this section, the Secretary of Defense may, consistent with the qualifications required by section 526(f) of Public Law 108-136, change the composition of the task force as the Secretary considers appropriate for the effective performance of such functions, except that—

“(A) any change initiated by the Secretary in the membership of the task force under this paragraph may not take effect before the task force has completed its functions under section 526 of Public Law 108-136; and

“(B) the total number of members of the task force may not exceed 14.

“(b) EXAMINATION OF MATTERS RELATING TO SEXUAL ASSAULT IN THE ARMED FORCES.—The task force shall conduct an examination of matters relating to sexual assault in cases in which members of the Armed Forces are either victims or commit acts of sexual assault.

“(c) RECOMMENDATIONS.—The Task Force shall include in its report under subsection (e) recommendations of ways by which civilian officials within the Department of Defense and leadership within the Armed Forces may more effectively address matters relating to sexual assault. That report shall include an assessment of, and recommendations (including any recommendations for changes in law) for measures to improve, with respect to sexual assault, the following:

“(1) Victim care and advocacy programs.

“(2) Effective prevention.

“(3) Collaboration among military investigative organizations with responsibility or jurisdiction.

“(4) Coordination and resource sharing between military and civilian communities, including local support organizations.

“(5) Reporting procedures, data collection, tracking of cases, and use of data on sexual assault by senior military and civilian leaders.

“(6) Oversight of sexual assault programs, including development of measures of the effectiveness of those programs in responding to victim needs.

“(7) Military justice issues.

“(8) Progress in developing means to investigate and prosecute assailants who are foreign nationals.

“(9) Adequacy of resources supporting sexual assault prevention and victim advocacy programs, particularly for deployed units and personnel.

“(10) Training of military and civilian personnel responsible for implementation of sexual assault policies.

“(11) Programs and policies, including those related to confidentiality, designed to encourage victims to seek services and report offenses.

“(12) Other issues identified by the task force relating to sexual assault.

“(d) METHODOLOGY.—In carrying out its examination under subsection (b) and in formulating its recommendations under subsection (c), the task force shall consider the findings and recommendations of previous reviews and investigations of sexual assault conducted by the Department of Defense and the Armed Forces.

“(e) REPORT.—(1) Not later than December 1, 2009, the task force shall submit to the Secretary of Defense and the Secretaries of the Army, Navy, and Air Force a report on the activities of the task force and on the activities of the Department of Defense and the Armed Forces to respond to sexual assault.

“(2) The report shall include the following:

“(A) A description of any barrier to implementation of improvements as a result of previous efforts to address sexual assault.

“(B) Other areas of concern not previously addressed in prior reports.

“(C) The findings and conclusions of the task force.

“(D) Any recommendations for changes to policy and law that the task force considers appropriate.

“(3) Within 90 days after receipt of the report under paragraph (1), the Secretary of Defense shall submit the report, together with the Secretary's evaluation of the report, to the Committees on Armed Services of the Senate and House of Representatives.

“(f) 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 (e)(3).”

Pub. L. 108-136, div. A, title V, §526, Nov. 24, 2003, 117 Stat. 1466, provided that:

“(a) ESTABLISHMENT.—The Secretary of Defense shall establish a Department of Defense task force to examine matters relating to sexual harassment and violence at the United States Military Academy and the United States Naval Academy.

“(b) RECOMMENDATIONS.—Not later than 12 months after the date on which all members of the task force have been appointed, the task force shall submit to the Secretary of Defense a report recommending ways by which the Department of Defense and the Department of the Army and the Department of the Navy may more effectively address matters relating to sexual harassment and violence at the United States Military Academy and the United States Naval Academy, respectively. The report shall include an assessment of, and recommendations (including any recommended changes in law) for measures to improve, with respect to sexual harassment and violence at those academies, the following:

“(1) Victims' safety programs.

“(2) Offender accountability.

“(3) Effective prevention of sexual harassment and violence.

“(4) Collaboration among military organizations with responsibility or jurisdiction with respect to sexual harassment and violence.

“(5) Coordination between military and civilian communities, including local support organizations, with respect to sexual harassment and violence.

“(6) Coordination between military and civilian communities, including civilian law enforcement relating to acts of sexual harassment and violence.

“(7) Data collection and case management and tracking.

“(8) Curricula and training, including standard training programs for cadets at the United States Military Academy and midshipmen at the United States Naval Academy and for permanent personnel assigned to those academies.

“(9) Responses to sexual harassment and violence at those academies, including standard guidelines.

“(10) Other issues identified by the task force relating to sexual harassment and violence at those academies.

“(c) METHODOLOGY.—The task force shall consider the findings and recommendations of previous reviews and investigations of sexual harassment and violence conducted for those academies as one of the bases for its assessment.

“(d) REPORT.—(1) The task force shall submit to the Secretary of Defense and the Secretaries of the Army and the Navy a report on the activities of the task force and on the activities of the United States Mil-

tary Academy and the United States Naval Academy to respond to sexual harassment and violence at those academies.

“(2) The report shall include the following:

“(A) Any barriers to implementation of improvements as a result of those efforts.

“(B) Other areas of concern not previously addressed in prior reports.

“(C) The findings and conclusions of the task force.

“(D) Any recommendations for changes to policy and law as the task force considers appropriate, including whether cases of sexual assault at those academies should be included in the Department of Defense database known as the Defense Incident-Based Reporting System.

“(3) Within 90 days after receipt of the report under paragraph (1) the Secretary of Defense shall submit the report, together with the Secretary’s evaluation of the report, to the Committees on Armed Services of the Senate and House of Representatives.

“(e) REPORT ON AIR FORCE ACADEMY.—Simultaneously with the submission of the report under subsection (d)(3), the Secretary of Defense, in coordination with the Secretary of the Air Force, shall submit to the committees specified in that subsection the Secretary’s assessment of the effectiveness of corrective actions being taken at the United States Air Force Academy as a result of various investigations conducted at that Academy into matters involving sexual assault and harassment.

“(f) COMPOSITION.—(1) The task force shall consist of not more than 14 members, to be appointed by the Secretary of Defense. Members shall be appointed from each of the Army, Navy, Air Force, and Marine Corps, and shall include an equal number of personnel of the Department of Defense (military and civilian) and persons from outside the Department of Defense. Members appointed from outside the Department of Defense may be appointed from other Federal departments and agencies, from State and local agencies, or from the private sector.

“(2) The Secretary shall ensure that the membership of the task force appointed from the Department of Defense includes at least one judge advocate.

“(3) In appointing members to the task force, the Secretary may—

“(A) consult with the Attorney General regarding a representative from the Office of Violence Against Women of the Department of Justice; and

“(B) consult with the Secretary of Health and Human Services regarding a representative from the Women’s Health office of the Department of Health and Human Services.

“(4) Each member of the task force appointed from outside the Department of Defense shall be an individual who has demonstrated expertise in the area of sexual harassment and violence or shall be appointed from one of the following:

“(A) A representative from the Office of Civil Rights of the Department of Education.

“(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

Revised section	Source (U.S. Code)	Source (Statutes at Large)
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 (words after semicolon in 7th clause), 28 Stat. 151.
4333(b)	10:1063 (last sentence, less 1st 26 words).	
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.