

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

Statutory Notes and Related Subsidiaries

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, Space 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.

(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 Post-

graduate 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, Space 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; Pub. L. 117-263, div. A, title V, §555(a), Dec. 23, 2022, 136 Stat. 2595; Pub. L. 118-31, div. A, title IX, §915, Dec. 22, 2023, 137 Stat. 368.)

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.

Editorial Notes

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 organizations to which members belonged, prior to repeal by Pub. L. 90-235, §4(b)(1), Jan. 2, 1968, 81 Stat. 760.

AMENDMENTS

2023—Subsec. (a)(1). Pub. L. 118-31, §915(1), substituted “Space Force, and Coast Guard” for “and Coast Guard”.

Subsec. (c). Pub. L. 118-31, §915(2), substituted “Space Force, and Coast Guard” for “and Coast Guard”.

2022—Subsec. (a)(2)(D)(iii). Pub. L. 117-263 struck out “only on a space-available basis” after “provided”.

2018—Pub. L. 115-232, §807(c)(1), renumbered section 7045 of this title as this section.

Subsec. (a)(2)(D)(iv). Pub. L. 115-232, §809(a), substituted “section 8548” for “section 7048”.

2017—Subsec. (a)(2)(B). Pub. L. 115-91 substituted “a cyber discipline” for “information assurance” and “Cyber Scholarship program” for “Information Security Scholarship program”.

Subsec. (b)(3). Pub. L. 115-91, §1649(d)(3)(A), substituted “Cyber Scholarship program” for “Information Security Scholarship program”.

2006—Subsec. (a)(2)(C). Pub. L. 109-364, §543(a), substituted “armed forces” for “Navy or Marine Corps”.

Pub. L. 109-163, §526(a)(1)(B), added subpar. (C). Former subpar.(C) redesignated (D).

Subsec. (a)(2)(D). Pub. L. 109-364, §543(b)(2), added subpar. (D). Former subpar. (D) redesignated (E).

Pub. L. 109-163, §526(a)(1)(A), (C), redesignated subpar. (C) as (D) and substituted “subparagraphs (A), (B), and (C)” for “subparagraphs (A) and (B)”.

Subsec. (a)(2)(E). Pub. L. 109-364, §543(b)(1), (c)(1), redesignated subpar. (D) as (E) and substituted “(C), and (D)” for “and (C)”.

Subsec. (b)(2). Pub. L. 109-364, §543(c)(2), substituted “(a)(2)(E)” for “(a)(2)(D)”.

Pub. L. 109-163, §526(a)(2), substituted “subsection (a)(2)(D)” for “subsection (a)(2)(C)”.

Subsec. (d). Pub. L. 109-163, §526(b), added subsec. (d).

2003—Subsec. (a)(2). Pub. L. 108-136, §532(a), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The Secretary may permit an enlisted member of the armed forces who is assigned to the Naval Postgraduate School or to a nearby command to receive instruction at the Naval Postgraduate School. Admission of enlisted members for instruction under this paragraph shall be on a space-available basis.”

Subsec. (b). Pub. L. 108-136, §532(b), designated first sentence as par. (1) and substituted “Except as provided under paragraph (3), the Department” for “The Department” and “members” for “officers”, designated second sentence as par. (2) and inserted “under subsection (a)(2)(C)” after “permitted” and “on a space-available basis” after “instruction at the Postgraduate School” and struck out “(taking into consideration the admission of enlisted members on a space-available basis)” before period at end, and added par. (3).

2002—Subsec. (a)(1). Pub. L. 107-296, §1704(b)(5)(A), substituted “Secretary of the Army, the Secretary of the Air Force, and the Secretary of Homeland Security” for “Secretaries of the Army, Air Force, and Transportation”.

Subsec. (b). Pub. L. 107-296, §1704(b)(5), substituted “Department of Homeland Security” for “Department of Transportation” and “Secretary of the Army, the Secretary of the Air Force, and the Secretary of Homeland Security” for “Secretaries of the Army, Air Force, and Transportation”.

1998—Subsec. (c). Pub. L. 105-261 struck out “the” after “are subject to”.

1997—Pub. L. 105-85, §551(b)(1), substituted “Officers of the other armed forces; enlisted members:” for “Officers of Army, Air Force, and Coast Guard:” in section catchline.

Subsec. (a). Pub. L. 105-85, §551(a)(1), designated existing provisions as par. (1) and added par. (2).

Subsec. (b). Pub. L. 105-85, §551(a)(2), substituted “officers detailed” for “the students detailed” and inserted at end “In the case of an enlisted member permitted to receive instruction at the Postgraduate School, the Secretary of the Navy shall charge that member only for such costs and fees as the Secretary considers appropriate (taking into consideration the admission of enlisted members on a space-available basis).”

Subsec. (c). Pub. L. 105-85, §551(a)(3), substituted “members” for “officers” in two places and “such regulations, as determined appropriate by the Secretary of the Navy,” for “same regulations”.

1980—Subsec. (a). Pub. L. 96-513, §513(23), substituted references to Transportation Department and Secretary for references to Treasury Department and Secretary, respectively.

Subsec. (b). Pub. L. 96-513, §513(23)(A), substituted reference to Transportation Secretary for reference to Treasury Secretary.

Statutory Notes and Related Subsidiaries

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 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107-296, set out as a note under section 101 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.

PILOT PROGRAM TO PROVIDE GRADUATE EDUCATION OPPORTUNITIES FOR ENLISTED MEMBERS OF THE ARMY AND NAVY

Pub. L. 118-159, div. A, title V, §559D, Dec. 23, 2024, 138 Stat. 1900, provided that:

“(a) **AUTHORITY.**—The Secretary of the Navy and the Secretary of the Army may jointly conduct a pilot program (referred to in this section as the ‘Program’) under which certain enlisted personnel of the covered Armed Forces may enroll in a master’s degree program at the Naval Postgraduate School.

“(b) **PROGRAM REQUIREMENTS.**—The Secretaries concerned may carry out the Program—

“(1) in accordance with this section;

“(2) in accordance with such regulations as may be prescribed by the Secretary of Defense for purposes of the Program; and

“(3) in a manner consistent with the Graduate Education Program—Enlisted pilot program of the Marine Corps.

“(c) **ELIGIBILITY OF PARTICIPANTS.**—The Secretaries concerned shall establish criteria for determining the eligibility of enlisted members of the covered Armed Forces for participation in the Program.

“(d) **SELECTION OF PARTICIPANTS.**—Selection of a member for the Program shall be based on consideration of—

“(1) the eligibility criteria established under subsection (c);

“(2) professional performance;

“(3) promotion potential;

“(4) retention potential;

“(5) academic background, capabilities, and accomplishments;

“(6) the needs of the Navy and Army; and

“(7) input from the component within each covered Armed Force with primary responsibility for determining the duty assignments of enlisted members.

“(e) POST-PARTICIPATION SERVICE.—Subject to such terms, conditions, and exceptions as the Secretaries concerned may establish, an enlisted member who receives a master’s degree under the Program shall serve for a period of not less than two years in a duty assignment that is relevant to the degree obtained by the member under the Program.

“(f) FRAMEWORK FOR FILLING BILLETS.—In conjunction with selecting enlisted members for participation in the Program as described in subsection (d), the Secretaries concerned shall establish a framework for assigning enlisted personnel who are not participating in the Program—

“(1) to fill the billets of the members participating in the Program while such members are completing a course of study at the Naval Postgraduate School; and

“(2) to fill the billets of members who received a master’s degree under the Program while such members are engaged in post-participation service as described in subsection (e).

“(g) IDENTIFICATION OF DEGREE PROGRAMS.—The Secretaries concerned shall coordinate with the President of the Naval Postgraduate School to identify specific master’s degree programs offered by the School in which Program participants may enroll. In identifying such programs, the Secretaries shall consider—

“(1) the needs of the Navy and Army;

“(2) the capacity of the Naval Postgraduate School; and

“(3) the extent to which enrollment in a specific program is expected to have a positive effect on the career trajectories of participants.

“(h) INFORMATION DISSEMINATION.—The Secretaries concerned shall take such actions as are necessary to notify and inform enlisted members about the Program.

“(i) REPORT.—Before the expiration of the six-year period described in subsection (j), the Secretaries concerned, in coordination with the Secretary of Defense, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that includes—

“(1) an assessment of whether and to what extent the Program has met the needs of the covered Armed Forces and had positive effects on participating enlisted members, including with respect to—

“(A) career trajectory, including potential pay increases;

“(B) retention;

“(C) recruitment;

“(D) job performance;

“(E) merit-based promotions and merit-based promotion reorder; and

“(F) compatibility with the objectives outlined in the 2022 National Defense Strategy to modernize the Armed Services, spur innovation, and outpace and outthink adversaries of the United States;

“(2) the recommendations of the Secretaries regarding whether the Program should be extended or made permanent;

“(3) an assessment of the funding and capabilities that may be needed to make the Program permanent; and

“(4) any other matters the Secretaries determine to be relevant.

“(j) SUNSET.—The Program shall terminate six years after the date on which the Program commences under this section.

“(k) DEFINITIONS.—In this section:

“(1) The term ‘covered Armed Force’ means the Army or Navy.

“(2) The term ‘Secretary concerned’ means—

“(A) the Secretary of the Army, with respect to matters concerning the Army; and

“(B) the Secretary of the Navy, with respect to matters concerning the Navy.”

§ 8546. Officers of foreign countries: admission

(a) The Secretary of the Navy, upon authorization of the President, may permit commissioned officers of the military services of foreign countries to receive instruction at the Naval Postgraduate School.

(b) Officers receiving instruction under this section are subject to the same regulations governing attendance, discipline, discharge, and standards of study as apply to students who are officers of the United States naval service.

(c) No officer of a foreign country is entitled to an appointment in the Navy or the Marine Corps by reason of his completion of the prescribed course of study at the Postgraduate School.

(Aug. 10, 1956, ch. 1041, 70A Stat. 438, §7046; renumbered §8546, 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)
7046	34 U.S.C. 1076d.	July 31, 1947, ch. 420, §5, 61 Stat. 706.

In subsection (b) the words “rules and” are omitted. The words “United States naval service” are substituted for the words “United States Navy” for uniformity.

In subsection (c) the words “to any office or position” are omitted as surplusage. The words “or Marine Corps” are inserted, as the word “Navy” in this context has been interpreted to include officers of the Marine Corps.

Editorial Notes

PRIOR PROVISIONS

A prior section 8546, act Aug. 10, 1956, ch. 1041, 70A Stat. 528, required medical officers and contract surgeons to attend families of members of Air Force, prior to repeal by Pub. L. 85-861, §36B(26), Sept. 2, 1958, 72 Stat. 1571.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7046 of this title as this section.

Statutory Notes and Related Subsidiaries

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.

§ 8547. Students at institutions of higher education: admission

(a) ADMISSION PURSUANT TO RECIPROCAL AGREEMENT.—The Secretary of the Navy may enter into an agreement with an accredited institution of higher education to permit a student described in subsection (b) enrolled at that institution to receive instruction at the Naval Postgraduate School on a tuition-free basis. In exchange for the admission of the student, the institution of higher education shall be required to permit an officer of the armed forces to at-