

- (i) are consistent with the terms of the contract or cooperative agreement; and
- (ii) will not compromise the integrity or appearance of integrity of any program of the Department of the Army.

(3) LEASES.—Section 2667(h) of this title shall not apply to any leases the Secretary may enter into with the Association for the purpose of supporting the athletic programs of the Academy.

(b) SUPPORT SERVICES.—

(1) AUTHORITY.—To the extent required by a contract or cooperative agreement under subsection (a), the Secretary may provide support services to the Association while the Association conducts its support activities at the Academy. The Secretary may provide support services described in paragraph (2) only if the Secretary determines that the provision of such services is essential for the support of the athletic programs of the Academy.

(2) SUPPORT SERVICES DEFINED.—(A) In this subsection, 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.

(B) Such term includes—

(i) housing for Association personnel on United States Army Garrison, West Point, New York; and

(ii) enrollment of dependents of Association personnel in elementary and secondary schools under the same criteria applied to dependents of Federal employees under section 2164(a) of this title, except that educational services provided pursuant to this clause shall be provided on a reimbursable basis.

(3) NO LIABILITY OF THE UNITED STATES.—Any such support services may only be provided without any liability of the United States to the Association.

(c) ACCEPTANCE OF SUPPORT.—

(1) SUPPORT RECEIVED FROM THE ASSOCIATION.—Notwithstanding section 1342 of title 31, the Secretary may accept from the Association funds, supplies, and services for the support of the athletic programs of the Academy. For the purposes of this section, employees or personnel of the Association may not be considered to be employees of the United States.

(2) FUNDS RECEIVED FROM NCAA.—The Secretary may accept funds from the National Collegiate Athletic Association to support the athletic programs of the Academy.

(3) LIMITATION.—The Secretary shall ensure that contributions under this subsection and expenditure of funds pursuant to subsection (e) do not reflect unfavorably on the ability of the Department of the Army, 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 compromise the integrity or appearance of integrity of any program of the Department of the Army, or any individual involved in such a program.

(d) TRADEMARKS AND SERVICE MARKS.—

(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (a) may, consistent with section 2260 of this title (other than subsection (d) of such section), authorize the Association 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 Army.

(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 Army, 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 Army, or any individual involved in such a program.

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

(f) SERVICE ON ASSOCIATION BOARD OF DIRECTORS.—The Association is a designated entity for which authorization under sections 1033(a) and 1589(a) of this title may be provided.

(g) CONDITIONS.—The authority provided in this section with respect to the Association is available only so long as the Association continues—

(1) to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with this section, the law of the State of New York, and the constitution and bylaws of the Association; and

(2) to operate exclusively to support the athletic programs of the Academy.

(h) ASSOCIATION DEFINED.—In this section, the term “Association” means the Army West Point Athletic Association.

(Added Pub. L. 114-92, div. A, title V, §557(a), Nov. 25, 2015, 129 Stat. 825.)

REFERENCES IN TEXT

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

[CHAPTER 405—REPEALED]

[§§ 4381 to 4387. Repealed. Pub. L. 88-647, title III, §301(10), Oct. 13, 1964, 78 Stat. 1072]

Sections, act Aug. 10, 1956, ch. 1041, 70A Stat. 246-248, related to the Reserve Officers' Training Corps and defined “advanced training”, provided for its establishment and composition, admission and training of medical, dental pharmacy and veterinary students, set out courses of training, authorized the operation and maintenance of training camps, provided for supplies and uniforms and for advanced training and compensation therefor. See chapter 103 of this title.

Section 4384 was amended by Pub. L. 85-861, §1(104), Sept. 2, 1958, 72 Stat. 1489.

CHAPTER 407—SCHOOLS AND CAMPS

- Sec. 4411. Establishment: purpose.
- 4412. Operation.
- 4413. Transportation and subsistence during travel.
- 4414. Quartermaster and ordnance property: sales.
- [4415. Repealed.]
- 4416. Academy of Health Sciences: admission of civilians in physician assistant training program.
- 4417. United States Army War College: acceptance of grants for faculty research for scientific, literary, and educational purposes.

AMENDMENTS

- 2006—Pub. L. 109-163, div. A, title V, § 522(b)(2), Jan. 6, 2006, 119 Stat. 3241, added item 4417.
- 2000—Pub. L. 106-398, § 1 [[div. A], title IX, § 911(c)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A-228, struck out item 4415 “United States Army School of the Americas”.
- 1997—Pub. L. 105-85, div. A, title VII, § 741(a)(2), Nov. 18, 1997, 111 Stat. 1817, added item 4416.
- 1987—Pub. L. 100-180, div. A, title III, § 319(a)(2), Dec. 4, 1987, 101 Stat. 1077, added item 4415.

§ 4411. Establishment: purpose

The Secretary of the Army may maintain schools and camps for the military instruction and training of persons selected, upon their application, from warrant officers and enlisted members of the Army and civilians, to qualify them for appointment as reserve officers, or enlistment as reserve noncommissioned officers, for service in the Army Reserve.

(Aug. 10, 1956, ch. 1041, 70A Stat. 249.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
4411	10:442 (words before 1st semicolon of 1st sentence).	June 3, 1916, ch. 134, § 47d (words before 1st semicolon of 1st sentence); added June 4, 1920, ch. 227, subch. I, § 34 (words before 1st semicolon of 1st sentence of last par.), 41 Stat. 779.

The words “upon military reservations or elsewhere” are omitted as surplusage. The words “or enlistment as” are inserted for clarity. The words “of the Army” are inserted for clarity.

AUTHORIZATION FOR INSTRUCTION OF CIVILIAN STUDENTS AT FOREIGN LANGUAGE CENTER OF DEFENSE LANGUAGE INSTITUTE

Pub. L. 103-337, div. A, title V, § 559, Oct. 5, 1994, 108 Stat. 2776, as amended by Pub. L. 104-201, div. A, title III, § 371, Sept. 23, 1996, 110 Stat. 2499; Pub. L. 105-85, div. A, title X, § 1073(c)(3), Nov. 18, 1997, 111 Stat. 1904, authorized the Secretary of the Army to enter into an agreement with an accredited institution of higher education (or a consortium of such institutions) under which students enrolled at an institution of higher education that was a party to the agreement could receive instruction at the Foreign Language Center of the Defense Language Institute on a space-available basis and to permit other persons who would benefit from the instruction provided at the Center to receive instruction at the Center on a cost-reimbursable, space-available basis, provided that no student could be admitted to the Center to commence a program of instruction beginning after Sept. 30, 1997.

§ 4412. Operation

In maintaining schools and camps established under section 4411 of this title, the Secretary of the Army may—

- (1) prescribe the periods during which they will be operated;
- (2) prescribe regulations for their administration;
- (3) prescribe the courses to be taught;
- (4) detail members of the Regular Army to designated duties relating to the camps;
- (5) use necessary supplies and transportation;
- (6) furnish uniforms, subsistence, and medical attendance and supplies to persons attending the camps; and
- (7) authorize necessary expenditures from proper Army funds for—
 - (A) water;
 - (B) fuel;
 - (C) light;
 - (D) temporary structures, except barracks and officers’ quarters;
 - (E) screening;
 - (F) damages resulting from field exercises;
 - (G) expenses incident to theoretical winter instruction of trainees; and
 - (H) other expenses incident to maintaining the camps.

(Aug. 10, 1956, ch. 1041, 70A Stat. 249.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
4412	10:442 (47 words after 1st semicolon, and 72 words before 3d semicolon, of 1st sentence; and last sentence).	June 3, 1916, ch. 134, § 47d (47 words after 1st semicolon, and 72 words before 3d semicolon, of 1st sentence; and last sentence); added June 4, 1920, ch. 227, subch. I, § 34 (47 words after 1st semicolon, and 72 words before 3d semicolon, of 1st sentence; and last sentence of last par.), 41 Stat. 779.

The word “supplies” is substituted for the words “such arms, ammunition, accoutrements, equipments, tentage, field equipage”, since, under the definition of the word “supplies”, in section 101(26) of this title, those words are covered by the word “supplies”. The words “belonging to the United States”, “and imparting military instruction and training thereat”, “during the period of their attendance”, “theoretical and practical instruction”, “persons attending the camps authorized by this section”, and “as he may deem” are omitted as surplusage. The word “detail” is substituted for the word “employ”. The word “members” is substituted for the words “officers, warrant officers, and enlisted men”.

§ 4413. Transportation and subsistence during travel

- (a) There may be furnished to a person attending a school or camp established under section 4411 of this title, for travel to and from that school or camp—
 - (1) transportation and subsistence;
 - (2) transportation in kind and a subsistence allowance of one cent a mile; or
 - (3) a travel allowance of five cents a mile.
- (b) The travel allowance for the return trip may be paid in advance.
- (c) For the purposes of this section, distance is computed by the shortest usually traveled route, within such territorial limits as the Secretary of the Army may prescribe, from the au-