

(1) that is at least the rate charged for employees of the United States outside the Department of Defense, less infrastructure costs, and

(2) that considers the value to the school and course of the private sector student.

(f) **STANDARDS OF CONDUCT.**—While receiving instruction at the National Defense University, students enrolled under this section, to the extent practicable, are subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the university.

(g) **USE OF FUNDS.**—Amounts received by the National Defense University for instruction of students enrolled under this section shall be retained by the university to defray the costs of such instruction. The source, and the disposition, of such funds shall be specifically identified in records of the university.

(Added Pub. L. 107–107, div. A, title V, §528(a)(1), Dec. 28, 2001, 115 Stat. 1102; amended Pub. L. 111–84, div. A, title V, §526, Oct. 28, 2009, 123 Stat. 2288; Pub. L. 111–383, div. A, title V, §592, Jan. 7, 2011, 124 Stat. 4232.)

#### AMENDMENTS

2011—Subsec. (a). Pub. L. 111–383 substituted “35 full-time student positions” for “20 full-time student positions”.

2009—Subsec. (a). Pub. L. 111–84 substituted “20” for “10”.

#### EFFECTIVE DATE

Pub. L. 107–107, div. A, title V, §528(b), Dec. 28, 2001, 115 Stat. 1103, provided that: “Section 2167 of title 10, United States Code, as added by subsection (a), shall take effect on January 1, 2002.”

### § 2167a. Defense Cyber Investigations Training Academy: admission of private sector civilians to receive instruction

(a) **AUTHORITY FOR ADMISSION.**—The Secretary of Defense may permit eligible private sector employees to receive instruction at the Defense Cyber Investigations Training Academy operating under the direction of the Defense Cyber Crime Center. No more than the equivalent of 200 full-time student positions may be filled at any one time by private sector employees enrolled under this section, on a yearly basis. Upon successful completion of the course of instruction in which enrolled, any such private sector employee may be awarded an appropriate certification or diploma.

(b) **ELIGIBLE PRIVATE SECTOR EMPLOYEES.**—For purposes of this section, an eligible private sector employee is an individual employed by a private firm that is engaged in providing to the Department of Defense or other Government departments or agencies significant and substantial defense-related systems, products, or services, or whose work product is relevant to national security policy or strategy. A private sector employee remains eligible for such instruction only so long as that person remains employed by an eligible private sector firm.

(c) **PROGRAM REQUIREMENTS.**—The Secretary of Defense shall ensure that—

(1) the curriculum in which private sector employees may be enrolled under this section

is not readily available through other schools; and

(2) the course offerings at the Defense Cyber Investigations Training Academy continue to be determined solely by the needs of the Department of Defense.

(d) **TUITION.**—The Secretary of Defense shall charge private sector employees enrolled under this section tuition at a rate that is at least equal to the rate charged for employees of the United States. In determining tuition rates, the Secretary shall include overhead costs of the Defense Cyber Investigations Training Academy.

(e) **STANDARDS OF CONDUCT.**—While receiving instruction at the Defense Cyber Investigations Training Academy, students enrolled under this section, to the extent practicable, are subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the Academy.

(f) **USE OF FUNDS.**—Amounts received by the Defense Cyber Investigations Training Academy for instruction of students enrolled under this section shall be retained by the Academy to defray the costs of such instruction. The source, and the disposition, of such funds shall be specifically identified in records of the Academy.

(Added Pub. L. 111–84, div. A, title IX, §901(a), Oct. 28, 2009, 123 Stat. 2422.)

### § 2168. Defense Language Institute Foreign Language Center: degree of Associate of Arts in foreign language

(a) Subject to subsection (b), the Commandant of the Defense Language Institute may confer an Associate of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree.

(b) A degree may be conferred upon a student under this section only if the Provost of the Center certifies to the Commandant that the student has satisfied all the requirements prescribed for the degree.

(c) The authority provided by subsection (a) shall be exercised under regulations prescribed by the Secretary of Defense.

(Added Pub. L. 107–107, div. A, title V, §531(a), Dec. 28, 2001, 115 Stat. 1104.)

### § 2169. School of Nursing: establishment

(a) **ESTABLISHMENT AUTHORIZED.**—The Secretary of Defense may establish a School of Nursing.

(b) **DEGREE GRANTING AUTHORITY.**—The School of Nursing may include a program that awards a bachelor of science in nursing.

(c) **PHASED DEVELOPMENT.**—The Secretary of Defense may develop the School of Nursing in phases as determined appropriate by the Secretary.

(Added Pub. L. 111–84, div. A, title V, §525(a)(2), Oct. 28, 2009, 123 Stat. 2286.)