

shall not be effective until the day that is two years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2024.

(2) A requirement set forth in subsection (b) shall not apply in a case in which the requirement would violate any applicable provision of a Federal or State statute or regulation.

(d) SCHOOL ADVISORY COMMITTEES AND BOARDS.—Not less frequently than four times per year, a school advisory committee or school board for a school operated by the Department of Defense Education Activity shall provide parents of children attending the school with the opportunity to address the advisory committee or school board on any matters relating to the school or the educational services provided to their children.

(e) DEFINITIONS.—In this section:

(1) The term “medical examination or screening”—

(A) means a physical examination provided by a health care provider; and

(B) does not include an evaluation by, or an encounter with, non-clinical school staff.

(2) The term “school” means—

(A) a Department of Defense domestic dependent elementary or secondary school, as described in section 2164 of this title; or

(B) any elementary or secondary school or program for dependents operated by the Department of Defense Education Activity.

(Added Pub. L. 118–31, div. A, title V, §589(a), Dec. 22, 2023, 137 Stat. 284.)

#### Editorial Notes

##### REFERENCES IN TEXT

The date of the enactment of the National Defense Authorization Act for Fiscal Year 2024, referred to in subsec. (c)(1), is the date of enactment of Pub. L. 118–31, which was approved Dec. 22, 2023.

#### Statutory Notes and Related Subsidiaries

##### PARENTAL RIGHT TO NOTICE OF STUDENT NONPROFICIENCY IN READING OR LANGUAGE ARTS

Pub. L. 118–159, div. A, title V, §599B, Dec. 23, 2024, 138 Stat. 1923, provided that: “The Secretary of Defense shall ensure that each elementary school operated by the Department of Defense Education Activity notifies the parents of any student enrolled in such school when the student does not score as grade-level proficient in reading or language arts at the end of the third grade based on the reading or language arts assessments administered under section 1111(b)(2)(B)(v)(I)(aa) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(v)(I)(aa)) or another assessment administered to all third grade students by such school.”

#### § 2164b. Eligibility of certain dependents for enrollment in domestic dependent elementary and secondary schools

(a) PROGRAM AUTHORIZED.—Beginning not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025, the Secretary of Defense shall carry out a program under which a dependent of a full-time, active-duty member of the armed forces may enroll in a covered DODEA school at the military installation to which the member is assigned, on a space-available basis

as described in subsection (b), without regard to whether the member resides on the installation as described in section 2164(a)(1) of this title.

(b) ENROLLMENT ON SPACE-AVAILABLE BASIS.—A student participating in the program under subsection (a) may be enrolled in a covered DODEA school only if the school has the capacity to accept the student, as determined by the Director of the Department of Defense Education Activity.

(c) LOCATIONS.—The Secretary shall select military installations for participation in the program under subsection (a) based on—

(1) the readiness needs of the Secretary of the military department concerned; and

(2) the capacity of the covered DODEA schools located at the installation to accept additional students, as determined by the Director.

(d) BRIEFINGS REQUIRED.—

(1) IN GENERAL.—Not later than April 1, 2025, and annually thereafter for four years, the Secretary shall brief the Committees on Armed Services of the Senate and House of Representatives on the program under subsection (a).

(2) ELEMENTS.—Each briefing required by paragraph (1) shall include the following:

(A) An identification of the military installations participating in the program under subsection (a).

(B) The number of students enrolled in covered DODEA schools under the program.

(e) NOTIFICATIONS OF PARTICIPATING INSTALLATIONS.—Not later than 90 days before officially announcing the participation of a new military installation in the program under subsection (a), the Secretary shall notify the Committees on Armed Services of the Senate and the House of Representatives with respect to the participation of the installation.

(f) COVERED DODEA SCHOOL DEFINED.—In this section, the term “covered DODEA school” means a domestic dependent elementary or secondary school operated by the Department of Defense Education Activity that—

(1) was established on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025; and

(2) is located in the continental United States.

(Added Pub. L. 118–159, div. A, title V, §595(a), Dec. 23, 2024, 138 Stat. 1919.)

#### Editorial Notes

##### REFERENCES IN TEXT

The date of the enactment of the National Defense Authorization Act for Fiscal Year 2025, referred to in subsecs. (a) and (f)(1), is the date of enactment of Pub. L. 118–159, which was approved Dec. 23, 2024.

##### PRIOR PROVISIONS

Provisions similar to those in this section were contained in Pub. L. 116–283, div. A, title V, §589C, Jan. 1, 2021, 134 Stat. 3659, as amended by Pub. L. 117–263, div. A, title V, §572(a), Dec. 23, 2022, 136 Stat. 2601, which was set out in a note under section 2164 of this title, prior to repeal by Pub. L. 118–159, div. A, title V, §595(b), Dec. 23, 2024, 138 Stat. 1920.

**§ 2165. National Defense University: component institutions**

(a) IN GENERAL.—There is a National Defense University in the Department of Defense.

(b) COMPONENT INSTITUTIONS.—The National Defense University consists of the following institutions:

- (1) The National War College.
- (2) The Dwight D. Eisenhower School for National Security and Resource Strategy.
- (3) The Joint Forces Staff College.
- (4) The Institute for National Strategic Studies.
- (5) The College of Information and Cyberspace.
- (6) The College of International Security Affairs.
- (7) Any other educational institution of the Department of Defense that the Secretary considers appropriate and designates as an institution of the university.

[(c) Repealed. Pub. L. 109–364, div. A, title IX, § 904(b)(2)(B), Oct. 17, 2006, 120 Stat. 2353.]

(d) SOURCE OF FUNDS FOR PROFESSIONAL DEVELOPMENT EDUCATION OPERATIONS.—Funding for the professional development education operations of the National Defense University shall be provided from funds made available to the Secretary of Defense from the annual appropriation “Operation and Maintenance, Defense-wide”.

(e) ACCEPTANCE OF FACULTY RESEARCH GRANTS.—(1) The Secretary of Defense may authorize the President of the National Defense University to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of one of the institutions comprising the University for a scientific, literary, or educational purpose.

(2) A qualifying research grant under this subsection is a grant that is awarded on a competitive basis by an entity referred to in paragraph (3) for a research project with a scientific, literary, or educational purpose.

(3) A grant may be accepted under this subsection only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

(4) The Secretary shall establish an account for administering funds received as research grants under this subsection. The President of the University shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

(5) Subject to such limitations as may be provided in appropriations Acts, appropriations available for the National Defense University may be used to pay expenses incurred by the University in applying for, and otherwise pursuing, the award of qualifying research grants.

(6) The Secretary shall prescribe regulations for the administration of this subsection.

(f) COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.—(1) In engaging in research and development projects pursuant to subsection (a) of section 4001 of this title by a contract, cooperative agreement, or grant pursuant to sub-

section (b)(1) of such section, the Secretary may enter into such contract or cooperative agreement or award such grant through the National Defense University.

(2) The National Defense University shall be considered a Government-operated Federal laboratory for purposes of section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

(Added and amended Pub. L. 105–85, div. A, title IX, §§ 921(a)(1), 922(a), Nov. 18, 1997, 111 Stat. 1862, 1863; Pub. L. 105–261, div. A, title IX, §§ 904, 905(a), Oct. 17, 1998, 112 Stat. 2093; Pub. L. 106–398, § 1 [[div. A], title IX, § 913(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A–230; Pub. L. 107–107, div. A, title V, § 527(c)(1), Dec. 28, 2001, 115 Stat. 1102; Pub. L. 109–163, div. A, title V, § 522(a), Jan. 6, 2006, 119 Stat. 3240; Pub. L. 109–364, div. A, title IX, § 904(b)(2), Oct. 17, 2006, 120 Stat. 2353; Pub. L. 112–81, div. B, title XXVIII, § 2861(b), Dec. 31, 2011, 125 Stat. 1701; Pub. L. 114–328, div. A, title II, § 214(a), title XVI, § 1648(a), Dec. 23, 2016, 130 Stat. 2048, 2606; Pub. L. 116–283, div. A, title XVIII, § 1841(e)(1), Jan. 1, 2021, 134 Stat. 4244; Pub. L. 118–31, div. A, title IX, § 912, Dec. 22, 2023, 137 Stat. 365.)

**Editorial Notes**

AMENDMENTS

2023—Subsec. (b)(6), (7). Pub. L. 118–31 added par. (6) and redesignated former par. (6) as (7).

2021—Subsec. (f)(1). Pub. L. 116–283 substituted “section 4001” for “section 2358”.

2016—Subsec. (b)(5). Pub. L. 114–328, § 1648(a), substituted “College of Information and Cyberspace” for “Information Resources Management College”.

Subsec. (f). Pub. L. 114–328, § 214(a), added subsec. (f).  
2011—Subsec. (b)(2). Pub. L. 112–81 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The Industrial College of the Armed Forces.”

2006—Subsec. (b)(6), (7). Pub. L. 109–364, § 904(b)(2)(A), redesignated par. (7) as (6) and struck out former par. (6) which read as follows: “The Center for Hemispheric Defense Studies.”

Subsec. (c). Pub. L. 109–364, § 904(b)(2)(B), struck out heading and text of subsec. (c). Text read as follows: “Funds available for the payment of personnel expenses under the Latin American cooperation authority set forth in section 1050 of this title are also available for the costs of the operation of the Center for Hemispheric Defense Studies.”

Subsec. (e). Pub. L. 109–163 added subsec. (e).

2001—Subsec. (d). Pub. L. 107–107 added subsec. (d).

2000—Subsec. (b)(3). Pub. L. 106–398 substituted “Joint Forces Staff College” for “Armed Forces Staff College”.

1998—Subsec. (b)(7). Pub. L. 105–261, § 904, added par. (7).

Subsec. (c). Pub. L. 105–261, § 905(a), added subsec. (c).

1997—Subsec. (b)(6). Pub. L. 105–85, § 922(a), added par. (6).

**Statutory Notes and Related Subsidiaries**

CHANGE OF NAME

Pub. L. 114–328, div. A, title XVI, § 1648(b), Dec. 23, 2016, 130 Stat. 2606, provided that: “Any reference in any law, regulation, document, record, or other paper of the United States to the Information Resources Management College shall be considered to be a reference to the College of Information and Cyberspace.”

Pub. L. 112–81, div. B, title XXVIII, § 2861, Dec. 31, 2011, 125 Stat. 1701, provided that:

“(a) REDESIGNATION.—The Industrial College of the Armed Forces is hereby renamed the ‘Dwight D. Eisen-