

consult with the Board of Advisors for the Naval Postgraduate School and shall consider any recommendation of the leadership and faculty of the Naval Postgraduate School regarding an appointment to that position.

(b) The Provost and Academic Dean is entitled to such compensation for his services as the Secretary prescribes, but not more than the rate of compensation authorized for level IV of the Executive Schedule.

(Aug. 10, 1956, ch. 1041, 70A Stat. 437, §7043; Pub. L. 85-861, §1(148), Sept. 2, 1958, 72 Stat. 1513; Pub. L. 89-536, Aug. 11, 1966, 80 Stat. 346; Pub. L. 96-513, title V, §513(22), Dec. 12, 1980, 94 Stat. 2932; Pub. L. 105-85, div. A, title V, §551(c), Nov. 18, 1997, 111 Stat. 1748; Pub. L. 108-375, div. A, title V, §557(b)(3), (4), Oct. 28, 2004, 118 Stat. 1915, 1916; renumbered §8543, Pub. L. 115-232, div. A, title VIII, §807(c)(1), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES  
1956 ACT

| Revised section | Source (U.S. Code)                                 | Source (Statutes at Large)  |
|-----------------|--|---|
| 7043 .....      | 34 U.S.C. 1074 (1st 98 words),<br>34 U.S.C. 1076c. | June 10, 1946, ch. 298 (1st 98 words), 60 Stat. 236.<br>July 31, 1947, ch. 420, §4, 61 Stat. 706. |

The words “of the Naval Academy” following “Postgraduate School” are dropped as a result of §4 of the Act of July 31, 1947 (supra). This Act created the Postgraduate School and in effect transferred the position of Academic Dean of the Postgraduate School of the Naval Academy to the newly created Postgraduate School.

1958 ACT

| Revised section | Source (U.S. Code)                  | Source (Statutes at Large)                                    |
|-----------------|-------------------------------------|---|
| 7043 .....      | 34 App.:1076c (less last sentence). | Aug. 9, 1955, ch. 669, §1 (less last sentence), 69 Stat. 607. |

REFERENCES IN TEXT

Level IV of the Executive Schedule, referred to in subsec. (b), is set out in section 5315 of Title 5, Government Organization and Employees.

PRIOR PROVISIONS

A prior section 8543, act Aug. 10, 1956, ch. 1041, 70A Stat. 527, related to number of authorized aides, prior to repeal by Pub. L. 114-328, div. A, title V, §502(pp)(1), Dec. 23, 2016, 130 Stat. 2106.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7043 of this title as this section.

2004—Pub. L. 108-375, §557(b)(3)(B), substituted “Provost and Academic Dean” for “Academic Dean” in section catchline.

Subsec. (a). Pub. L. 108-375, §557(b)(3)(A), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “There is at the Naval Postgraduate School the civilian position of Academic Dean. The Academic Dean shall be appointed, to serve for periods of not more than five years, by the Secretary of the Navy upon the recommendation of the Postgraduate School Council consisting of the Superintendent, the Deputy Superintendent, and the directors of the Technical, Administrative, and Professional Divisions of the school.”

Subsec. (b). Pub. L. 108-375, §557(b)(4), substituted “Provost and Academic Dean” for “Academic Dean”.

1997—Subsec. (b). Pub. L. 105-85 substituted “level IV of the Executive Schedule” for “grade GS-18 of the General Schedule under section 5332 of title 5”.

1980—Subsec. (b). Pub. L. 96-513 substituted “authorized for grade GS-18 of the General Schedule under section 5332 of title 5” for “provided for grade 18 of the general schedule of the Classification Act of 1949, as amended”.

1966—Subsec. (b). Pub. L. 89-536 substituted for a limit of \$13,500 per annum a rate of compensation comparable to grade 18 of the general schedule of the Classification Act of 1949, as amended.

1958—Pub. L. 85-861, among other changes, increased the maximum compensation of the Academic Dean from \$12,000 to \$13,500 a year.

CHANGE OF NAME

Pub. L. 108-375, div. A, title V, §557(b)(1), (2), Oct. 28, 2004, 118 Stat. 1915, provided that:

“(1) The position of Academic Dean of the Naval Postgraduate School is redesignated as Provost and Academic Dean of the Naval Postgraduate School.

“(2) Any reference to the Academic Dean of the Naval Postgraduate School in any law, rule, regulation, document, record, or other paper of the United States shall be deemed to be a reference to the Provost and Academic Dean of the Naval Postgraduate School.”

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 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.

§ 8544. Civilian teachers: number; compensation

The Secretary of the Navy may employ as many civilians as he considers necessary to serve at the Naval Postgraduate School under the direction of the President of the school as senior professors, professors, associate professors, assistant professors, and instructors. The Secretary shall prescribe the compensation of those persons.

(Aug. 10, 1956, ch. 1041, 70A Stat. 437, §7044; Pub. L. 108-375, div. A, title V, §557(a)(4)(A), Oct. 28, 2004, 118 Stat. 1915; renumbered §8544, Pub. L. 115-232, div. A, title VIII, §807(c)(1), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code)                    | Source (Statutes at Large)  |
|-----------------|---------------------------------------|---|
| 7044 .....      | 34 U.S.C. 1076b (less last sentence). | July 31, 1947, ch. 420, §3 (less last sentence), 61 Stat. 706; Aug. 30, 1954, ch. 1076, §1(21), 68 Stat. 968. |

The words “as many \* \* \* as he considers necessary” are substituted for the words “such number \* \* \* as in his opinion may be necessary for the proper instruction of students in the theoretical, academic, and scientific subjects pertaining to the technical and practical aspects of the naval profession” for brevity.

PRIOR PROVISIONS

A prior section 8544, act Aug. 10, 1956, ch. 1041, 70A Stat. 527, restricted performance of civil functions by commissioned officers of Regular Air Force, prior to repeal by Pub. L. 90-235, §4(a)(6), Jan. 2, 1968, 81 Stat. 759. See section 973 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7044 of this title as this section.

2004—Pub. L. 108-375 substituted “President of the school” for “Superintendent”.

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.

**§ 8545. Officers of the other armed forces; enlisted members: admission**

(a)(1) The Secretary of the Navy may permit officers of the Army, Air Force, and Coast Guard to receive instruction at the Naval Postgraduate School. The numbers and grades of such officers shall be as agreed upon by the Secretary of the Navy with the Secretary of the Army, the Secretary of the Air Force, and the Secretary of Homeland Security, respectively.

(2)(A) The Secretary may permit an enlisted member of the armed forces to receive instruction at the Naval Postgraduate School through attendance at an executive level seminar.

(B) The Secretary may permit an eligible enlisted member of the armed forces to receive instruction at the Postgraduate School in connection with pursuit of a program of education in a cyber discipline as a participant in the Cyber Scholarship program under chapter 112 of this title. To be eligible for instruction under this subparagraph, the enlisted member must have been awarded a baccalaureate degree by an institution of higher education.

(C) The Secretary may permit an eligible enlisted member of the armed forces to receive instruction from the Postgraduate School in certificate programs and courses required for the performance of the member’s duties.

(D)(i) The Secretary may permit an eligible enlisted member of the armed forces to receive graduate-level instruction at the Naval Postgraduate School in a program leading to a master’s degree in a technical, analytical, or engineering curriculum.

(ii) To be eligible to be provided instruction under this subparagraph, the enlisted member must have been awarded a baccalaureate degree by an institution of higher education.

(iii) Instruction under this subparagraph may be provided only on a space-available basis.

(iv) An enlisted member who successfully completes a course of instruction under this subparagraph may be awarded a master’s degree under section 8548 of this title.

(v) Instruction under this subparagraph shall be provided pursuant to regulations prescribed by the Secretary. Such regulations may include criteria for eligibility of enlisted members for instruction under this subparagraph and specification of obligations for further service in the armed forces relating to receipt of such instruction.

(E) In addition to instruction authorized under subparagraphs (A), (B), (C), and (D), the Secretary may, on a space-available basis, permit an enlisted member of the armed forces who is assigned permanently to the staff of the Postgraduate School or to a nearby command to receive instruction at the Postgraduate School.

(b)(1) Except as provided under paragraph (3), the Department of the Army, the Department of

the Air Force, and the Department of Homeland Security shall bear the cost of the instruction received by members detailed for that instruction by the Secretary of the Army, the Secretary of the Air Force, and the Secretary of Homeland Security, respectively.

(2) In the case of an enlisted member permitted under subsection (a)(2)(E) to receive instruction at the Postgraduate School on a space-available basis, the Secretary of the Navy shall charge that member only for such costs and fees as the Secretary considers appropriate.

(3) The requirements for payment of costs and fees under paragraph (1) shall be subject to such exceptions as the Secretary of Defense may prescribe for members of the armed forces who receive instruction at the Postgraduate School in connection with pursuit of a degree or certification as participants in the Cyber Scholarship program under chapter 112 of this title.

(c) While receiving instruction at the Postgraduate School, members of the Army, Air Force, and Coast Guard are subject to such regulations, as determined appropriate by the Secretary of the Navy, as apply to students who are members of the naval service.

(d) The Secretary may not award a baccalaureate, masters, or doctorate degree to an enlisted member based upon instruction received at the Postgraduate School under subsection (a)(2)(C).

(Aug. 10, 1956, ch. 1041, 70A Stat. 437, §7045; Pub. L. 96-513, title V, §513(23), Dec. 12, 1980, 94 Stat. 2932; Pub. L. 105-85, div. A, title V, §551(a), (b)(1), Nov. 18, 1997, 111 Stat. 1747; Pub. L. 105-261, div. A, title X, §1069(a)(6), Oct. 17, 1998, 112 Stat. 2136; Pub. L. 107-296, title XVII, §1704(b)(5), Nov. 25, 2002, 116 Stat. 2314; Pub. L. 108-136, div. A, title V, §532, Nov. 24, 2003, 117 Stat. 1472; Pub. L. 109-163, div. A, title V, §526(a), (b), Jan. 6, 2006, 119 Stat. 3245, 3246; Pub. L. 109-364, div. A, title V, §543(a)-(c), Oct. 17, 2006, 120 Stat. 2213; Pub. L. 115-91, div. A, title XVI, §1649(d)(3), Dec. 12, 2017, 131 Stat. 1753; renumbered §8545 and amended Pub. L. 115-232, div. A, title VIII, §§807(c)(1), 809(a), Aug. 13, 2018, 132 Stat. 1836, 1840.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large)                |
|-----------------|--------------------|---|
| 7045 .....      | 34 U.S.C. 1076e.   | July 31, 1947, ch. 420, §6, 61 Stat. 706. |

The section is enlarged to cover officers of the Air Force under authority of §305(a) of the National Security Act of 1947, as amended (5 U.S.C. 171e).

In subsection (a) the words “at the request of the Secretary of the Army and the Secretary of the Treasury” are omitted as surplusage. The words “to receive instruction” are inserted after the listing of the services and the words “attendance and” are omitted. The word “grades” is substituted for the word “ranks”.

In subsection (c) the words “rules and” are omitted. The words “who are officers of the naval service” are substituted for the words “of the United States Navy”, since officers of the Marine Corps are occasionally ordered to attend the Postgraduate School on the same basis as officers of the Navy.

PRIOR PROVISIONS

A prior section 8545, act Aug. 10, 1956, ch. 1041, 70A Stat. 528, provided that cooking for enlisted members of Air Force should be superintended by officers of or-