

tee on Armed Services of the House of Representatives.

(Added Pub. L. 109-364, div. A, title V, § 532(a)(1), Oct. 17, 2006, 120 Stat. 2200, § 4361; renumbered § 7461, Pub. L. 115-232, div. A, title VIII, § 808(c)(1), Aug. 13, 2018, 132 Stat. 1839.)

#### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4361 of this title as this section.

#### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

#### 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.

#### DEVELOPMENT OF RESOURCE GUIDES REGARDING SEXUAL ASSAULT FOR THE MILITARY SERVICE ACADEMIES

Pub. L. 115-232, div. A, title V, § 545, Aug. 13, 2018, 132 Stat. 1764, provided that:

“(a) DEVELOPMENT.—Not later than 30 days after the date of the enactment of this Act [Aug. 13, 2018], each Superintendent of a military service academy shall develop and maintain a resource guide for students at the respective military service academies regarding sexual assault.

“(b) ELEMENTS.—Each guide developed under this section shall include the following information with regards to the relevant military service academy:

“(1) PROCESS OVERVIEW AND DEFINITIONS.—

“(A) An explanation of prohibited conduct, including examples.

“(B) An explanation of consent.

“(C) Victims’ rights.

“(D) Clearly described complaint process, including to whom a complaint may be filed.

“(E) Explanations of restricted and unrestricted reporting.

“(F) List of mandatory reporters.

“(G) Protections from retaliation.

“(H) Assurance that leadership will take appropriate corrective action.

“(I) References to specific policies.

“(J) Resources for survivors.

“(2) EMERGENCY SERVICES.—

“(A) Contact information.

“(B) Location.

“(3) SUPPORT AND COUNSELING.—Contact information for the following support and counseling resources:

“(A) The Sexual Assault Prevention and Response Victim Advocate or other equivalent advocate or counselor available to students in cases of sexual assault.

“(B) The Sexual Harassment/Assault Response and Prevention Resource Program Center.

“(C) Peer counseling.

“(D) Medical care.

“(E) Legal counsel.

“(F) Hotlines.

“(G) Chaplain or other spiritual representatives.

“(c) DISTRIBUTION.—Each Superintendent shall provide the current guide developed by that Superintendent under this section—

“(1) not later than 30 days after completing development under subsection (a) to each student who is enrolled at the military service academy of that Superintendent on the date of the enactment of this Act;

“(2) at the beginning of each academic year after the date of the enactment of this Act to each student

who enrolls at the military service academy of that Superintendent; and

“(3) as soon as practicable to a student at the military service academy of that Superintendent who reports that such student is a victim of sexual assault.”

#### APPLICABILITY OF SEXUAL ASSAULT PREVENTION AND RESPONSE AND RELATED MILITARY JUSTICE ENHANCEMENTS TO MILITARY SERVICE ACADEMIES

Pub. L. 113-291, div. A, title V, § 552(a), Dec. 19, 2014, 128 Stat. 3377, provided that: “The Secretary of the military department concerned shall ensure that the provisions of title XVII of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 950) [see Tables for classification], including amendments made by that title, and the provisions of subtitle D [subtitle D (§§ 531-547) of title V of div. A of Pub. L. 113-291, see Tables for classification], including amendments made by such subtitle, apply to the United States Military Academy, the Naval Academy, and the Air Force Academy, as applicable.”

#### PREVENTION OF SEXUAL ASSAULT AT MILITARY SERVICE ACADEMIES

Pub. L. 113-66, div. A, title XVII, § 1746, Dec. 26, 2013, 127 Stat. 983, provided that: “The Secretary of Defense shall ensure that the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy include a section in the curricula of that military service academy that outlines honor, respect, and character development as such pertain to the issue of preventing sexual assault in the Armed Forces. Such curricula section shall include a brief history of the problem of sexual assault in the Armed Forces, a definition of sexual assault, information relating to reporting a sexual assault, victims’ rights, and dismissal and dishonorable discharge for offenders. Training in such section in the curricula shall be provided within 14 days after the initial arrival of a new cadet or midshipman at that military service academy and repeated annually thereafter.”

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

Pub. L. 109-364, div. A, title V, § 532(b), Oct. 17, 2006, 120 Stat. 2205, provided that:

“(1) USE OF FOCUS GROUPS FOR YEARS WHEN SURVEY NOT REQUIRED.—In any year in which the Secretary of a military department is not required by law to conduct a survey at the service academy under the Secretary’s jurisdiction on matters relating to sexual assault and sexual harassment issues at that Academy, the Secretary shall provide for focus groups to be conducted at that Academy for the purposes of ascertaining information relating to sexual assault and sexual harassment issues at that Academy.

“(2) INCLUSION IN REPORT.—Information ascertained from a focus group conducted pursuant to paragraph (1) shall be included in the Secretary’s annual report to Congress on sexual harassment and sexual violence at the service academies.

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

“(A) The United States Military Academy.

“(B) The United States Naval Academy.

“(C) The United States Air Force Academy.”

#### § 7462. Support of athletic programs

(a) AUTHORITY.—

(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary of the Army may enter into contracts and cooperative agreements with the Army West Point Athletic Association 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 or services for the direct benefit or use of the Academy.

(2) FINANCIAL CONTROLS.—(A) Before entering into a contract or cooperative agreement under paragraph (1), the Secretary shall ensure that such contract or agreement includes appropriate financial controls to account for Academy and Association resources in accordance with accepted accounting principles.

(B) Any such contract or cooperative agreement shall contain a provision that allows the Secretary, at the Secretary's discretion, to review the financial accounts of the Association to determine whether the operations of the Association—

- (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 sup-

port 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, §4362; renumbered

§ 7462, Pub. L. 115-232, div. A, title VIII, § 808(c)(1), Aug. 13, 2018, 132 Stat. 1839.)

## 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.

## PRIOR PROVISIONS

A prior section 7471, act Aug. 10, 1956, ch. 1041, 70A Stat. 462, related to appointments in professional and scientific service, prior to repeal by Pub. L. 85-861, § 36B(23), Sept. 2, 1958, 72 Stat. 1571.

Prior sections 7472 and 7473 were renumbered sections 8742 and 8743 of this title, respectively.

A prior section 7474, act Aug. 10, 1956, ch. 1041, 70A Stat. 463, related to establishment of wage rates for employees by Secretary of Navy, prior to repeal by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 663.

A prior section 7475, act Aug. 10, 1956, ch. 1041, 70A Stat. 463, restricted increasing of forces at naval activities prior to national elections, prior to repeal by Pub. L. 86-148, § 1(1), Aug. 7, 1959, 73 Stat. 302.

Prior sections 7476 to 7480 were renumbered sections 8746 to 8750 of this title, respectively.

## AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4362 of this title as this section.

## EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

## CHAPTER 757—SCHOOLS AND CAMPS

Sec.	
7481.	Establishment: purpose.
7482.	Operation.
7483.	Transportation and subsistence during travel.
7484.	Quartermaster and ordnance property: sales.
7486.	Academy of Health Sciences: admission of civilians in physician assistant training program.
7487.	United States Army War College: acceptance of grants for faculty research for scientific, literary, and educational purposes.

## AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, § 808(e)(3), (f)(1), Aug. 13, 2018, 132 Stat. 1839, redesignated chapter 407 of this title as this chapter and items 4411 to 4417 as 7481 to 7487, respectively.

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.

## § 7481. 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, § 4411; renumbered § 7481, Pub. L. 115-232, div. A, title VIII, § 808(c)(2), Aug. 13, 2018, 132 Stat. 1839.)

## 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.

## AMENDMENTS

2018—Pub. L. 115-232 renumbered section 4411 of this title as this section.

## EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

## § 7482. Operation

In maintaining schools and camps established under section 7481 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, § 4412; renumbered § 7482 and amended Pub. L. 115-232, div. A, title VIII, §§ 808(c)(2), 809(a), Aug. 13, 2018, 132 Stat. 1839, 1840.)

## 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.