

(4) The Secretary may not pay the tuition for participation in a program of higher education under subsection (a)(1) of a person participating in such program pursuant to an authorization under paragraph (1).

(d) ASSOCIATE DEGREES.—(1) Subject to paragraph (2), an academic degree at the level of associate may be conferred under section 9417 of this title upon any person who has completed a program prescribed by the Community College of the Air Force.

(2) No degree may be conferred upon any person under this section unless the Secretary of Education determines that the standards for the award of academic degrees in agencies of the United States have been met.

(Added Pub. L. 94-361, title VI, §602, July 14, 1976, 90 Stat. 928, §9315; amended Pub. L. 96-513, title V, §514(9), Dec. 12, 1980, 94 Stat. 2935; Pub. L. 103-160, div. A, title XI, §1182(a)(12), Nov. 30, 1993, 107 Stat. 1772; Pub. L. 104-106, div. A, title X, §1078(a), Feb. 10, 1996, 110 Stat. 451; Pub. L. 105-85, div. A, title V, §552(a), (b), Nov. 18, 1997, 111 Stat. 1748; Pub. L. 108-375, div. A, title V, §556(b), Oct. 28, 2004, 118 Stat. 1915; Pub. L. 112-81, div. A, title V, §555(a), (b), Dec. 31, 2011, 125 Stat. 1415; renumbered §9415 and amended Pub. L. 115-232, div. A, title VIII, §§806(a)(3), 809(a), Aug. 13, 2018, 132 Stat. 1832, 1840.)

#### PRIOR PROVISIONS

A prior section 9415 was renumbered section 349 of this title.

#### AMENDMENTS

2018—Pub. L. 115-232, §806(a)(3), renumbered section 9315 of this title as this section.

Subsec. (d)(1). Pub. L. 115-232, §809(a), substituted “section 9417” for “section 9317”.

2011—Subsec. (c). Pub. L. 112-81, §555(a)(2), added subsec. (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 112-81, §555(a)(1), (b), redesignated subsec. (c) as (d) and substituted “person” for “enlisted member” in two places.

2004—Subsec. (c). Pub. L. 108-375 amended heading and text generally. Prior to amendment, text read as follows:

“(1) Subject to paragraph (2), the commander of the Air Education and Training Command of the Air Force may confer an academic degree at the level of associate upon any enlisted member who has completed the program prescribed by the Community College of the Air Force.

“(2) No degree may be conferred upon any enlisted member under this section unless (A) the Community College of the Air Force certifies to the commander of the Air Education and Training Command of the Air Force that such member has satisfied all the requirements prescribed for such degree, and (B) the Secretary of Education determines that the standards for the award of academic degrees in agencies of the United States have been met.”

1997—Subsec. (a). Pub. L. 105-85, §552(b)(1), inserted heading.

Subsec. (a)(1). Pub. L. 105-85, §552(a)(1), substituted “enlisted members described in subsection (b)” for “enlisted members of the Air Force”.

Subsec. (b). Pub. L. 105-85, §552(a)(4), added subsec. (b). Former subsec. (b) redesignated subsec. (c)(1).

Subsec. (c). Pub. L. 105-85, §552(a)(2), (3), (b)(2), redesignated subsec. (b) as subsec. (c)(1), inserted subsec. heading, substituted “Subject to paragraph (2),” for “Subject to subsection (c),” and redesignated former subsec. (c) as subsec. (c)(2) and pars. (1) and (2) of former subsec. (c) as subpars. (A) and (B), respectively, of subsec. (c)(2).

1996—Subsec. (a)(1). Pub. L. 104-106 substituted “Air Force” for “armed forces”.

1993—Subsec. (b). Pub. L. 103-160, §1182(a)(12)(A), substituted “Air Education and Training Command” for “Air Training Command”.

Subsec. (c). Pub. L. 103-160, §1182(a)(12)(B), substituted “Air Education and Training Command of the Air Force” for “Air Force Training Command”.

1980—Subsec. (c). Pub. L. 96-513 substituted “Secretary of Education” for “Commissioner of Education of the Department of Health, Education, and Welfare”.

#### 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.

#### EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 112-81, div. A, title V, §555(c), Dec. 31, 2011, 125 Stat. 1416, provided that: “Subsection (c) of section 9315 [now 9415] of title 10, United States Code (as added by subsection (a)(2)), shall apply to persons covered by paragraph (1) of such subsection who are categorized by the Secretary concerned as seriously wounded, ill, or injured after September 11, 2001. With respect to any such person who is separated from active duty during the period beginning on September 12, 2001, and ending on the date of the enactment of this Act [Dec. 31, 2011], the 10-year period specified in paragraph (3) of such subsection shall be deemed to commence on the date of the enactment of this Act.”

#### EFFECTIVE DATE OF 1997 AMENDMENT

Pub. L. 105-85, div. A, title V, §552(c), Nov. 18, 1997, 111 Stat. 1748, provided that: “Subsection (b) of section 9315 [now 9415] of such title, as added by subsection (a)(4), applies with respect to enrollments in the Community College of the Air Force after March 31, 1996.”

#### EFFECTIVE DATE OF 1996 AMENDMENT

Pub. L. 104-106, div. A, title X, §1078(b), Feb. 10, 1996, 110 Stat. 451, provided that: “The amendment made by subsection (a) [amending this section] shall apply with respect to enrollments in the Community College of the Air Force after March 31, 1996.”

#### 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.

### § 9417. Degree granting authority for Air University

(a) AUTHORITY.—Except as provided in sections 9414 and 9415 of this title, under regulations prescribed by the Secretary of the Air Force, the commander of the Air University may, upon the recommendation of the faculty of the Air University components, 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 Air University 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 Air University to award any new or existing degree.

(Added Pub. L. 103-337, div. A, title IX, §913(a)(1), Oct. 5, 1994, 108 Stat. 2828, §9317; amended Pub. L. 106-65, div. A, title V, §543(a), (b)(1), Oct. 5, 1999, 113 Stat. 607; Pub. L. 108-375, div. A, title V, §556(a), (c)(1), Oct. 28, 2004, 118 Stat. 1914, 1915; Pub. L. 110-181, div. A, title V, §527, Jan. 28, 2008, 122 Stat. 105; Pub. L. 110-417, [div. A], title V, §543(i)(1), Oct. 14, 2008, 122 Stat. 4464; renumbered §9417 and amended Pub. L. 115-232, div. A, title VIII, §§806(a)(3), 809(a), Aug. 13, 2018, 132 Stat. 1832, 1840.)

#### PRIOR PROVISIONS

A prior section 9417 was renumbered section 9487 of this title.

#### AMENDMENTS

2018—Pub. L. 115-232, §806(a)(3), renumbered section 9317 of this title as this section.

Subsec. (a). Pub. L. 115-232, §809(a), substituted “sections 9414 and 9415” for “sections 9314 and 9315”.

2008—Pub. L. 110-417 amended section generally. Prior to amendment, section consisted of subsecs. (a) and (b) relating to the authority of Air University to confer academic degrees and regulations under which authority would be exercised.

Subsec. (a)(4), (5). Pub. L. 110-181 added par. (4) and redesignated former par. (4) as (5).

2004—Pub. L. 108-375, §556(c)(1), substituted “conferral of degrees” for “graduate-level degrees” in section catchline.

Subsec. (a). Pub. L. 108-375, §556(a), substituted “may confer academic degrees as follows:” for “may confer—” in introductory provisions, “The” for “the” in pars. (1) to (3), period for semicolon in par. (1), and period for “; and” in par. (2) and added par. (4).

1999—Pub. L. 106-65, §543(b)(1), substituted “graduate-level degrees” for “master of airpower art and science” in section catchline.

Subsec. (a). Pub. L. 106-65, §543(a), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “Upon the recommendation of the

faculty of the School of Advanced Airpower Studies of the Air University, the Commander of the university may confer the degree of master of airpower art and science upon graduates of the school who fulfill the requirements for the degree.”

#### 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.

#### 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.

#### EFFECTIVE DATE

Pub. L. 103-337, div. A, title IX, §913(b), Oct. 5, 1994, 108 Stat. 2828, provided that: “The authority provided by section 9317(a) [now 9417(a)] of title 10, United States Code, as added by subsection (a), shall become effective on the date on which the Secretary of Education determines that the requirements established by the School of Advanced Airpower Studies of the Air University for the degree of master of airpower art and science are in accordance with generally applicable requirements for a degree of master of arts or a degree of master of science.”

#### §9419. Recruit basic training; separate housing for male and female recruits

(a) PHYSICALLY SEPARATE HOUSING.—(1) The Secretary of the Air Force shall provide for housing male recruits and female recruits separately and securely from each other during basic training.

(2) To meet the requirements of paragraph (1), the sleeping areas and latrine areas provided for male recruits shall be physically separated from the sleeping areas and latrine areas provided for female recruits by permanent walls, and the areas for male recruits and the areas for female recruits shall have separate entrances.

(3) The Secretary shall ensure that, when a recruit is in an area referred to in paragraph (2), the area is supervised by one or more persons who are authorized and trained to supervise the area.

(b) ALTERNATIVE SEPARATE HOUSING.—If male recruits and female recruits cannot be housed as provided under subsection (a) by October 1, 2001, at a particular installation, the Secretary of the Air Force 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 Air Force 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 Air Force that constitutes the basic training of new recruits.