

tend on a tuition-free basis courses offered by that institution corresponding in length to the instruction provided to the student at the Naval Postgraduate School.

(b) **ELIGIBLE STUDENTS.**—A student enrolled at an institution of higher education that is party to an agreement under subsection (a) may be admitted to the Naval Postgraduate School pursuant to that agreement if—

(1) the student is a citizen of the United States or lawfully admitted for permanent residence in the United States; and

(2) the Secretary of the Navy determines that the student has a demonstrated ability in a field of study designated by the Secretary as related to naval warfare and national security.

(Added Pub. L. 102-484, div. A, title X, §1073(a)(2), Oct. 23, 1992, 106 Stat. 2510, §7047; renumbered §8547, Pub. L. 115-232, div. A, title VIII, §807(c)(1), Aug. 13, 2018, 132 Stat. 1836.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 8547 was renumbered section 9217 of this title.

##### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7047 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.

#### § 8548. Degree granting authority for United States Naval Postgraduate School

(a) **AUTHORITY.**—Under regulations prescribed by the Secretary of the Navy, the President of the Naval Postgraduate School may, upon the recommendation of the faculty of the Naval Postgraduate School, 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 Naval Postgraduate School 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 Naval Postgraduate School to award any new or existing degree.

(Aug. 10, 1956, ch. 1041, 70A Stat. 438, §7047; renumbered §7048, Pub. L. 102-484, div. A, title X, §1073(a)(1), Oct. 23, 1992, 106 Stat. 2510; amended Pub. L. 108-375, div. A, title V, §557(a)(4)(B), Oct. 28, 2004, 118 Stat. 1915; Pub. L. 110-417, [div. A], title V, §543(e)(1), Oct. 14, 2008, 122 Stat. 4460; renumbered §8548, 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)
7047 .....	34 U.S.C. 1076f.	Dec. 7, 1945, ch. 559, 59 Stat. 603; July 31, 1947, ch. 420, §7, 61 Stat. 706.

In subsection (a) the words “of science” are omitted as surplusage since the curriculum is in engineering and related fields.

In subsection (b) the words “from time to time” are omitted as surplusage.

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 8548 was renumbered section 9218 of this title.

##### AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7048 of this title as this section.

2008—Pub. L. 110-417 amended section generally. Prior to amendment, text read as follows:

“(a) The President of the Naval Postgraduate School, under regulations prescribed by the Secretary of the Navy, may confer on any qualified graduate a bachelor's, master's, or doctor's degree in engineering or a related field.

“(b) A degree may not be conferred under this section unless the curriculum leading to that degree is accredited by the appropriate professional authority.”

2004—Subsec. (a). Pub. L. 108-375 substituted “President” for “Superintendent”.

1992—Pub. L. 102-484 renumbered section 7047 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.

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 2163 of this title.

**§ 8549. Defense industry civilians: admission to defense product development program**

(a) **AUTHORITY FOR ADMISSION.**—The Secretary of the Navy may permit eligible defense industry employees to receive instruction at the Naval Postgraduate School in accordance with this section. Any such defense industry employee may only be enrolled in, and may only be provided instruction in, a program leading to a master's degree or professional continuing education certificate in a curriculum related to defense product development and systems engineering. No more than 125 such defense industry employees may be enrolled at any one time. Upon successful completion of the course of instruction in which enrolled, any such defense industry employee may be awarded an appropriate degree under section 8548 of this title or an appropriate professional continuing education certificate, as applicable.

(b) **ELIGIBLE DEFENSE INDUSTRY EMPLOYEES.**—For purposes of this section, an eligible defense industry employee is an individual employed by a private firm that is engaged in providing to the Department of Defense significant and substantial defense-related systems, products, or services. A defense industry employee admitted for instruction at the school remains eligible for such instruction only so long as that person remains employed by the same firm.

(c) **ANNUAL DETERMINATION BY THE SECRETARY OF THE NAVY.**—Defense industry employees may receive instruction at the school during any academic year only if, before the start of that academic year, the Secretary of the Navy determines that providing instruction to defense industry employees under this section during that year—

(1) will further the military mission of the school;

(2) will enhance the ability of the Department of Defense and defense-oriented private sector contractors engaged in the design and development of defense systems to reduce the product and project lead times required to bring such systems to initial operational capability; and

(3) will be done on a space-available basis and not require an increase in the size of the faculty of the school, an increase in the course offerings of the school, or an increase in the laboratory facilities or other infrastructure of the school.

(d) **PROGRAM REQUIREMENTS.**—The Secretary of the Navy shall ensure that—

(1) the curriculum for the defense product development program in which defense industry employees may be enrolled under this section is not readily available through other

schools and concentrates on defense product development functions that are conducted by military organizations and defense contractors working in close cooperation; and

(2) the course offerings at the school continue to be determined solely by the needs of the Department of Defense.

(e) **TUITION.**—The President of the school shall charge tuition for students enrolled under this section at a rate not less than the rate charged for employees of the United States outside the Department of the Navy.

(f) **STANDARDS OF CONDUCT.**—While receiving instruction at the school, students enrolled under this section, to the extent practicable, are subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the school.

(g) **USE OF FUNDS.**—Amounts received by the school for instruction of students enrolled under this section shall be retained by the school to defray the costs of such instruction. The source, and the disposition, of such funds shall be specifically identified in records of the school.

(Added Pub. L. 106-398, §1 [[div. A], title V, §535(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-112, §7049; amended Pub. L. 108-136, div. A, title X, §1031(a)(57), Nov. 24, 2003, 117 Stat. 1603; Pub. L. 108-375, div. A, title V, §557(a)(4)(B), Oct. 28, 2004, 118 Stat. 1915; Pub. L. 109-163, div. A, title V, §525, Jan. 6, 2006, 119 Stat. 3245; Pub. L. 110-417, [div. A], title V, §542, Oct. 14, 2008, 122 Stat. 4456; Pub. L. 112-239, div. A, title V, §589(a), Jan. 2, 2013, 126 Stat. 1769; renumbered §8549 and amended Pub. L. 115-232, div. A, title VIII, §§807(c)(1), 809(a), Aug. 13, 2018, 132 Stat. 1836, 1840.)

**Editorial Notes**

AMENDMENTS

2018—Pub. L. 115-232, §807(c)(1), renumbered section 7049 of this title as this section.

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

2013—Subsec. (a). Pub. L. 112-239 inserted “or professional continuing education certificate” after “master's degree” and “or an appropriate professional continuing education certificate, as applicable” before period at end.

2008—Subsec. (a). Pub. L. 110-417 substituted “125” for “25”.

2006—Subsec. (a). Pub. L. 109-163 inserted “and systems engineering” after “curriculum related to defense product development” and substituted “25” for “10”.

2004—Subsec. (e). Pub. L. 108-375 substituted “President” for “Superintendent”.

2003—Subsec. (c). Pub. L. 108-136 substituted “Determination” for “Certification” in heading and struck out “, and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives,” after “determines” in introductory provisions.

PRIOR PROVISIONS

A prior section 8549, act Aug. 10, 1956, ch. 1041, 70A Stat. 528, prohibited assignment of female members, except those designated under section 8067, to duty in aircraft engaged in combat missions, prior to repeal by Pub. L. 102-190, div. A, title V, §531(a)(1), Dec. 5, 1991, 105 Stat. 1365.