

103^D CONGRESS
2^D SESSION

H. R. 4272

To amend title 10, United States Code, to expand the authority of the United States Naval Postgraduate School to admit civilians as students and to authorize the United States Air Force Institute of Technology to admit civilians as students.

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 1994

Mr. FARR of California (for himself, Mr. HALL of Ohio, and Mr. HOBSON) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to expand the authority of the United States Naval Postgraduate School to admit civilians as students and to authorize the United States Air Force Institute of Technology to admit civilians as students.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXPANSION OF AUTHORITY OF UNITED STATES**
2 **NAVAL POSTGRADUATE SCHOOL TO ADMIT**
3 **CIVILIAN STUDENTS.**

4 (a) ADMISSION ON SPACE-AVAILABLE BASIS.—Sec-
5 tion 7047 of title 10, United States Code, is amended to
6 read as follows:

7 **“§ 7047. Admission of civilians**

8 “(a) ADMISSION PURSUANT TO RECIPROCAL AGREE-
9 MENT.—With the approval of the Secretary of the Navy,
10 the Superintendent of the Naval Postgraduate School may
11 enter into an agreement with an accredited institution of
12 higher education (or a consortium of such institutions) to
13 permit a student described in subsection (c) who is en-
14 rolled at an institution of higher education that is a party
15 to the agreement to receive instruction at the Naval Post-
16 graduate School on a tuition-free basis. In exchange for
17 the admission of the student under this subsection, the
18 institution of higher education shall be required to permit
19 an officer of the armed forces to attend, on a tuition-free
20 basis, courses offered by that institution corresponding in
21 length to the instruction provided to the student at the
22 Naval Postgraduate School.

23 “(b) ADMISSION ON SPACE-AVAILABLE BASIS.—
24 With the approval of the Secretary of the Navy, the Super-
25 intendent may permit a student described in subsection
26 (c) who is enrolled at an institution of higher education

1 that is a party to an agreement under subsection (a) to
2 receive instruction at the Naval Postgraduate School on
3 a cost-reimbursable, space-available basis. The Super-
4 intendent may also permit other persons to receive in-
5 struction at the Naval Postgraduate School on a cost-re-
6 imbursable, space-available basis if the Superintendent de-
7 termines that the person would benefit from the instruc-
8 tion provided at the school.

9 “(c) ELIGIBLE STUDENTS.—A student enrolled at an
10 institution of higher education may be admitted to the
11 Naval Postgraduate School under subsection (a) or (b)
12 if—

13 “(1) the student is a citizen of the United
14 States, is lawfully admitted for permanent residence
15 in the United States, or is lawfully admitted to the
16 United States for the purpose of pursuing a course
17 of study at an institution of higher education; and

18 “(2) the Superintendent determines that the
19 student has an interest in a field of study designated
20 by the Superintendent as related to naval warfare
21 and national security or other activities of the Naval
22 Postgraduate School.

23 “(d) RETENTION OF FUNDS COLLECTED.—Amounts
24 collected under subsection (b) to reimburse the Naval
25 Postgraduate School for the costs of providing instruction

1 to students or other persons permitted to attend the Naval
2 Postgraduate School under such subsection shall be cred-
3 ited as an addition to the appropriation supporting the
4 maintenance and operation of the Naval Postgraduate
5 School.”.

6 (b) CLERICAL AMENDMENT.—The table of contents
7 at the beginning of chapter 605 of title 10, United States
8 Code, is amended by striking out the item relating to sec-
9 tion 7047 and inserting in lieu thereof the following new
10 item:

“7047. Admission of civilians.”.

11 **SEC. 2. AUTHORITY OF UNITED STATES AIR FORCE INSTI-**
12 **TUTE OF TECHNOLOGY TO ADMIT CIVILIAN**
13 **STUDENTS.**

14 (a) ADMISSION OF CIVILIANS.—Chapter 901 of title
15 10, United States Code, is amended by inserting after sec-
16 tion 9314 the following new section:

17 **“§9314a. United States Air Force Institute of Tech-**
18 **nology: admission of civilians**

19 “(a) ADMISSION PURSUANT TO RECIPROCAL AGREE-
20 MENT.—With the approval of the Secretary of the Air
21 Force through the Commandant of the United States Air
22 Force Institute of Technology (AFIT), the Commandant
23 may enter into agreements with accredited institutions of
24 higher education (or consortia of such institutions) to per-
25 mit a student described in subsection (c) who is enrolled

1 at an institution of higher education that is a party to
2 such an agreement to receive instruction at the United
3 States Air Force Institute of Technology on the basis of
4 the agreement.

5 “(b) ADMISSION ON A FEE-FOR-SERVICE, SPACE-
6 AVAILABLE BASIS.—With the approval of the Secretary
7 of the Air Force through the AFIT Commandant, the
8 Commandant may permit a student described in sub-
9 section (c) who is enrolled at an institution of higher edu-
10 cation that is a party to an agreement under subsection
11 (a) to receive instruction at the United States Air Force
12 Institute of Technology on a fee-for-service, space-avail-
13 able basis. The Commandant may also permit other per-
14 sons to receive instruction at the institute on a fee-for-
15 service, space-available basis if the Commandant deter-
16 mines that the person or the Federal Government would
17 benefit from the instruction provided at the institute and
18 that comparable instruction is not reasonably and expedi-
19 tiously available through civilian schools.

20 “(c) ELIGIBLE STUDENTS.—A student enrolled at an
21 institution of higher education may be admitted to the
22 United States Air Force Institute of Technology under
23 subsection (a) or (b) if—

24 “(1) the student is a citizen of the United
25 States, is lawfully admitted for permanent residence

1 in the United States, or is lawfully admitted to the
2 United States for the purpose of pursuing a course
3 of study at an institution of higher education; and

4 “(2) the Commandant determines that the stu-
5 dent has an interest in a field of study designated
6 by the Commandant as related to the activities of
7 the institute.

8 “(d) RETENTION OF FUNDS COLLECTED.—Amounts
9 collected under subsection (b) to reimburse the United
10 States Air Force Institute of Technology for the costs of
11 providing instruction to students or other persons per-
12 mitted to attend the institute under such subsection shall
13 be credited as an addition to the appropriation supporting
14 the maintenance and operation of the institute.”.

15 (b) CLERICAL AMENDMENTS.—(1) The heading of
16 section 9314 of title 10, United States Code, is amended
17 to read as follows:

18 “**§9314. United States Air Force Institute of Tech-**
19 **nology: degrees and civilian faculty”.**

20 (2) The table of sections at the beginning of chapter
21 901 of title 10, United States Code, is amended by strik-
22 ing out the item relating to section 9314(a) and inserting
23 in lieu thereof the following new items:

“9314. United States Air Force Institute of Technology: degrees and civilian
faculty.

“9314a. United States Air Force Institute of Technology: admission of civil-
ians.”.

